



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

LOCAL GOVERNMENT AND REGENERATION COMMITTEE

Wednesday 3 December 2014

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CONTENTS

	Col.
INTERESTS.....	1
DECISION ON TAKING BUSINESS IN PRIVATE	2
AIR WEAPONS AND LICENSING (SCOTLAND) BILL: STAGE 1	3

LOCAL GOVERNMENT AND REGENERATION COMMITTEE
32nd Meeting 2014, Session 4

CONVENER

*Kevin Stewart (Aberdeen Central) (SNP)

DEPUTY CONVENER

*John Wilson (Central Scotland) (Ind)

COMMITTEE MEMBERS

*Clare Adamson (Central Scotland) (SNP)

*Cameron Buchanan (Lothian) (Con)

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

*Anne McTaggart (Glasgow) (Lab)

Alex Rowley (Cowdenbeath) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Jennifer Dunn (League Against Cruel Sports)

Mike Flynn (Scottish Society for the Prevention of Cruelty to Animals)

Superintendent Alick Irvine (Police Scotland)

Chief Inspector Fraser Lamb (Police Scotland)

Assistant Chief Constable Wayne Mawson (Police Scotland)

Dr Michael North (Gun Control Network)

CLERK TO THE COMMITTEE

David Cullum

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Local Government and Regeneration Committee

Wednesday 3 December 2014

[The Convener opened the meeting at 09:30]

Interests

The Convener (Kevin Stewart): Good morning and welcome to the 32nd meeting in 2014 of the Local Government and Regeneration Committee. I ask everyone present to switch off mobile phones and other electronic equipment, as they affect the broadcasting system. Some committee members might consult tablets during the meeting, because we provide papers in a digital format.

We have received apologies from Alex Rowley.

I welcome the new members of the committee, Clare Adamson and Willie Coffey. I hope that you enjoy your time on the committee. I record our thanks to Mark McDonald and Stuart McMillan for their work on the committee during the past few years. On behalf of the committee, I wish them well in their new committee roles.

Item 1 is declarations of interest by new members. I invite Clare Adamson and Willie Coffey to make relevant declarations, for the record.

Clare Adamson (Central Scotland) (SNP): I draw people's attention to my entry in the register of members' interests. I am a former member of North Lanarkshire Council.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I am a former member of East Ayrshire Council. Beyond that, I have nothing to declare.

The Convener: Thank you. There is now only one member of this committee who is not an ex-councillor: Mr Buchanan. I do not know whether that is a good thing or a bad thing.

Decision on Taking Business in Private

09:31

The Convener: Item 2 is a decision about taking business in private. Do members agree to take item 5 in private?

Members indicated agreement.

Air Weapons and Licensing (Scotland) Bill: Stage 1

09:31

The Convener: Item 3 is our second oral evidence session on the Air Weapons and Licensing (Scotland) Bill. We will hear from two panels of witnesses: representatives of groups that support a licensing system for air weapons and witnesses from Police Scotland.

I welcome our first panel. Dr Michael North is from the Gun Control Network; Jennifer Dunn is the senior public affairs officer at the League Against Cruel Sports; and Mike Flynn is the chief superintendent of the Scottish Society for the Prevention of Cruelty to Animals.

I invite the witnesses to make opening statements, if they want to do so. Do you want to go first, Ms Dunn?

Jennifer Dunn (League Against Cruel Sports): I am happy to do so. I thank the committee for having me along today.

We support licensing because, as well as helping to reduce airgun attacks on people, it will help to reduce airgun attacks on animals. We think that the vast majority of airgun attacks on animals are not reported to the police. Our figures show that, from 2010 to 2012, the then police forces recorded 68 attacks on animals, whereas the SSPCA recorded 178 attacks in a single year. I asked Police Scotland for an updated figure, but I was told that it was not able to provide a figure for more recent years.

We think that the true figure is higher still. For example, the anatomy of domestic cats is such that, when they are shot with an airgun, the injury is often not apparent straight away. The cat makes its way home and then, in some cases, develops signs of illness. Only later, when it is taken to the vet, does it become apparent that the illness is due to an airgun injury, by which time the owner or vet might think that there is little point in reporting the incident.

Because there are so many airguns in circulation, we think that the only way to halt airgun attacks on animals is to implement some form of licensing.

Dr Michael North (Gun Control Network): I represent the Gun Control Network. Since GCN was founded, in 1996, we have had concerns about air weapons. Why it is felt necessary to differentiate between guns on the basis of their mechanisms has always been a major concern for us. We think that anything that is potentially lethal and that can maim or injure should be licensed.

We therefore welcome the Scottish Government's moves to license air weapons in Scotland.

In the 18 years for which GCN has been in existence, a number of fatalities have occurred as a result of airgun incidents, and some of our members have lost children or have had children injured. We feel that one of the problems has been a rather lax and casual attitude towards air weapons, and we feel strongly that registration will send out the right message and will reflect the degree of dangerousness of air weapons. We believe that a licensing system will make anyone who wants to use an air weapon think seriously about their need to have one, which will lead to a subsequent reduction in the number of weapons and, therefore, the number of serious incidents.

Mike Flynn (Scottish Society for the Prevention of Cruelty to Animals): The Scottish SPCA fully supports the Scottish Government's proposal. Our support is based solely on the work that we do. The 178 reports that Jennifer Dunn mentioned were reports made to us. We do not have people going out and trying to find animals, so those were cases in which vets or owners phoned us to let us know what had happened. Surprisingly, since the measure was first announced earlier this year, the number of cases that have been reported to us, which mainly involve cats and wildlife, has actually risen. Given that, under the bill, anyone who has a lawful purpose to have an air weapon will be allowed to have one, we see no reason why licensing is not a sensible solution.

The Convener: Some of the written submissions and some witnesses have suggested that the introduction of a licensing regime for air weapons will do nothing to reduce criminality or increase public safety, as those who choose to misuse such weapons will not bother to get a licence. What is your response to those suggestions?

Dr North: Although the reporting of incidents in the media leads to an underestimating of the extent of the problem, as we say in our submission, those reports show that the people who are responsible for such incidents are often not hardened criminals. Very often, the incidents involve casual use by people who would otherwise not undertake criminal activity, such as teenagers messing around with guns or someone who just happens to have an airgun and decides on the spur of the moment to use it to threaten somebody. The idea that we can divide society into criminals and non-criminals is simplistic and does not help.

Our reading of the various incidents is that many of them occur simply because people do not take their ownership of air weapons seriously and they

misbehave with them, rather than because they go out to conduct criminal activity.

The Convener: Ms Dunn, do you have a view on that?

