Thank you for responding to the Local Government and Regeneration Committee's Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee's scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee's Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

*1. Please supply your name and contact details:

Name: Dave Ewing
Organisation: Firearms UK
Address 1: 
Address 2: 
City/Town: 
Postcode: 
Country: 
Email address (if no email leave blank): 
Phone Number: 
2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

☒ Yes

3. Please confirm whether you are content for your name to be published with your submission:

☒ Yes
☐ No

4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

☒ Personal
☐ Professional
☐ Commercial

5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

☒ Yes
☐ No
6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☒ Yes
☐ No

7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill
☐ Equalities, climate change and other Scottish Government objectives
☒ Air Weapons
☐ General licensing issues
☐ Alcohol licensing
☐ Civic licensing – taxi/private hire car licensing
☐ Civic licensing – scrap metal dealers
☐ Civic licensing – theatre licensing
☐ Civic licensing – sexual entertainment venues
1. Equalities, Climate Change and other Scottish Government objectives

You may respond to all the questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

8. Do you consider that the Bill has any implications for meeting Scotland’s climate change commitments? Please explain.

Airgun licencing will have several negative effects for the Scottish environment.

As recreational shooting not be classed as good reason many people will have to join clubs or obtain approved land to shoot on. These people will then have to travel to these areas. I have been quoted by some people that a journey of up to 60 miles is required to get to their nearest club.

This increased road use will have a negative impact on the environment due to increased fuel usage and thus emissions. If the figures of E&W airgun owners are extrapolated for Scotland and an average of 10 miles total travel distance to clubs and back once a week is used this could be 65 Million miles travelled in a year because people will no longer be allowed to carry out recreational shooting on their own property.

(125,000 people x 10 miles/week x 52 weeks)

There may also be issues with costs and environmental impacts of disposing of a large percentage of the estimated 500,000 airguns in Scotland which law abiding people will have confiscated from them.

9. Do you consider that the Bill has any implications for meeting Scotland’s equality and/or human rights commitments? Please explain.
It will also have a greater negative effect on those with lower incomes who cannot afford the additional expenses of club membership/traveling etc. Changing a sport that was widely open to everyone to a sport for those with greater disposable incomes.

I have been lead to believe that this bill and other acts of Scottish and British parliament may contravene several acts of constitutional law. Including the Claim of Right, Bill of Rights and the ECHR.

Specifically relating to the ECHR this law violates article 1, Article 5 Article 8, Article 14

I also believe that although this is not technically a ban the Scottish Government should be require to fairly compensate air gun owners who have been forced to sell or destroy their airguns by this law. All airguns in Scotland will suddenly depreciate very quickly due to a flooding of the market with unwanted guns. Many people will lose a lot of money so it is only fair and reasonable that the Scottish Government compensates people up to a fair market value if this proposal goes ahead.

10. Do you consider that the Bill has any implications for preventative spending and/ or public services reform? Please explain.

We have estimated potential costs up to £100,000,000 but with a likely cost of around £75,000,000 in processing application fees alone. This does not take into account additional costs faced by public services.

If compensation is paid out this will also increase costs to the public purse.

A huge amount of money and public services time will be wasted that could be better directed to more worthy and effective efforts.

11. Do you consider that the Bill has any implications in relation to European Union issues? Please explain.
Please see response to question 9

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12. Do you have any other comments on the impact of the proposals contained in the Bill relation to Scottish Government objectives?

Since the Scottish Governments objectives appear to be the destruction of Firearms ownership and shooting sports in Scotland it would seem that this bill is well on the way to completing this.

However if the Scottish Governments objectives are promoting individual freedom, equality, sports and supporting people on low incomes this bill should be scrapped.

Shooting is an inclusive sport and firearms owners are amongst the most law abiding sections of society yet are being used as the scape goat by a Government keen to win cheap political points.

No other section of society would face the discrimination firearms enthusiasts face because of a very small minority of irresponsible people.
2. Air Weapons Licensing

You may respond to all the questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

13. In what ways will the creation of an air weapons licensing system in Scotland contribute to preserving public order and safety, reducing crime and advancing public health policy?

In my opinion it will have a negligible effect on crime prevention, public safety and possibly have a negative effect on public safety.

Airgun crime has fallen 76% since 2006. A massive drop. This legislation is being fuelled by exploiting the understandable emotions felt after the shooting of young Andrew Morton. However it should be noted that this was before the introduction of the Violent Crimes Reduction Act. The introduction of this act which toughened up regulations on air guns has corresponded with this huge drop. Alongside continued education and enforcement of current laws we should continue to see drops without the need for costly, discriminatory and disproportionate legislation.

The ratio of airgun offences to the number of airguns is less than 0.04% compared to motor vehicles which is approximately 12.4%. In 2012 there were more cases of injuries caused by dog bites admitted to one Scottish hospital than airgun offences for the whole of Scotland. Again the effect of airguns on public health is negligible and there are bigger problems at hand.

