



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Firearms (Amendment) Regulations  
(Northern Ireland) 2011: British Association  
for Shooting and Conservation/Countryside  
Alliance/Gun Trade Guild Briefing

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:**

Mr Tommy Mayne	British Association for Shooting and Conservation
Mr Lyall Plant	Countryside Alliance Ireland
Mr David Robinson	Gun Trade Guild NI

**The Chairperson:** I welcome Tommy Mayne, the Northern Ireland director of British Association for Shooting and Conservation (BASC); Lyall Plant, chief executive of the Countryside Alliance Ireland (CAI); and David Robinson, chairman of the Gun Trade Guild NI (GTGNI).

The session will be recorded by Hansard and published in due course. You have the opportunity to outline the key issues on which you wish to engage with us, and then members will have the opportunity to ask questions. Tommy, may I hand over to you?

**Mr Tommy Mayne (British Association for Shooting and Conservation):** Good afternoon. Thank you for giving us the opportunity to make a presentation on the consultation on proposals to vary firearms licensing fees and other miscellaneous amendments to the Firearms (Northern Ireland) Order 2004.

Although the main focus of our presentation will be on the four main issues, as we see them, including licensing fees, the banded system and young shooters, we will not have time to cover all the various aspects. However, we will try to squeeze it all in as best we can. We have scribbled down a lot of notes today — we were, obviously, very interested to hear what the police had to say. Please bear with us as we filter our way through our notes.

As the Chair said, I am the director of the BASC, and I am joined by Mr Lyall Plant, chief executive of Countryside Alliance Ireland, and Mr David Robinson, chair of the Gun Trade Guild NI. As

membership organisations, we very much appreciate the opportunity to represent our members' interests.

Before we address the issues in the consultation, and our concerns, hopes and fears, we felt it very important to set out our experience as firearm certificate holders who have been through the licensing system many times as shooters and, in David's case, as a firearms dealer. While on the subject of dealers, I would like to echo the comments of the gentlemen from the Northern Ireland Firearms Dealers Association, who raised many good points. We support them on many of the issues that they raised.

I have held a firearm certificate for over 25 years. I am an accredited BASC shotgun coach and a mentor trainer of coaches. I am also a National Rifle Association range conducting officer. My time as a shotgun coach has been particularly valuable because it has allowed me to travel to other parts of the UK where young people are allowed to possess shotguns and airguns and use them under supervision. I have a lot of experience of young people, shotguns and airguns. As a range conducting officer in Northern Ireland, I also have experience of supervising young people using bullet-firing firearms in the confines of a PSNI-approved club.

I have been involved in many different shooting sports for many years, including deer stalking, game shooting, pest control, wildfowling and clay target shooting. I have significant target shooting experience using full-bore rifles, rimfire rifles, handguns, and so forth.

**Mr David Robinson (Gun Trade Guild NI):** Good afternoon, ladies and gentlemen. I am 61 years of age and have been shooting since I was 13 years of age. I have had a firearm certificate for over 35 years and been a dealer for 16 years. I have had the great honour of representing the all-Ireland full-bore rifle team with the aforementioned David Calvert. Incidentally, I would like to illustrate people's attitudes to guns. David Calvert won three Commonwealth Games gold medals, three silver medals and one bronze medal, which is infinitely more than the redoubtable Mary Peters, for whom I have the greatest respect, but that demonstrates people's attitudes to shooting. The shooters did not even get a bus tour around Newtownards when they came home. The girl up in Derry who won a bronze medal got a bus tour and free cosmetics for life, but David did not even get a mention in the 'Newtownards Chronicle'.

**Mr McCartney:** Shame on Newtownards. You see, Derry people are good people. *[Laughter.]*

**Mr D Robinson:** Wasting public money, I would suggest. *[Laughter.]* I have had significant experience of the full licensing system. I am now in my eleventh year as chairman of the Gun Trade Guild — I was mugged; they told me that it was a one-year job.

**Mr Lyall Plant (Countryside Alliance Ireland):** I am chief executive of Countryside Alliance Ireland. I have held a firearm certificate for over 40 years and have significant experience in wildfowling, game and rough shooting and clay target shooting. Countryside Alliance Ireland is an all-Ireland organisation, and, therefore, I am up to date and in tune with the licensing legislation, north and south of the border. I welcome the opportunity to give evidence to the Committee today.

