

DÁIL ÉIREANN

AN COMHCHOISTE UM DHLÍ AGUS CEART, COSAINT AGUS COMHIONANNAS

JOINT COMMITTEE ON JUSTICE, DEFENCE AND EQUALITY

Dé Céadaoin, 21 Eanáir 2015

Wednesday, 21 January 2015

The Joint Committee met at 10 a.m.

MEMBERS PRESENT:

Deputy Niall Collins,	Senator Ivana Bacik,
Deputy Alan Farrell,	Senator Martin Conway,
Deputy Seán Kenny,	Senator Tony Mulcahy.
Deputy Pádraig Mac Lochlainn,	
Deputy Gabrielle McFadden,	
Deputy Finian McGrath,	
Deputy Fergus O'Dowd,	

In attendance: Deputies Michael Fitzmaurice and Martin Heydon.

DEPUTY DAVID STANTON IN THE CHAIR.

Firearms Licences: (Resumed) Discussion

Chairman: Apologies have been received from Deputy Anne Ferris and Senator Denis O'Donovan. The purpose of this meeting is to have an engagement with a number of those who made submissions on the review of firearms licensing. On behalf of the committee, I welcome Mr. Nicholas Flood, Mr. Kaz Balinski, Mr. Damien Hannigan, Mr. Declan Keogh, Mr. Kealan Symes and Mr. Desmond Crofton. I thank our guests for attending in order that we might hear their expert views on this important matter. I compliment them on the quality of their submissions. As they are aware, officials from the Department and representatives from the Garda came before the committee prior to Christmas to outline their views on this issue. We want to ensure that everyone's views on this very technical and detailed issue are heard. Members have a great deal to learn about this matter and in many ways our guests are the experts. We will be all ears when they make their presentations. The format of the meeting will be that I will invite each organisation or individual to make opening remarks that will last approximately five minutes. There will then be a question-and-answer session with members. If people wish to bring any additional points or information to our attention, they should please do so.

I draw the attention of witnesses to the fact that by virtue of section 17(2)(l) of the Defamation Act 2009, they are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to so do, they will be entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable.

Members are reminded that, under the salient rulings of the Chair, they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

I invite Mr. Flood to make his opening statement.

Mr. Nicholas Flood: I thank the committee for giving me the opportunity to make a presentation on the proposed Bill that has been put forward. It was very disturbing to read the proposal as made by An Garda Síochána and the Department of Justice and Equality.

To give a little background of my experience in shooting sports, I have been honoured to represent Ireland in silhouette target shooting professionally for seven years. I was a carded athlete on the Irish Sports Council PACE carding scheme and had gained the rating of world class II athlete. I trained seven days a week, sometimes three times a day. I would have expended approximately 25,000 rounds - quite a significant amount - down range per year. I was lucky in that during my career I won the Irish national championships seven times, eight European championship titles and gold medals, a bronze medal at the 2004 world championships and placed in the top three in the US national championships. In my final year - I eventually retired as a result of a couple of injuries I had suffered - I won the US championship title, beating the reigning world champion. In the same year I won the German open championships and the Irish national championships. I decided that it was a really good year to stop and move on to something else.

When I read the draft of the proposed Bill, I was really insulted by its contents. This vein

has been followed for a number of years, namely, the attachment of crime and criminality to sporting firearms and those involved in shooting sports. From my experience of meeting people in Ireland and abroad, it is the furthest thing from the truth. I was disturbed. The working group might have benefited greatly from the inclusion of interested parties as a whole in forming its proposals. We should take the opportunity to consider the proposals, not in their form as suggested, but with changes that take into account the reality of what might be needed today and in the future. I thank the committee for taking the time to listen.

Chairman: I thank Mr. Flood. The format followed by the Oireachtas involves pre-legislative scrutiny, in that, before Bills are properly published, their heads must be laid before committees such as this one for examination and so that members of the public, NGOs and experts can give their points of view and engage. We have done this with 11 Bills so far. It is a productive and useful process and proposals emanating from the Department have often been changed significantly because of it. As such, no decisions have been made on this Bill yet and will not be until we are finished with our deliberations.

