



Home Office

Firearms safety

Government consultation

This consultation begins on 24 November 2020

This consultation ends on 16 February 2021

About this consultation

- To:** This consultation is open to the public and targeted at individuals, businesses and organisations in England, Wales and Scotland with an interest in the firearms safety issues that are the subject of this consultation.
- Duration:** From 24 November 2020 to 16 February 2021
- Enquiries (including requests for the paper in an alternative format) to:** Email: firearmsconsultations@homeoffice.gov.uk
- How to respond:** Please respond online at: <https://www.gov.uk/government/consultations/firearms-safety>
- OR**
- If, for exceptional reasons, you are unable to use the online system, you may download a Word document version of the form and email it to:
- Email: firearmsconsultations@homeoffice.gov.uk
- Please do not send responses by post to the department at the moment as we may not be able to access them.
- Additional ways to respond:** Please contact the Serious Violence Unit (as above) if you require information in any other format, such as Braille, large font or audio.
- Response paper:** A summary of responses to this consultation will be published on gov.uk before or alongside final policy proposals.

Contents

Foreword	2
Executive summary	4
Introduction	6
The proposals	8
Questionnaire	21
About you	26
Contact details and how to respond	27
Impact Assessments	30
Consultation principles	31

Foreword



Kit Malthouse MP, Minister of State for Crime and Policing

The firearms laws in this country are among the toughest in the world and the Government keeps them under constant review to ensure they continue to safeguard the public.

While lawful shooting is well regulated and generally safe, there remains a risk of firearms falling into the hands of criminals or terrorists, or in the case of air weapons, being misused. Public safety is paramount and the Government is committed to doing all that it can to reduce these risks.

We have strengthened firearms law significantly in recent years. For example, we have introduced new offences to prevent the conversion of imitation firearms and the sale of 'defectively deactivated' firearms, and we have banned rapid-firing rifles and bump stocks. We have also just laid regulations before Parliament that will strengthen controls on antique firearms to tackle their use in crime. As set out in our [Serious Violence Strategy](#), we will be further strengthening the controls through more effective use of medical information in licensing decisions.

In this consultation I am seeking your views on a range of firearms safety issues that were raised in Parliament during the passage of the Offensive Weapons Act 2019. In particular, there was much debate about strengthening the controls on high muzzle energy rifles, including whether these should be prohibited under section 5 of the Firearms Act 1968. The Government decided that this question required further detailed consideration. This consultation seeks your views on how we might address the threat that these weapons pose should they fall into the wrong hands, including through enhanced security arrangements to reduce the risk of them doing so.

I am also seeking your views on improving the controls on air weapons, including safe storage. This follows on from a Home Office review of the regulation of air weapons, initiated after the tragic death of 13-year old Benjamin Wragge, who was killed accidentally with an air weapon in 2016.

Finally, I would welcome your views on two other public safety issues that were raised during the passage of the Offensive Weapons Act 2019 through Parliament: how we might address vulnerabilities presented by the current exemption from licensing that applies to miniature rifle ranges, and whether we should strengthen controls on components of ammunition.

I very much hope you will respond to this important consultation paper. Your views will help us to improve our firearms controls and help keep people safe.

A handwritten signature in blue ink, appearing to read 'Kit Malthouse', with a long horizontal flourish extending to the right.

Kit Malthouse MP
Minister of State for Crime and Policing

Executive summary

This consultation seeks views on a range of firearms safety issues which were raised with the Government during the passage of the Offensive Weapons Act 2019. It contains proposals for how the law might be changed to mitigate the risks raised by these issues.

High muzzle energy rifles

In response to concerns about the potential for serious misuse and loss of life if particularly powerful firearms, described here as high muzzle energy rifles, were to fall into the hands of criminals or terrorists, the Government included measures to prohibit ownership of these weapons in the Offensive Weapons Act 2019 on its introduction in the House of Commons. However, it became clear during the passage of the Act that prohibiting these weapons may not be necessary, bearing in mind that there was no evidence of their use in crime. It was suggested instead that enhanced security could sufficiently mitigate the risk of theft and misuse. Following careful consideration, the provision in the Act was withdrawn on the basis that the Government would test the alternatives through this public consultation.

This consultation therefore seeks views on what level of enhanced security would sufficiently reduce the risk of high muzzle energy rifles being stolen and misused.

Air weapons

Although most air weapons are not licensed, they are firearms and they are regulated by firearms legislation to prevent their misuse. Following the tragic death of 13-year old Benjamin Wragge, who was killed accidentally with an air weapon in 2016, the Government conducted a review of the controls on air weapons. This consultation summarises the responses to that review and seeks views on the Government's proposals for change. These proposals relate to the possession of air weapons by under-18s, secure storage and the safe-keeping of air weapons.