**Mr Mayne:** It is worth mentioning that, in July 2012, BASC, Countryside Alliance Ireland, the Gun Trade Guild NI and the Northern Ireland Firearms Dealers Association launched a joint petition on the consultation. The petition opposed the increase in firearms licensing fees from an individual perspective and a firearm dealer's perspective. It supported the proposal to reduce the age at which young people can possess new shotguns and airguns. The petition also supported the banded system, which we will come to later. We ask the Committee to note that over 2,700 people signed that petition to highlight their opposition to the fees increase and their support for the age reduction and banded system. The firearms consultation has provided an opportunity to reduce the age at which young people can possess and use shotguns and airguns under supervision. As many of you will know, there is a great disparity in Northern Ireland because of the fact that, generally, young people here cannot possess or use a shotgun until they are least 18 years of age, except in certain circumstances. On the UK mainland, there is no minimum age for obtaining a shotgun certificate. Approximately 167 teenagers in Northern Ireland possess a firearms certificate.

The consultation has also provided an opportunity to implement what we call the banded system. It has already been agreed in principle by PSNI's firearms and explosives branch (FEB). If implemented, we see that excellent system as being of great benefit to the Province's firearms dealers

and the shooting community. It would also reduce the workload of the FEB while having no impact on public safety.

The bad news is the significant increases in firearms licensing fees that are proposed in the consultation. If such increases were to be implemented, they would, undoubtedly, result in a significant reduction in the number of firearms certificate holders in Northern Ireland, which has already declined significantly. Since 2004, there has been a reduction of approximately 20,000 certificate holders, which is 25%, mainly because of an overly complicated application pack and a bureaucratic firearms licensing system. As I said earlier, it would be impossible for us to go through all aspects of the consultation. I hope that we will address most of them via our answers to questions.

I would like to highlight our opposition to the proposed increase from £50 to £120 for an individual five-year certificate. That is an increase of 140%, which, apparently, reflects full cost recovery. There is a proposed increase in the cost of a firearms dealer's certificate from £150 to £697 for a five-year certificate. That is an increase of 365%, which, apparently, reflects full cost recovery.

We very much support the age reduction for young shooters. Although the consultation proposed to reduce the age to 12, we are very much of the opinion that it should be reduced to 10, which is the age of criminal responsibility in Northern Ireland. We are not talking about giving firearms certificates to people aged 10; we are simply talking about letting a young person aged 10 use a shotgun or airgun under the supervision of a 21-year-old who has three years' experience with that type of firearm and holds a firearms certificate for it.

I will cover the banded system very briefly. It has been compiled by merging the guidance on Northern Ireland firearms controls and the Firearms (Northern Ireland) Order 2004, which is the law. The guidance, clearly, is not the law. At the back of the Northern Ireland guidance on firearms controls is a table of calibres, which sets out what a certificate holder will get — in other words, a 0.17 rifle for rabbits or a 0.223 for fox control. That is the gist of it. However, PSNI firearms licensing has issued rifles of calibres not contained in the guidance. We do not have an issue with that; we understand why it does that, and we support it. It has issued rifles of calibres that are not contained in our guidance but are contained in the Home Office guidance. Somewhere in the firearms licensing branch will be one of these books with — exactly as we have it — the page from the Home Office guidance cut and pasted in. Our guidance does not have the 0.223, and so on, and so forth, but the Home Office guidance does. To cut a long story short, the banded system came about simply by us merging the two documents, so we cannot understand why the police have an issue with it when, technically, it already exists. The bands are already in our guidance and in the Home Office guidance.

We are pretty much there as far as our presentation goes. You have our respective consultation responses. It is probably appropriate to move now to the question-and-answer stage.

**The Chairperson:** You mentioned a couple of points that you picked up from the contributions made by the departmental officials. Was there something in particular that you disagreed with?

**Mr D Robinson:** I want to comment on a couple of things. Mr Kidd from the Department partially quoted an Association of Chief Police Officers (ACPO) document and stated that the proposed fee was only 50% of the recovery rate. The full quotation from the document is that ACPO reckoned that the cost of a firearms certificate was £189, and it costed a dealer's licence at £274. ACPO said that those costs included the known inefficiencies in the system, and it was not appropriate to charge the public for an inefficient system. It believes in real cost recovery linked to best practice, which was not taking place. Its recommendation was that it should cost £93 for a firearms certificate (FAC) and £207 for a dealer's licence, and, in the interim period, police forces should be given two to three years to become efficient. ACPO would then carry out another review of the real cost of an efficient system.