Mr. Nicholas Flood: Terrific.

Mr. Kaz Balinski: I thank the committee for having me here. I am delighted to speak. I wrote a document entitled, “Working Solution”, based on my findings of the working group’s review of the potential for firearm legislative reform. It was published last November. The idea of “Working Solution” is to encourage synergies and to provide a forum through which the coalition can work towards a thinking solution on which it can then act. I am not sure if we are quite there yet.

The underlying message of “Working Solution” recommends a review of the current firearm legislation in terms of its application and licensing system by way of the adoption of a new comprehensive system that can be organised into two sectors. One is the practical side. Handled by the private sector through clubs, this deals with the applicant’s firearm choice, courses in proper management and use, subsequent assessments and tests and, finally, accreditation, which has the potential for firearm NCTs or DOEs. The length of the programme should be important, as the period of time needs to be drawn out enough so as to allow for information to be properly absorbed and assimilated by applicants. This underlines firearm ownership as a privilege, since individuals would have to work hard to own firearms while learning and appreciating in the process of so doing.

Administration is the other side. This sees the Garda dealing with policing and administrative aspects such as psychological profiling and due diligence of applicants as well as the issuing and control of firearms licences, which it already does well.

The practical side promotes sport, industry growth within the private sector and community growth within clubs by way of self-policing, as the club environment promotes safety as a natural progression, which is a point that Mr. Flood made. This greatly reduces the likelihood for an atrocity, as clubs would inform the Garda of any concerning character trait or “single” mentality of an applicant. Gardaí may already be aware of such concerns, being part of the same social community in which the applicant in question lives. The administration side promotes an ease at Government level, since gardaí, who already understand the community and, more particularly, individual applicants, would not have to worry about not understanding firearms. This is a cool way of looking at it and an interesting point. It also provides a standardised platform by review, which will lead to the cessation of unnecessary court appearances by gardaí and the resultant costs to the State, which also needs to be considered. Both sides promote safety and

rid the process of postcode discrimination. I can never remember the name, but it is either a proficiency or a proliferation issue, whereby there are two licensing platforms between jurisdictions. This would be standardised by a new system.

The link between the practical and administrative sides is the Garda. In the new comprehensive system, the Garda would be empowered by the introduction of properly trained firearms officers who interact with and monitor the practical side and safety at a club level. These officers would have the opportunity to be involved with firearm and magazine manufacturers regarding the issue of reducing magazine load maximums to Irish standards. In my document, I recommended a ten-cartridge magazine maximum, as the new system promotes considerably safer shooting within a controlled environment and, as a trickle-down effect, a safer storage mentality, reducing the potential for firearm thefts.

The current emphasis on justification for firearm ownership needs to make way for a more progressive regime that places more responsibility on the applicant in terms of performance, which in turn should allow for the availability of a variety of firearm platforms without the need to restrict calibres or magazine capacities. If an applicant desires a firearm, and desiring versus justification being the point, then the time and costs associated with gaining accreditation prior to due diligence should be worthwhile. Not only that but, in having a better understanding of a firearm, its storage, its capability, its maintenance and its ownership, both the licensee and the firearm should be safer as a result. There is a trend to my point, with justification, responsibility, desire and fun heading in the right direction.

Aside from the animal husbandry issue, there is no justification for civilians to own and shoot firearms in the Republic other than for sport and fun. Thus, a provision for the responsible ownership of firearms over and above that of limiting the choice of firearm available to the potentially irresponsible needs to be considered. I will cite an example of the firearm licensing application process from the review document. According to it, “other rifles could be licensed for the same purpose” as the semi-automatic platform that is under review today, but this implies that such other rifles could as easily be used for wrongdoing or unlawful concerns. This point is worth reviewing, as it places the responsibility on the firearm as opposed to the user.