Jennifer Dunn: Yes, I agree. At the moment, it is easy to buy an air weapon. Virtually anyone who is over the required age can go into a shop and buy one. Although a licensing scheme will not solve the problem by itself, as there will also need to be an amnesty and publicity to let people know that the licensing is going to be introduced, at the moment, the situation with attacks on animals and people is unacceptable and licensing is the only way to address that.

Mike Flynn: The Government estimates that there are up to 500,000 air weapons out there, and I firmly believe that a lot of them will be handed in if a licensing scheme is introduced. That will take many weapons out of circulation. We have no idea how many of those weapons are used by the proper owner or by a relative or a youngster who is in the house.

Many of the attacks, particularly on cats, happen in housing estates, which is where the fit-and-proper person test comes in. We have always argued that people should have the landowner's permission if they are carrying out pest control and stuff like that, but nobody has the landowner's permission to shoot in places such as the Union canal in Edinburgh or Linlithgow loch. Under the fit-and-proper person test, somebody who is a fit and proper person will be allowed to have an air weapon, but that should include a requirement that people have to demonstrate where they will use the weapon and for what purpose.

Cameron Buchanan (Lothian) (Con): How will the police handle the rash of licence applications? There will be an awful lot of people to license.

The Convener: That is perhaps not a question for this panel to answer; it is maybe best saved for the next panel. If anyone has a view, please indicate that.

Mike Flynn: I am more than confident that the police will be able to answer that question fully for you.

Dr North: I feel the same. We have always suggested that such registration should have a phasing-in process, with new weapons coming under the registration system immediately and current owners getting licences over a number of years.

Jennifer Dunn: I agree that this panel is not best placed to answer that question.

Cameron Buchanan: Do you believe that people who do not want to register the guns will hand them in during an amnesty?

Mike Flynn: I think that there are a lot of responsible people who might not have used their airguns for years and do not want them to fall into the hands of others. I believe that—unless they decide to get a licence for their guns because they have a fit and proper purpose for having them—if those people know that they have to comply with a law, a lot of guns will be handed in.

Jennifer Dunn: I agree. A lot of airguns are kept in drawers and are brought out very occasionally. It would be better if they were out of circulation.

Dr North: As long as there is sufficient publicity to ensure that everyone is aware that now is the time to hand the airguns in, there will be a good response, as weapons that have been forgotten about will be remembered and handed in.

John Wilson (Central Scotland) (Ind): One of the arguments that we have heard against licensing is that it might cause some individuals to trade up and apply for a firearms licence or a shotgun licence instead of relying on an air weapon. Under the criteria that are set out, they might qualify for such a licence as a fit and proper person. Some people have said that, in some cases, it might eventually be easier to apply for a shotgun licence than to apply for an airgun licence.

Dr North: I hope that it would not become easier to get a shotgun licence. I hope that the standards that apply now would apply at that point.

I am not in a position to know what is in the minds of current airgun owners. I suspect that the scenario that you outline is unlikely and that only a small number of people who currently shoot with airguns and do not use rifles or shotguns would change their weapons. I suspect that those who are involved in shooting have overestimated the degree of interest in shooting that those who shoot only with airguns actually have in shooting. I am not clear that the problem, if it is seen as a problem, exists.

Jennifer Dunn: One of the attractions of airguns, which feeds into why they are a problem, is that they are fairly cheap and easy to get hold of. Shotguns are far more expensive and their storage and use are far more regulated. It is unlikely that many casual airgun users would trade up to a shotgun or seek to do so.

Mike Flynn: We would welcome anyone who wished to trade up applying to do so, simply because they would be checked by the police and made fully aware of the responsibilities of owning any weapon that can inflict pain, injury and, potentially, death.

Jennifer Dunn mentioned the issue of security. At the moment, I could buy an air rifle and keep it

in my kitchen or somewhere like that, and if my house is broken into that gun could be taken and used by someone else. The police are more than capable of handling the licensing issue.

I declare an interest in that I hold a firearms licence because of my duties with the Scottish SPCA. I know the process that someone has to go through to get one, and I can tell you that the police are extremely stringent.

The committee or the Parliament would also have to consider the cost of applying for a licence. That cost should not be borne by the police. If someone wants to own a weapon and has a purpose for doing so, they should be willing to pay a licensing fee.

09:45

John Wilson: That is the point that I was trying to make in my earlier question. One issue that has arisen is the cost of applying for an air weapons licence. It may be more expensive than applying for a firearms or shotgun licence, because those licences are controlled by the United Kingdom Government and have been set at the same price since 2001.

If we opt for full cost recovery for an air weapons licence, the cost may be substantially higher than the current cost of a firearms or shotgun licence. How would you seek to ensure that the cost of an air weapons licence did not become too prohibitive?

Mike Flynn: That is for politicians down south to argue about. The burden of cost should not fall on the taxpayer or the police. In this country, we do not have a right to bear arms. If someone wants something that can potentially kill, they should be willing to pay for it. When people realise that they do not have a fit or lawful purpose or that they do not have permission to shoot in certain places, that will encourage many of them to get rid of their guns.

Dr North: We have had a lot of discussions recently with the Home Office and various ministers on the issue of the underfunding of the licensing process for firearms and shotguns. At one time, there was going to be a significant increase in the cost. I think that there will still be some sort of increase, but we understand that the current Government has blocked a full increase.

I am rather dismayed that the police have had to subsidise the current application process, as that raises the sort of problems that Mr Wilson has just mentioned. However, that is not a reason for not introducing airgun licensing.

Jennifer Dunn: I agree with everything that Mike Flynn and Dr North have said. My colleagues who lobby Westminster are raising with the

Westminster Government the issue of the cost of shotgun licensing and the subsidy.

I should add that the League Against Cruel Sports, in its submission to the Smith commission, asked for weapons licensing to be devolved to the Scottish Parliament so that the licensing of airguns and higher-calibre weapons could be considered holistically. I do not think that the Westminster Government's position should block progress in Scotland.

John Wilson: I have a final question for Dr North. You said in your opening remarks that there have been a number of fatalities caused by air weapons. We know from the evidence that we have heard previously that there have been a number of serious injuries. Can you quantify the number of fatalities that have been caused by air weapons?

Dr North: I cannot give you the number off the top of my head. The rate probably averages one per year in Great Britain. Over 20 years or so, there have been approximately 15 young people and teenagers killed in airgun incidents. Some were deemed to be accidents, and some—as in the case of Andrew Morton—were criminal acts.

