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Prime Minister

REFORM OF FIREARMS LAW IN NORTHERN IRELAND

This note seeks IN policy clearance to my Department proceeding with publication next month of a consultation paper containing proposals for reforming the firearms legislation in Northern Ireland.

Background

2. The intended paper is the result of a detailed review of the Firearms (Northern Ireland) Order 1981 undertaken by officials, which began under the previous administration in November 1995 and concluded recently. The aim was to assess whether the legislation remained relevant, effective and proportionate; and whether it struck the right balance between the rigorous level of public safety demanded by society today, and the reasonable expectations of the shooting community and firearms trade.

3. In October 1996, the (then) Secretary of State announced that the review would also examine the recommendations contained in the Report of Lord Cullen's Tribunal of Inquiry into the tragic shootings at Dunblane Primary School in March that year. While the Tribunal's remit did not extend to Northern Ireland, it was rightly accepted that similar firearm reforms might eventually be required in Northern Ireland.

4. The review was generally welcomed and representations were received from a wide cross-section of interested parties, both local and national, including District Councils, Members of Parliament, various shooting associations, the RUC and the general public. The previous administration had indicated its intention to publish the review's findings and reform proposals for consultation. I intend to honour that commitment and there is now a widespread anticipation that I will do so shortly.

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Our Reform Proposals

5. A list of proposals is given in the attached Annex. The scope and, in some instances, innovative nature of these reflect the review's wide-ranging remit. No topic was specifically excluded. Maintenance of safety standards, public confidence in the law, and the authorities' ability to enforce it effectively, have been the principle objectives. But I have also sought to ensure that legislative controls are focused on evaluated and accepted areas of risk, rather than based on generalised assumptions or an unquestioning acceptance of the status quo. The reforms also aim to make the law and police practices no more intrusive than is necessary, with bureaucracy and its associated resource costs kept to a minimum.

6. The proposals have been scrutinised in accordance with the policy appraisal and fair treatment guidelines, which are one of a range of initiatives aimed at reducing unfair social and economic differentials in Northern Ireland; and which seek to ensure that all sections of the community enjoy equal opportunities and fair treatment. I am satisfied that these reforms meet these rigorous requirements.

Cullen and Handguns

7. Briefly, the review concluded that 23 of the 24 recommendations made by Lord Cullen to improve the control of firearms in Great Britain, are either current (or partial) practice in Northern Ireland; or have been recommended for implementation. On the question of prohibiting handguns, we intend to publish a short Order in Council in the Spring which will prohibit categories of handguns broadly similar to Great Britain. Compensation arrangements similar to those in Great Britain will also be required; while it is difficult to be precise at this stage, compensation costs could total around £2million. The overall number of guns

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effected will be small; approximately 2,000 plus associated ancillary equipment. The principle exemption will be personal protection firearms, certificates for which are only granted to individuals at a high risk of terrorist attack. To prohibit these in the present uncertain security climate, would be premature and place the owners' lives at real risk. It however remains our policy intention to prohibit them, when the threat of terrorism has ended and it is safe to do so. We also do not wish to prohibit air pistols at the present time. The proposals raise technical questions about minimum measurable levels of lethality and the certification of airguns generally. Debate on these questions would be valuable, and banning air pistols would be premature at this stage. They could, of course, be proscribed at a later date, if judged necessary.

8. Other than the question of compensation for handgun owners, the proposals should have no adverse impact on public expenditure. A number of changes are aimed specifically at reducing bureaucratic and inefficient working practices which have accumulated over the years. In addition, I intend to make the overall system of firearms administration more self-financing by extending (and uplifting) the range of statutory fees which can be charged by the Chief Constable and Secretary of State.

9. There are no significant costs or benefits to the environment.

10. Subject to whatever might flow from the consultation process, I hope to publish a draft Order in Council next autumn implementing the various changes, (other than the prohibition of handguns) with an operational date in the first half of 1999.

Parliamentary and Presentational Handling

11. I would like to publish the consultation paper in late January. An arranged PQ and Press Statement will be necessary, covering both the proposals

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paper and the handguns proscription. Pre-briefing of key individuals will be undertaken. The handguns ban is now widely expected in the Province. There will be some predictable (but containable) objections from the shooters concerned. I am satisfied that our proposals will not unduly offend Ulster Unionist sensitivities. Indeed there is much in the paper which they should welcome. As you know, David Trimble was particularly keen that our reforms should not include a direct extension of the Firearms (Amendment) Act 1997 to the Province; and that the particular circumstances of Northern Ireland should be taken fully into account. Our proposals meet these conditions, in particular by protecting the position of holders of personal protection weapons, whilst the threat of terrorism persists.

Conclusion

12. I should be grateful to know by 5 January if you and copy recipients are content with our proceeding with the consultation paper.

13. A copy of this letter goes to members of IN, the Secretary of State for Scotland, and to Sir Robin Butler.

Adam Ingram
Minister of State

16 December 1997

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