I will make a point that I also made at the Committee for Culture, Arts and Leisure this morning. If you had left your car in to get it repaired this morning and it was going to cost £100, and I said that I was thinking of buying a new diagnostic machine to give you a better service sometime in the future so I would charge you £350 in the interim, none of you would be too happy with that stance. We are certainly not. Mr Cochrane from business consultancy services (BCS) said that the system was efficient with the IT in place, but ACPO pointed out that those systems are not enough and that there is more IT available to update the system and make it more efficient.

**Mr Dickson:** This has been very helpful and a lot of information has come out today. The ACPO guidance recognises that there are inefficiencies in its system and, effectively, offers a discount as an

incentive to itself to resolve those inefficiencies. I thought that the PSNI was saying to us today that it had looked at those inefficiencies and was ironing them out. You are telling us that you believe that there are lots of inefficiencies in its system. Will you highlight one or two of the key inefficiencies as you see them, explain how you would cost those and what impact you see those having on the cost to you?

**Mr D Robinson:** One of the main points is that this is based on the systems in place now. We strongly contend that the PSNI's FEB is not accountable. The whole review was not carried out correctly. There are, for example, 36 firearms enquiry officers (FEOs) in the system. That is over half the workforce of the whole licensing system. BCS never spent a day on the ground with those guys. So is there any slack in the system? What are those guys doing? Could they be aiding the system elsewhere? None of that was done. The whole BCS review was done by way of conversation and consultation. It was not about going out and doing time-and-motion studies.

**Mr Dickson:** So you think that there are substantial efficiencies to be driven out of the system?

**Mr D Robinson:** Substantial.

**Mr Plant:** Another item that was brought up related to the manning levels in the FEB. It was stated that the FEB was not fully manned, but the proportion of the fee being added would be for a fully manned FEB. Therefore, if applications are sitting around for 10 weeks, are the staff being part-funded for doing other work, and is that coming under different cost headings?

**Mr Dickson:** They did tell us that it was based on full cost recovery.

**Mr Plant:** Yes, but full cost recovery for an FEB branch that is fully staffed. However, the opinion given today was that it is not fully staffed and, given the resources that the Chief Constable has, it probably never will be. What is the proper staffing level, and what is the proper time to produce a certificate?

**Mr Mayne:** The Firearms Dealers' Association and my colleague David have talked about accountability. Accountability is one of the major issues, and I will give you a few examples, if I may. We have a member who applied for his firearms certificate just over a year ago, and we covered this issue with the Committee for Culture, Arts and Leisure this morning. That is a fairly significant time frame. We totally understand that the PSNI has a duty to protect public safety and to ensure that those who should not possess firearms do not possess firearms. However, there is absolutely nothing that Mark Hamilton, the Chief Constable, the head of the firearms branch or anybody else for that matter could tell any of us that would justify such a protracted time frame.

I want to be very clear about this: we are not saying that the person should get a firearms certificate, because we do not know the background. We are saying that it should not take a year under any circumstances for a person's application for a firearms certificate to be accepted or refused. The bottom line is that the person is either fit or unfit to have a licence. If he is unfit, he needs to be told. Similarly, if he is a fit person, a firearms certificate needs to be issued. Having such a protracted time frame is totally unacceptable.

**Mr Dickson:** At the very least, would you accept that, at some stage during that year, whatever information they can give should be given so that people know that their application is being processed or, if it is being held back, why?

**Mr Mayne:** Yes, I agree. The gentleman about whom I am talking contacted us, and we took up the case on his behalf. We advised him to write a letter of complaint to the Chief Constable, which he did. The letter of complaint was passed to the head of the firearms and explosives branch, who responded on the Chief Constable's behalf. The response was:

*"The current position of your application is that it is outside firearms and explosives branch's own enquiry. I understand that the results of the enquiry should be made available to my branch in the near future, which will enable us to reach a conclusion in your case."*

That letter was sent on 21 December, and still the gentleman has had no word.

**Mr Dickson:** Can you enlighten us on what that external enquiry may be? Would it be a medical enquiry, for example?

**Mr Mayne:** No.

**Mr Dickson:** Do you know?

**Mr Mayne:** It is an enquiry outside FEB control and possibly —

**Mr Dickson:** It could be a medical enquiry.

**Mr Mayne:** No. It could be an intelligence issue.

**Mr Dickson:** Could it definitely not be a medical enquiry?

**Mr Mayne:** No, I do not think so, not with such a protracted time frame.

**Mr Dickson:** Could it be to do with mental health or something like that?

**Mr Mayne:** I do not think so.

**Mr Dickson:** The bottom line is that there is a duty, as you rightly acknowledged, on the police to protect the community. Therefore, it is better that a person waits and that the community is satisfied that the licence is appropriately granted rather than rushing into a situation in which the public, or indeed that individual, could be at risk.

