

Westminster Hall Debate

Use of air guns by under 18s (David Hanson, Lab, Delyn)

Wednesday 14 September 2016

Introduction

- The Countryside Alliance has always supported the Government's aim to address the misuse of firearms, including air guns. Where there are measures that can be implemented to improve the safety of air gun use, within the existing legislation, then these should be supported.
- We do not believe that any further legislation in this area is necessary. Where offences involving air guns are committed, or even minor nuisances caused, there is more than adequate legislation to enable prosecutions to be brought against offenders.

Extent and Purpose of Use

- The British Shooting Sports Council (BSSC) estimates that there are approximately 4 million air gun owners in the UK. Air guns are widely used across the UK, by people of all ages, for the following purposes:
 - Pest and predator control – for shooting rats, rabbits, woodpigeons, corvids and other pests or predators. Air guns are lower powered than shotguns or rifles; as such they may be used in circumstances where it is not possible to use an alternative firearm, such as in or around farm buildings.
 - For target shooting - competitive target air gun shooting normally takes place at indoor shooting ranges. Many air gun enthusiasts, such as cadets and Pony Club triathlon competitors, also enjoy the outdoor discipline of field target shooting at artificial targets. Whilst competition shooting is normally conducted within a supervised environment many young people depend on being able to practice unsupervised at home in garages or on suitable private land.
 - At elite level, air gun shooting is an Olympic sport. For British teams to continue enjoying success in international competition it is essential that the sport continues to thrive at club and county level providing future sportsmen and women.
- Air guns are the 'entry level' gun for large numbers of new entrants to shooting sports and are crucial for the development of safe and competent firearm use. Most people who shoot with a shotgun or rifle start their shooting careers as young people with air guns.

Police Statistics

Most recent UK statistics are for the year ending March 2015 and published by the Office for National Statistics; [Offences involving the use of weapons, 11 Feb 2016](#).

- The number of offences involving air guns has fallen by 10,868 offences (79%) since the year ending March 2003, when the National Crime Recording Standard (NCRS) was introduced, from 13,822 to 2,954 offences.
- In the year ending March 2015, the police recorded 7,866 offences involving a firearm, an increase of 2% compared with the previous year (7,729 offences). There were increases in both air gun (3%) and non-air gun (1%) offences. This is the first increase in offences involving firearms in 10 years.
- 2,954 offences related to air guns (37%), 4,912 offences related to non-air guns (63%).

- Up until the recent 2% rise, the number of offences involving firearms has been falling year-on-year since its peak in the year ending March 2004 (when 24,094 offences were recorded). The latest figure of 7,866 offences represents a fall of two-thirds (67%).
- Air guns are less likely to be used in more serious offences compared with some other firearm types - almost three quarters (74%) of offences involving air guns were criminal damage offences, compared with just 7% of non-air gun offences. Air guns were fired in 90% of the 2,954 offences in which they were involved (2,665 offences) and were therefore the most likely firearm to be fired of the main firearm categories.
- While air guns can cause serious injury, and sometimes fatalities, they are, by their nature, less likely to do so than that non-air guns. Serious injury was caused in 1% of offences where the air gun was fired (approximately 26 offences).

Existing Legislation

- All air guns are classified as firearms and fall under the control firearms law, although a licence is not required in order to possess them in England and Wales. Any offence committed can therefore carry a heavy penalty and there are at least 38 different offences.
- In addition to general firearms law there are a number of pieces of legislation which have restricted the use of air guns, particularly for under 18s:
 - The Anti-social Behaviour Act 2003 requires an individual who is between 14 and 17 who is carrying an air gun over public land to be accompanied by an adult over the age of 21. A young person aged between 14 and 17 may have an air gun with them on private premises with the consent of the occupier.
 - The Violent Crime Reduction Act 2006 raised the age from 17 to 18 at which a person may purchase, hire or be gifted an air gun or ammunition for an air gun.
 - The Violent Crime Reduction Act 2006 raised the minimum age from 17 to 18 at which a person may use an air gun or ammunition for an air gun unless under the exemptions of the 2003 Act.
 - The Crime and Security Act 2010 created a new offence of failing to take "reasonable precautions" to prevent an air gun coming into the hands of a person under 18.

Safety Requirements and Guidance

- The Government has published guidance on [Air Weapons: a brief guide to safety](#) which includes advice on safe storage and handling of air guns and legitimate use.
- A [Code of Practice](#) developed by the British Association for Shooting and Conservation, and supported by the shooting organisations, is also in place and includes five key rules for air gun use:
 1. Always know where the muzzle of your air gun is pointing and **never** point it in an unsafe direction.
 2. The safe conduct of air gun shooting must meet the standards described in this code, show respect for the countryside, due regard to health and safety and consideration for others.
 3. Before you shoot, make sure that a safe backstop is present to capture the pellet.
 4. Consider live quarry; do not shoot beyond the bounds of your ability. Do not take chance shots.
 5. **Remember** – ignorance of the law is no excuse. If in doubt, always ask.

Situation in Scotland

- The Air Weapon and Licensing (Scotland) Act 2015 will introduce compulsory licensing for air guns in Scotland, and will come into effect on 1 January 2017.
- The Countryside Alliance opposed this legislation as we believe licensing of air guns to be expensive and ineffective at improving public safety. Given the nature of the UK, having no internal border controls, and the already extensive legislation regulating air guns, we fail to see that a convincing case has been made for licensing in Scotland.

- Given the existing UK restrictions for under 18s, a licensing system will do nothing to prevent misuse amongst young people. If a person is going to misuse an air gun they will do so regardless of having a licence, given that misuse is already against the law. Moreover, under 18s may not use an air gun unsupervised in a public place, require consent to use one on private land, and may not own an air gun or ammunition.
- Under the new legislation in Scotland, a certificate holder from England wishing to travel to Scotland, say for a shooting holiday including game shooting and deer stalking, is able to travel unhindered with their shotgun and stalking rifle by virtue of his Great Britain Shotgun Certificate and Firearm Certificate. Yet if they wished to bring an air gun, which is 112 times less powerful than a 12 bore shotgun and 200 times less powerful than a stalking rifle, then they will require a Scottish Visitor Permit as of 1 January 2017.
- Licensing will result in putting further pressure on already overstretched firearms officers, add to the cost of lawful shooting, and result in no improvements for public safety.

More Information

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