The proposal in “Working Solution” is the implementation of a new comprehensive system based upon years of gathered experience that educates firearm users to be responsible as opposed to the placing of limits on the equipment that uneducated firearm users can access. This will promote the sport and safety on the practical side while greatly reducing the likelihood of crime, for example, a lower risk of theft, and the risk of an atrocity because the practical and administrative sides will work well together.

Chairman: That was quite challenging, but interesting. We will tease those points out further with Mr. Balinski. Mr. Hannigan represents the Wild Deer Association of Ireland.

Mr. Damien Hannigan: That is correct.

Chairman: The floor is his.

Mr. Damien Hannigan: On behalf of our members, I thank the committee for the invitation to brief it on our issues with and concerns about the proposed amendments to the current firearm licensing system, which are contained in the recently published report by the Department of Justice and Equality-Garda Síochána working group. I wish to acknowledge the courtesy and assistance that the association has received from the committee secretariat, notably Mr.

Alan Guidon, in preparing for this session.

Please let me introduce myself. My name is Damien Hannigan and I am secretary of the Wild Deer Association of Ireland. This organisation represents the interests of more than 4,500 deer stalkers throughout Ireland. Our members also partake in other licensed sports, including competition target shooting, another activity affected by the proposed amendments. Our interest goes beyond one of sport, though. We assist with the training and certification of deer stalkers and educate in the skills of ethical deer management. The association also focuses on the conservation of Ireland's deer population and continues to work closely with the Garda and the National Parks and Wildlife Service, NPWS, in tackling Ireland's wildlife crime epidemic. We work with other leading country sports organisations, such as Countryside Alliance Ireland, to ensure these animals are protected for future generations.

As the committee will be aware, there has been considerable controversy about the proposals contained in the working group report. This is because the report is not only flawed, but also highly offensive to Ireland's responsible sporting shooters. Several statements and comments have been made by the working group that suggest there is a relationship between the ownership of legally held, sporting firearms and criminal activity. The report cites public safety as the basis for the proposed changes. While public safety is to the fore of the association's objectives, we strongly disagree with this aspect of the report, as there is no evidence to show any link between legally held sporting firearms and a risk to the safety of the general public. If we look to other examples of firearms legislation, we can receive guidance on what is effective for both the responsible sporting shooters and public safety. Northern Ireland has some of the strictest gun licensing laws but the use of handguns and the reloading of ammunition in a private residence are licensed without negative consequences for public safety or an increase in criminal activity. In fact, a recent report published by the PSNI shows a year-on-year decline in firearm and ammunition offences since 2003, resulting in just four offences in 2014.

We fully agree that any firearm licensing policy must satisfy the suitability of an individual to hold a firearm licence in the interests of public safety. The association and Ireland's responsible shooters see the current licensing system as completely sufficient in this regard. Our current licensing system ranks as one of the most restrictive within the EU. As a responsible hunting organisation, we welcome any attempt to end the criminal misuse of firearms. However, we reiterate that there is no relationship between the ownership of legally held sporting firearms and criminal activity. If our organisation can provide any further information to the Chairman or members of the committee, we would be happy to oblige.

Chairman: I invite Mr. Declan Keogh from Harbour House Sports Club to make his opening remarks.

Mr. Declan Keogh: I thank the Chairman and members of the joint committee for affording Harbour House Sports Club the opportunity to address the committee. I am chief range safety officer and firearms instructor at Harbour House Sports Club, which is a sporting amenity based in Athy, County Kildare. We cater for the sporting needs of the local community and a wider community of target shooting members by providing rifle and pistol facilities. Harbour House Sports Club was formed in 2006. Our ranges have been inspected by the Department of Justice and Equality appointed range inspector and are approved for the purpose of target shooting with pistols and rifles.

Harbour House has been authorised by the local Garda superintendent to operate as a target rifle and pistol club. The club is operated to statutory requirements as dictated by the current

firearms legislation. Conditions have been attached to the operation of the club and range by the authorising letter from the Garda superintendent, copies of which were supplied to the committee. Given such scrutiny and our compliance with the strict regulations laid down by the 2006 amendments to the Firearms Acts and associated statutory instruments, the committee might be of a mind to acknowledge that we are a highly regulated sport and that the substantial thrust of such regulation is in the interest of public safety.