**Mr Mayne:** Absolutely, we could not agree more. As I said, we very much agree with the police if they think that somebody should not have a licence. We all agree that, if they should not have one, they should not have one. Nobody wants somebody out there with a firearms certificate if they are not fit to have it.

**Mr Dickson:** What if it takes a year for that determination to be made? There is nothing inherently wrong with taking a year if it protects society and the individual.

**Mr Mayne:** It should not take a year. It should not take that long.

**Mr Dickson:** That is a matter of opinion, and the police take a different view.

**Mr Mayne:** Absolutely.

**The Chairperson:** Just for my information, is the process for renewing the licence the same every five years?

**Mr D Robinson:** It is more or less the same process, other than that the applicant actually has his firearms.

**The Chairperson:** So, having been granted a firearms licence and deemed a fit person, are they being asked, five years later, to go through the process all over again?

**Mr Plant:** You have your firearms, however.

**The Chairperson:** Is it the same cost?

**Mr D Robinson:** It is exactly the same cost.

**The Chairperson:** So, if you have your firearms licence and are going for renewal, will you pay the same as someone who has never held a firearms licence?

**Mr D Robinson:** If I may, we recommended a 10-year licence to which the Chief Constable was strongly opposed on two grounds. The first was that he felt that five years was the limit to reject someone, and the second was the revalidation of the medical declaration.

The point with the 10-year licence is that the police already have a system whereby, 12 weeks before renewal, it is flagged up that someone is due to renew, so they send out the pack. That same system could be used on a 10-year licence to flag up that someone is due for their five-year security check. Updating the medical declaration is just someone saying, "No change". Just as a slight aside to that, the British Medical Association and ACPO are in discussion to see how the whole medical issue could be solved. One of the things that they are looking at as a future possibility is that, for everyone who gets a firearms certificate, their GP will be informed that they are a firearms certificate holder. There can be security arguments there if everyone knows that you have a firearm. However, it could go on the system in the same way as a driving licence. If your doctor decided that you were no longer fit to drive, they have a duty to inform the DVLA. That system should be looked at. So, we do not really follow the Chief Constable's argument about the 10-year licence. The system is already there, and, if it can flag up that I should be sent a renewal notice 12 weeks in advance, it can flag the police up to say "Check out Robinson again".

**The Chairperson:** It might not get the same revenue, however.

**Mr Humphrey:** Thank you very much your presentation. As I said, I heard your presentation this morning and the concerns that you echoed this afternoon. May I ask the question that I asked this morning, the answer to which was cut short because we ran out of time? Collectively, your organisations raised issues on the failure to process — [*Inaudible.*] — and so on. Have you raised those concerns with the police collectively? Have you made representations to them? If so, what was the outcome?

**Mr Mayne:** I can answer that. Thank you for the question. My short answer is yes, we have done that. If I may, I will talk first about the Northern Ireland firearms control liaison committee, which is an issue that the PSNI raised briefly during its part of the presentation. The Northern Ireland firearms control liaison committee was set up in about 2005. It is not a statutory body but a group of stakeholders and organisations such as ours. The PSNI chairs it, and the Department of Justice (DOJ) also attends. That group has not met since 20 April last year. That meeting was held in the BASC office in Lisburn. I remember that we were promised a meeting on 3 July in Antrim, but that did not happen. I do not know why it did not happen, but there has been a serious breakdown in communication between key stakeholders in that group, such as our three organisations, and the PSNI FEB at a high level.

To return to your actual question of whether we have raised those delays, the answer is yes. We raised them initially by e-mail with senior firearms licensing managers, and, as I said, the line that we get is that the current position is that they are outside the firearms and explosives branch on enquiry. We met with the Assistant Chief Constable (ACC) responsible for firearms licensing, George Hamilton, on 14 February to raise the issue of delays. Understandably to an extent, he would not talk about the specific individuals involved.

Returning to Mr Dickson's question, let me just elaborate and say that we take your point and that you have a valid argument. However, let me give you another example. We have another member who has been a firearms certificate holder for approximately 30 years. We recently advised him to write again to the Chief Constable with a letter of complaint over the way in which the paperwork for his application was dealt with when FEB processed it. It would seem that, every time that he put in an application for any reason, it attracted a delay. We are talking about periods of four, six or nine months and sometimes longer.

