



THE GOVERNMENT REPLY TO THE
SECOND REPORT FROM THE
HOME AFFAIRS COMMITTEE
SESSION 1999–2000 HC95

Controls over Firearms

**Presented to Parliament by the Secretary of State
for the Home Department
by Command of Her Majesty
October 2000**

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THE GOVERNMENT REPLY TO THE SECOND REPORT FROM THE HOME AFFAIRS COMMITTEE SESSION 1999-2000 HC95

CONTROLS OVER FIREARMS

Introduction

In July 1999 the Home Affairs Committee (HAC) of the House of Commons announced its intention to hold an inquiry into controls on firearms. The HAC had held such an inquiry previously in 1996 following the Dunblane tragedy, publishing their first report on firearms in July of that year.

The Government welcomes the second inquiry as an opportunity to consider those issues outstanding from the legislation on firearms in 1997. While this legislation was wholly properly a response to the tragic events at Dunblane, the HAC's inquiry has provided an opportunity for all interested parties to take stock of the current state of our controls on firearms and what might be done to improve them. The Home Office provided written evidence to the HAC on behalf of the Government in the autumn of 1999 and the Home Office Minister of State Charles Clarke MP appeared before the HAC to give oral evidence on 12 January this year.

The HAC Second Report on Controls over Firearms

The Report of the HAC's second inquiry was published on 13 April this year. The Government has considered the HAC's recommendations carefully, and this Command Paper sets out the Government's response. For clarity, the paper responds to each of the HAC's recommendations (in bold type) in turn.

- (a) **We agree with the Firearms Consultative Committee and with the Home Office that the maintenance of public safety is the vital benchmark for the consideration of all firearms issues. We also believe that any assessment of the risks to public safety must weigh carefully the welfare of the general public against the rights of the individual (paragraph 24).**

The Government accepts this recommendation. The main purpose of firearms legislation has always been to protect public safety. The Government would agree that a careful balance should be struck between the welfare of the general public and the rights of the individual, but where there is any doubt the protection of public safety should take precedence.

- (b) **We believe that a firearm's potential to kill ought to be explicitly reflected in any system which seeks to regulate the possession and use of firearms (paragraph 32).**

The Government accepts that a firearm's potential to kill should be a crucial factor in its regulation. All 'firearms' are by definition lethal, and the present system of controls already seeks to regulate in some way all of those of firearms that are capable of doing lethal injury. At the same time, the system acknowledges that some classes of firearms are more dangerous than others if misused. The Government notes that in their 10th Annual Report, the Firearms Consultative Committee (FCC) used the term 'firepower' to reflect the idea that a firearm's lethal potential may be influenced by a range of factors, for example rate of fire and ease of concealment. The Government acknowledged this principle when it brought in a complete ban on handguns in 1997.

- (c) We recommend that the Government adopt and implement, as soon as is practicable, the Firearms Consultative Committee's proposal for a comprehensive study of all weapons seized or recovered by police forces and Customs in England and Wales over the course of one year (paragraph 49). The findings of the study should be published (paragraph 49).**

The Government accepts that it would be helpful to have more information about the kind of firearms used in crime and the sources from which criminals obtained them. Such a study, either along the lines proposed by the Firearms Consultative Committee or subsumed in other research, will assist both the police service and HM Customs in targeting the illegal possession of firearms and the Government and other interested parties in considering how best to improve controls.

- (d) While we do not believe that any significant further burden should be placed on those shooting activities which operate within a well-regulated framework, we recognise that there is concern over developments in shooting which may foster a "gun culture" (paragraph 52).**

The Government readily recognises the important role played by many representative shooting bodies and has generally sought to support those shooting sports which are properly organised and well-regulated. We believe that a distaste for and rejection of an aggressive 'gun culture' is shared by both the authorities and the responsible shooting community.