Harbour House has just over 300 members. We cater for male and female members as well as individuals with disabilities. Target shooting sports are one of the sports in which men and women, disabled and able bodied, can compete equally side by side. Some 188 pistols are currently licensed to our members. Harbour House is passionate about the safe use of firearms. Since we opened in 2006, we have trained 72 members to an internationally recognised level as certified range safety officers. Target shooting in its various forms is practised every week of the year, and we cater for rifle and pistol shooting. Our membership is very safety conscious, with members having to undergo a mandatory course in the safe handling of firearms in the first month of membership. As a sporting amenity with more than 300 members, we provide a valuable contribution to the local and wider community. With our membership possessing 188 licensed pistols, the proposed changes to the legislation would have a devastating impact on our club. Volunteerism and community are the fundamental values on which the club is run. The membership of the Harbour House would certainly drop below the critical level required to sustain the viability of the club and range. The livelihoods of our proprietors would be ruined. Men and women who have suffered the long years of austerity comforted by the knowledge that they could pursue their sport in peace will feel a deep disappointment in a Government which they have supported but which now oversees the removal of their sporting pastime while avoiding any liability for compensation. Criminal activity would be unimpeded by any such move and would likely continue apace, as was the experience in the UK when short firearms were banned in that jurisdiction.

In our nearest neighbour, Northern Ireland, in excess of 13,935 handguns are licensed to private citizens. Northern Ireland has carried out several reviews of its legislation and has not made any change to lawful firearms ownership or access. In 1998, in the aftermath of the tragedy in Dunblane, the then Secretary of State for Northern Ireland, Mo Mowlam, with a full understanding of Lord Cullen's report, stated: "After much thought, I am not persuaded of the need to prohibit the possession and use of target handguns in Northern Ireland." To this day, target handgun shooting is alive and well in Northern Ireland. Given that pistols have been licensed in this State since 2004 and have been used safely since then, we ask for evidence that would validate the claim by An Garda Síochána that our sport is a danger to public safety. Removing our ability to practise this sport would benefit the economy of Northern Ireland because the prosperity related to shooting sports will move there.

In 2006, amendments to the firearms legislation introduced standards for the development and operation of shooting ranges. Legislators saw fit to provide for the construction of rifle and pistol ranges with the clear intention of facilitating rifle and pistol target shooting while meeting the primary objective of ensuring public safety. The investment in the range facilities at Harbour House to comply with the legislation has amounted to more than €400,000. The review conducted by the Garda and the Department of Justice and Equality makes a mockery of the construction standards, as well as the regulation and certification of the ranges by departmentally appointed range inspectors and, in particular, the highly regulated conditions set out by the Garda for the operation of the club and ranges at Harbour House. The legislative amendments of 2006 recognised the legitimacy of pistol shooting.

Harbour House has not recorded any breach of the firearms legislation by its members in the storage, transport or use of firearms for target shooting. Our ranges have not been cited for any breach in the conditions as laid down by the local Garda superintendent. Ranges operate to the standards dictated by legislation but now we find our sport under attack from the Garda through speculation and scaremongering about the potential for a limited number of firearms and, by extension, their owners to commit an atrocity. Not one shred of evidence has been recorded by the Garda of any malpractice by Harbour House or indeed any other authorised sports club in the State. Harbour House urges the members of the joint committee to see through this report because it carries no substance, provides no evidence as to the real likelihood of an atrocity being perpetrated by a lawfully licensed firearms holder, and to initiate an investigation into the maladministration of the firearms legislation by the Garda, which has resulted in 650 District Court cases and nearly 200 judicial review proceedings. It is the considered view of members of Harbour House Sports Club that the recommendations are aimed at nothing other than legitimising the maladministration of the firearms legislation and will give unreasonable power to the Garda with respect to firearms licensing. The effect of such changes would be far-reaching but no substantial evidence as to their need has been offered in the report.

