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: Gareth Adamson
Organisation: N/A
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
Name/Organisation:

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.

9. Do you consider that the Bill has any implications for meeting Scotland's equality and/or human rights commitments? Please explain.

10. Do you consider that the Bill has any implications for preventative spending and/or public services reform? Please explain.
11. Do you consider that the Bill has any implications in relation to European Union issues? Please explain.

12. Do you have any other comments on the impact of the proposals contained in the Bill relation to Scottish Government objectives?
Name/Organisation: Gareth Adamson

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?

It will not contribute, at least in a positive way.

The amount of crime committed with airguns is falling without this legislation. Since those who misuse airguns currently will not be inclined to register airguns, the majority of current airgun-related offenses will not be reduced.

The most likely outcome is an increase in “crime” manufactured by innocent airgun owners who run afoul of the new laws.

It should be pointed out (and *must*, in the discussion of this bill, be raised) that the Violent Crime Reduction Act, enacted 2006 (one year after the tragedy that prompted this law) has already reduced airgun crime by over 70%. This bill is thus unnecessary and seems to be intended to only penalise the law-abiding without legitimate reason.

This appearance is backed up by the fact that despite 86% of those consulted calling for the law to be scrapped, an overwhelming majority by any means, Justice Minister Kenny MacAskill insists on pushing this unjust and unfair bill through Parliament.

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. The current estimates are that there are half a million airguns owned by 125,000 people.

A significant number of these people “plink”, or shoot recreationally on their own land without impacting anyone around them. Some if not all of these people will be unable to find an airgun club nearby, or will have one that is packed trying to accept everyone affected by the enactment of this legislation.

Given the somewhat regressive attitude displayed towards firearms in this country, it is unlikely that the Government will give fair approval to any new airgun clubs wishing to open to ease the trouble made for airgun “plinkers”.

It is also unlikely that the Government will give their approval to airsoft or paintball groups, which will be unfairly affected by this bill (see section 22).

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

It will all but cripple the hobby for a number of responsible owners, forcing unnecessary costs and restrictions on them – which many believe is the intent of the bill.

There are also the hobbies of Paintball and Airsoft which will in most likelihood be negatively affected.

16. How will the air weapons licensing system affect those aged 14 to 17 who use air weapons?

The new laws will disallow younger airgun users from owning their own guns, which could negatively impact young hobbyists from continuing the sport.

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...
I cannot speak on most subjects mentioned.

On the subject of paintball – as far as I know, UK law prohibits firing airguns at a person within most cases. Paintball guns, although within current power ratings classifiable as “airguns” are currently exempt from such classification.

This new legislation will forcibly classify paintball guns as airguns, which could, if interpreted a certain way, have a significantly negative effect on the sport.

To a lesser extent, this will also affect Airsoft skirmishing, as a significant portion of Airsoft equipment will be wrongly reclassified as airguns.

I clarify somewhat in section 22.

18. How will the air weapons licensing system affect those using air weapons for competitive sporting purposes?

The increased difficulty in obtaining airguns and a permit will certainly reduce the amount of airgun owners involved in such activities.

A significant number of users, especially competitive shooters, shoot on their own land at targets, taking great care not to endanger anyone near them. Banning this practice will require shooters to go to ranges to practise, which will in some cases make the sport prohibitively expensive, which is unfair.

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 the applicant for a certificate is rejected, the fee should be refunded in full, as occurs with Firearms Certificates currently.

Alternatively, given that this scheme appears to unduly penalise airgun owners, it should be considered to waive all fees as a measure of good faith, for the first five years of the licensing scheme at least.
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.)?

Negative impact. Implementing a licensing system will take several months, and will be expensive both in terms of manpower, IT allocation and with regards to funding.

Further monetary costs will be required if giving fair compensatory value to airgun owners handing their weapons in as the legislation permits.

Police will be required to enforce the new law, which will give them more work and may take officers off the streets to cope with the influx of requests. Several police officers have opined that the law as written is unenforceable, and yet their voices have gone ignored.

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

A significant amount of the shooting sports will be affected by this unnecessary Bill. The sports for Airguns draw in large amounts of tax revenue that may be lost if the Bill passes. The same goes for paintball and Airsoft, albeit in smaller quantities.

In previous licensing changes to other weapons, such as in 1997 with the handgun ban, those handing in guns and related items were in some cases given less than the value of the items relinquished, which cannot be legitimately called “fair compensatory value”. Although the Scottish Government may be inclined to offer fair value for weapons and other items handed in, there are fears that the same issues will arise again.

The Airsoft and Paintball sports do not appear to have been considered at all, and seem to have been deemed acceptable collateral damage. This is completely unjust, and cannot be permitted to occur. Both communities must be given a full say on the bill before it is considered.

22. Do you have any other comments to make on air weapons licensing aspects of the Bill?
The Bill and all of its consultations so far have unreasonably neglected the Airsoft skirmishing sport. Currently, Airsoft guns are legally permitted up to 1.3 Joules for automatic-capable guns and 2.5 Joules for single-shot only guns. This was recently confirmed as below lethal limits for these guns and therefore acceptable for use in skirmishing sport by the ACPO. These limits have been used in most skirmishing sites across the UK for quite some time.

Under the new Bill, Airsoft guns above 1 Joule will be wrongly reclassified as “airguns” and their use in the sport may be prohibited under the same laws that could affect Paintball. It is also likely that the Government will not allow current “skirmish sites” to be classified as clubs, which would disallow any use of reclassified Airsoft guns even at a site’s target range.

Overall, the law unfairly affects Airsoft, despite having used the aforementioned higher power ratings for several years without the injuries typically associated with airgun misuse.

The most concerning thing is that the Airsoft community was denied a say during the recent consultations, under the claim that they would not be affected at all by this Bill. As the Bill is written, this appears to have been a false statement.

Airsoft is currently regulated as part of the Violent Crime Reduction Act 2006, which also modified laws regarding airguns. Realistic Airsoft guns are only available to those who can prove proper use, such as membership at a local gaming site or re-enactors. This measure, despite being essentially “self-policed” by the exempt communities, has resulted in a significant drop in replicas used in crime, without unjustifiably penalising the legitimate use of the same.

The VCRA, as mentioned previously also regulated Airguns, and is almost certainly responsible for the 70+% decrease in airgun offenses following the Act becoming law. The proposed licensing bill is attempting to remedy an issue that has been covered sufficiently by previous legislation, and will only serve – and indeed appears to be intended - to penalise the legitimate users of airguns, paintball and Airsoft guns alike.

If the Government is insistent that this law be forced though, then in the interests of justice, the bill must without question include a common-sense amendment to exempt all Airsoft and Paintball guns within the current legally permitted limits.