One of his straplines, if you like, was that, over a period of three years and seven months, PSNI FEB had his certificate for two and a half years. Again, it comes back to the point that a person is either fit or unfit. That gentleman has held a firearms certificate for 30-odd years, so why should he have to go through the mill every time that he submits a piece of paperwork to the firearms and explosives branch? As Mr Dickson highlighted, there will be exceptions around the year, and there are public safety concerns, but, again, we are struggling to get our head round that example.

**Mr Humphrey:** Presumably, inside the 30 years that he had the licence, there were no anomalies or abuses that warranted the branch holding on to it for that length time?

**Mr Mayne:** No, otherwise his firearms certificate would have been revoked.

**Mr Humphrey:** That is just appalling. The fact that there has been no meeting, even though in April last year one was promised for July, and nothing has happened is just appalling and, quite frankly, incompetent.

**Mr Mayne:** May I elaborate further? One of the most frustrating things about this is that the gentleman got his certificate during the period of the bad snow in the Province that lasted for a couple of weeks — I cannot remember exactly when. Two weeks later, he had a visit from firearms enquiry officers who wanted to inspect his cabinets. That visit should have happened before he got his certificate. One of the more frustrating problems is that that gentleman rang me on a Friday to tell me that he got his certificate. However, had he wanted to do another transaction with FEB on, say, the Monday, we very much feel that he would have gone back to the same problem of having another protracted delay, even though he had, in fact, already been cleared for his last transaction.

**Mr Humphrey:** This morning, you talked about — I think that this is your collective view — police accountability on these issues. As I said this morning, every party has representatives on the Policing Board, and I want to make it very clear that the police should be held to account on this issue and, indeed, on any other issue. Mr Dickson is right: no one should get a firearms certificate unless the police are absolutely certain, and we all agree with that. However, I am concerned about some of the periods that are being discussed. We have all dealt with people in our offices who are hugely frustrated because their certification has been held up through no fault of their own. The Policing Board should be brought into play on these issues. Have you sought recourse to the Minister about these issues?

**Mr D Robinson:** May I elaborate slightly on the forum that was mentioned? That was formed in 2005 and involved industry stakeholders, the DOJ, the police, and, previously, the NIO. We were referred to as the industry group. It worked very well at the start, because there was genuine engagement. Any of the groups — the Ulster Farmers' Union, the police or the DOJ — could throw a problem on the table and say, "What do you think?", and we would chew it like a dog at a bone so that people could get a sense of where it could or could not go. However, that gradually petered out.

There was a meeting in April last year, and the next meeting was scheduled for 3 July. However, the police, who was to chair it, postponed the meeting on 28 June, saying that the July holidays were the reason. We suspected that they did so because they had just issued a very contentious new security specification for dealers and they did not want to face us. That is my honest answer. So, the meeting was to be after the July holidays, and I suppose 28 February is still after the July holidays.

The accountability chain for dealers losing their livelihood goes all the way to the DOJ, because it owns the legislation.

**Mr Humphrey:** Have you sought recourse to the Minister?

**Mr D Robinson:** We have a meeting coming up with the Minister. We went to him directly, because his Department twice refused meetings — one before Christmas and one after — to discuss this. You can take things so far with the police, but somebody must be accountable, and, at the end of the day, the legislation belongs to the DOJ.

**Mr Humphrey:** You heard the comments that were made to your colleagues about sports and age, and I know that you mentioned this morning people who are 10 years of age. There is an issue with shooting being seen as a participation sport for not just young people but people in general. The sport or the industry — whatever term you want to use — needs to do something collectively to raise its profile. Has the BASC made any application to the Department of Culture, Arts and Leisure (DCAL) family, whether to the Department or to Sport NI, for funding for a development officer?

**Mr Mayne:** That is a good question, so thank you for that. It brings me on to a totally separate issue altogether. Sport NI responded to the firearms consultation, and one of the issues in that raised an eyebrow with us. Correct me if I am wrong, but my understanding is that it did not see the increase in fees having any major impact on the economy or resulting in any reduction in numbers of certificate holders. More importantly for us, the Sport NI consultation response contained words to the effect that, although it recognised clay target shooting and target shooting and so on, it did not recognise



hunting. That is an argument for another day, but it recognised fishing. I fail to understand how it can recognise fishing, where one person can kill a fish and cook it, but we could not do that for a pheasant.