It is important to say that, even in those incidents in which someone sustains a minor injury, the experience is still extremely stressful for the victim. We cannot dismiss such incidents as trivial just because a person sustains only a minor injury. We know, from communications that we receive, about the stress that people feel when they are hit, out of the blue, by something that is fired from a distance by someone else.

John Wilson: Thank you. As I said, we are looking at licensing in Scotland. You have given UK figures, but we are concentrating on the figures for Scotland. We suspect that 500,000 air weapons are held here—I do not know what the UK figure is—and I am trying to get a clear picture of the number of fatalities in Scotland.

Dr North: If it would help the committee, we could look back through the incidents and pick out the Scottish figures. They will certainly be available in the firearms crime statistics for the past few years.

The Convener: It would be extremely useful if we could have those figures, Dr North.

Willie Coffey: Good morning, panel.

Dr North, I am grateful for the written evidence that you submitted to the committee, some of which is quite harrowing. My colleague John Wilson introduced that aspect. You present some statistics in your submission, and you show that the majority of firearms offences in Scotland involve air weapons—indeed, you refer to a fatality.

As a new member of the committee, I would like to know in what way a licensing scheme will reduce that type of offending. What is it about licensing that will bring that number down and make the public safer?

Dr North: A number of the more serious incidents, particularly those involving young people, have occurred when someone has come across an airgun in the house that has been kept rather casually by the owner, who may be a parent, and has been playing around with it. We believe that, if the owner had to have a licence for that weapon, they would think seriously about whether it ought to be there.

I apologise for repeating this, but what runs through so many of the incidents is the casual way in which air weapons are treated. We think that if the signal is sent out that they are dangerous and therefore need to be licensed, a large number of people will think, "We don't want them any more, so we won't just leave them lying around the house."

Willie Coffey: There is also the practice of plinking, as I believe it is referred to.

The Convener: "Plinking" was a new word for me too, I have to say.

Willie Coffey: As I understand it, plinking involves a casual use of air weapons in people's back gardens, presumably to take pot shots at objects or even people or animals. Do you think that a licensing scheme will really address that?

Dr North: I understand that plinking will no longer be legal. There are already measures in place that make it illegal to fire pellets outside the confines of one's own property. Again, the Gun Control Network is contacted by people who are disturbed by the behaviour of neighbours and who find such activity intimidating and threatening. If they raise it with the neighbours, they find that they are challenged. Even when they complain to the police, no progress is made because it is sometimes difficult to prove that someone is firing slightly off line.

I know that that is the only form of shooting that some airgun owners undertake, but I think that they should consider what they do in a wider context and how their neighbours feel about it. If they are keen on shooting with an airgun, they can go to an airgun club and do it.

The Convener: For clarification, the bill, if it is enacted, will not necessarily put a halt to plinking, but through the licensing regime it may reduce the amount of it that goes on.

Willie Coffey: Lastly, do you have any views on how it should be determined whether a person is deemed fit to own an air weapon and to have good reason to own one? I intend to ask the police

witnesses on the next panel how they propose to make that sort of assessment.

Jennifer Dunn: I wanted to raise a specific point about general licensing law. The committee may or may not know much about that, but it is the mechanism by which it is legal for people such as farmers or estate owners or employees to shoot animals that are deemed to be pests.

In general licensing law, if somebody has an unspent conviction for wildlife crime they are deemed unsuitable to kill animals. We would really like that provision to be extended to airgun licences, because we think it makes a lot of sense.

Dr North: There are obviously guidelines for other firearms. It is clearly important that anyone who is licensed to fire an airgun does it for the correct reasons. I know that there has been some debate about what those reasons should be, but I am sure that, with police help, appropriate guidelines can be formulated. What would not be allowed is the kind of casual use that we believe is responsible for so many of the incidents that harm people, property and animals.

Mike Flynn: I think that that is a question for the police to answer at the time that a licensing application is made. If the applicant is a young man who stays in a high-rise flat in a housing estate, who has no access to any land and who is not carrying out pest control on behalf of somebody else, the police will quite rightly ask why they want an airgun if they do not even have a garden that they could plink in.

On the plinking question, I firmly believe that many of the injuries to animals occur because, for a 17 or 18-year-old, shooting the same tin can gets a bit boring and if they see a moving target flying past, that might be an attractive option. To go back to our veterinary survey, I cannot think of any instance in which someone was aiming their air rifle at a tin can, but the pellet ricocheted off and ended up embedded in a cat or a swan's head. People are deliberately aiming at animals. The licensing will get rid of the situation in which people have a gun but have nowhere lawful to use it.

Willie Coffey: I am very grateful for that. Thank you.

Anne McTaggart (Glasgow) (Lab): Good morning, panel. Given the wealth of experience and knowledge that you have, I seek your advice on the bill and the proposed licensing regime. Do you see any omissions? Is there anything that should be in the bill that is not in it?

Mike Flynn: If we are to go down this route, a definition of what a pest species is would have to be included. It would also have to be stated that people must have the landowner's permission to

shoot anything. Lots of people have said that they do pest control, but somebody who goes into Holyrood park to shoot rabbits does not have permission to do it, so they should not be doing it, because there are members of the public walking about. It comes back to the licensing regime and the police. Someone must be able to show that they are a fit and proper person and that they have a proper place to use their weapon.

Dr North: I am satisfied with the bill. There is nothing that I would change.

Jennifer Dunn: The league objects to animals being harmed in the name of sport. We would like the provision on the shooting of live animals for sport to be removed from the bill. In fact, only a very small number of species can be cleanly dispatched with an airgun; it is very difficult to kill an animal with an airgun. That is a provision that we would change.

The Convener: The next member is Clare—Clare Adamson. I am sorry, Clare—I had a wee bit of a memory block and I could not remember your last name for a moment.

Clare Adamson: Part of the discussion has been about the confusion over whether plinking will be legal once the bill is passed. Do you think that licensing on its own is enough or would you like to see it combined with further regulation on usage? Could that be incorporated into the bill?

Mike Flynn: A lot of the plinking that I know of happens in very built-up areas. Plinking is just target shooting. It is up to the gun associations to make sure that there are sufficient target practice areas.

There is a big difference between plinking in a back garden and having a landowner's permission to use an open field that is set up for the purpose, where there is no backdrop and nothing can be harmed. If the police were satisfied that someone was going into a 20-acre field that the public did not walk through and people knew that that was its purpose, that could be taken into account. However, I see no reason why someone in the middle of a heavily built-up housing estate should be shooting when there is a kid next door or someone up at a window. That is potentially extremely dangerous.

10:00

Dr North: I agree entirely.

