

The Sportsman's Association

Of Great Britain & Northern Ireland
FIGHTING FOR FAIR AND EFFECTIVE FIREARMS LEGISLATION



Quarterly Newsletter 30/3/2022

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Hello Everyone,

Hope you have all kept well over the winter months, and are enjoying the spring and the lifting of Covid-19 restrictions in most of the country. Ranges are open again; shows are not being cancelled and there is much to look forward to this year.

AGM

The dining room of the Army Target Shooting Club is booked for our next AGM at 19.30 on Saturday May 28th, during the Phoenix Meeting and trade show. If anyone needs a map to find the clubhouse just let me know.

If you have any issues you would like on the agenda, please let me know.

The NRA will also be hosting an International Gallery Rifle Federation World Championship, and the International Target Shotgun Federation World Championship. Hopefully there will be lots to see and do, making it a worthwhile trip out.

Private Members Bills

Several Members of Parliament have introduced Private Members Bills in recent months, one to restrict Pump Action Shotguns [Firearms and Hate Crime Bill - Parliamentary Bills - UK Parliament](#), another to ban all lead ammunition [Lead Ammunition \(Restriction\) Bill \[HL\] - Parliamentary Bills - UK Parliament](#), and as mentioned in the last newsletter the [Hunting Trophy Import \(Prohibition\) Bill - Parliamentary Bills - UK Parliament](#).

After the shootings in Plymouth last year, the constituency MP Luke Pollard introduced his private members bill by saying *"I want to rid our communities of these dangerous and unnecessary pump-action weapons that are currently held in homes throughout the country."*

The aim of the bill was to stop owners from storing their pump-action shotgun at home, and instead keeping it at a registered firearms dealer or armoury.

This bill was brought to parliament under the "10-minute rule", where the debate is genuinely restricted to 10 minutes. These rarely become law unless backed by the government, which this was not.

A Home Office spokesperson stated "the police have in place robust processes for issuing and reviewing firearms and shotgun licenses. If there are further lessons to be learned from the tragic case, we will update the statutory guidance for firearms licensing".

Lord Browne of Ladyton's bill was to restrict all lead ammunition for everyone, except our armed services.

Restriction of lead ammunition

(1) Any person who possesses, uses or places on the market lead ammunition for the purpose of shooting animals is guilty of an offence.

(2) Any person who possesses, uses or places on the market lead ammunition for the purpose of target shooting is guilty of an offence.

Lord Browne has responded to a target shooter, who emailed him, with the following:

"Let me answer your questions. For some time I have been campaigning for a ban on lead ammunition. I have raised it regularly in Parliament and over the last year, the Government has come round very strongly to that position and have embarked upon a process, but with no time limit for a ban. One of the purposes of my Bill is to impose a time limit.

My concern is that without a definite date for the ban, it will take an inordinate length of time for it to be implemented and, in the meantime, lead, which is a poison, will continue to damage humans, wildlife and our environment. No one requested me to act. Like every other campaigner for banning of the use of lead in ways that could poison humans, wildlife or the environment, that objective in itself is a sufficient justification.

The rest of my response is focused on the fact that you have chosen to tell me you are a target shooter. I infer from that, that you have no objection to the banning of lead ammunition for game shooting with lead shot cartridges.

Rest assured, this is not a Bill aimed at preventing people from target shooting, its sole purpose is to prevent poisoning harms caused by lead shot from being dispersed into the environment by shooting with lead shot cartridges.

Unfortunately, lead deposited during target and sports shooting does find its way into the wider environment due to the sheer quantities used and its degradation over time. Of these, shotgun shooting of clays poses the greatest risks to the environment and livestock, such as poultry operations nearby shooting ranges, and cattle consuming fodder containing the shot."

Lord Browne sites the following papers as his evidence: Papers by [Payne et al. \(2013\)](#) , [Pain et al. \(2015\)](#) , ([ECHA 2021](#), [Naiker et al. 2018](#)), [Stroud et al. 2021](#).

The government have their own plans under REACH UK, and I believe we are expecting a public consultation to be announced in April.

We have yet to see what effect the potential demand for lead ammunition will have on EU & UK policy with the fear of war expanding beyond Ukraine.

Private Members Bills rarely succeed without the backing of the Government, but they are used to highlight campaigns and issues, and influence legislation. However, John

Spellar's Trophy Hunting Import (Prohibition) Bill, now scheduled for a second reading on 6/5/22 may yet succeed where the government has dropped the Animals Abroad Bill.