The Minister for Justice and Equality was reported in the *Sunday Independent* as stating that politics is the place where, through one's actions, one can change people's lives for the better. We believe the recommendations in this report would not constitute a change for the better. With the Minister's thoughts in mind, I urge the committee to determine what evidence, if any, exists with respect to the misuse of the firearms which the Garda wants to remove from civilian ownership and what proof has been offered that the removal of such firearms would have any effect other than the negative impact on sports people's lives. I am happy to answer any questions that members may wish to raise regarding the submission of Harbour House Sporting Club.

Chairman: I invite Mr. Kealan Symes, who represents the National Target Shooting Association, to make his opening remarks.

Mr. Kealan Symes: I thank the Chairman and other members of the committee for inviting a representative of the National Target Shooting Association to address them. I have been director of the association since 2006 and I am currently its treasurer. I have served as international team manager and I am one of the association's delegates to the Olympic Council of Ireland. I am also a qualified International Shooting Sports Federation, ISSF, judge and an active participant in our sports up to and including national level.

The National Target Shooting Association, NTSA, is the sole national governing body for the rifle and pistol disciplines of the ISSF. Seven of these ISSF disciplines are Olympic events. The NTSA is a member of the Olympic Council of Ireland as the recognised national governing body for Olympic rifle and pistol events and is affiliated to the Federation of Irish Sports and to the European Shooting Confederation. Our membership is drawn from affiliated clubs on the island of Ireland and our athletes compete nationally and internationally in ISSF world cups and European and World Championships. Members have participated in previous Olympic Games and most recently in the London Paralympics.

It is a somewhat surreal experience for a sporting body to be invited before a committee such as this in the context of legislation and, primarily, criminal legislation. Be that as it may, we fully understand that the equipment we use is not available as a right but as a privilege bestowed by these Houses and, by extension, the people of this State. In that context, we have engaged fully with the firearms consultative panel which was put in place by the late Minister,

Brian Lenihan, and see our submission to this committee as a continuation of that process.

The review was carried out for the following reasons. An Garda Síochána had expressed concerns in respect of the continued licensing of certain firearms in the interests of public safety. Members of the Judiciary had also cited lack of clarity and difficulty in the interpretation of existing legislative provisions and had also raised the question of whether certain firearms should be banned, given the concerns raised by An Garda Síochána in the context of appeals of its decisions to refuse the licensing of such firearms.

This issue of public safety is addressed in the Firearms Act many times. An extension of the meaning of “public safety” beyond the consideration of an individual application seems unwieldy and in the context of an Act that concerns itself with such applications may well prove unworkable in practice. The quote by Mr. Justice Charleton in the working group report seems to indicate that it is unnecessary. He said: “The Act makes it clear that considerations of public safety, the good order of the community and the proliferation of weapons within a particular district, and within the community generally, are all matters ... which can and should be taken into account.” The issue of theft is a concern to us all. There are provisions in the current Firearms Act under SI 307 of 2009 that specify the minimum level of security required for every category of licensed firearm. If further security requirements are deemed necessary to safeguard the public, we would be happy to discuss these with the interested parties, as we have done in the lead up to the original statutory instrument being published.

In our written submission to the committee, we described the basis of the Firearms Acts as resting on the individual, so-called good reason and the licensing authority. It is our belief that the diverse nature of the licensing authority coupled with the complexity of the law as written and amended is at the root of most of the issues encountered.

One of the most striking omissions in the report was that of inconsistency in the application of the law with regard to firearms licensing. This has been a problem throughout the more recent history of the Firearms Act and is rooted in the fact that there are in excess of 100 different licensing authorities in the State - Garda districts and divisions. With even the best systems and training, it is almost impossible to find consistency with such a large and varied administrative base. This is further exacerbated by the normally occurring personnel changes through promotion, relocation or retirement. Add to this a legislative framework that runs to more than 60 pages, including statutory instruments, and systems failure is inevitable.