Jennifer Dunn: I agree with the other members of the panel. Allowing plinking in an average-sized back garden would render the licensing scheme pointless, because many people would be able to apply for a licence and say, "I shoot in my average-sized back garden." It would render the scheme meaningless.

Clare Adamson: What about plinking for scouting or cadet groups, or other groups that are doing target shooting as part of their activities? Should it take place in a more controlled environment?

Jennifer Dunn: If they were doing it in suitable premises, perhaps in association with a shooting club, and were not shooting live animals, I do not think that we would have any objection, as long as it was not being done in somebody's back garden or casually.

Dr North: I assume that the scouts would be well organised and would conduct shooting in an appropriate place, not in somebody's back garden.

Mike Flynn: I imagine that a body such as the Scout Association would use a proper purpose-built place. Moreover, the youngsters would be supervised. The gun club or the scoutmaster would be licensed through the police and would know the responsibilities that came with that.

Cameron Buchanan: Ms Dunn, you said in your submission that you felt that under-18s should not get a licence to shoot live animals. How would you regulate that? Are you still of that opinion?

Jennifer Dunn: Being shot with an airgun can be very painful for the animal—it might not be killed outright and it could suffer quite horribly. Someone needs to have a certain level of maturity and responsibility before they seek to take the life of an animal. We think that 18 is a suitable cut-off point.

Cameron Buchanan: But do you have evidence that a lot of people who are under 18 are trying to shoot live animals?

Jennifer Dunn: It goes back to the problem that the police have little evidence. Anecdotally, there are problems with teenagers shooting animals in parks and so on. I would love to be able to provide more figures, but the nature of the crime means that I cannot.

Cameron Buchanan: But you said that the legislation should be amended. That would be quite a difficult amendment to make; it would certainly be difficult to regulate that.

Jennifer Dunn: The pro-shooting organisations argue that the whole scheme will be difficult to regulate. I can see that there will be some difficulties with the practical application, but that is no reason to back away from laws that could be very sensible.

John Wilson: Since we have Superintendent Flynn with us today, I will take the opportunity to put the issue into context. How many animals have been shot using crossbows or archery bows?

Mike Flynn: We have not had any reports of incidents involving archery bows for a long time. This year, we have had two incidents with crossbows, both of which were in Inverness, in the area of Raigmore roundabout. In one case, it was believed that the animal had been hit by a bolt from a crossbow then dumped there. Before that, it was geese in Lanarkshire. It is not a huge problem, though—it is nowhere near as bad as the airgun situation.

John Wilson: Ms Dunn, do you know of any incidents in which crossbows or archery bows have been used?

Jennifer Dunn: The only one that I am aware of was two or three years ago in a park in Glasgow, when a swan was targeted. It is within the competency of the Scottish Parliament to legislate on crossbows. However, as Mike Flynn said, airguns are used more often than crossbows in attacks on animals.

The Convener: Would anyone like to give the committee any additional information?

Mike Flynn: It is not just the Scottish SPCA that supports what is being proposed. In the survey that we carried out in 2012, 91 per cent of veterinary practices that responded were in favour of a change in the legislation, 61 per cent supported licensing and only 5 per cent supported the status quo.

Respondents were members of the Royal College of Veterinary Surgeons, who deal with the issue first hand and see the distress that the owners go through and the costs that owners incur. I would not like to think how much it cost the lady in Paisley to get her cat's leg amputated a couple of weeks ago or how much pain that animal went through. Imagine that your pet comes home after being shot. That is an attack on you as well as your pet—some people take it that way.

We dealt with 178 incidents that were reported to us. Those were incidents in which a live animal was involved and people thought that there was something that we could do to help. I have no idea how many people come across shot starlings or sparrows and do not report them to us because the birds are dead.

We firmly support what is being proposed.

The Convener: Could you tell us who carried out that survey and how many folk responded to it?

Mike Flynn: The Scottish SPCA wrote to 120 veterinary practices throughout Scotland, 75 per cent of which responded. Of them, more than 80 per cent had treated an animal that had come in with a pellet in it. Somebody's cat can go missing for a couple of days. It might come home with a limp, but the owner will not know that it has been

shot until it is X-rayed. The vet has to decide whether to remove the pellet.

A couple of years ago, we had a Staffordshire bull terrier that we believed had been tied to a tree and shot, because it had 14 pellets in its head. Our vet, Mr Ian Footer, removed about nine of them. It was quite a heavily built Staffordshire and removing the other five pellets would have caused more damage than leaving them there; it was decided that they would not cause any problems if they were not removed. Luckily, two of the pellets just missed the dog's eye.

We have had cats' eyes taken out. We get the occasional fatality—swans seem to be a particular target. Two years ago, members of the public reported an incident in Livingston. When we X-rayed the swan, it had 14 separate pellets in it. The guns that we are talking about are not used like machine guns, which require only one pull of the trigger. That incident involved 14 loads, 14 aims and 14 shots. Sadly, the bird had to be put down. I could easily send to the committee X-rays of cats and swans that we have had in.

The Convener: The horror of the stories that you have just told tells us enough. We do not need to see the pictures, but thank you very much for the offer.

Dr North: In addition to the figures for fatalities and serious injuries, which I will find for the committee, it might be helpful if I got together a list of incidents that reflects the casual nature of some of them. I have a pile of examples, albeit that they are from the whole of Great Britain. If it would be useful for the committee to see some of the more recent press reports, I would be happy to send them.

The Convener: That would be useful. We are aware of some of them. When we had our first round-table session on licensing, we heard about an incident in County Durham. It would be good for us—particularly for some of our new committee members—to get a flavour of what is going on. We would be very grateful for that, Dr North.

Dr North: I will do that.

Jennifer Dunn: We have used case studies because of the difficulty of gathering figures. In those case studies, the injuries to cats, in particular, were horrible, as Mike Flynn has just described. I echo another of Mike's points—the people we spoke to clearly felt less safe in their community when their pet had been targeted, particularly because airguns are so widely available. Except in one case, they had no idea who did it, other than that it was someone who lived in the same community as them.

The Convener: Thank you very much. Your evidence has been extremely useful and we are very grateful for your attendance.

10:09

Meeting suspended.

10:12

On resuming—

The Convener: I welcome our second panel this morning, who are all from Police Scotland: Assistant Chief Constable Wayne Mawson is head of policing for the west of Scotland; Superintendent Alick Irvine is from the licensing and violence reduction division; and Chief Inspector Fraser Lamb is from the firearms and explosives licensing division.

Do you have any opening remarks, gentlemen?

Assistant Chief Constable Wayne Mawson (Police Scotland): I do.

The Convener: On you go, Mr Mawson.

