



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Firearms (Amendment) Regulations
(Northern Ireland) 2011: Northern Ireland
Firearms Dealers and Shooters Association

28 February 2013

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Stewart Dickson
Mr Alex Easton
Mr Tom Elliott
Mr William Humphrey
Mr Seán Lynch
Mr Alban Maginness
Ms Rosaleen McCorley
Mr Jim Wells

Witnesses:

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| Mr Derek Beattie | Northern Ireland Firearms Dealers and Shooters Association |
| Mr Vaughan Harkness | Northern Ireland Firearms Dealers and Shooters Association |

The Chairperson: I welcome Vaughan Harkness, honorary secretary of the Northern Ireland Firearms Dealers and Shooters Association, and Derek Beattie, also from the association. This evidence session will be recorded and published on our Committee web page.

I invite you, Mr Harkness, to outline briefly your position on the proposed increase to firearms licensing fees and the other changes to the legislation, as well as the key issues that you want the Committee to deal with. It will then be open to Committee members to ask questions, and that will be another opportunity to illicit more information.

Mr Vaughan Harkness (Northern Ireland Firearms Dealers and Shooters Association): Can I ask that you allow my colleague, Mr Derek Beattie, to give the introduction? I will come in afterwards.

The Chairperson: OK.

Mr Derek Beattie (Northern Ireland Firearms Dealers and Shooters Association): Thank you very much. As you know, we are a very small organisation. We represent small family-run businesses. We formed the Northern Ireland Firearms Dealers and Shooters Association around the year 2007. Please forgive us if we are not up to speed with you chaps around the table. We are not MLAs or wordsmiths.

Mr McCartney: You might catch us out this afternoon.

Mr Beattie: I hope that we do.

We formed the association in 2007 to provide a platform for smaller, family-run businesses that make a living solely from the industry, which is one that puts a lot of its money back into the economy. We started it up to establish a working relationship with the Department of Justice (DOJ), the firearms licensing departments and the firearms inspectorate. Although we have a fairly good working relationship with DOJ, we are not just so happy with the police's firearms and explosives branch (FEB). As you know yourself, Chairman, you were at a meeting in Lisburn in September of last year at which feelings ran very high over FEB. Anyway, we will move on.

Our association welcomes the proposals for young shots at 12 years of age, as that would bring us more into line with mainland UK. We know that other organisations have asked for 10 years, and, to be quite honest with you, our group would have no problem with that, because those are the formative years where kids learn and pick up on safety. Our organisation does not have a problem with young shots in their formative years. That should be encouraged rather than discouraged, because it is a very disciplined and safe sport and industry. The youth of this country would then have the opportunity to move on into higher grades at international level. No one would disagree with the way in which it works in England, but our kids are not getting the same opportunities as those there. If you look at the whole thing, if kids nowadays were in a disciplined sport, they might not be out participating in recreational rioting, as is occurring at present. Would the Government not do better to put some money into the organisation — the sporting industry — as they do for a lot of organisations, rather than try to put down the shooting fraternity every time?

The next thing that I want to talk about is the one-on, one-off thing. We do not have a problem with that at all. Why can we not get that introduced right away? We are already doing it with a lot of firearms aspects, so why can we not get the banded system up and running? That would give a bit of a boost to our small industries, which, I reiterate, put a lot of money back into the economy.

I turn now to the fees, which seemed to come about as a result of the police's in-house people doing the calculations. Why can we not have a completely independent body to look at all the inefficiencies that we see? Gentlemen, you are up here, but we are on the ground, and we see the way in which it is working, and it is not working. You can argue the point that you are aiming for 85%, but we worry about the 15%, because it is very easy to group a lot of people into that 15%. We need openness and accountability. We need to form an organisation that can be looked at, by FEB or whoever is involved in the inspectorate and whatnot. We need full accountability for what is happening, and we do not seem to be getting it.

Again, in Mr Cochrane's report of 31 May 2012, he talked about downtime. Why is there so much inefficiency in downtime? Where does it come from? I do not know.