The Animals Abroad Bill

This bill which was due to be published in February has now been dropped. The media are blaming Posh Torys for this, but in reality, we were going to be enforcing ideals which could have a negative impact on the economies, biodiversity and conservation efforts of many much poorer countries, with very little effect on ours, except perhaps Scotland and the deer stalking industry.

Figures published by the government in the Consultation Summary, on the number of hunting trophies imported under the Convention on International Trade in Endangered Species (CITES) from 2015 to 2019, are recorded as 335 imports and 7 exports.

Other figures published by the government for 2016 to 2020 have been inaccurate, and have since been republished, and then further government statements have made more corrections. It would seem that in 2020 there were only 12 imports of hunting trophies on the CITES list.

[Written questions and answers - Written questions, answers and statements - UK Parliament](#)

BASC have a good article on the subject at: [Hunting trophies import ban announced - The British Association for Shooting and Conservation \(basc.org.uk\)](#)

Wild Justice Challenging General Licence 42

In February Wild Justice challenged the Department for Environment, Food and Rural Affairs over the latest GL42, claiming that *"someone in Defra yielded to pressure from the shooting community to expand the definition of gamebirds as livestock"*. Wild Justice also claimed, prematurely, that they had won this legal argument.

DEFRA stated *"We confirmed to Wild Justice that we would contest their proposed claim in full. There has been absolutely no change in our position on gamebirds in relation to GL42. To imply otherwise, or that we conceded that the statutory definition was extended, is incorrect. We did not extend, nor have we changed, the definition."*

The original wording stated:

*'Livestock' is as defined in section 27(1) of the **1981 Act**. For the purpose of this licence, this expression also includes gamebirds kept in an enclosure or which are free roaming but remain significantly dependent on the provision of food, water or shelter by a keeper for their survival. This does not include supplementary feeding.*

The clarified wording states:

'Livestock' is as defined in section 27(1) of the 1981 Act. This expression includes gamebirds kept in an enclosure or which are free roaming but remain significantly dependent on the provision of food, water, or shelter (by and within the release pen) by a keeper for their survival. The placement of supplementary food out into the environment for wild gamebirds does not mean those wild gamebirds are 'kept' and it does not therefore make them 'livestock'.

Should this end up in court many shooting organisations have already stated they will register as interested parties and support DEFRA.

British Game Assurance Standards

The British Game Alliance has, after consultation with vets and game farmers, updated their Game Farming Standards. They take the view that to have an independently assured standard that has best practice at its core, whilst being practical to apply, is very important when negotiating with government and potential retail outlets.

Marks & Spencer's have announced that they are to be the first to stock game that is both lead free and British Game Assurance certified.

Shoots which have switched to non-lead ammunition and want to register for BGA certification should get in touch with them. Where regional development officers are ready to help.

[British Game Assurance - Invest in the future of game](#)

From the World Forum on Shooting Activities

Lead as a substance of Very High Concern – the ECHA wants to reclassify Lead as a “substance of Very High Concern”. This will result in every EU company that wants to use lead needing authorisation. To obtain such authorisation, ECHA would need to determine that the use is essential, and the company would then have to pay for a licence. The ECHA will launch a consultation in February 2022, meet in October 2022 to review their findings and publish a report for 2023. A decision is expected by 2024, with a transition of 3 years.

What does this mean for us as we are no longer in the EU? Well, we still trade with the EU, and lead is used in many products from batteries to glass, not just bullets. Despite Brexit, our government has yet to make any independent policy plans, as seen by the introduction on 23/3/2021 when DEFRA announced they are considering restrictions under the UK's new chemical regulation system, [UK REACH](#) to phase out lead ammunition in a bid to protect wildlife. An exact copy of the “proposed Annex XV restriction on the use of lead in all ammunition”, currently going through the EU parliament.

By the end of 2023 it is expected that the EU will have banned all lead ammunition for hunting, and possibly sport shooting. There may be derogations for muzzle loading firearms, and a longer transition period for small calibre rifles. FACE are working hard with other EU member organisations to challenge the questionable data being submitted to support a ban, and our own organisations are in communication with FACE, as we are going to have the same struggle here in GB. NI will suffer because of the Northern Ireland Protocol.

The International Convention on Migratory Species is also working towards a world-wide phasing out of lead, and fully supports a ban in Europe. Whilst progress on this so far has been slow, it is gaining momentum, although any decision made by the CMS would be non-binding.

Brexit Freedoms' Bill

"A new 'Brexit Freedoms' Bill will be brought forward by the government, under plans unveiled by the Prime Minister, Boris Johnson, to mark the two-year anniversary of Getting Brexit Done. Announced 31/1/22.