Public health could also be affected by a rise in pest species as airguns are a vital tool in pest control and land management. This service is often done for free by airgun owners who faced with rising costs or unable to meet the ridiculous requirements may choose to give up. This could result in increases in pest species spreading disease and damaging crops.

14. Is there sufficient provision, or sufficient capacity to provide, suitable numbers of air weapons clubs across all areas of Scotland for use by registered air weapons owners/users?
No there is not. There are an estimated 500,000 airguns in Scotland and if extrapolating this number using figures from England and Wales it would suggest that these guns are owned by 125,000 individuals.

Many people safely shoot recreationally on their own property; it is a popular pass time as there is no need for club membership or having access to land. Clubs simply could not cope with a huge influx of airgun members. I have also spoken with many people who shoot airguns and some face a 60 mile round trip to their nearest gun club.

This again increases costs to the individual and pollutes the environment due to increased road travel.

15. How will the air weapons licensing system affect those using air weapons for personal/recreational use?

As mentioned above many people who use airguns do so on their own property. It is carried out by tens of thousands of people every year safely and without incident. There are already laws placing responsibilities on the shooter to ensure best practice and provisions to ensure punishment if acting irresponsibly.

Many people will be forced out of their sports due to increased costs, or ridiculously high standards. They will lose out financially as they will also have to sell their airguns at a depreciated value due to the market being flooded by airguns.

Those that remain in the sport will also face the increased costs in travelling, fees and time.

In short every law abiding air gun user will be facing criminalisation overnight, the destruction of their sports/hobbies and a violation of their private property rights because of a very small minority of irresponsible people.

It must be repeated that the vast majority of airgun owners are responsible and law abiding and it would be unacceptable if any other group were punished in this disproportionate manner because of the reckless few.
16. How will the air weapons licensing system affect those aged 14 to 17 who use air weapons?

It will affect the ease of which young people can be introduced to shooting sports. Therefore it will have a negative effect on the number of people who take up shooting as a hobby or for sport. It will reduce the number of future sporting champions. It will affect the number of young people taking part in active outdoor pursuits.

17. How will the air weapons licensing system affect those using air weapons for commercial/professional reasons (for example: for pest control; as part of the tourist/hunting season; as part of fairs, paintballing centre, entertainment sector etc.)?

Those who use airguns for commercial or business reasons will have to face the additional costs but will no doubt be able to get a certificate.

However the biggest effect will be on those who carry out pest control for free. This service is carried out often free for charge. It is often used on farmland to protect crop damage, golf courses to protect course damage and in urban areas to control pigeon populations as their faeces is harmful to human health.

It cannot be underestimated how vital these services are to the Scottish economy. If people have to pay money to acquire a certificate through club membership or obtaining the rights to land they may start to charge for their services or stop carrying them out.

Any increases in costs will be passed on to the Scottish consumer.

It is important to note that Airguns are often used for the purposes of Rabbit control. In 2012 rabbits cost £56,000,000 of crop damage in Scotland. This would likely increase airgun users are forced to give up.

In addition it would appear than some forms of soft air guns will be affected by this act thus potentially damaging the popular sport of skirmishing in Scotland.

I have spoken with many people who reside down south and come up for shooting holidays with friends. They have stated that they will no longer visit Scotland if they have to acquire certificates or visitors permits for their airguns.
18. How will the air weapons licensing system affect those using air weapons for competitive sporting purposes?

Competitive sportsmen and women will no doubt be able to continue with their sports with the added expense however the system will affect the number of people introduced to the sport and have a negative overall impact as the sport may begin to stagnate.

It is my understanding that the majority of airgun owners shoot for recreation on their own land not for competition and thus would not be eligible for a certificate. Thus being deprived of their property and pastime.

19. Is it equitable for those applying for an air weapons certificate to pay a fee which cannot be refundable irrespective of whether a certificate is granted or not?

No if a certificate is refused a full refund should be given as is the case with a Shotgun or Firearms Certificate. However I believe that since certificates offer no value to the applicant/holder and are essentially forced upon us due to public safety concerns it should be a free as it is a public service. The majority of Firearms/airgun owners are taxpayers so are essentially paying for a certificate twice.

20. Will the air weapons licensing system have a positive or negative impact on other areas of the public sector in Scotland (eg. The work of local government, public agencies etc.)?

This regime will have a huge negative effect on Police Scotland and its Firearms Licencing Departments.

Countless man hours will be wasted policing this regime and affect the standard of service in dealing with Firearms and Shotgun Certificates. I believe that this may actually hinder public safety not improve it.

It is my opinion that the Scottish Governments estimates on costs are vastly underestimated. Using figures obtained from the ACPO and the estimated number of airgun owners in Scotland we believe costs could be anywhere from £25-100,000,000 in processing applications alone. This
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does not take into account additional costs to courts, destruction of unwanted airguns and other costs. The Scottish Government estimates it to cost around 2.4 Million over 5 years.