- (e) We recommend that when toy guns are offered for sale, they must be clearly described and identified as toys (paragraph 54).**

The Government accepts this recommendation in principle. The Toys (Safety) Regulations 1989 already sets a threshold for toy safety of 0.08 joules muzzle energy for hard projectiles. Although this does not impose a requirement for all toy guns to be clearly identified and described as such, the regulations would appear to act on how guns which exceed these limits but fall below the threshold of lethality can be described. We would wish to pursue this further and to consider whether it is possible to devise a clearer distinction between 'imitation' guns that might be properly sold as 'toys' and the more realistic replica guns of the kind suitable for film and theatrical work. We would in any event wish to work more closely with the trade to ensure that advertising is pitched at the appropriate audience.

- (f) We recommend that firearms control is based on the following principles:**
- **Protection of public safety.**
 - **Simplicity of administration.**
 - **A uniform test of an individual's fitness to possess firearms.**
 - **Application to all firearms which have the potential to kill.**
 - **No undue restriction on the legitimate occupational and recreational use of firearms.**
 - **Sufficient flexibility to respond to potentially dangerous developments in firearms technology.**
 - **Efficient administration at no net cost to public funds.**
 - **Firm and definite strategies to counter the illegal possession and criminal use of firearms (paragraph 56).**

These principles are broadly accepted although any system of controls on firearms needs to strike a careful balance between each of the elements listed. Several of these are addressed later in response to the HAC's further recommendations. As regards the illegal possession and criminal use of firearms, the Home Office is currently drawing together a strategy to improve the effectiveness of measures to combat such activities. This includes:

- The possibility of establishing a firearms database as discussed below;

- Good security of legally held firearms to prevent them from being stolen;
- Stricter controls on de-activated weapons to prevent them being restored to working order. The Firearms Consultative Committee have put forward a range of proposals for improving controls on deactivated firearms;
- Proactive intelligence gathering on sources of weapons used in crime through the Forensic Science Service (FSS), the National Criminal Intelligence Service (NCIS) and HM Customs & Excise;
- Stronger intelligence sharing between the enforcement authorities and the reputable gun trade;
- Targeted policing measures against particular groups of criminals associated with armed violence, for example known armed robbers;
- Local and possibly national amnesties to reduce the number of illegal guns in the 'grey market' which might fall into criminal hands.

(g) We believe that the controls applied to section 1 firearms are stringent, and, if fairly and consistently applied, they make adequate and justifiable provision for their safe use (paragraph 64).

The Government accepts this recommendation. In recent years we have taken steps to strengthen the licensing system for section 1 firearms (i.e. those that may be held on a firearm certificate), and we believe that most of the potential weaknesses in this area have been dealt with.

(h) The possession of shotguns in urban areas does not appear to pose a particular problem, and we accept that urban dwellers should be as able as rural dwellers to hold a shotgun certificate. However, we believe that it is vital that weapons are kept securely, whatever their location. Chief constables of all force areas should be able to satisfy themselves that the shotguns licensed under their authority are being securely kept, especially where they believe there is an increased risk of theft (paragraph 71).

The Government agrees that the case for distinguishing between rural and urban areas has not been made out either in principle or in practice. We would also agree that the secure storage of firearms should be set at a satisfactory level and have recently issued guidance to the police on the secure storage of firearms by certificate holders. The guidance suggests that the police should take into consideration factors such as the location of the premises.

(i) We welcome the Government's moves towards a licensing system which concentrates on identifying the suitability of a person to hold firearms. We note, however, that the requirement to provide two detailed character references has not yet been extended to the shotgun licensing system. We recommend that the system of countersignatures on applications for shotgun certificates be replaced by a requirement to provide two character references. (Paragraph 84).

The Government accepts this recommendation. We believe that the reference system as recommended by Lord Cullen's report is a valuable addition to our licensing system and we agree that it should be extended to cover shotgun certificate applications. We acknowledge that some fine tuning of the present reference system as applied to applicants for a firearms certificate may be necessary and we would wish to consider this further before extending the system to all applicants.

(j) We believe that the criteria for assessing the fitness of an individual to possess any licensed firearm should be identical, regardless of the class of firearm concerned. This test of fitness ought to be the one which presently applies to the possession of section 1 firearms, i.e.