**Mr Humphrey:** Competitive shooting, such as the type that is in the Commonwealth Games or the Olympics and so on, is clearly a sport. It is recognised by the Olympics as a sport, so it has to be developed as a sport. You spoke about getting new blood involved. Given the number of people in Northern Ireland who are involved in the sport and that you want to attract more young people in particular, I would have thought that DCAL or Sport NI would have been the first port of call for you collectively — or for whoever takes the lead on it — for some funding so that we can have more David Calverts and more golds, silvers or whatever returning to Northern Ireland, whether from the Olympics or the Commonwealth Games.

**Mr Mayne:** The presentation that we gave to the Committee for Culture, Arts and Leisure is a step towards that sort of engagement.

I will now hand over to Lyall.

**Mr Plant:** Thank you, Tommy. I will draw the Committee's attention to the fact that Countryside Alliance has started national shooting week, which will be held on the week commencing 13 May 2013. That initiative has the main aim of enabling anyone to try shooting for the first time and to promote respect for the understanding of legal firearms and airguns. Countryside Alliance Ireland and the other organisations have gained the support of a number of shooting grounds throughout Northern Ireland, such as Carnview Farms in Ballymena, Foymore Lodge in Dungannon and Hollow Farm outside Comber.

The initiative has been running in the UK for six years, and this is the first time that we have run it in Northern Ireland. We picked this year because of the consultation and because the age of the young shooters enables us to publicise the go-forward and make national shooting week an annual event to get new people in. Indeed, in the UK, secondary schools are brought to different shooting grounds free of charge to introduce them to the national sport of shooting so that they will hopefully bring back more Olympic gold medals. I know that the Ulster Clay Pigeon Shooting Association has strived for years to get the age reduced. Its young shooters have to go across the Irish Sea to Scotland and England to practise so that they can win medals.

**Mr Humphrey:** I suggest that you knock DCAL's door.

**Mr Mayne:** Yes. That is part of a strategic plan.

**Mr McCartney:** Thank you very much for your presentation. I want to go back to the cost of a licence. The Department laid in front of us today the idea of full recovery costs, which is attractive in the processing of any licence application. You said that there should be no increase, so there is a gap. What do you consider full cost recovery? You quoted the Association of Chief Police Officers, so do you feel that its figure is the full cost?

**Mr Mayne:** I am not being funny, but our position is as stated in our consultation response. There should be no increase in fees without a full, transparent public review of the necessary processes in firearm licensing. Let us put those issues right and then look at fees.

I want to get to issues of accountability. We have talked about various types of delays, but there is one particular accountability issue that the Committee needs to be aware of. It is only when we get accountability that we will get people to buy in to any proposed increase in fees.

The BASC represents quite a number of firearms dealers who are what we call trade members. In January 2012, I attended a meeting of two of our firearms dealers and the head of firearms branch and his senior explosives licensing liaison officer. The agenda for the meeting was quite straightforward and simple. One of those dealers wanted to increase his holding of explosives. "Explosives" really translates as reloading powder. Someone like me or David could go along and buy a tub of powder and load our own ammunition. That is all legal and above board, and it is all papered up.

The legislation dealing with that is the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006. That sets out the separation distances in table format — at table 8, I think. I do not want to get too technical here, but a dealer could have his own property, a house and a store. The

regulations lay down the distances at which he can store x amount of powder. Again without getting too technical, that distance is stated in the table as 30 metres. However, there is a line that states:

*"The separation distance referred to in paragraph (4) is that which is equal to half the relevant separation distance".*

In other words, if 30 metres is in the table, that means 15 metres. I am sure that the Committee has grasped quite quickly that half of 30 metres is 15 metres. The police refused to accept either our argument or his. It was not just a refusal; it was an arrogant refusal. It was a case of, "We are right. You are wrong. Close the door on your way out."

In the light of that, I wrote to the Department of Justice (DOJ) seeking clarification. Bearing in mind that this happened in January, it brought in a health and safety adviser in August. That health and safety adviser said, "You are right. You can have not only what powder you want but more than that, because it works on a pro rata basis."

The point that I am making is quite simple. The PSNI got that wrong, and that had a serious impact on that dealer's livelihood. That impact was on not only the powder that he could have sold over a period of nine or 10 months but all the ancillary items that go along with the powder, such as the cases, the presses and the dyes. I know that I am getting technical, and I do not want to go down that road. However, I am highlighting another issue where accountability is a major problem. Whenever they get it wrong, there is no recourse. There is nothing that we can do.