Assistant Chief Constable Mawson: Thank you, convener, and thanks for the opportunity to give evidence to the committee today.

Part 1 of the Air Weapons and Licensing (Scotland) Bill is principally about people, albeit that it sets out a licence regime that reflects the Firearms Act 1968, which deals with firearms and shotgun licensing. It is accepted that the law surrounding access to firearms is about public safety. As far as Police Scotland is concerned, the bill is about ensuring that inappropriate people do not get access to lethal barrelled weapons that can, by definition, kill.

The case of Andrew Morton, who was a two-year-old toddler when he was shot in the head by a man with an airgun in 2005, is a tragic example of what can happen when the wrong people have access to lethal barrelled weapons. Thankfully, such tragic incidents are very rare, but on most days the police and animal welfare groups have to deal with the results of air weapons being misused. Legislation that allows for responsible ownership of air weapons is to be welcomed. Air weapons in irresponsible hands are dangerous, and keeping people safe is the priority for Police Scotland.

As the committee will be aware, the chief constable of the police service in Scotland is responsible for licensing of firearms and shotguns, and of explosives. We understand that there is significant uncertainty about the number of air weapons in Scotland and, consequently, about the demand that will be placed on the police by the bill's proposals, but it is a fact that we have at this

time systems in place that cope with more than 53,000 certificate holders. Shogun—the information and communication technology system that is used to manage firearms in Scotland—has recently been linked up, which allows for the eight firearms-licensing processing centres effectively to manage workloads throughout Scotland. It can be relatively easily adapted to manage air weapons.

10:15

In other words, we have the expertise and experience to process applications and manage the risks. However, we do not have the budget to fund satisfying of that additional demand. Costs will be incurred in upgrading Shogun, in resourcing the departments that will administer the licensing regime and in subsequent criminal justice processes, for example ballistics examination. That is set against unknown demand.

We welcome the provisions of the bill, which will allow current certificate holders to possess air weapons under their firearms or shotgun certificates. That will reduce the demand on police resources.

The committee may be aware that, with the revisions that were introduced by the Firearms (Amendment) Act 1997, the term of certificates was increased from three years to five. That caused peaks and troughs in demand: there are three extremely busy years and two years in which demand reduces. In the light of that experience, it is essential that we legislate for a system that smoothes or, as the earlier witnesses said, phases demand. That could be done by allowing the chief constable to determine the length of time for which a first air weapon certificate is issued. By doing that, and by setting a pro rata fee for the length of the first certificate, we can assess demand and allocate resources as required.

I understand that this is stage 1 of the bill and that amendments will likely follow after the committee's and the Parliament's considerations. That said, I reiterate that we commend the intention of the bill. We are of the opinion that it will reduce the ability of people who are intent, by design or recklessness, on criminally injuring people or animals, or on damaging property to do so.

The vast majority of people who legally hold firearms conduct their lives in a manner that reflects their acceptance of the responsibility for the safe use of their guns. The number of crimes involving legally held firearms is small in proportion to the number of guns that are held. Those people will not be detrimentally affected by the proposed legislation, but the people who should not have guns will be affected in a way that will only benefit the safety of people in Scotland.

The Convener: Thank you, assistant chief constable. Let us consider some of the budgetary implications that you talked about. You spoke about Shogun being easily adaptable to deal with air weapon licensing. Will it link into the i6 system when it comes into being?

Chief Inspector Fraser Lamb (Police Scotland): Yes.

The Convener: I am sure that that link will be helpful to investigating criminality involving air weapons.

Assistant Chief Constable Mawson: Absolutely. All eight legacy forces are now joined up. Shogun is working really well. It has been in place only since October, but there have been no issues so far. It helps us significantly with firearms licensing and an adaptation to it is a relatively easy fix at a relatively small cost. We have a provisional figure—I stress that it is provisional—of about £20,000.

The Convener: We heard from the previous panel of witnesses that the fees for firearms and shotgun licences, which are controlled by Westminster rather than by the Scottish Parliament, have not gone up for a long time. Those witnesses insinuated that the public are subsidising licenses. Does Police Scotland pick up the tab for that subsidy in Scotland?

Assistant Chief Constable Mawson: In short, yes it does, at the moment. We do a lot of work to ensure that only fit and proper people receive firearms or shotgun licences. A huge amount of work is involved in that, including visits, follow-up visits and checking gun cabinets. To be frank, the cost of that work is not covered by the existing fees. I believe that they have not changed since 2001.

The Convener: I do not want to ask you a particularly political question, Mr Mawson—feel free to say that you do not wish to answer it—but do you think that the costs of the licensing regime for firearms and shotguns should be borne by the owners, rather than by Police Scotland and the taxpayer?

Assistant Chief Constable Mawson: That is a fair question, and I think that the answer is yes. If people want to own a firearm of any kind, whether it is a shotgun, a rifle or an air weapon, they should pay the costs that are associated with that. We are not out to make any kind of profit from it; we just want the costs to be recovered.

The Convener: Before I move off the budgetary aspects, I note that the costs of dealing with airgun incidents must be fairly high. In my constituency a few years back, there was a spate of airgun incidents in the Seaton area. Is there any way of

quantifying the costs to Police Scotland of dealing with crime involving air weapons?

Assistant Chief Constable Mawson: Yes. We have done some in-depth research into the matter. I will let my colleague Fraser Lamb answer the question.

Chief Inspector Lamb: Are you referring to the cost of investigation of crimes, convener?

The Convener: Obviously, you can answer only in relation to investigations. We know that there are other costs relating to the health service, and we know that there are also huge costs to lives and to the lives of animals. An indication of what you have would be useful.

Chief Inspector Lamb: I think that Assistant Chief Constable Mawson has been talking about the processing costs. In relation to actual investigations, the costs obviously vary, depending on how much inquiry needs to be done and how much time has to be taken to gather statements, to compile a police report and to record things.

One of the core aspects in such investigations is that we must, in order to establish that a firearms offence has occurred, prove the basic point that the article is an actual gun. Therefore, there is a ballistics cost of £180 each time, by the time we get the ballistics expertise, the provision of a report and a subsequent report being made to the procurator fiscal.

Can we specify how much the cost is per investigation? No—that would be very difficult. However, there are significant costs within the process.

The Convener: Of course, if somebody is killed by an air weapon, the cost of the investigation would be immense, would it not?

Assistant Chief Constable Mawson: The cost would not be a single number of thousands; a homicide inquiry of that nature costs many tens of thousands of pounds.

The Convener: What about a serious injury inquiry?

Assistant Chief Constable Mawson: That can cost several thousand pounds.