We are proposing that licensing should be centralised. The benefits of a centralised system are: consistency in application of the law in respect of firearms; the capacity to create a team of knowledgeable professionals capable of dealing with all matters relating to civilian firearms ownership - as in the UK, these need not be serving gardaí; the freeing up of district and divisional resources for core activities; the creation of a permanent knowledge base within the team; a corresponding reduction in costs for every district in the State; a far more efficient system of administration; the ending of the *persona designata* anomaly; the almost certain reduction in court appeals that seem to have inconsistency at their kernel; and the capability of a centralised licensing authority to take a more holistic view of the entire licensing landscape and influence policy directly.

The argument made against this kind of system was alluded to in the report. This was that district officers would have a far greater knowledge of local matters and therefore be in a better position to adjudicate on applications than a central authority. This cannot be gainsaid. Clearly, district officers are indeed in a better place to adjudicate on applications, but this seems to rule

out any possibility of communication between a centralised licensing authority and a local district superintendent or other officer. It is difficult to understand how this can be such a strong case against centralisation as to outweigh the many positives outlined above.

It is our belief that the current licensing system has many failings but ease of access to firearms is not one of them. The current situation, which appears to be driven by a small number of court cases, could be paraphrased as hard cases make bad law. If a review of the Firearms Act seems necessary, our view is that it is necessary to modernise and simplify its operation first. If there is a recognised need to improve security, consultation with the relevant stakeholders would surely provide mutually agreeable solutions. We would respectfully suggest recalling the firearms consultative panel to discuss these proposals.

Chairman: A centralised system is one of the main suggestions made by Mr. Symes. I thank him for the work he put into his presentation and for being here today. I invite Mr. Crofton to make his presentation.

Mr. Desmond Crofton: Probably unlike my colleagues, I work as a full-time professional and have been representing shooting sports for the past 24 years. I work for the National Association of Regional Game Councils, which is the largest shooting organisation in the State. In respect of the matter before the committee, I am also representing eight additional associations. On behalf of all of them and the various supporting organisations, I thank the Chairman for affording me the opportunity to address the committee on their behalf.

Sport shooting in its various forms has always been popular in Ireland and today is passionately enjoyed by tens of thousands of hunting and competitive target shooting enthusiasts. It is an honourable pastime which demands skill, discipline, commitment and a very high level of responsibility. Some people enjoy golf or cycling or canoeing with great passion, and sports shooting people are no different except in one regard. Each and every one must pass a rigorous character vetting by the Garda, provide strict home security measures and meet a raft of other personal requirements to be allowed participate in their sport. This is a singularly unique difference between sports shooting and other sports, but Irish firearms owners have been staunch supporters of our strict licensing regime, which is the toughest in Europe, as the committee has already heard from one of my colleagues. The current regime was agreed by all the stakeholders, both State and sporting, and was implemented in August 2009, so it is only five years old. It is, therefore, not an exaggeration to say that all who participate in shooting sports are among the most law-abiding citizens in the State, having had to submit to rigorous vetting.

It should be no surprise to anyone, therefore, that the current measures to place further restrictions on access to our sport without just cause have been received with alarm and anger by sports shooting enthusiasts. A joint working group comprising representatives of the Department of Justice and Equality and An Garda Síochána has produced a report and recommendations which purport to address a public safety issue based on an unsubstantiated allegation of a connection between lawful firearms ownership and criminal use of firearms and a further unsubstantiated allegation that members of the Judiciary have expressed difficulty in interpreting the provisions of the Firearms Acts.