Miniature rifle ranges

There is an exemption in firearms law which allows a person to run a rifle range or shooting gallery where only small calibre rifles or air weapons are used, without the need for a firearms licence. Additionally, members of the public do not need a firearms licence to shoot at such a range or gallery. This exemption is widely used to introduce people to target shooting. However, law enforcement has raised concerns that the exemption may allow unsuitable people to gain access to firearms, with consequent public safety risks.

This consultation seeks views on improving the controls on miniature rifle ranges while retaining the benefits that miniature rifle ranges present to shooting sports. The key proposal is that anyone who wishes to operate a miniature rifle range must apply for a firearm certificate and undergo the necessary police checks into their background and security.

Ammunition

Law enforcement has raised concerns about the availability of component parts of ammunition, and how criminals could use them to unlawfully manufacture full rounds of

ammunition. The key components of ammunition – the propellant and primer – are already controlled, and there are offences relating to the unlawful possession of complete ammunition. This consultation seeks views on whether these controls remain sufficient or whether they should be strengthened.

Introduction

Firearms legislation in Great Britain is primarily set out in the Firearms Act 1968 and is based firmly on public safety. The Government recognises that firearms are used for a range of legitimate purposes, such as target shooting, quarry shooting and pest control, and the vast majority are used safely and responsibly. While the controls must protect the public from misuse, they must also be proportionate and administered fairly.

The Home Office's [Guide on Firearms Licensing Law 2016](#) explains how the licensing system works and how different types of firearm are controlled. The guidance is currently being updated to reflect recent changes to the law but the general system of controls remains the same.

Firearms law is kept under review to ensure it addresses emerging risks to public safety. This consultation seeks views on the following firearms safety issues which were raised with the Government during the passage of the Offensive Weapons Act 2019 through Parliament:

- High muzzle energy rifles
- Air weapons
- Miniature rifle ranges, and
- Components of ammunition.

Impact assessments for each of these issues have been published alongside this consultation. You are invited to submit any comments you may have on the impact assessments as part of your response.

The Firearms Act 1968 extends to England, Wales and Scotland, with the exception of the regulation of air weapons in Scotland, which is devolved. The control of firearms is generally subject to separate legislation in Northern Ireland. This consultation is therefore primarily aimed at people, businesses and organisations in England, Wales and Scotland. The Government is engaging with the Department of Justice in Northern Ireland on the proposals in this consultation to ensure that, where appropriate, firearms controls are strengthened UK-wide.

Copies of this consultation paper are being sent to professional bodies and representative groups including:

Association of Police and Crime Commissioners
Battersea Cats and Dogs Home
Blue Cross
Border Force
British Association for Shooting and Conservation
British Medical Association
British Pest Control Association
British Shooting Sports Council
Cats Protection
Clay Pigeon Shooting Association

Countryside Alliance
Crown Prosecution Service
Department for Business, Energy and Industrial Strategy
Department for Digital, Culture, Media and Sport
Department for Environment, Food and Rural Affairs
Gun Control Network
Gun Trade Association
Health and Safety Executive
Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services
Her Majesty's Inspectorate of Constabulary – Scotland
Her Majesty's Revenue and Customs
Irish SPCA
National Ballistics Intelligence Service
National Crime Agency
National Farmers Union
National Gamekeepers Organisation
National Police Chiefs Council
National Rifle Association of GB and NI
National Small-bore Rifle Association
Northern Ireland Department of Justice
Police Scotland
Police Service of Northern Ireland
Royal College of General Practitioners
RSPCA
Scottish Gamekeepers Association
Scottish Government
Scottish SPCA
United Kingdom Practical Shooting Association
Welsh Government

However, this list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in, or views on, the subjects covered by this paper.

The proposals

High muzzle energy rifles

This section invites views on whether enhanced home security and stricter controls on the storage and possession of the ammunition and critical component parts of high muzzle energy rifles would be sufficient to mitigate the potential risk of these rifles falling into the wrong hands.

Definition of high muzzle energy rifle

For the purpose of this consultation, we are defining high muzzle energy rifle as any rifle that is capable of discharging a bullet with kinetic energy of more than 13,600 joules at the muzzle of the weapon.

The issue

Concerns have been expressed about the potential for serious misuse and loss of life if a high muzzle energy rifle, currently subject to general licensing arrangements under section 1 of the Firearms Act 1968, fell into the hands of criminals or terrorists. In view of the threat assessment received, the Government considered that there were good grounds to impose stricter controls on their possession and, following an earlier public consultation, provision was made in the Offensive Weapons Act 2019, in its introduction to Parliament, to make all high muzzle energy rifles that meet the definition above subject to general prohibition.