That issue dragged on for 10 months. The sad fact is that the issue was raised not just in January 2012; it had been raised four or five years earlier by the previous PSNI inspectorate. It was the same scenario, and the dealer was told, "We are right. You are wrong." That was a prolonged, protracted issue. At the end of the day, the dealer was right, and it was down to misinterpretation of what it states in the book. So, accountability is a major issue.

**Mr McCartney:** In that case, did the person concerned make a complaint to the ombudsman? If it was improper procedure, that is a matter for the ombudsman. If it is down to interpretation, that can be a contest. However, if it is something so —

**Mr Mayne:** I will speak, and David might then want to elaborate from a dealer's perspective. Firearms dealers have to tread a very thin line. They do not want to rock the boat, if you get my drift.

**Mr D Robinson:** Implied threats.

**Mr Mayne:** The implied threat is really what we are talking about.

**Mr McCartney:** You will never change anything if you stay silent.

**Mr D Robinson:** That is absolutely right. However, one thing that I would say about interpretation, Mr McCartney, is that, although I left school when I was 15, I can still read something that states "half the distance".

**Mr McCartney:** Do not get me wrong. I am only saying —

**Mr D Robinson:** I am not saying that you are saying anything to me about interpretation.

**Mr McCartney:** I am just saying that, in his presentation, Tommy said that it was clearly wrong. However, in the latter part, he said that it was a misinterpretation. It is easier to define whether something is right or wrong. However, if you say that it is a case of interpretation, as Alban will know, two lawyers could fight for the rest of their lives trying to say which interpretation is right and which is wrong.

**Mr D Robinson:** The point that I was making is that the regulations state that the separation distance should be just half the distance. Presumably, the police could read that as easily as we could.

**Mr McCartney:** I accept what you said about people feeling that, if they talk out of school, it will not augur well for the next time that they apply for a licence. However, at the same time, a mistake will

never be corrected unless you say to the people that they will be held accountable. If you are arguing for accountability, you have to be part of the process of making people accountable.

**Mr D Robinson:** I am not talking about us as organisations. I assure you that I have no problem facing anyone. The problem is with the smaller dealers.

**Mr McCartney:** I understand your point.

**Mr D Robinson:** The chap that the DOJ brought over from England to resolve that case spent one day here. He arrived, nodded and said, "You are wrong." It cost £3,500 to have him for one day.

**Mr McCartney:** If the process is not corrected and the individual involved is not told that they acted wrongly, they could do the same thing again the next week. That is the wider point that I am making.

We moved from talking about the cost of a licence to accountability. I understand your point that there should be a proper forum where all these things can be aired. You are not opposed to full cost recovery; it is more that you are saying that there should be no change in the fee until you have the right instrument in place and can say that there is best practice.

**Mr D Robinson:** Full cost recovery has to be linked to best practice. No one sitting in this room would pay for a service that they are not getting.

**Mr Mayne:** I would not say that we are not opposed to full cost recovery.

**Mr McCartney:** It is the same with driving licences. We obviously wish that we got those free as well, but we do not. It is about trying to come up with something that people feel is right.

The two gentlemen talked about the sporting aspect, which brings me to my next question. What are the percentages of people who have a firearm for a sporting purpose and those who have one for other purposes?

**Mr Plant:** They are all for sporting purposes. Most of them are held for good reason. The firearms branch will not give you the definition of the term "sporting purposes".

**Mr McCartney:** I am a city person, so maybe I am the wrong person to be asking these types of questions. However, farmer sometimes get shotguns for pest control. That cannot be defined as —

**Mr Plant:** Sporting purposes; no. If their firearm were commissioned for farming control, they cannot go out and shoot a pheasant, because that is game. That would be sporting purposes.

**Mr McCartney:** We were saying earlier that we are trying to encourage young people into shooting as a sport. However, there is not a defined pathway.

**Mr Plant:** The defined pathway is through rural activities. It is through game shooting, rough shooting, working their dogs, clay-target shooting and all the way up. A lot of people coming into the sport start by going out with their fathers on a Saturday. They then take different paths, whether that is clay pigeon shooting or whatever.

I want to come on to your point about fees and the disproportionate conditions that are being placed on small firearms dealers who are there just as a repair-and-fix facility. They may hold only four or five firearms or parts of firearms at any one time. They may make new stocks for shotguns or repair the mechanisms. They are not in the same league as Mr Robinson or other dealers up North. However, the conditions that are being imposed on them are the same as those for the large dealers. They are being told to put them in vaults for security when their firearms holding is not the same as, and is possibly even less than, that for an individual person with a firearms certificate, yet their certificate fee will be the same as that for a large dealer.