The data supplied to support the recommendations are variously false, selective, self-serving and biased. The facts of the matter are there is no credible evidence that such a link, and therefore risk, exists. The Sports Coalition submits that no data have been provided to support the contentions and recommendations in the report and we assert that no data exist which would substantiate the arguments made. On the contrary, we have submitted significant evidence that

there is no link between legal firearms ownership and criminal use of firearms. We say that all the international data and studies demonstrate that restrictions on legal ownership of firearms have never resulted in a reduction in either gun crime or risk to public safety. In pressing that argument, we have repeatedly called for an independent risk assessment and we believe this is warranted where the State proposes to ban our lawful activities and seize our property. That request has thus far been refused. We submit that where the State proposes to seize private property, and in this case without compensation, which we believe would in any event be ultimately held to be unlawful, the State has a very high duty of care to ensure that its proposed actions are justified and proportionate to the risk alleged. That bar has not been met in this case.

The report and recommendations must be viewed against a background of serial breaches of the firearms legislation by the licensing authorities since 2009-----

Chairman: I ask Mr. Crofton not to make that comment. We cannot allow it here. If Mr. Crofton recalls the original statement I made, it stated that we cannot make allegations like that here.

Mr. Desmond Crofton: It is no secret that this has resulted in more than 650 court challenges by licenceholders simply to force compliance with the law, and in over 95% of cases, the Judiciary has agreed with the firearms owners. The current recommendations have nothing to do with a link between lawful firearms ownership and crime but seek to legitimise the breaches of the legislation and to provide a legislative framework within which they can happen. To use the arguments which have been put forward to justify these recommendations is extremely offensive to a very large section of society, the members of which, as I have said, are four square law-abiding. Having suffered five years of inconvenience, cost, arbitrary decisions and disregard for the laws which govern our sport at the hands of those whose constitutional duty is to uphold the law, this group of citizens have become exasperated and exhausted and have had enough. There are still 40 cases of challenges in the High Court. Only yesterday, the Deputy Master of the court remarked that it was rather unfair to the applicants, and the matter has now been referred to the President of the High Court.

We are willing, able and ready to work with the authorities if there is a problem in order to address it, but nobody has approached us to work with us on that. We trust that the committee members will have due regard to our factual arguments, data and proposals, as set out in our submission. I am quite happy to answer any questions the Chairman's colleagues may have.

Chairman: I thank Mr. Crofton. We will now open the discussion to members of the committee for questions. The format is that each member will ask just three questions initially so no one can monopolise the proceedings. If members wish to ask further questions, they will be free to do so later. We usually ask a pointed question and get a response straight away. We are not to make speeches. We will keep that for the Dáil Chamber. Deputy Collins indicated first and he has three questions.

Deputy Niall Collins: I have only one question. I welcome the contributors and thank them for their submissions. Bearing in mind that they represent people involved in an activity that is legal and licensed and that they rightly take exception to their being compared with people who engage in unlawful activity, could they describe the engagement they have had, individually or collectively, with the Department of Justice and Equality? How did it go for them? Is a channel available to them through which they can communicate with the relevant officials engaged in formulating policy and making decisions in the Department? That question is open to all.

Mr. Kealan Symes: With regard to the current working group report, most of the sports bodies had made submissions to the Department. My organisation went into the Department. We were told there was a review taking place. We got to make our statement and we made certain submissions to the Department, but they were not reflected in the working group report.

Deputy Niall Collins: Let me tease out that point. The witnesses are challenging many of the statistics underlying many the statements of the working group. Have they had face-to-face engagement with anybody to challenge these figures?

Mr. Kealan Symes: No, we have not.

Mr. Desmond Crofton: We met officials from the Department very early on, before the review got under way. I need to say, and my colleagues will probably concur, that we were excluded from the review and told we would be consulted after it had taken place and the recommendations had been issued. That is what has occurred.

Chairman: I understand no decisions have been taken at all yet. This is just a set of proposals and a review. We are part of that process today.

Mr. Declan Keogh: It is worth considering the historical circumstances. As a representative of the shooting bodies between 1995 and 2004, I engaged directly with the Department on all the issues we had. Leading up to the 2004 High Court challenges and the licensing of the first handgun, we experienced no co-operation or no meeting of the waters. There was no engagement to meet us half way. When the High Court ruled on the first pistol and the pistols were licensed as a consequence of that ruling, a raft of legislative changes was proposed. There were 42 amendments to the Firearms Acts.