This issue was debated extensively during the early stages of the Act's Parliamentary passage when concerns were raised regarding the proportionality of prohibiting these rifles, bearing in mind that only one had been reported stolen in recent years and there was no evidence of their use in crime in this country. Given the particular characteristics of these rifles – their weight and size, for example – it was suggested that enhanced security around their storage and transportation would sufficiently mitigate the risk of theft and misuse that had been articulated by the police and others.

The Government recognises that the vast majority of people in lawful possession of firearms use them responsibly and, in the context of the Offensive Weapons Act, the Government gave an undertaking to consider further the points which were raised about possible alternatives to prohibition. The measures in the Act were therefore withdrawn during its passage through Parliament on the basis that the Government would test the alternatives further through this consultation. Without seeking to anticipate the outcome of this consultation, section 61 of the Offensive Weapons Act 2019 has inserted a new section 27A into the Firearms Act 1968 to impose a duty on the Secretary of State to make rules prescribing minimum security conditions for safe storage and transportation of high muzzle energy rifles, which would be attached to the owner's firearm certificate. Before making the rules, the Secretary of State must consult persons likely to be affected by them, and this would take place, if appropriate, if the outcome of this consultation were to lead to enhanced security measures in relation to these specific firearms.

This consultation provides an opportunity for everybody to have their say on the prohibition of high muzzle energy rifles and the alternative of mandatory security standards or storage when not in use at a shooting club or by a registered firearms dealer. It will enable the Government to take a more informed view in the light of the consultation responses. In the meantime, the current standards expected in firearms licensing will remain in place alongside any conditions imposed by the local police force.

Current security arrangements for all firearms

The [Firearms Security Handbook](#) provides advice on the safe storage of firearms and shotguns that are held by individuals on certificates issued by police forces. It sets out three levels of security, with level 1 security – the normal standards of security applicable to the majority of firearms held on a firearms certificate - typically including:

- a requirement that the firearm be kept in a secure gun cabinet that meets the relevant security standards (i.e. BS7558);
- that the cabinet be fixed to the structure of the property within the occupied part of the building (i.e. not in a detached garage or outbuilding); and
- that the firearms, ammunition and any easily removable component parts be stored separately to the firearm itself, wherever possible.

The police may require heightened security requirements – levels 2 and 3 – where there are greater risks, such as arising from the nature of the firearm in question, its potential danger if misused or potential attractiveness to criminals or terrorists. For level 2, this may include enhanced door and window locks on the property and the fitting of an audible intruder alarm. Level 3 security can include enhanced target hardening of the windows and doors to the property, stronger storage cabinets, individual gun locks, a monitored audible intruder alarm and in some instances a requirement to store the firearm in a dedicated and secure gun room.

The police take account of the Security Handbook when making decisions about security requirements in individual cases, but the Handbook is a guide only and carries no statutory weight.

Additional security conditions

As noted earlier, section 27A of the Firearms Act 1968 places a duty on the Secretary of State to make rules prescribing the conditions to be attached to any firearm certificate relating to high muzzle energy rifles in respect of how they should be stored when not in use, including when they are in transit. Once the rules have been made, chief officers of police must add these requirements to all firearms certificates covering these rifles that are issued or renewed after the regulations come into force.

We are seeking views on whether the current highest standards of security (level 3 in the Firearms Security Handbook) are sufficient or whether even more enhanced security, or restrictions on storage when not in use, will go further in reducing the potential risk of theft, loss or misuse of high muzzle energy rifles. In particular, we would welcome views on the following:

Q1. To what extent do you consider that the present level 3 security requirements, if specified in rules made by the Secretary of State, would be sufficient to mitigate the risks posed by high muzzle energy rifles, as described above?

Q2. If you do not consider level 3 security would adequately address the risks, to what extent do you consider that the following additional security conditions could be relevant to the safe storage and use of these rifles?

- a) *Fitting shutters and grilles on all doors and windows?*
- b) *Installing CCTV?*
- c) *Panic alarms available where the rifle is stored?*
- d) *Panic alarms available when the rifle is in use on a range?*
- e) *The bolt or other critical component parts be kept separately?*
- f) *If viable, and with a change in the law or certificate conditions, other members of the holder's shooting club to look after critical components on behalf of each other?*
- g) *Ammunition to be kept separate from the gun in a separate cabinet and only a small number of rounds of ammunition allowed?*

Q3. To what extent would it be preferable/viable to require these rifles to be stored only at a gun club?

Q4. To what extent would it be preferable/viable to require these rifles to be stored only by a registered firearms dealer?