(iii) that an individual is fit to be entrusted with a firearm, and is not a person prohibited from possessing a section 1 firearm;

(iv) that an individual can be permitted to have the firearm or ammunition in his possession without danger to the public safety or to the peace.

We neither believe nor intend that this should have any adverse impact on responsible firearm and shotgun users who presently hold shotgun certificates (paragraph 85).

(k) We believe that the law should be amended to give a chief constable the power (subject to appeal to the court, as at present) to revoke a shotgun certificate if he believes the certificate holder “is of intemperate habits or unsound mind or otherwise unfitted to be entrusted” with a shotgun (paragraph 86).

The Government accepts that there is no case for distinguishing between personal fittedness to possess a shotgun and fittedness to possess section 1 firearms and that the criteria for revocation should be consistent.

(l) We recommend that the notification to the licensing authority by the licensee of all purchases, sales and transfers of weapons covered by a firearm or a shotgun certificate ought to remain mandatory (paragraph 87).

The Government accepts this recommendation. The present system of notification seems to be working well and is an important tool for ensuring that the records of ownership of individual guns are kept up-to-date.

(m) We recommend that applicants for shotgun licences should be required to show that they have a good reason to possess shotguns. We do not expect that this will impose a great burden on genuine and responsible occupational and recreational shotgun users: nor do we believe that it should (paragraph 90).

The Government believes that it is right in principle that a person wishing to own a lethal firearm such as a shotgun should put forward a good reason for wishing to do so, and therefore accepts this recommendation. It is proper for the police to be able to satisfy themselves that an applicant wishes to own shotguns for legitimate and sensible purposes, and such information should assist the police in assessing the applicant’s general suitability to possess shotguns.

We share the HAC’s view that this will not impose undue burdens on genuine and responsible shooters. Nor should it impose undue burdens on the police service as part of the normal course of their licensing inquiries.

We acknowledge that shotguns are owned at present for a wide range of wholly legitimate reasons (for example game shooting, clay pigeon shooting, vermin control, competition shooting, and the collection of vintage shotguns), and we have no wish to interfere unduly with these. Nor do we wish to deter those who have sensible reasons for wanting to own a shotgun from doing so. We would wish to consult widely on what might be considered legitimate ‘good reasons’ for possessing a shotgun, and we would seek to ensure that any guidance that the Home Office issues on the subject encouraged consistent good practice and proper flexibility in dealing with unusual cases.

(n) We believe that to impose specific territorial conditions on the use of shotguns will place an unreasonable burden on their occupational and sporting use. We do not believe that such conditions should be applied to the licensing of shotguns.

The Government acknowledges that the patterns of use of shotguns are different to those of rifles and other firearms and accepts that to impose territorial conditions on the use of shotguns would be unreasonable and unnecessary. The range and power of shotguns are such that their use on various types of land does not pose a particular danger compared with rifles.

- (o) We recommend that a shotgun owner should be required to state at the time of grant or renewal of his certificate the maximum number of firearms he wishes to hold over the period of the certificate's validity. This number may be more than the number of shotguns he holds at the time of application. However, the chief constable must be satisfied that the applicant has good reason to possess the stated number of shotguns, and is able to meet the security conditions for their safe storage. The number of shotguns specified on the certificate should be variable upon application (paragraph 93).**

The Government accepts in principle that there should be a mechanism whereby the police can deal with the unwarranted proliferation of shotguns while accommodating those who have legitimate reasons to own a number of shotguns. We would wish to consider further how this would best work in practice.

- (p) We recommend that when new types of firearm are developed which appear designed to circumvent the provisions of the existing law, the Secretary of State ought to consider using the powers at his disposal to re-classify them. If, in his view, long-barrelled revolvers or other form of firearm are being developed in a way which he considers a particular threat to public safety, he should promptly lay an appropriate order before both Houses for consideration (paragraph 107).**

The Government accepts the principles of this recommendation. Under Section 1(4) of the Firearms (Amendment) Act 1988, the Secretary of State may by statutory instrument (approved by resolution of each House of Parliament) prohibit those firearms (other than air weapons) which appear to him to be specially dangerous and were not on sale in the Great Britain in substantial numbers prior to 1988.