We feel that, in the eyes of the firearms dealers whom we represent, the present system is inefficient, dictatorial, bureaucratic and totally unaccountable. Yes, we listened to panel members giving all, and they were very good, but they are not on the ground with us seeing what is happening. Does everybody else pay for policing? Do the parades pay for policing? Do football matches or the North West 200? Why are we being taken to task for firearms? Here endeth my case. Thank you.

Mr Harkness: I will pick up on that and come straight in on the young shots. As my colleague said, I believe that there is a golden opportunity for us all to get involved. There are kids out there on the streets who have now got criminal records because of recreational rioting. They say that they have nothing exciting to do. Here is a sport that is exciting, disciplined and responsible. If you can capture young persons' hearts and minds at that age and take them away, it will keep them off the streets. They will be learning a disciplined sport that is run by people who have been security-checked right through the system. That is a point on the young shots.

We agree with the banded system. We got notice of teething problems and small problems that need to be ironed out, and there will be more consultation on that, and that is fine.

However, when it comes to the fees, it, gentlemen, is totally and morally wrong. This is not natural justice at all. Our Chief Constable belongs to the ACPO. The latest figures that I have from ACPO basically agreed on £93-80 for a firearms licence and on £274 for a dealer's licence. That, by the way, also includes the firearms dealers explosives inspectorate, which we pay for separately. It is basically a 100% increase across the existing GB systems. The proposal here is to increase the firearms fee by

142%, to increase the variation by 108%, and to increase a firearms dealer's certificate by 252%, and that is when inflation is running at 3%.

It is all very well to say that government is strapped for money and that we should have full cost recovery. However, as Derek said, no other sport pays full cost recovery. If you look at the policing system, you will see that the £60 fine for speeding does not cover the full cost of a policeman going out there and doing his job. No other sport has been asked to pay any fee, let alone full cost recovery, so why should we?

Chairman, I will put it simply: it is like building a house. You want to build a new house with your money. You can go to three or four people who are approved by building regulations and ask them for a quotation. You pick the one who suits you best and who is giving you value for money, but during that process, that builder is regulated by Building Control to see whether he is up to standard and efficiency. At the end of the day, if the house is not to your satisfaction, you can go to the National House-Building Council (NHBC), and it will take up your complaint.

We have no process for holding firearms licensing to account. The forum has no legal teeth, as it is not a legislative body. It can talk — it really is a talking shop — but it cannot hold it to task.

No efficiency report has been done in this department. In 2008, we gave an alternative method of processing certificates to firearms licensing branch. That was done electronically — we are in the 21st century — and it cut down the time considerably. To be honest, the head of department said that, yes, it could be done, so why is it not being done? All the small, petty things are gone into; for example, three penalty points. Does that make a person unsuitable to hold a firearms certificate? There are statutory things that bar you from holding a firearms certificate, and those should be the only things that are taken into account.

The full cost recovery fee could be dangerous from the point of view of the applicant. Firearms licensing branch was turning people down and simply saying, "You are an unfit person to be granted a firearms certificate." However, when that person asks why, the answer is that it is not in the public interest. It may not be in the public interest, but that man, surely, in common law, is duty-bound to have an answer so that he can defend his case. He does not get the application fee back, so it would be very simple for him to have a personality clash with his firearms enquiry officer, who may say that he is not recommending him because he is not a fit person. That is £120 gone. He has no redress, because there is no statutory body to ensure that the system works correctly. That is why, in our letters to the Minister, we have asked him to implement the young shots and the banded system, but to postpone any increase in fees for a year. During that year, we ask that all interested bodies sit down around a table — the police, the firearms licensing branch, the Department of Justice (DOJ), the dealers' associations and the shooters' associations — and come up with an agreed solution that would be binding on all parties.

We were part of a similar group in 2002, along with the Northern Ireland Office (NIO), that examined the change of legislation in the Firearms (Northern Ireland) Order 2004. We were promised then that the certificates would be done within 12 weeks and that everything would be black and white according to the order and the guidelines. It did not happen, and it does not happen, because that legislation is open to interpretation by the firearms licensing branch in whatever way it wishes to determine it. The main problem is that there is nobody to say that it is wrong. The lack of accountability is the biggest problem that faces the industry.