Q5. Any other comments on these proposals for additional security measures for high muzzle-energy rifles, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Air weapons

Definition of air weapons

Air guns, air rifles and air pistols are weapons that expel projectiles with compressed gas (usually air) rather than with an explosion. They are exempt from firearms licensing requirements unless they are classified as “specially dangerous”¹ or are prohibited under section 5 of the Firearms Act 1968. The definition of “specially dangerous” covers air rifles capable of muzzle energy exceeding 12 foot pounds and it is therefore an offence to possess one without a firearm certificate issued by the police. Air pistols capable of muzzle energy exceeding 6 ft lbs are prohibited weapons, and it is an offence to possess one without the authority of the Secretary of State.

Air weapons are important tools in pest control, particularly in situations where the use of conventional ammunition would not be appropriate. They are widely used in competitive target shooting and air weapon events are included in the Summer Olympics and Paralympic Games. Many people use air weapons as an introduction to shooting and to learn basic marksmanship and safe handling skills that are applicable to other firearms.

Regulation of air weapons

While most air weapons will not be subject to licensing in England and Wales, air weapons capable of muzzle energy above one joule are nevertheless classified as firearms and regulated by the Firearms Act 1968². This means, for example, that the prohibition from possessing firearms for life placed on anybody who is sent to prison for three years or more includes the possession of air weapons. There are also restrictions on possession, including by young people. In particular:

- it is an offence for a person in possession of an air weapon to fail to take reasonable precautions to prevent an unauthorised person under the age of 18 from gaining access to it (other than where permitted); and
- it is an offence for anyone under the age of 18 to have with them an air weapon or ammunition for an air weapon unless they are under the supervision of a person aged 21 or over; or they are shooting –
 - as a member of an approved target shooting club;
 - at a shooting gallery where only air weapons or miniature rifles not exceeding .23 inch calibre are used; or
 - on private premises with the consent of the occupier (if they are at least 14 years old).

¹ Firearms (Dangerous Air Weapons) Rules 1969 (SI 1969/47)

² Airsoft guns, which are airguns designed to shoot small plastic pellets, are not defined as firearms unless they are capable of a muzzle energy exceeding 1.3 joules for automatic weapons (those that discharge more than once without repeated pressure on the trigger) and exceeding 2.5 joules for other airsoft guns.

The misuse of air weapons

Crime

In the year to March 2019, there were 3,028 air weapon offences recorded by the police in England and Wales, 50% fewer than a decade previously (2008/09) and a 78% reduction since 2002/03. In the year to March 2019, air weapons were used in around 32% of offences involving firearms. Air weapons are rarely used in serious offences – almost two thirds (64%) of offences involving air weapons are criminal damage.

In the year ending March 2019, the police recorded two fatal injuries, 27 serious injuries, and 233 minor injuries in offences involving air weapons. This is similar to the previous year where the police recorded one fatal injury, 34 serious injuries and 309 slight injuries.

The number of injuries from offences involving air weapons has fallen substantially from a decade ago (2008/09), when there were no fatal injuries, 72 serious injuries and 621 slight injuries.³ Younger people aged 10-34 are disproportionately more likely to be victims of firearms crimes than the general population. Those under the age of 25 experience 41% of all air weapon crime and 36% of all firearm crime, despite being 30% of the population (including the 12% of the population that is under the age of 10). Young people aged 10-19 are 12% of the population but are the victims of 27% of air weapon crimes.

Animal welfare

Although there are no official statistics covering this issue, we know that air weapons are used in unlawful attacks on animals. Since 2012, the RSPCA has received over one thousand complaints per year about animals being unlawfully shot with air weapons, of which around 400 per year relate to domestic cats. The perpetrators are thought to be disproportionately young people, with complaints peaking during school holidays.

Fatal incidents involving air weapons

There are no official statistics on fatal incidents involving air weapons apart from those relating to air weapon offences recorded by the police. However, from open source research, we think that there have been at least 25 deaths caused by air weapon shootings in Great Britain since 2005. These include accidental deaths, deliberate self-harm and homicides. It appears that 12 of these 25 victims were under the age of 18 and in nine of these 12 cases the person holding the firearm was said to be under the age of 18.

Review of the regulation of air weapons

The Government announced in October 2017 that it was to undertake a review of the regulation of air weapons in England and Wales. This followed a recommendation from the Senior Coroner for Suffolk in his report into the death of 13-year-old Benjamin Wragge, who was accidentally shot with an air rifle in 2016. The coroner requested that the Government review the regulation of air weapons so that steps may be taken to prevent similar tragedies occurring in the future.