21. What, if any, might the unintended consequences of introducing an air weapons licensing system in Scotland be?

Although I do not believe it to be unintended the consequences will be a reduction in the number of law abiding people who are introduced and take part in shooting sports.

Many people are first introduced to shooting through airguns as there is no requirement for a certificate and it can be done in ones back garden.

Faced with rising costs and red tape many people may decide to give up their sports or never take part.

Many sporting champions first learned to shoot in this manner especially those representing Scotland at the Commonwealth games and it will affect the likelihood of future undiscovered talent being introduced to the sports and bringing glory to Scotland.

22. Do you have any other comments to make on air weapons licensing aspects of the Bill?

The bill is disproportionate and will affect many more law abiding citizens than it does criminals.

As you are already aware a public consultation was carried out in which 87% of the responses were against the proposal. It has been argued that since there were approximately 1,100 responses this cannot be given as an indication of the General public’s view.

If the result were in favour of the proposal I doubt this argument would have been used by the Scottish Government. However there have been no major calls from the general public to ban/licence airguns. It is likely that most Scotsmen and women who are neither in pro gun or anti-gun camps do not have any great interest in the matter and many of those who will be
in favour of a licence will have been swayed by emotional rhetoric and not facts.

It is simply facts that should be looked at.

Those in favour of a licence rely solely on exploiting a tragic but very rare event, there is little evidence to back up their claims and thus they manipulate people’s emotions to gain support for their cause.

It is the duty of good Government to ensure that emotive knee jerk reactions are not allowed to influence law making. We have seen knee jerk reactions in the past and whilst it makes for good publicity for political parties it does very little for public safety or crime prevention.

This proposal has been criticized by various organisations including the Association of Scottish Police Superintendents on grounds of costs and manageability and the Regulatory Review Group of Scotland who have stated that proper impact assessments have not been carried out. This is in addition to the various shooting organisations that should be considered as experts in this field.

Messages of support from all over the world have been sent to the No to Airgun Licensing In Scotland campaign with many of the same sentiments that were heard in the original consultation. Indeed many are watching the Scottish Government/Parliament closely and are disturbed at the heavy handed draconian nature of this law.

Airgun crime is down 76% since 2006. This coincides with the introduction of the Violent Crime Reduction Act. This was not in place at the time of young Andrew Morton’s death.

All Firearms crime is at a 30 year low in Scotland. The mention of over half of offences involving airguns is just wordplay to justify this risible legislation.

There are already over 30 laws that directly and indirectly punish airgun misuse and should be enforced properly. If 30 laws do not deter people with criminal intent why will 31?
Additional costs may also be faced by members of the public indirectly as airguns are a vital tool in carrying out pest control on farmland, golf courses and inner city areas. These services are often carried out for free but rising costs may see people charge which will be passed on to consumers.

This proposal appears to be nothing more than populist politics that will have no effect of crime and is simply a way to achieve a backdoor ban on shooting sports.

Further Correspondence Received 20/09/2014

Dear Sir/Madam,

I have already provided written evidence regarding this bill however upon reading the Scottish Governments replies to the Committees excellent and very valid questions I feel I must highlight what I consider to be very serious issues with the Governments attitude and further emphasise why the committee should do all it can to stop this legislation.

In their response to Question 1, the Scottish Government accepts that airgun crime has fallen by a further 13%. Given the already miniscule number of airgun offences this is an excellent result achieved without licencing. Whilst the Government response uses wordplay by stating that airgun offences are 47% of firearms offences to make it sound serious that fact remains that out of the estimated 500,000 airguns in Scotland less than 0.04% are involved in an offence. Airgun crime is quite simply almost non-existent.

The Government also alludes to unreported incidents. I’m afraid this is mere speculation and in no way factual. When considering evidence only facts should be dealt with not emotion or guess work.

Regarding Question 2, it is unacceptable that Government or authority is able to define good reason as this can come down to opinion and is often left open to abuse. The Section 2 system for Shotgun certificates works very well as it provides a better balance between the rights of individuals to participate in sports but still allows the necessary checks to be performed by the police.

Scotland has a tradition of respecting individual liberty and excessive legislation requiring “good reason” is nothing to do with public safety and simply a way to exercise more
power over individuals who have committed no crime.

Regarding Question 5, Again the Government accepts that those who will knowingly misuse airguns will not apply for a licence. What then is the point of this process? The police already have the ability to confiscate airguns if they believe an offence has been or is about to be committed.

The Government also mentions people who will not apply for a licence because they do not meet the ridiculously high requirements. These people may not have any criminal intent to do harm or loss to another but are being criminalised by the Government because of this ridiculous law.

This law does nothing but create a victimless offence, hinder law abiding people, waste police time and leave a huge cost burden to the tax payer.

There are countless laws pertaining both directly and indirectly to airguns that allow the police to keep the peace and the justice system to punish misuse.

This law is another attack on law abiding firearms owners in an attempt to reduce their numbers and to achieve a “backdoor ban”. Shooting is worth millions to the Scottish Economy and firearms enthusiasts deserve to be treated better than this.

Kindest Regards,