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 #awlbill.
1. Please supply your name and contact details:

Name: Stephen Pringle

Organisation: FAST (Frenchie AirSoft Technician)

Address 1: 

Address 2: 

City/Town: 

Postcode
Country:

Email address (if no email leave blank):

Phone Number

Office Use Only

Submission ID 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."

* [Signature]

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
* 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
Local Government and Regeneration Committee – Air Weapons and Licensing (Scotland) Bill

☑ 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:

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?

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?

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

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

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

Airsoft within Scotland is alive and vibrant. Scotland has within it's borders two of the most established retailers working within the industry and is overly provided with active skirmish sites. Thanks to the work of film-makers like John Welsh, Scottish airsoft is literally viewed by millions worldwide.

For those of you not familiar with the pastime, airsoft is similar in broad terms to paintball, but rather than using markers which fire frangible ammunition, airsoft guns predominantly shoot 6mm plastic or biodegradable balls at muzzle energies of up to 2.3 joules, although the majority of sites impose limits closer to 1.3 joules. The term airsoft gun is misleading, as although they closely resemble firearms, airsoft guns are incapable of discharging live ammunition and are ballistically more closely related to muskets in that they project a ball along a smooth barrel.

This background is important because as it stands it is impossible to read this Bill without fearing for it's effects, unintended as they no doubt are, on this popular pastime.

The Bill defines the level at which an object should be considered to be an air weapon at 1 joule. This figure comes originally from an appendix to the 11th annual report of the now-disbanded Firearms Consultative Committee. It was made without reference to any scientific investigation but has assumed the nature of canon law within the realm of legislators since. In 2011, the Association of Chief Police Officers (ACPO) commissioned a report into airsoft guns and lethality from the Forensic Science Service (FSS) in order to better define lethality. Based on the finding from the FSS, ACPO recommended to it's members that muzzle energy of 1.3 Joules in an airsoft gun capable of automatic fire, and 2.3 Joules in a single shot airsoft gun were unlikely to cause more than a trivial injury. Since the
use air weapons?

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.)?

The inclusion of paintball in the question must immediately raise doubts as to the competence of those asking. Paintball markers are not covered by the powers delegated to the Scottish Parliament, a fact which those drafting this Bill should be well aware of. The Bill will however have a potential impact upon the pastime of Airsoft within Scotland as detailed below in Sect. 21

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

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?
publication of this report, the airsoft industry within the United Kingdom has broadly adopted these standards.

If this Bill is passed into law without amendment, it is difficult to see how there will not be an overwhelming argument that in order to fall outside the remit of air weapon licensing, airsoft guns must be restricted to 1 joule or less. The Bill makes no mention of airsoft guns but given that they are capable of firing a projectile it seems reasonable to assume that over 1 joule of muzzle energy they would have to be licensed. Since they are unsuitable for any of the purposes listed within Section 7 of the Bill (which appear to be indicative of the permitted purposes for the grant of a license) it is likely, and I would posit probable, that the Scottish Police Service would decline to grant a licence specifically for airsofting.

There is also the question as to whether or not it is appropriate, given the putative reasoning behind this Bill, to permit anyone to shoot at another human being with a licensed air weapon, regardless of how 'harmless' or not it might be.

For those within Scotland engaged in the business of airsoft, this Bill presents a number of challenges. It is difficult to ensure that imports of new stock will comply with the 1 joule limit. This is for historical reasons but is largely a function of the fact that internationally much higher muzzle energy limits exist for airsoft guns. Do businesses have to register new stock as air weapons? Once they have been brought below the 1 joule limit can they be “deregulated”? There exists no provision within the Bill at present for this. Can the existing businesses legally import anything over the 1 joule limit without registering as Firearms dealers?

For those who operate the numerous skirmish sites across Scotland where airsoft is regularly played are they now faced with having to police the new laws? What consequences might befall them if a player is found to be using what would in effect constitute a licensed air weapon?

This may all seem somewhat esoteric however the greatest threat to airsoft in Scotland is the law of unintended consequences. It was undoubtedly not the intention of the present Scottish Government to legislate for airsoft equipment, but they have done so by accident. In setting a lower muzzle energy limit of 1 Joule they are flying in the face of the most current research on the subject. If this Bill passes unamended it will disadvantage Scottish businesses compared to their competitors in the rest of the United Kingdom, which is where the majority of their market lies.

I suggest the addition of a simple clause which at once defines and excludes airsoft guns from the meaning of air weapon as defined in Section
1. Something along the lines of “Airsoft guns, being defined as low-powered air weapons designed to project spherical, non-metallic projectiles via a smooth-bored barrel not exceeding 8mm in internal diameter, and with a muzzle energy not exceeding 2.5 joules are excluded from all the provisions of this Bill as they relate to air weapon licensing”. Freed from the dangers contained within this Bill the industry, the sites and the players will continue to act and to play responsibly within the now-well-established limits resulting from the ACPO / FSS report referred to above.

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