**Mr D Robinson:** Under the licence that I hold, my holding of shotguns is unlimited, and my holding of air rifles is unlimited. Under my licence, I am allowed to hold 145-bullet-firing rifles and 45-bullet-firing handguns. The problem with these small guys is that they are artists.

**Mr McCartney:** Is the cost of the licence exactly the same, with no deviation?

**Mr D Robinson:** There is no deviation. Not only that, but the security requirements are the same. This guy might be in possession of two halves of a shotgun, along with the two different firearms. He may be repairing them in his little workshop, and they want him to build —

**Mr McCartney:** What would your solution be?

**Mr D Robinson:** There should be a third category of firearms dealer. As I said, we have a meeting with Mr Ford on 14 March. We have already asked his Department for two meetings on this, and that was refused. These guys are already losing their livelihood in this.

**Mr McCartney:** You are saying that there should be a third category, one of which is big dealer?

**Mr D Robinson:** Absolutely.

**The Chairperson:** I want to keep this moving, because we have been at this for a while now.

**Mr Elliott:** Thanks for the presentation, folks. I have a couple of quick queries. I will declare an interest as a firearms certificate holder and an owner of legal firearms. You mentioned the delays, and the explanation that has come back is that it is being considered by an external organisation for enquiry, I think it was. Am I not right in saying that that is not always the case and that there have been what I would term undue delays that have not been because they have been with an external organisation?

**Mr Mayne:** Yes. Currently, firearms enquiry officers (FEOs) do not fall under the control of firearms licensing, so, when someone submits an application to firearms licensing, it has control over the start of the process and the end of the process but not over the middle, which goes out with firearms enquiry officers. My understanding is that line management for firearms enquiry officers is done by what we call district, by their local station, which could be a sergeant or an inspector. Those firearms enquiry officers have a number of other roles; they do not deal with just firearms issues. There have been occasions where the issues lie outside firearms licensing, but, traditionally, there have been a lot of issues with firearms enquiry officers, so to speak.

There are really two issues. There are delays that are outside the firearms licensing control, which go to other agencies, and there are delays with the firearms enquiry officers. My understanding is that, if and when the fees issue is sorted out, the firearms enquiry officers will be brought under firearms licensing control.

**Mr Elliott:** I assume that your organisations represent a number of clubs, such as clay pigeon clubs. Do you think that it is appropriate that an application to join one of those clubs takes a year?

**Mr Mayne:** No.

**Mr Elliott:** Do you have any clubs where it takes a year for an application for membership to be processed?

**Mr Mayne:** No.

**Mr Elliott:** Therefore, I assume that you will say that a year is a highly excessive amount of time for an application for a firearms certificate to be processed.

**Mr Mayne:** Yes.

**Mr D Robinson:** Extremely.

**Mr Elliott:** What is your exact proposal on young shooters?

**Mr Mayne:** Two years ago, the Northern Ireland firearms controls liaison committee submitted a proposal to the Justice Minister and his Department for the minimum age to be 10, with that person

being under the supervision of a 21-year-old with three years' experience with the particular type of firearm. I ask you to note that we were supported in that position by the Ulster Farmers' Union.

**Ms McCorley:** Go raibh maith agat. I have a brief question. Do you have appropriate child protection policies and procedures?

**Mr D Robinson:** Individual clubs that work with young people have those things in place for minors.

**The Chairperson:** No one else has indicated that they want to speak. I am sorry, Tommy, would you like to add something?

**Mr Mayne:** There was a question earlier about the economic benefits of shooting. Some of you will have heard of the Public and Corporate Economic Consultants report, which was commissioned in 2006 by BASC, Countryside Alliance and a number of other organisations. I will ask Mr Elliott to pass a copy of that up to the Chair. Mr Beattie was correct to say that shooting sports alone contribute £45 million annually to the Northern Ireland economy, with another £10 million spent on conservation issues. The sport also employs the equivalent of 2,100 full-time jobs. We feel that it is inappropriate for the police to seek full cost recovery from a sport that contributes so much to the economy.

**The Chairperson:** An all-party group on shooting was established in the Assembly recently. Some members are not on it and wish to be. I am a member of it, and you will be very welcome.

**Mr Elliott:** I declare an interest as a member of that group, but I do not know whether I need to.

**Mr Mayne:** The all-party group is scheduled to meet on 12 March, and it will receive a further presentation on firearms licensing issues.

**The Chairperson:** Thank you very much, gentlemen.