The review considered air weapons that sit below the definition of “specially dangerous”; that is, it focused on air weapons that can be lawfully held without a firearm certificate in

³ Office for National Statistics - [The nature of violent crime in England and Wales: Year to March 2019](#)

England and Wales. In Scotland and Northern Ireland, responsibility for policy on air weapons is devolved and licensing systems are in place.

The Home Office wrote to a range of interested parties in December 2017 to seek views, including from the police, shooting organisations, the families of victims and their MPs, and the charities, Cats Protection and the RSPCA. Views were sought on key issues including: access to air weapons by children and young persons, secure storage and safe-keeping, manufacturing standards, the post-sale modification of air weapons to increase the power levels, and whether there would be merit in introducing a licensing regime for air weapons in England and Wales.

Responses from victims' families and their MPs

We received responses from the families, friends and MPs of victims of air weapon incidents, and from the campaigning organisation the Gun Control Network. Almost all of these respondents said that air weapons should be subject to a licensing regime. They argued, for example, that licensing would enable checks on the suitability of air weapon owners (including medical checks), assist in the identification of offenders, enable the inspection of storage arrangements and, more broadly, change the culture so that air weapons are no longer seen as “toys” or “imitations”.

These respondents generally argued that other regulatory measures should be introduced in addition to licensing, such as a requirement that the gun be stored in a secure cabinet or a requirement that young shooters are supervised.

Responses from the police and law enforcement bodies

The National Police Chiefs' Council (NPCC) did not argue strongly for changes to the law. However, the NPCC suggested that it may be appropriate to raise the age at which young people can possess air weapons without supervision on private land, and that the requirement to take “reasonable precautions” to prevent access by under-18s is subjective and that further clarity may be helpful.

The NPCC invited the National Ballistics Intelligence Service (NABIS) to respond on the issues of manufacturing standards, post-sale modification and whether steps should be taken to prevent tampering with power levels. NABIS argued that no further steps were needed in these areas, as the vast majority of air weapons are intrinsically safe and very few air weapons that come to the attention of law enforcement bodies are above the relevant muzzle energy threshold. We also asked examiners at the Metropolitan Police Service's Forensic Firearms Unit (FFU) for their views. FFU examiners considered that there are very few incidents where over-powered or poorly manufactured air weapons come to their attention, and that the current law enables prosecution where air weapons are capable of muzzle energy above this threshold but are held without a certificate.

The British Transport Police argued that air weapons should be subject to a licensing regime. They argued that they should be subject to the same storage and “good reason” requirements as other firearms held on certificate and that there should be an audit trail of individual weapons.

The Police and Crime Commissioners for Northamptonshire, Dorset and Suffolk all suggested that there should be a form of licensing or simplified registration, not necessarily administered by the police.

Response from animal welfare charities and public campaigns

Animal welfare charities including Cats Protection, the RSPCA, the Scottish SPCA, the Irish SPCA, Blue Cross and the Battersea Cats and Dogs Home responded to the review. All of them reported a high number of air weapon attacks on pets, particularly cats, and other animals. All these organisations support the introduction of licensing, with an accompanying requirement that the licence holder have a valid reason for possession. They argued that licensing would restrict ownership to those with a valid reason to possess an air weapon and enable the police to identify offenders.

The Government received almost 52,000 emails from members of the public which reported the findings of Cats Protection that, according to its analysis of press reports, at least three cats are attacked with air weapons each week. These respondents advocated the introduction of licensing to manage who can possess air weapons and enable the police to identify suspects. Many of these respondents detailed injuries to their own pets caused by air weapons. Over 200,000 people signed a petition requesting a licensing scheme following the shooting of a family of swans in December 2018 and more than 700 people sent emails to the Home Office about the incident.

Responses from shooters

A number of organisations who represent the interests of shooters and the firearms industry responded to the review. These included the British Association for Shooting and Conservation, the Gun Trade Association, the National Small-Bore Rifle Association, the British Shooting Sports Council, the Countryside Alliance, the National Rifle Association, and the Airgun Manufacturing and Trade Association. All these organisations opposed the introduction of a licensing scheme for air weapons, or any increase in regulation.

These organisations argued that the current regulations are sufficient and need to be properly enforced. Some of them proposed improved education of owners about the law and firearms safety, although others suggested that those most in need of education would be least likely to engage.

Over 1,600 people, many of whom identified themselves as shooters or air weapons owners, wrote to oppose the introduction of a licensing regime. These respondents typically opposed any tightening of the regulations governing air weapons. Many of them argued that the existing legislation needs to be better enforced, and some argued for increased penalties for offences. Around 100 of these respondents proposed some form of increased regulation, such as tighter security to make it more difficult for children to gain access to air weapons.

