**COUNTRYSIDE ALLIANCE RESPONSE**



**HOME OFFICE AIR WEAPONS REVIEW**

**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 at present. 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.

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.

**Are the existing controls sufficient to prevent children accessing air weapons without permission?**

**and;**

**Are existing controls on storage and safe keeping of air weapons sufficient?**

The Countryside Alliance believes the current legislation satisfactorily addresses the issue of storage and safe keeping of air guns and sufficiently prevents under-18 accessing air guns.

For example, it is an offence under the Crime and Security Act 2010 for a person in possession of an air gun to fail to take “reasonable precautions” to prevent a person under the age of 18 from gaining unauthorised access to it.

As the Home Office leaflet, titled ‘Air Weapons: A brief guide to safety’, states:

*When using your air weapon, the best advice is to keep it under close supervision at all times and to never leave it unattended. Where you have no option but to put your air weapon down for short periods, unload it and gather up all the ammunition.*

Whilst in no way belittling airgun crime, the Countryside Alliance points out that the overwhelming majority of recorded offences committed with air guns are relatively minor incidents involving damage to property. The number of recorded serious offences, eg homicide, attempted murder, robbery, burglary in which air guns are used is small in comparison to the number involving other firearms. Furthermore, the number of more serious offences involving air guns is, in most cases, falling. Percentage change from March 2014 – March 2015 indicates that the use of air guns in offences of violence against a person has fallen by 8%, their use in robbery has decreased by 4%, and in causing fear, alarm or distress has decreased 19%. While their use in burglary has doubled over the period in question, the figures are very small – an increase from 2 to 4%. Almost three quarters (74%) of offences involving air guns were criminal damage offences.

With regard to offences involving injury, these are extremely rare for the number of airguns believed to be in circulation in England and Wales. Whilst airguns have consistently been the most commonly identified weapon used in recorded offences involving a firearms, the use of airguns in crime has dramatically decreased from 683 cases in 2006-06 to 158 in 2015-16. There was a 15% decrease in airgun crime in the last year alone. Although a faster reduction in crime would of course be welcomed, there is no evidence that criminals using airguns will stop using them if there is increased storage legislation.

The current legal and best practice measures on both preventing under-18’s accessing air guns and the controls for storage and safe keeping of air guns are sufficient.

**What is your view on making the use of trigger locks, securicords or lockable cabinets for all air weapons compulsory?**

The Countryside Alliance welcomes the voluntary increased use of extra security instruments to improve safety. However, if the current legal requirements and best practice is upheld then there is no need to introduce compulsory security in the form of trigger locks, securicords or lockable cabinets.

Further concern of introducing extra security is the need for verification to an agreed set of standards. All retrospective security models and all introduced security models to the market would need to be verified. This would entail a substantial undertaking which would require an impact assessment and serious stakeholder consideration before moving forward.

It should be noted that the requirement to store firearms (eg rifles and shotguns) securely subsists in conditions attached to Firearms and Shot Gun certificates issued by the police. The method of storage (eg security cabinet) is merely the subject of Guidance, although the fact that licensing in general involves a degree of home visits ensures that the arrangement which a certificate holder makes for storage of his or her shotguns or rifles are in practice seen and approved by a police Firearms Enquiry Officer. If a requirement to store securely in some specified way (eg. use of security cabinet, trigger lock or securicord) were to introduced then there would need to be some mechanism to ensure compliance. It is hard to see what such mechanism (short of licensing) might be.

**Is further education or awareness necessary in relation to air weapon safety and the law?**

Further information, such as be means of the Home Office airgun leaflet, will always be worthwhile in order to teach beginners to the sport about the legal requirements and best practice of safe use and storage. Formal education is also welcomed be the Countryside Alliance. However, we wish for this education to remain voluntary, as is currently the standard, through courses run by the National Small-bore Rifle Association and the British Association for Shooting and Conservation.

Shooting with air guns is a highly competitive and growing sport; those shooting in a competitive arena are taught from a young age safe use of air guns. The Countryside Alliance does not wish to dissuade future athletes to the sport as a result of unnecessary regulation. In addition, there is a significant worry that legislating for further legislation may be off-putting for parents wanting to allow their kids to participate in the sport.

The addition of further education will result in legislation for air guns being stricter than that of Section 1 and 2 firearms.

**Are any further measures necessary to tackle the misuse of air weapons?**

The Countryside Alliance does not believe further measures are necessary to tackle the misuse of air guns.

**Should further measures be introduced in relation to manufacturing standards for air weapons?**

No. There are already satisfactory manufacturing standards in place for air guns. If manufacturers do not comply they will face the repercussions.

**Is there a need for further measures or clarification to prevent the post-sale modification of the power levels of air weapons?**

No. There are already sufficient controls on power levels. Any modification which results in an air rifle exceeding the 12 foot pound muzzle energy threshold automatically causes it to be reclassified as a ‘specially dangerous’ air gun that is subject to licensing under S1 of the Firearms Act. Possession of such as air rifle without a Firearm Certificate is a serious offence. Any modification which results in an air pistol exceeding the 6 foot pound muzzle energy threshold automatically causes it to be reclassified as a prohibited weapon that is subject to S5 of the Firearms Act. Possession of such an air pistol attracts a sentence of 5 years imprisonment.

**What can manufacturers do to prevent tampering with power levels?**

Modification of an airgun, provided that it does not raise the power level above 12 foot pounds (for air rifles) or 6 foot pounds (for air pistols) is entirely legitimate. Many modifications are routine, such as alterations to the stock, sights or trigger mechanism, and there should be no reason why a gunsmith or indeed a competent airgun owner, should not be able to make simple modifications to an air gun or indeed to ‘tune’ it within the prescribed muzzle energy limits. As has already been mentioned, these limits are strictly controlled and the breaching of them attracts severe sentences. It would be hard to see how regulation could be introduced to prevent the alteration of power levels without preventing legitimate modification, or indeed repair or servicing of an air gun.

**Should air weapons in England and Wales be subject to a licensing regime? Why do you think that air weapons should/should not be licensed?**

The UK has amongst the toughest gun laws in the world and the resulting low level of gun crime and gun-related accidents is no coincidence. It is right that when tragedies do occur, our gun laws are revisited to ensure they are fit for purpose. The Countryside Alliance supports legislation that protects public safety without disproportionately disadvantaging the legal shooting community, which has consistently shown itself to be law-abiding and safe.

The Countryside Alliance is vehemently against the introduction of a licensing regime for air guns in England and Wales. There is no evidence that the introduction of licensing will have any effect on those that wish to use air guns illegally. Licensing will add bureaucracy, through countless hours of work, for the already overburdened English and Welsh Police Forces, whilst efforts to catch the real criminals are neglected. The Countryside Alliance has been greatly concerned by the very significant backlogs and consequent delays that have occurred within the administration of firearm and shotgun certificates. The addition of a further tier of weapons licensing to the police portfolio could only serve to exacerbate an already creaking system.

Licensing could also introduce unintended consequences including a collapse in sales and trade of air guns, and a loss of opportunity for young people to learn marksmanship and proper firearms safety.

Airguns are the gateway for young generations to enjoy shooting safely and progress other formats of the sport including many at Olympic level. The introduction of licensing could see many parents unwilling to pay the licence fee and, furthermore, think that because airguns are licenced they are now dangerous. England and Wales have a proud history of target and game shooting; the introduction of a licence will only affect the future of the sport not the criminals.

The Countryside Alliance will not support any change in legislation without evidence that it will improve public safety.

**If you think air weapons should be licensed, how should a licensing system be managed and enforced?**

The Countryside Alliance does not believe that air guns should be licensed.