The Convener: So, we are not talking about insignificant amounts of money to investigate cases in which air weapons have been involved.

Assistant Chief Constable Mawson: No—absolutely not.

The Convener: I know that it is sometimes difficult to talk about monetary costs in this context. As I said previously, there is the human cost and the cost in animal life.

Clare Adamson: I apologise because as this is my first day on the committee, I am perhaps not as up to speed with the bill as I would have liked to be before this morning's evidence-taking session. I therefore have a few background questions.

I appreciate that there is no storage issue with air guns; it is purely a matter of licensing. Will vetting of fit and proper persons be as stringent as it is under the shotgun legislation, in your opinion?

Chief Inspector Lamb: We have to reflect the Government's intention on using a lighter touch.

The issue is the absolute lethality of such weapons. It is accepted beyond a shadow of doubt that they are lethal at close range. However, when we license a person for a firearms licence, they will have something that is used for sporting purposes that is capable of killing a deer at several hundred yards. An air weapon will not do that. Shotguns are extremely lethal at very short range—they have a more devastating effect and are proportionately more lethal than air weapons. We must accept that we are talking about lethal weapons, but that there are different standards of range when it comes to lethality. We think that a lighter touch will be taken with air weapons, which will be proportionate to their lethality.

As far as checks are concerned, we do not go and visit everyone as part of the checks that we do for the Protection of Vulnerable Groups (Scotland) Act 2007, but if we trust people to work with children and other vulnerable people, should we not trust them to have an air weapon? I think that such an approach is a relatively good gauge. If, during the checking of the systems, information emerged that flagged up a challenge, we would resort back to our tried and tested processes for making sure that a person is a suitable person to have a firearm or a shotgun. Understandably, those processes are quite intrusive.

Clare Adamson: Given that the bill does not provide for any additional regulation about storage, is there anything that will mean that, in gaining a licence, the person will change their behaviour? For example, will guidelines be produced, or will it simply be the case that one has to have a licence to have an airgun?

Chief Inspector Lamb: I think that the people who apply for licences will be responsible. Under the bill, people will have three options: to hand in their air weapons, to apply for a certificate, or to risk becoming a criminal, because it will be an offence to have a weapon without having a certificate. I think that the people who apply for licences will be responsible because of their willingness to put themselves forward for the suitable person test.

We will work up guidance in relation to security, and recommendations on how such weapons

should be secured. We will do that in conjunction with the Government.

Clare Adamson: The convener and Dr North had a difference of opinion on what the bill will do in relation to the legal situation on plinking. I am a bit concerned that there is an expectation that the bill will deliver a lot more than it actually provides for. What is your opinion on that point?

Superintendent Alick Irvine (Police Scotland): As far as plinking is concerned, there are sufficient powers to deal with reckless conduct in discharging a firearm. In my view, the bill is a preventative bill in that it will prevent people who are likely to engage in such conduct from getting access to air weapons. On the other side of that, should someone commit an offence, there is a licensing regime in place that will prevent their gaining an air weapon again. At the moment, if a person has committed such an offence, there is nothing to stop them purchasing or acquiring an air weapon. The bill's intention is to stop that.

Clare Adamson: Given what we have just talked about, do you believe that the bill will result in a significant reduction in the misuse of airguns?

Superintendent Irvine: For me, the issue is access. At the moment, people have unfettered access to air weapons; there are no controls on that. Following the passing of the bill, there will undoubtedly be individuals who will want to surrender their weapons, which will reduce access. It is a question of controlling who can access weapons. To answer your question, I think that the bill will prevent access and will therefore reduce misuse.

John Wilson: Good morning. I refer to the submission that Police Scotland made to the committee. In the third paragraph of the answer to the first question, it states that

"the misuse of air weapons has fallen in recent years to very low levels".

Will you define what you mean by "very low levels"? What are you measuring that against?

10:30

Assistant Chief Constable Mawson: We have identified that recorded offences in Scotland involving all firearms fell in 2012-13 by 32 per cent to 365, compared with 535 offences in 2011-12. Of those 365 offences, almost half—171 offences—involved air weapons. That is the lowest figure that has been recorded in Scotland since comparable records began in 1980.

I will bring you right up to date with some research that we have completed for today's meeting. It covers April to July this year, so it is from six or seven months ago. During that period, there were 84 offences specifically involving air

weapons: 75 of those offences were in public places, six involved injuries to animals, nine involved injuries to humans—one of which was an attempted murder, when a man was shot in the head—nine were in a private dwelling or a garden, and so on.

There is a real threat; people are getting seriously hurt. We get calls all the time about air weapon misuse. I have been a firearms commander for 14 years in three different police forces and I can tell you that when we are busy and there is an awful lot of fast-time risk assessment to do, when we have cops on the ground and when people are pointing guns, it is very difficult to distinguish between an air weapon and a real firearm or shotgun. It is really difficult and challenging.

Another positive impact of the proposed legislation is that it will further reduce the risk of harm to people—including my officers—and it will significantly reduce the drain on my resources, because about half the firearms incidents in the last complete year for which we have figures were down to air weapons. There is an awful lot to be considered in the mix, so we are really supportive of what the legislation is trying to do.

John Wilson: I welcome the updated figures for offences involving air weapons for that four-month period because the total number of offences in that period represents 50 per cent of the total number of offences over the whole of the last accountable year. Based on that trajectory, we would expect a 50 per cent increase in offences across the year, compared with the previous total. I would appreciate it if the committee could get a copy of that list of incidents that have been reported as criminal activities and on which police have taken appropriate action.

You mentioned in your submission, and again just now, that you expect a reduction in the number of incidents as a result of the legislation. I know that it is very difficult for you to speculate, but how many of the 84 incidents that occurred between April and July involved people who would fall into the category of not being fit and proper to be licensed to have an air weapon?

Assistant Chief Constable Mawson: It is almost impossible to speculate on that. More generally, I can say that we expect that the benefit of legislation that prevents people who are not fit and proper, or who do not have a good reason to do so, from holding air weapons, will be that a huge number of air weapons will be handed in to the police for destruction. That means that there will be fewer air rifles and air pistols lying around in wardrobes, on bedside tables, in garages and in attics—where, to be frank, anybody could pick them up, including young people. That has to be a good thing. It is difficult to say which incidents

would not have happened if legislation had been in place, but more generally we can say that the bill is definitely the right direction of travel.

John Wilson: In your submission you said:

“a 17 year old student shooting rats with an air weapon in a factory for a friend”—

with the friend’s permission—

“would be contravening the proposed legislation.”