Outcomes of the review

On the balance of the evidence put forward, we consider that action to mandate manufacturing standards, including further steps to deter post-sale modification, would not be proportionate. However, we will keep this issue under review.

We have decided not to introduce a licensing regime for air weapons in England and Wales along the lines of the licensing regime for firearms and shotguns. We consider that the measures set out below represent targeted action which will address the key risks without introducing additional administration and cost for police forces or air weapon users.

Proposals following the review

Given that the misuse of air weapons appears to occur disproportionately when young people are in possession, we intend to target the key risk of under-18s' unsupervised possession of air weapons.

We propose to remove the exception that allows young persons who are at least 14 years of age to have unsupervised possession of air weapons on private premises.

We propose to strengthen and clarify the offence of failing to take 'reasonable precautions' so that whenever under-18s are on the premises, 'reasonable precautions' must include locking the air weapon out of sight when not in use and storing the ammunition separately. We do not propose to require that air weapons are stored in a gun cabinet.

Additionally, we propose to work with industry to improve the safe keeping and handling of air weapons, to ensure that home security devices, such as securicords, are supplied with all new air weapons, to help minimise the risk of misuse; and to ensure that dealers explain the importance of secure handling and storage to purchasers of new air weapons in person, at the point of sale, particularly in relation to access by under-18s.

Questions

Q6. To what extent do you agree that the Government should remove the exception that permits unsupervised possession of air weapons by under-18s on private land?

Q7. To what extent do you agree that the Government should clarify the offence of failing to take 'reasonable precautions' to prevent minors from having air weapons so that whenever under-18s are on the premises, 'reasonable precautions' must include locking the air weapon out of sight when not in use and storing the ammunition separately?

Q8. To what extent do you agree that the Government should work with industry to improve the safe keeping and handling of air weapons, to ensure that home security devices are supplied with all new air weapons; and that dealers should explain the importance of secure handling and storage to purchasers of new air weapons at the point of sale?

Q9. Any other comments on these proposals to strengthen air weapon regulation, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Miniature rifle ranges

The legislation

Section 11(4) of the Firearms Act 1968 specifies as follows:

“A person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding .23 inch calibre may, without holding a certificate, have in his possession, or purchase or acquire, such miniature rifles and ammunition suitable therefor; and any person may, without holding a certificate, use any such rifle and ammunition at such a range or gallery.”

How the miniature rifle range legislation is used

Section 11(4) allows a person to run a rifle range or shooting gallery where only miniature rifles not exceeding .23 inch calibre or air weapons are used, without the need for a firearms licence. Additionally, members of the public do not need a firearms licence to shoot at such a range or gallery. The legislation has existed for many years and is widely used, particularly as a means of introducing those new to the sport since it enables a person to try shooting without having to apply for a firearm certificate or be a member of an approved target shooting club. The legislation is also relied on by many approved target shooting clubs because of the restrictions in place around the use of ‘guest days’, which are limited to 12 per year.

It is generally understood that the miniature rifle range provision is intended to apply to lower-powered, .22 rimfire guns. However, the legislation refers to ‘miniature rifles not exceeding .23 inch calibre’, which can therefore include more powerful weapons.

Some examples of how the section 11(4) provision is used are set out below:

- Around 200 small-bore rifle clubs and some Home Office approved shooting clubs rely on section 11(4) which can help bring in new members to the sport. For example, these premises are used by organisations such as the Scout Association and some schools.
- There are also a small number of:
 - sports centres running biathlon training/competitions;
 - commercial ranges or activity centres offering target shooting experiences;
 - temporary ranges at shows, for example, game fairs;
 - gun shops and armourers with ranges;
 - shooting training organisations;
 - pubs with bell target or tunnel ranges, and
 - fairground shooting galleries (although nearly all now use air weapons).

Why legislative change is proposed

During the passage of the Offensive Weapons Act 2019, amendments were tabled to abolish the section 11(4) exemption because of concerns raised by law enforcement. The

Government undertook to consider the section 11(4) exemption as part of this consultation.

The Government has sought preliminary views from law enforcement, including the National Police Chiefs Council, the National Crime Agency and the National Ballistics Intelligence Service. The concerns raised by law enforcement officers centre on the risk to public safety because the legislation allows a person to buy and possess firearms without having undergone any form of police check:

- no police suitability check is required for the operator of the miniature rifle range or members of the public shooting on the range;
- the operator of the miniature rifle range can purchase miniature rifles and ammunition from a registered firearms dealer without being legally required to produce evidence of why the guns and ammunition are being obtained;
- there is no legal requirement for the operator of the range to store the guns securely or to inform police of the existence of the firearms, their number or location.