The Government remains vigilant about new developments in firearms technology which may present a particular danger to public safety by virtue of excessive firepower. The Government is aware of concerns about certain of types of firearm currently subject to Section 1 of the Firearms Act 1968, and will consider carefully whether these should properly be prohibited.

The Government notes with interest the recommendations of the Firearms Consultative Committee (FCC) in their 10th Annual Report on various types of firearm and welcomes their advice on the technical and practical aspects of these weapons.

- (q) We recommend that the Home Office, in consultation with all recognised shooting organisations, draw up a list of accepted disciplines for target shooting; and that, subject to present conditions, pursuit of these disciplines alone be considered good reason for the grant of a firearm certificate for target shooting with a particular firearm (paragraph 109).**

The Government accepts this recommendation in principle. Although the Government has no wish to interfere unduly with safe and properly regulated shooting activities or prevent the development of new shooting disciplines and activities, nonetheless we believe that it is proper to draw a distinction between

such disciplines and those activities which may be wholly distasteful and unsafe and should not be accepted as ‘good reason’ to possess a firearm. The Government proposes to consult widely with shooting organisations on how best this recommendation should be carried forward.

- (r) We believe that a well-regulated system of firearms controls should allow the legitimate possession of firearms for lawful activities which do not threaten public safety (paragraph 112).**

The Government accepts this recommendation and has made clear that it has no wish to prohibit the civilian possession of firearms or interfere unduly with shooting activities which do not contravene the law or pose a threat to public safety.

- (s) We recommend that the Government establish unambiguous criteria for judging the lethality of a firearm, and undertake the necessary research to provide an authoritative assessment of the power level at which a firearm is considered lethal (paragraph 128).**

The Government accepts that in principle it would be helpful to set clear standards as to what constitutes lethality. While only the courts can decide at present whether any given item is ‘lethal barrelled’ and therefore a firearm under the terms of current legislation, the differences of opinion between experts on this point are fairly marginal. A range of tests has already been conducted and the Government would wish to consider further how best to review the available research evidence and to build upon the broad consensus which currently exists in relation to the likely effects of a shot fired against a vulnerable area of the body.

- (t) We recommend that the Home Office and the Forensic Science Service introduce a common standard for the testing of air weapons (paragraph 129).**

The Government accepts that it would be desirable to have in place a common standard for such testing. The Forensic Science Service have generally sought to maintain good standards in this area. It may be helpful if these are clearly established and promulgated more widely.

- (u) We recommend that the Government assess present developments in air weapon technology as a matter of urgency, amend the Firearms (Dangerous Air Weapons) Rules to take into account any particular dangers to public safety, and publicise such dangers. (Paragraph 130).**

The Government accepts this recommendation, and will seek to carry forward such a review as soon as practicable.

- (v) We do not believe that an absolute ban on low-powered air weapons is an appropriate measure to tackle the problem of air weapon abuse (paragraph 143).**

The Government agrees that such a ban would be disproportionate in relation to controls on other types of firearm. However, we would wish to explore further the regulation of the sale of air weapons, both face-to-face and remotely through mail order and the Internet.

- (w) We believe that a proportion of air weapon abuse committed by juveniles may derive from wider social problems which will not be properly addressed simply by tightening firearms controls (paragraph 147).**

The Government accepts this view which was reflected in the Government's own evidence to the Committee, and we have borne this in mind in considering how best to deal with air weapon misuse.

- (x) We recommend that the existing legislation controlling the use of low-powered air weapons should be more thoroughly enforced, and that, where appropriate, local strategies should be devised between police forces, schools and community leaders to reduce the misuse of air weapons (paragraph 148).**

The Government accepts the need to tackle the misuse of air weapons and will wish to consult further with the Association of Chief Police Officers (ACPO) as to how best carry this recommendation forward.

