

**COUNTRYSIDE
ALLIANCE
IRELAND**

**INCORPORATING THE
IRISH GAME
PROTECTION ASSOCIATION**

**Countryside Alliance Ireland
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Friday 18 September 2015

Ms Christine Darragh
Clerk to the Justice Committee
Room 242
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX

Dear Ms Darragh

Ref: CONSULTATION ON JUSTICE (No. 2) BILL

Introduction:

Countryside Alliance Ireland welcomes the opportunity to respond to the priority issues that have been identified by the Justice Committee in the Justice (No. 2) Bill in respect of proposed changes to the firearms licensing fees, the banded system and the age at which a young person can use a shotgun. The other sections of the Bill are out with our remit and we will concentrate on our area of expertise which directly relates to the firearm issues.

These issues have been communicated to our members; seeking their opinion as to whether Countryside Alliance Ireland should change the response that we submitted to the original consultation. We received a number of responses and our members are of the opinion that we should maintain our views on the issues that we previously responded to in the previous Justice Bill.

I shall deal with the issues identified in the order they were laid down in your further consultation document.

Banded System:

Countryside Alliance Ireland was signatory to a proposal for a new banded system that would allow a person who has a particular firearm to exchange that firearm within a band of firearms that were suitable for use subject to the condition that was originally placed on the firearm.

The table on the next page shows the banded system that was previously discussed and agreed with the Minister and his Department. We believe that any change of legislation to facilitate the implementation of the banded system must include an enabling clause that would allow other calibres to be included within the bands without a change of primary legislation. This is to facilitate new models and calibres of firearms that may become available in the future.

We welcome the Department's plans to provide training to firearms dealers in partnership with CAI, BASC and the Gun Trade Guild (NI) prior to a dealership being authorised to use the banded system and we also welcome the stance that this authorisation may be withdrawn if the dealership fails in its duties with regard to the rules of the banded system.

Band	Calibre
1. Small quarry Air rifles	.177 - .25
2. Small quarry	.17 Mach 2 .17 HMR .22 LR .22 WMR
3. Medium quarry CF	.17 CF .22 Hornet CF .222* .204 Ruger .223/5.56* .220 Swift* .22/250*
4. Large quarry CF	.243 25/06 6.5mm x 55/256 7mm x 08 .270 7.62 x 51/.308 30/06

The following rules as indicated below and agreed with the Department should apply to the banded system:

1. The banded system should apply to firearms conditioned for dual use.
2. All handguns including personal protection weapons are excluded from the banded system.
3. All muzzle loading and black powder firearms are excluded.
4. Firearms conditioned for target use are excluded.
5. A firearm which is "on loan" should be allowed to be exchanged under the banded system providing that both persons are present during the transaction and both firearm certificates are amended accordingly.
6. A change cannot be made to a firearm of a calibre which the individual already holds for the same good reason.
7. A person who currently has a supervision clause will still be able to exchange a firearm for another firearm within the same band. The supervisory period will continue for the remaining period.
8. When a firearm is exchanged the conditions applied by the Chief Constable to the original firearm will apply to any subsequent firearm.
9. When changing calibre, all associated ammunition must be surrendered (except where the FAC holder has another firearm licenced for that calibre of ammunition).

10. Any exchanges outside of the above rules will be subject to the normal variation procedure.

Countryside Alliance Ireland also believes that transactions should be based on calibre and not the type of action.

Age of young shooters:

We acknowledge and appreciate the Minister's agreement to reduce the age at which young people may participate in recognised shooting activities, however we do not agree with the Minister's proposal for clay target shooting only as this falls short of providing a pathway for the next generation of people to participate in legitimate rural activities. We would much prefer 10 years of age (the age of criminal responsibility in NI) and we are conscious of the fact that the Committee for Justice may prefer to implement the will of the NI Assembly, which was **NO** minimum age for supervised shooting; indeed this would bring NI into line with the rest of the UK.