The police believe this presents a loophole in the legislation which criminals or terrorists could use to obtain guns, including self-loading firearms which can be fired rapidly and potentially result in large numbers of casualties. The view of law enforcement is that this part of firearms legislation is out of step with our otherwise robust firearms controls. Furthermore, while the legislation prohibiting those with convictions from possessing firearms⁴ applies to operators and users of miniature rifle ranges, there is no requirement for a check of their status.

In contrast to the absence of oversight applying under section 11(4), the police firearms licensing system requires members of the public who otherwise wish to possess .22 rimfire guns to be subject to stringent suitability checks, including criminal record, counter-terrorism and medical checks. The firearms must be stored securely and be accessible only by the certificate holder, and the police visit the applicant and inspect the storage facilities prior to the initial grant.

Proposals for change

The Government is proposing to amend the section 11(4) exemption to bring in improved controls to address the issues which have been raised about the risk to public safety. In doing so, the provision for miniature rifle ranges will remain.

The intention is to retain the benefits which the section 11(4) exemption provides, while improving the controls so that police checks and approval are required for a person operating a miniature rifle range. We also intend to make clear in the legislation that a 'miniature rifle' means a .22 rimfire gun so that more powerful and dangerous firearms are explicitly excluded.

⁴ Section 21 of the Firearms Act 1968. In summary, persons sentenced to a term of imprisonment of between three months and three years (including suspended sentences) are prohibited from possessing firearms or ammunition for five years. Persons who have been sentenced to three years or more are prohibited for life.

Firearms safety consultation

The Government proposals are as follows:

- A person who wishes to operate a miniature rifle range must apply for a firearm certificate and specify the rifles they wish to acquire. They must undergo the necessary suitability checks, including criminal records, counter-terrorism and medical checks.
- The miniature rifle range operator will be visited by the police who will check that the security arrangements for the firearms are sufficient. A firearm certificate granted to the operator of a miniature rifle range will specify security requirements relating to the firearms to ensure they are stored safely and securely.
- Operating a miniature rifle range will be among the 'good reasons' which police can take into account when assessing an application for a firearm certificate.
- Unsuitable persons who intend to operate a miniature rifle range, such as those who have been refused a firearm or shotgun certificate or whose certificate has been revoked on suitability grounds, will not be able to use the exemption to avoid proper scrutiny.
- Firearms legislation will specify that only .22 rimfire guns may be regarded as miniature rifles.

Questions

Q10. To what extent do you agree that a person should be required to obtain a firearm certificate in order to operate a miniature rifle range?

Q11. To what extent do you agree that only rifles not exceeding .22 rimfire should be considered as miniature rifles for the purposes of the provision?

Q12. To what extent do you agree that self-loading .22 rimfire rifles should not be considered miniature rifles for the purposes of the provision?

Q13. Any other comments on these proposals for strengthening controls on miniature rifle ranges, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Ammunition

This section invites views on whether the controls on component parts of ammunition remain adequate or whether the possession of component parts of ammunition with intent to manufacture unauthorised quantities of complete rounds of ammunition should be made an offence.

The issue

Law enforcement has raised concerns that component parts of ammunition are too easy to obtain and are being used by criminals to unlawfully manufacture complete rounds of ammunition.

The legislation

The key components of ammunition are the propellant and primer. The propellant helps to propel a projectile from a firearm by burning rapidly, while a primer consists of an explosive chemical compound that ignites the propellant. The remaining components are the cartridge case and the projectile.

The possession of propellant is controlled under the Explosives Regulations 2014, which require that, with certain exceptions, anyone wanting to acquire or keep explosives must hold an explosives certificate issued by the police.

Primers are subject to control under section 35 of the Violent Crime Reduction Act 2006 which makes it an offence to sell or purchase primers, including empty cartridge cases incorporating primers, unless the purchaser is authorised to possess them – for example, by being a registered firearms dealer or by holding a firearm certificate authorising them to possess a firearm or ammunition of the relevant kind. The maximum penalty for an offence is 6 months imprisonment.

It is an offence under section 1 of the Firearms Act 1968 to possess, purchase or acquire ammunition to which the section applies without holding a firearm certificate. The maximum penalty is 7 years imprisonment (where the offence is committed in an aggravated form), or 10 years in the case of prohibited ammunition. It is an offence under section 5(2A) of the Firearms Act 1968 to unlawfully manufacture and supply prohibited ammunition, with a maximum penalty of life imprisonment.

Questions

Q14. To what extent do you consider that the possession of component parts of ammunition with intent to manufacture unauthorised quantities of complete rounds of ammunition should be made an offence?