Mr Humphrey: Thank you very much, both of you, for your presentation. I have great sympathy for what you have just said. You used the example of someone who has three penalty points on their driving licence. There are many people in this community who have done much worse. People who have done much worse have been allowed second opportunities, not least under the Belfast Agreement. Mr Beattie, you mentioned that a great deal of money from your sport goes into the Northern Ireland economy. Have you any idea of the figure?

Mr Beattie: There was a survey in about 2006, when, I think, approximately £45 million was going into the economy. I think, off the top of my head, that 1,200 people are fully employed, not counting ancillary workers.

Mr Humphrey: Mr Harkness, I am aware that, in the Commonwealth Games, for example, Northern Ireland does very well in shooting compared with other sports, and a gentleman called Calvert won a series of medals over many years. Part of the difficulty for you and other representative bodies of your

sport is trying to make people see that shooting is a sport. Lots of negativity surrounds shooting, with people talking about blood sports, and so on. Of course, you will not be talking about that sort of thing for children of 10 or 12 years of age, I presume. If we look at it as a competitive sport, by any stretch, the younger you can get people involved in a sport, the more proficient they will be. I presume that you see that as part of the compelling case for getting children involved. You suggest 12 years of age; others suggest 10 years of age. Is that the case?

Mr Harkness: That is the case. Clay pigeon shooting is an international sport. Here, people cannot get involved until they are at least 16 years of age, whereas a youngster in England gets involved from the year dot, but we do not believe in year dot. There is no age limit on target shooting here. Youngsters can go to a club and shoot at a younger age, but that is extremely disciplined. The important thing is — particularly given the current riots over flags, and so forth — that the majority of people on the streets are youngsters. We have to do something to try to get those youngsters into some sort of disciplined sport — shooting is one that is exciting but very disciplined — and get them away from rioting. Out on the streets, all that they will get is a criminal record that will stay with them for the rest of their life. We all have a big part to play in encouraging them into disciplined sports such as shooting.

Mr Humphrey: Do you agree with me, though, that more work needs to be done to make people regard shooting as a sport in which young people can participate?

Mr Harkness: Yes. I also emphasise that this is perhaps where the Chief Constable, the police, the Department of Justice and the press and media — if this is passed — can promote education here. It should not be branded a bad sport because of the blood sport factor that you mentioned. People frown at the mention of guns and talk about public safety. This is the most gun-safe country in the world. The licensed guns in this country are no problem whatsoever. It is the likes of guns seized in north Belfast last night that you should be looking at, not the ones licensed to people who go through the system.

Mr Humphrey: I represent North Belfast, so I agree with you entirely. *[Laughter.]* I am a member of the Committee for Culture, Arts and Leisure, which held an event on an evening in November, and I think that representatives of 22 sports came and aired their concerns and views. There is a perception — I suppose that it is a reality — that the vast bulk of money from government will go to the three main sports of football, rugby and Gaelic. However, some of those representatives said that putting small amounts of money into their sport would make a huge difference. Has your organisation, or similar organisations, met the sports Minister or applied to the Department of Culture, Arts and Leisure or Sport NI for money? I am talking about funding for development officers to do the sort of work that you talked about — going round schools, youth organisations, and so on.

Mr Harkness: To be honest, that is not really our remit. We are here as firearms dealers. That is the remit of the shooting bodies, which are also represented here today. However, we welcome any money being put into the system. That will be particularly true if the proposal for age 12 is passed. That will be a new ball game and a new opportunity. Yes, we believe that money should be put into the educational side of the sport to promote its benefits and encourage youngsters to come off the streets and into the sport.

Mr Lynch: Some would argue that the more guns there are, the more fatalities there are. How safe is it here compared with other jurisdictions, not including the US?

Mr Harkness: In a way, guns are like motor cars. Guns do not kill people; people kill people. You can do all the driving tests that you want, but the car does not kill; the person who drives it does. Even throughout the Troubles, statistics show that a very minimal number of legally held firearms, compared with the number held illegally, were or are used in any crime. So security is not really an issue as far as we are concerned. However, going back to the young shots again, we believe that a better foundation for the future will be built by getting people into the sport early and having responsible people teach them about safety in a proper way.

The Chairperson: OK. Thank you both very much for coming along.

Mr Harkness: Thank you, Chair.