In order to progress this issue and by way of compromise, we would propose the age was reduced to 11 years of age (which is secondary school age) for all shooting (including vermin control and live quarry) with a supervisory criteria of 25 years of age, the supervisor having held a firearm certificate for the past 5 years. We believe that this is a satisfactory solution to this long running issue.

Countryside Alliance Ireland believes that the existing provisions for 16 year olds as per Article 7 of the Firearms Order 2004 should remain in place. While we welcome the Minister's proposal to extend access to all other sporting and vermin disciplines to young people from the age of 16 we do not agree with the proposed increase in the supervisory criteria. Indeed, there is no evidence that the current supervisory criteria has caused a problem in the past and we see no valid reason for change in this area.

Firearms licensing fees:

Countryside Alliance Ireland has been engaged for some time on the issue of fees. Indeed, we and our partner organisations made a presentation to the Committee on our proposed solution. This in turn led the Minister to meet with our political representatives and offer a compromise to this long standing issue.

We have agreed in principal to the new fee structure following successful implementation of the banded system and agreement with the Department and PSNI on processing times and accountability. However, we oppose the introduction of a non-returnable application fee.

Our agreement was as follows:

- a. Firearm Certificate Grant/Regrant increasing to £98
- b. Variation carried out by a RFD £15 (new fee)
- c. FEB Variation increase to £30
- d. RFD licence increase to an interim figure of £300 (pending further review)

One-off transactions:

As previously agreed with the Department, firearms dealers should be able to remove any firearm from a firearm certificate without replacing it with any other firearm. This is known as a one off transaction which, if implemented, would remove the current requirement whereby certificate holders send their certificates to PSNI FEB for the firearm to be deleted.

Conditions on firearm certificates:

Much has been made of the wide variety of conditions that the PSNI place on individual firearm certificates. At times this can cause confusion and is not conducive to best practice since none of these conditions are available for the applicant to see prior to their application. We are aware that in Great Britain many of the constabularies have moved away from conditioning individual licences to applying "any lawful quarry" condition.

By moving to this "any lawful quarry" condition it removes inconsistent conditions being placed on individual licences.

Clause 45:

Countryside Alliance Ireland has concern regarding the wording of this clause and of course its intent. In political circles it is known as the "Henry VIII" clause and we believe that this clause should be deleted in its entirety.

Proposed Amendments:

We would wish to see that all items relating to firearms issues come into operation immediately after Royal Assent.

Further amendments to Justice (No. 2) Bill:

We believe that the Department will be placing amendments down as per your communication. We would be grateful if you could inform us of these amendments when the Department makes them available to you.

We would also ask the Justice Committee to consider placing an amendment that would reduce the minimum age for supervised access to shotguns and airguns to 11 years of age for both inanimate targets and any lawful quarry.

"THAT THE MINIMUM AGE FOR SUPERVISED ACCESS AND USE OF SHOTGUNS AND AIRGUNS BE REDUCED TO 11 YEARS OF AGE FOR BOTH INANIMATE TARGETS AND ANY LAWFUL QUARRY. THE SUPERVISOR TO BE AT LEAST 25 YEARS OF AGE AND TO HAVE HELD A FIREARMS CERTIFICATE FOR AT LEAST 5 YEARS"

Engagement:

We wish to convey our thanks to the Committee for once again affording us the opportunity to respond to these issues. Our message has been clear, cohesive and concise and our objectives are unchanged. We wish to see full constructive engagement on all issues that will lead to a satisfactory outcome that will not compromise public safety and will benefit our members and the wider shooting and farming communities.

Other:

It is important to note that Country sports activities play an important role in the rural economy of Northern Ireland and shooting is one of those rural activities. The recent PACEC Report indicated that shooting provided £28 million to the economy within Northern Ireland.

In closing Countryside Alliance Ireland would like to once again thank the Committee for the opportunity to respond to its call for evidence and we would also welcome the opportunity to make a joint presentation to the committee going forward.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'LYALL PLANT', enclosed within a faint rectangular border.

LYALL PLANT
Chief Executive