Firearms safety consultation

Q15. Any other comments on the control of component parts of ammunition, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

High muzzle energy rifles

Q1. To what extent do you consider that the present level 3 security requirements, if specified in rules made by the Secretary of State, would be sufficient to mitigate the risks posed by high muzzle energy rifles?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q2. If you do not consider level 3 security would adequately address the risks, to what extent do you consider that the following additional security conditions could be relevant to the safe storage and use of these rifles?

A. Fitting shutters and grilles on all doors and windows?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

B. Installing CCTV?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

C. Panic alarms available where the rifle is stored?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

D. Panic alarms available when the rifle is in use on a range?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Firearms safety consultation

E. The bolt or other critical component parts be kept separately.

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

F. If viable, and with a change in the law or certificate conditions, other members of the holder's shooting club to look after critical components on behalf of each other?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

G. Ammunition to be kept separate from the gun in a separate cabinet and only a small number of rounds of ammunition allowed?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q3. To what extent would it be preferable/viable to require these rifles to be stored only at a gun club?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q4. To what extent would it be preferable/viable to require these rifles to be stored only by a registered firearms dealer?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q5. Any other comments on these proposals for additional security measures for high muzzle-energy rifles, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Air weapons

Q6. To what extent do you agree that the Government should remove the exception that permits unsupervised possession of air weapons by under 18s on private land?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q7. To what extent do you agree that the Government should clarify the offence of failing to take 'reasonable precautions' to prevent minors from having air weapons so that whenever under-18s are on the premises, 'reasonable precautions' must include locking the air weapon out of sight when not in use and storing the ammunition separately?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q8. To what extent do you agree that the Government should work with industry to improve the safe keeping and handling of air weapons, to ensure that home security devices are supplied with all new air weapons; and that dealers should explain the importance of secure handling and storage to purchasers of new air weapons at the point of sale?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q9. Any other comments on these proposals to strengthen air weapon regulation, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Miniature rifle ranges

Q10. To what extent do you agree that a person should be required to obtain a firearm certificate in order to operate a miniature rifle range?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q11. To what extent do you agree that only rifles not exceeding .22 rimfire should be considered as miniature rifles for the purposes of the provision?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q12. To what extent do you agree that self-loading .22 rimfire rifles should not be considered miniature rifles for the purposes of the provision?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q13. Any other comments on these proposals for strengthening controls on miniature rifle ranges, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Ammunition

Q14. To what extent do you consider that the possession of component parts of ammunition with intent to manufacture unauthorised quantities of complete rounds of ammunition should be made an offence?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree

Q15. Any other comments on the control of component parts of ammunition, including any comments on the costs and assumptions used in the impact assessment and any costs not included? (max 250 words)

Thank you for participating in this consultation.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (for example, member of the public)	
Date	
Company name/organisation (if applicable)	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Do you have any comments about the proposals in this consultation in relation to impact on protected characteristics under the Equalities Act 2010: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; sexual orientation?

Yes	No

Please give details. (max. 500 words)

Contact details and how to respond

Please send your response by 16 February 2021 by either –

- Completing the online form at: <https://www.gov.uk/government/consultations/firearms-safety>

OR

- Email to: firearmsconsultations@homeoffice.gov.uk

Please do not send responses by post to the department at the moment as we may not be able to access them.

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the above address.

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available online at [web address]

Alternative format versions of this publication can be requested from firearmsconsultations@homeoffice.gov.uk.

Publication of response

A paper summarising the responses to this consultation will be published in xx months time [as far as possible should be within three months of the closing date of the consultation]. The response paper will be available online at gov.uk.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

How responses to the consultation will be treated

The Department will process your data in accordance with the Data Protection Act 2018 and in the majority of circumstances this will mean that your data will not be disclosed to third parties.

The information you send us may be passed to colleagues within the Home Office, other Government departments and related agencies for use in connection with this consultation. Information provided in response to this consultation, may be subject to publication or disclosure in accordance with applicable access to information frameworks, primarily the Freedom of Information Act 2000 (FOIA) and data protection legislation.

If you want certain information you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this you should explain to us why you regard any information you have provided as confidential. If we receive a request for disclosure of the information we will take due account of your explanation, but we cannot give an assurance that confidentiality will be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

Impact Assessments

Impact Assessments for the proposals set out in this consultation can be accessed at <https://www.gov.uk/government/consultations/firearms-safety>. You are invited to submit any comments you may have on the impact assessments as part of your response to this consultation.

Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>



© Crown copyright 2020

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.uk/government/publications or other web/intranet address].

Any enquiries regarding this publication should be sent to us at public.enquiries@homeoffice.gov.uk.