If the 17-year-old had the property owner’s permission to deal with vermin, would the incident warrant action being taken against them?

Chief Inspector Lamb: The example was used in relation to the proposed conditions under which someone under 18 will be able to use an air weapon, one of which is that the person is employed to carry out pest control. That means that an individual under 18 who wanted legitimately to engage in pest control in an area where they were allowed to shoot would not be able to do so unless they were employed.

John Wilson: Do you think that the bill is in conflict with the Scottish Government’s intentions to lower the voting age to 16? I am just using that as an example of the age at which someone is regarded as a responsible adult. The bill sets the bar at 18—is that too high?

Chief Inspector Lamb: I think that the age limit of 18 in the bill reflects the Firearms Act 1968 and European legislation. I must admit that the issue to do with 16-year-olds voting had not crossed my mind; I was just making the point that the bill is too restrictive of opportunities to shoot for a lawful purpose, in that it requires pest control activity to be linked to employment.

John Wilson: Thank you. Finally, in the Police Scotland submission you asked why, under section 26, the chief officer of police must be notified within a certain time. Why is that a problem?

Chief Inspector Lamb: We were asking about the purpose of section 26. If an air weapon is sold to a French national, for instance, and has no serial number, what are we realistically expected to do with that piece of information? If someone who stays in France is sold an air weapon that to all intents and purposes is unidentifiable, what do we record and why? What would we do with the information? We could not see the point of the provision.

John Wilson: Finally—

The Convener: That is two finallys.

John Wilson: Sorry, I thought that I had better get this one in. How quickly will the police be able to introduce the new licensing regime, following royal assent?

Assistant Chief Constable Mawson: We have plenty of time between now and the likely introduction date to get our ICT and training systems in place and to get guidance out to staff. We will be ready for any likely introduction in 2016.

Willie Coffey: What guidance will enable you to assess whether an applicant is a fit and proper person and has “a good reason” for having an air weapon? Will there be a Scotland-wide licence, so that if a person gets a licence in one part of Scotland but moves to another they will not have to reapply?

Chief Inspector Lamb: The establishment of Police Scotland has enabled us to move towards the standardisation of processes. For example, whether someone applies for a certificate in Wick or Dumfries, the tests in relation to refusal, revocation and so on are the same. We are moving towards greater consistency, with the aim of having absolute consistency on firearms licensing.

The fit-and-proper person test is about responsibility. It is about whether a person is responsible and has a reason for accessing the firearm. Under the legislation, the reason for having a firearm would be extremely important. It would be consistent with the guidance, which would say what we accept as a good reason for having a firearm. That is already reflected. We are used to dealing with good reason tests for shotguns and firearms, so we would be able to adapt quickly our thinking and the tests that we would require to make under the bill.

Willie Coffey: Is the assessment mainly subjective or is it based on any evidence about the person's history and record? If a person is refused a licence in Ayrshire but then moves up to Aberdeen and tries again, will there be a record of that attempt to get a licence? Does your information technology cope with that?

Also, is there a subjective element to the test in that a person could be lucky in the way that they are assessed in Aberdeen compared with how they would be assessed in Ayrshire?

Chief Inspector Lamb: If a person moves, their nominal details are recorded on Shogun, which is accessible to police working in Dumfries or Aberdeen. Someone who works in Aberdeen can bring up the record of someone who previously stayed in Dumfries and they would be able to see the decision-making process.

We will have to run up guidance on a good reason for a person to have a firearm, and we already have set criteria for good reason for shotguns and firearms, especially firearms, which come under the Firearms Act 1968. The criteria have to be really specific about what a person will use the gun for. They are also specific to guns. If

someone has a .17 HMR, it will be used for small vermin. A much bigger calibre gun, such as a .270, will be used for deer.

I think of air weapons as tools to be used for different jobs. For instance, they are used for pest control such as shooting pigeons in a byre where they are defecating over cattle feed and so on. A much more powerful weapon could drill holes in the roof, so it would be inappropriate. It is about using the right tool for the job and having a good reason for it. If someone says that an air weapon is for shooting rats or pigeons, that would be accepted as a good reason.

Willie Coffey: Forgive my ignorance, but is there an appeal process so that a rejected person can appeal? Who would they appeal to if the assessment was Scotland-wide?

Chief Inspector Lamb: There is an appeal process contained within the bill and an appeal would go to the sheriff court. That is replicated in the 1968 act for someone who is refused or whose firearm or shotgun certificate is revoked.

Willie Coffey: We heard from Jennifer Dunn and Dr North that there are likely to be many more incidents than are ever reported because of the nature of the offences. When an incident occurs, are you permitted to consult the register and pay a visit to licensed airgun holders? Can you use the information that you have about unsuccessful applications to visit those persons in relation to any incident?

Chief Inspector Lamb: If we receive information that someone has used a gun inappropriately, we are all over it immediately. The prime reason for the legislation is to keep people safe. If we have information that suggests that someone is using a gun inappropriately, we want to find out all about it and what the circumstances are, and remove that gun at the earliest opportunity. We want to put our foot on the ball and think about what to do with the situation.

That will be recorded on the Shogun system. It is already recorded on the system, so the information never goes away. Would we be able to use the information from a previous application? Absolutely. The information is there; it is evidence in relation to what the inquiry officer found out and what the witnesses were speaking to.

We deal with the issue on a daily basis with the 53,000 people who are certificated to have firearms in Scotland. Much of what the bill proposes is reflected in the 1968 act, and we would try not to reinvent the wheel but to use very much the same processes.

10:45

Willie Coffey: To clarify, those who are unsuccessful in applying for a licence will still be known to you, and they could be among those who the police will wish to visit in relation to an incident.

Chief Inspector Lamb: Yes.

Willie Coffey: That is very helpful.

The Convener: With regard to Mr Coffey's question about the Dumfries to Aberdeen situation, was Shogun in place before the inception of Police Scotland? Was there co-ordination among the eight forces on applications?

Chief Inspector Lamb: Before the inception of Police Scotland there were eight chief constables, who were each responsible for firearms licensing within the area in which the certificate resided. With one chief officer of police for the whole of Scotland, we have got to have consistency.

The Convener: Would it have been easier in yesteryear to move from Aberdeen to Dumfries and, having been refused a firearms licence in Aberdeen, to get one in Dumfries?

Chief Inspector Lamb: Certain markers were put on the police national computer in relation to refusal or revocation of a licence. Therefore, licensing staff in Aberdeen would have been able to identify that application very quickly and to say that there was a marker on the computer system showing that the person had been refused a licence or had had one revoked in Strathclyde. Police would pick up the phone and speak to—

The Convener: However, it was not as consistent as what you have in place now.