- (y) In addition to the enforcement of existing legislation, we recommend that the Government and police forces should work together on the following initiatives aimed at reducing air weapon abuse:**
- **a national air weapons hand-in campaign;**
 - **a targeted programme of public education on the proper storage and use of air weapons;**
 - **an encouragement towards a common safety standard for the storage of air weapons;**
 - **an enforcement of the present restriction on the sale and availability of air weapons, and air weapon ammunition, to those under 17;**
 - **a requirement on air weapons dealers to include safety literature with all air weapons sold;**
 - **further development of safe training programmes in association with the National Small-bore Rifle Association (paragraph 149).**

The Government accepts this recommendation. The Government's evidence to the HAC made clear that much airgun misuse was the result of ignorance and carelessness rather than malice and might be dealt with through education on the dangers of airgun misuse, both in terms of the dangerousness of these items and the penalties attached to their misuse.

- (z) We do not accept that any lethal weapons should fall outwith firearms licensing, even if—for reasons of practicality—the regime may have to be transitory for the short to medium term. If a system of firearms control is to be consistent and simple to administer, while recognising the lethality of all firearms, it will need to be extended to lower-powered air weapons which are lethal. Licensing will require the air weapon owner to demonstrate fitness to possess firearms and a good reason for wishing to do so: it will also require owners to provide appropriate safe storage for their weapons (paragraph 155).**
- (aa) We recommend that the threshold at which air weapons must be licensed is set at that power level at which the potential to kill is proven by the best scientific evidence. Below that level of lethality, licensing would impose too onerous a burden for too little benefit; above it, however, licensing is necessary—for the safety of the public, and for the integrity and consistency of the licensing regime itself (paragraph 156).**
- (bb) We recommend that there should be a transitional period of eighteen months to two years at the start of the new licensing system for air weapons, during which no licensing fees would be charged for the registration of air weapons owned at the beginning of the transitional period (paragraph 160).**

The Government acknowledges the HAC's concerns about this issue. However, as the Committee itself recognises, there are substantial implications in terms of the resources needed to carry such a measure into practice. Apart from the financial implications of such a measure, it would place a considerable administrative burden on the police service in addition to their current licensing

work on other classes of firearms. The Scottish Executive have described certification of air weapons as a 'monumental and potentially very resource intensive task', and we believe that this view is shared by both supporters and opponents of such a regime.

As indicated above, there is much which can be done through the enforcement of existing legislation and through public education to tackle air weapon abuse and the Government does not accept that the introduction of a licensing regime as recommended can be justified at present. However, we shall continue to consider carefully whether there are any other measures which might be effective in guarding against misuse, for example a requirement that low-powered air weapons should only be sold through registered firearms dealers (RFDs).

(cc) We recommend that the purchase or sale of any imitation firearm by or to persons under eighteen via telephone, mail order or Internet should be prohibited (paragraph 174).

The Government accepts this recommendation and would wish to consider carrying it further by prohibiting the sale of imitation firearms to young people under 18 under all circumstances, including face-to-face as well as telephone, mail-order and Internet sales.

(dd) There should be a minimum age limit below which a child should not be allowed to handle a lethal firearm, even under supervision. We are inclined to the view that this age should be at least twelve, and possibly fourteen. This lower limit should apply to the handling and use of firearms in all places, including approved gun clubs (paragraph 186).

The Government does not accept this recommendation. The Government's main interest is to protect public safety, and we do not believe that a ban on supervised shooting by young people would improve this. We are not aware of any evidence that supervised shooting activities poses a particular danger to public safety, or that young people taking part in such activities are more prone to misuse firearms than those taking up shooting sports as adults. We are not opposed in principle to young people taking part in organised shooting activities, for example through the Cadet movement. We would wish to encourage the responsible attitude of responsible parents and shooting organisations in teaching young people a safe and responsible attitude to firearms handling. As with many other issues, we believe that this is one on which parents should decide the age at which their children should take up shooting sports. A ban of this kind would be difficult to enforce on private premises and thus may bring the law into disrepute. In the context of recommendation (ee) below which requires adult supervision for young people shooting, we believe that an absolute lower age limit on possession is redundant.