*Having regained our independence, we can now ensure that our regulations are tailor-made to the UK's own needs. However, **under current rules, reforming and repealing this pipeline of outdated EU law would take several years because of the need for primary legislation for many changes, even if minor and technical.***

The new legislation will ensure that changes can be made more easily, so that the UK can capitalise on Brexit freedoms more quickly.

The Bill is also expected to end the special status that EU law still enjoys in our legal framework. Despite our exit from the bloc, EU laws made before 1 January 2020 continue to have precedence in our domestic framework. This is simply not compatible with our status as a sovereign, independent country and the government will bring it to an end as quickly as possible."

Whether you backed Brexit or not, the above would enable many of the Statutory instruments which became part of UK law, because they became part of EU law, to be repealed. This includes SI's in firearms law such as The Firearms Legislation 2019, on the registration and notification of De-activated firearms. Or the current deactivation standards which initially came into force in 2016, as a knee-jerk reaction to a terrorist attack in France, and were further revised in June 2018.

More reading at [Deactivation | ukdwa3](#) .

So far this has all been hot air from the Government as nothing has been published, and a quick scan on-line, of lawyer's comments, is don't expect anything anytime soon. The

huge volume of retained EU law makes this a massive task, and law relating to the economy is likely to take priority. So, for us this is a very feeble ray of sunshine.

Medical Information Acquired During the Term of a Certificate

In the last newsletter I mentioned a member who was very distressed at the amount of medical information his FEO had acquired from his GP, and is very concerned as to what will happen to that information now it has been established that it is not relevant to his safe possession of firearms.

Since then, the police have published on-line that - the police may have access to your relevant medical history at the point of application/renewal, and all the while you have a licence. i.e. for the 5 years of your licence. This is in the statutory guidance.

What is not clear is what happens to medical information requested by the police, during the term of the certificate, which after investigation is found to **not be relevant**. As far as I can tell GDPR applies here, and the right to erasure. Which is the process our member is currently going through. The Data Protection Team have 30 days in which to make a decision.

When does the right to erasure apply? Individuals have the right to have their personal data erased if: the personal data is no longer necessary for the purpose which you originally collected or processed it for; you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent; you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing; extract from guide to GDPR.

[guide-to-the-general-data-protection-regulation-gdpr-1-0.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/guide-to-the-general-data-protection-regulation-gdpr-1-0.pdf)

Our member's Police Force do not have an answer to this question, and I must assume neither do mine as they have not responded to any emails, and no-one is answering the phone. Perhaps they too are waiting to see what the Data Protection Team decide before giving an answer.

British Shooting Sports Council

As Director of the Sportsman's Association Savvas Toufexis attends the Council meetings of the BSSC whose focus is on the political and legislative aspects of firearms legislation at national, regional (EU) and international (UN) levels.

There are currently fifteen member associations, all of which send a representative to attend the council meetings. One of this year's proposed aims is to form a working

relationship with the Aim to Sustain group of organisations, of which two are members of the BSSC.

The Council is in constant communication with the Home Office, various Police Boards which meet regularly to discuss aspects of firearms law, the Health and Safety Executive and political lobbying groups like the All Party Parliamentary Group on Shooting and Conservation. They also maintain relations with organisations like the World Forum on Shooting Activities and FACE.

Some of the proposals for the year ahead are to:

1. Lobby to improve both the political and public perception of shooting. Specifically with regard to Statutory Guidance to Police and proposed restrictions on lead ammunition, particularly for target shooting.
2. Provide more media training for Member Associations spokespersons.
3. Continue to liaise with FACE the European Federation for Hunting and Conservation and AFEMS the Association of European Manufacturers of Sporting Ammunition over restrictions on lead ammunition, and trade between Europe and UK.
4. Lobby for Statutory duty for GPs to place a medical marker on certificate holder's patient notes, with a view to a 10-year certificate.
5. Continue to respond to REACH UK proposals on lead ammunition restrictions.
6. Respond to any Home Office proposals relating to air guns, S11(4) and home loading.
7. Respond to any proposed changes in law after the review on the Plymouth Shootings.
8. And more.

New Website Update

The layout of the new website has been finalised, and we are now busy putting the content in place before it can be launched. Just as soon as possible.

Defining The Rule of Law

For those of you who remember John Bingley's work on the Bill of Rights when we were a fledgling organisation, John has now published his thesis online [Crown and Parliament Recognition Act 2 W m & Ch 1 | Every Right](#) . He sets out what our liberties should be, and how both the Crown and Parliament should be constrained from taking our liberties, using the Declaration of Rights, the Bill of Rights, the Magna Carta with transcriptions of the original documents.

Regards,
Rachel Westlake.