Chief Inspector Lamb: It is much more consistent now.

Superintendent Irvine: There was no formal mechanism for notification when certificate holders moved or when someone was refused a certificate in one chief constable's area and then applied in another area. Certificates were linked to residence under the terms of the 1968 act. Practically, they would have to get in a different address under the chief constable who was making the decision. In practice, there was no way of us mapping across Scotland who was applying to different chief constables. However, the new system and the new processes that are in place allow us to manage it as a nation.

Assistant Chief Constable Mawson: The system is now much more joined up. Mr Coffey's point about subjectivity is well made.

As lead for firearms licensing for Scotland, I have started a process of inviting all firearms licensing staff—whether police officers or support

staff—to training events at Tulliallan for whole days at a time. They get the same training to the same standard, along with the same guidance. We share experiences, difficulties and challenges. That goes a long way towards reducing significantly the element of subjectivity.

Of course, everything is now recorded on the national database, which everyone has access to.

Cameron Buchanan: As I understand it, not every airgun or air pistol has a unique identification number. How will you get round that when you are trying to license them?

Chief Inspector Lamb: The bill is about people rather than guns. People will be allowed to have certificates to possess air weapons. Under the shotgun legislation, a person is allowed to hold as many shotguns as they wish under their shotgun certificate. It is different for a firearms certificate—

Cameron Buchanan: The person is identified on the shotgun certificate, are they not?

Chief Inspector Lamb: They are identified. As far as we understand the bill, there would not be a mechanism for identifying, for instance, that the weapon is a .22 air rifle. As you say, a lot of the weapons do not have identification numbers on them, so we would not be able to identify them. It would be a case of a person, as an individual, being allowed to possess their weapons.

Cameron Buchanan: Would the quantity be specified, as it is in the shotgun legislation? I have two shotguns, and it is specified what make and what number they are. For airguns, is it proposed that the certificate would say that someone can have two, three or four?

Chief Inspector Lamb: There is no proposal for that in the bill, as far as I am aware.

Anne McTaggart: I will ask the same question that I asked the previous panel. You will have had loads of time to make up a wish list—after all, it is the season to be jolly—but do you think that there is anything that would make the bill better? Has anything been omitted from it?

Assistant Chief Constable Mawson: I will let Alick Irvine and Fraser Lamb add some more value but, for me, the big strategic issue is how we will smooth things out. We cannot have thousands of applications coming in on one particular day, our struggling to cope and exactly the same thing happening five years later. That is not a pragmatic or commonsense approach, and we need some kind of phasing-in or smoothing-out process.

Superintendent Irvine: That is a critical issue for our organisations. With regard to the management of the offences and the licensing regime that will be created, I am pretty confident that the bill covers everything that will support us,

keep our communities safe and allow a proportionate licensing regime to be put in place.

Chief Inspector Lamb: To reiterate Mr Mawson's point, it is hugely important that we get the smoothing right. When this legislation comes into force, a huge number—I am sorry; I should perhaps say an unknown but probably quite significant number—of people will apply for an air weapons certificate. Under the bill, there will be a small on-going demand, with a huge bulk of renewals every five years. That means that, every five years, we will have to deal with a huge workload over a very short time, while for the other four years and 11 months, that workload will diminish. That will make it very difficult to plan for staff, resources, commitment, checks and so on.

Under our smoothing proposal, the chief constable can decide how long the first certificate will last for, which will allow us to deal with the same number of renewal applications per month. In other words, certificate number 1 might last a year, certificate number 2 might last 13 months—and so on, until certificate number 60, which would last for five years and 11 months. Under that system, we would have the same number of people applying for a certificate every month, and we can plan for and resource that.

Anne McTaggart: How did you manage with your previous weapons amnesties, and what lessons did you learn?

Chief Inspector Lamb: In a recent firearms amnesty in England and Wales, 350 firearms were handed into the Metropolitan Police, about a quarter of which were air weapons. I think that our air weapons figures will outstrip those figures.

The Convener: Basically, you are telling us that there will be a lot of scrap metal about.

Chief Inspector Lamb: I think that a lot of air weapons will be handed in and destroyed, and the figures will dwarf the amnesty figures in England and Wales. There will be people saying, "My grandfather's air weapon is lying up in the loft; it's not been used for decades and we have no good reason to have it, so let's hand it in to the police."

Anne McTaggart: Thank you.

Clare Adamson: I have a supplementary to Cameron Buchanan's questions. If people have criminal intent, that is a difficulty for everyone in society; however, we cannot get over the fact that there will always be someone who will have such intent. That said, let me run a scenario past you. If you have no record of the number of guns that people with air gun licences have, can someone who is found in possession of a gun but not in possession of a licence not just claim that the gun is owned by a licence owner? That assumes, of course, that someone who is not upstanding slips

through the system and gets an air gun licence. What would happen in that situation?

Chief Inspector Lamb: Police officers have a healthy dose of cynicism, and I think that we would ask the other person whether they had a certificate and pose all the investigative questions that we would expect officers to ask such individuals. We will be able to deal with that situation simply by investigating it appropriately and ascertaining what the facts are.

Clare Adamson: If, in that scenario, you suspected that someone was at it—in other words, the gun in question belonged to another person, and the two people involved were in collusion—would you be able, under the powers in the bill, to remove the licence?

Chief Inspector Lamb: Yes. It comes back to the unfit to be trusted test, which is quite a low bar in relation to firearms legislation. I think that, if it were proven that someone was telling lies, they would be unfit to be trusted with a firearm.

The Convener: Some have said that this legislation will affect only law-abiding citizens and will do nothing to stop or reduce criminality. Do you have anything to say about that view?

Assistant Chief Constable Mawson: I think that I have already covered that, convener. We know that there are a lot of air weapons out there; the exact number is not known, but the gun trade has suggested half a million. Three things will happen under this legislation. First, people will register—and they will for the most part be fit and proper people. Secondly, a huge number of weapons will be sent to the police to be disposed of as scrap. Thirdly, there will be a group of guns that will still lie around, but the number will be significantly smaller than the thousands that are currently in circulation and which someone could spontaneously pick up one day and do something very silly with. We have already mentioned the 84 offences that have been committed in the past four or five months, including an attempted murder with a shot to the head, and the bill will definitely have a positive impact on keeping people safe.

The Convener: Thank you very much for your evidence, gentlemen. It is appreciated.

We move into private session.

10:56

Meeting continued in private until 11:42.

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e-format first available
ISBN 978-1-78534-448-0

Revised e-format available
ISBN 978-1-78534-464-0