(ee) We believe that the lowest age at which a young person may have unsupervised use of any lethal firearm on private land should be sixteen (paragraph 187).

The Government accepts this recommendation. The main mischief involving the misuse of firearms by young people is in the unsupervised misuse of airguns and the Government believes that this measure will assist in dealing with this problem. The Government notes that this measure would not permit young people to have unsupervised use of firearms in public places where most airgun misuse takes place. However, it would allow young people to possess and use firearms as part of lawful shooting sports and activities under proper adult supervision.

(ff) We believe that the most appropriate minimum age for the legal possession of a lethal firearm, and the grant of a firearm certificate, is eighteen (paragraph 188).

The Government accepts this recommendation in principle. The Government believes that the purchase and unfettered ownership of firearms is broadly an adult responsibility, and we believe that the age for such responsibility should be at least 17 as at present.

The Government notes that many firearm and shotgun certificates issued to young people are to allow them to borrow guns, usually their parents, and use them under supervision. The Government will wish to explore further and possibly extend the provisions that would allow young people to use a borrowed gun under adult supervision if the minimum age is increased to eighteen as recommended.

(gg) We recommend that the administration of firearms licensing, and the decision on the fitness of individuals to possess firearms, should remain the responsibility of chief constables and their firearms licensing divisions (paragraph 194).

The Government accepts this recommendation. In his report into the Dunblane tragedy, Lord Cullen recommended that licensing functions should remain with the police.

(hh) We recommend that clear Home Office guidance to the police on the operation of the Firearms Acts should be regularly updated and promulgated to all forces, and that chief constables should make it a priority to ensure that the guidance is consistently followed (paragraph 197).

The Government accepts this recommendation. Regular guidance has been issued to the police through the issuing of formal circulars, circular letters and informal advice. This will be brought up-to-date in a collated form through the publication of a new edition of 'Firearms Law: Guidance to the Police'. The need for consistency will be a central theme, which the Home Office will also wish to pursue with ACPO and HMIC.

(ii) We find it unacceptable that no firm date can be given for the implementation of a key provision of the Firearms (Amendment) Act 1997. We expect the Police Information Technology Organisation (PITO) and the Government to ensure the swift establishment of the national firearms certificate database, and we intend to pay close attention to the progress of this development (paragraph 198).

(jj) We are appalled that the national database of certificate holders and applications is not yet in immediate prospect, over two years after the implementation of the Firearms (Amendment) Act 1997 (paragraph 199).

The Government accepts that the national database of certificate holders has been badly delayed and intends for the project to be carried forward as swiftly as possible. The detailed impact assessment which was undertaken to scope the work and the resources required has now been completed and endorsed by the Police National Computer Steering Committee. The Committee has authorised the project to proceed and it is expected that the database will be up and running in 12-15 months time.

(kk) We believe it is equally important for a national firearms certificate database to record the registration details of legally-held firearms. This is an essential requirement if the problems of firearm theft and the illegal pool of firearms are to be addressed effectively. We welcome the Minister's strong commitment to the delivery of this database, and look forward to its implementation (paragraph 202).

The Government accepts the principle recording the details of all firearms on the database but would wish to consult further with the police service and other interested parties on the utility of such a system and how best it might be carried forward.

(ll) We believe that periodic personal contact between the licensing authority and the certificate holder is vital for the safe and effective administration of the firearms licensing system (paragraph 204).

(mm) We recommend that renewals of firearm and shotgun certificates should be maintained on a five-yearly basis, but that a home visit by a firearms inquiry officer should be an integral part of the renewal process for firearm and shotgun certificates; and that the practice of postal renewals of certificates should be discontinued (paragraph 205).

The Government accepts these recommendations. This has been the Government's view on these issues for several years following Lord Cullen's Report into the Dunblane tragedy in which he pointed out that any change in circumstances or a cause for concern regarding a particular certificate holder would not be known unless a home visit took place. We understand that the Association of Chief Police Officers have now adopted this as a general policy.

(nn) We welcome the Minister's stated intention of consulting the British Shooting Sports Council on the new scale of firearms administration fees before laying any amending Order before Parliament. We intend to examine the Order once it is laid (paragraph 208).

The Government can confirm that discussions with the British Shooting Sports Council on the issue of fees have taken place. In accordance with section 43 of the Firearms Act 1968, the statutory instrument containing any amending order made by the Secretary of State will be subject to annulment in pursuance of a resolution of either House of Parliament.

(oo) We understand that the improvements in the licensing system which we recommend and support have to be paid for. We therefore welcome the Minister's assurance to us that the cost of the national firearms database will not be subject to any form of cost recovery via the fee structure in the future (paragraph 208).

The Government wishes to confirm that the set-up costs of a national firearms certificate database will not be recovered through any sort of levy on fees although police use of the system once it is operable will be reflected in the usual way when future fees are set.

(pp) We believe that the fees for the licensing of firearms should continue to be set at levels which enable full recovery of costs. However, we also expect a licensing system which is funded on this basis to provide fair and equal treatment to all certificate holders (paragraph 209).

The Government agrees that the fees structure should reflect the current cost of administering each licensing function. Through Her Majesty's Inspectorate of Constabulary, the Government will seek to ensure that police administration of the licensing system is as efficient as possible. Issues of concern to the shooting community may be carried forward through the tripartite meetings between the Home Office, the police service and the British Shooting Sports Council which have recently been established.

(qq) While we respect the technical expertise of the Firearms Consultative Committee, we conclude that there is merit in constituting a consultative forum with a broader remit, and including representatives of organisations with interests in the safe use of firearms in society. We recommend a two-tier structure:

- (i) a smaller consultative committee, constituted on a statutory basis and along similar lines to the present model, with a remit to consider the technical aspects of the operation of firearms legislation and to report directly to the Secretary of State;**
- (ii) a broader, non-statutory body, which may include ex officio the membership of (i), composed to reflect the interests of shooting organisations, law enforcement agencies, public safety bodies and other organisations with an interest in shooting issues, with a remit to consider the operation of firearms legislation in the round, with a particular emphasis on public safety (paragraph 217).**

The Government does not accept this recommendation. The Government has already announced that the statutory life of the FCC will continue until January 2002 when its role and future will be reviewed.

While there may be merits to the ‘two-tier’ system proposed, the Government believes that these will be outweighed by the disadvantages. The present FCC brings combines technical and legal expertise with a broader view of firearms in society, and the Government has sought to ensure that a wide range of experience and viewpoints are included on the Committee. By dividing the role of the FCC in two, there is a risk of losing this combination. The proposed ‘technical’ committee would tend to be composed of shooters and others whose professional work involves firearms, and be accused of failing to bring a broader perspective in their advice to the Secretary of State. The broader committee, on the other hand, may lack the technical standing to offer informed advice. There is a risk of divisions between the two committees with no clear precedence between the ‘expert’ and ‘broad’ committees. On this basis the Government does not favour this recommendation.

(rr) We believe that the present Firearms Acts are sufficiently complex and misleading in their practical application to require urgent consolidation. We therefore recommend that the Government prepare a Consolidation Bill for introduction at the earliest opportunity (paragraph 226).

The Government accepts in principle that our controls on firearms should be brought together into a single Act of Parliament. However, rather than consolidating the present legislation, the Government believes that there is much merit in a wholly new Firearms Act. This would address those issues that the HAC have identified which require primary legislation and allow for other improvements to be made to our current controls.



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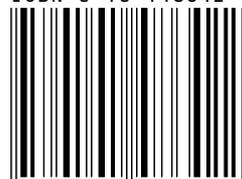
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