We worked directly with the principal officer in the Department, Mr. Tom Lynch, on the content and format of the changes to the legislation. While it did not come out perfectly, it was very successful. In the engagement we brought the officials of the Department to Northern Ireland and showed them the range standards that were applied. Prior to the amendments in 2006, there were no range standards in Ireland. One could put a pistol range in a field if one wanted. We found that was a considerable issue affecting the security and future providence of our sport. We brought the departmental officials to Northern Ireland and showed them the clubs and ranges there. At that time, consideration was given to not licensing or perhaps removing some handguns. A decision was made by the legislators at the time that handguns should be licensed in a very controlled manner. We engaged in that legislative process. The outcome was the 42 amendments to the legislation, which brought forward the storage conditions and the question of restricted and non-restricted licences, separating the elements of the decision-making process within An Garda Síochána.

The legislative changes were absolutely in line with public safety guidelines. Everything in them related to public safety, including the storage conditions. The storage facility required in a person's home to hold a firearm is extremely expensive and requires a very arduous process. It is very secure, however. A person with a restricted firearm needs to have a monitored alarm and a gun safe. If he has more than one restricted firearm, he needs to have a GSM backed-up monitored alarm, which is extremely expensive. One has to be a member of an authorised and recognised club. This was a requirement in the legislation if one wanted to own a pistol or restricted firearm.

At the time in question, the amendments brought forward were very onerous but resulted in

a range of standards. As I stated in my opening submission, the cost of applying the standard to the clubs was extremely high. The range inspector was appointed. A range inspector has a very good function. He inspects the ranges and then makes a recommendation to the local superintendent on bringing the club and range in question up to a particular standard. The local superintendent then applies conditions for the running of the club. These apply to the membership, range access, etc.

The regulation brought forward in 2004 made the process very functional and safe. I am absolutely at a loss as to why the joint review by An Garda Síochána and the justice officials resulted in such a raft of ridiculous and unnecessary proposals when our sport is so well regulated. There is no evidence that we have any problems.

To return to the main point, engagement with the Department was very effective in 2004. We sat with the person who wrote the legislation and made our comments. Changes were made to the legislation and the final result was very satisfying. We all agreed on it.

Chairman: We will be making submissions to the Department by the end of this month. I understand the Minister plans to have serious engagement with everybody after that. We will be feeding into that process.

Deputy Seán Kenny: I welcome the witnesses to the committee. I listened carefully to their submissions, as I did to Chief Superintendent Healy when he was before the committee. I am not a firearms expert so witnesses will have to bear with me. They will probably find I make points on which I am not accurate. However, I am just giving the picture as I see it. I represent a north Dublin constituency where, unfortunately, there is gangland crime and where illegally held firearms are used. People are shot in the street and in their homes. I recall, in particular, the shooting of a young woman called Donna Cleary in 2006 in Coolock.

Chairman: The Deputy should not refer to cases of individuals.

Deputy Seán Kenny: It has been in the public domain for some time. Chief Superintendent Healy referred to the fact that licensed firearms are sometimes stolen and used by criminal gangs. There are grounds for believing that. The chief superintendent also raised the issue of what he termed assault rifles. I acknowledge Mr. Flood has won international competitions in this area. The superintendent made the point that some of the rifles used in target shooting and sports are what he called assault rifles. The rifle automatically reloads every time it is fired. It is not the old-style bolt action rifle that requires the shooter to work the bolt each time and then re-aim. The weapons in question fire continuously. The chief superintendent asked why a shooter who wishes to improve his target shooting and game shooting needs an assault rifle, which is basically a military-style weapon.

Chairman: I will come back to the Deputy.

Deputy Seán Kenny: Why do they have assault rifles?

Chairman: During the previous hearing the issue of rifles that look like assault rifles came up. Mr. Flood might enlighten the committee on this.

Mr. Nicholas Flood: It can be easily clarified. Assaults rifles are illegal in Ireland and every other country in Europe but the difficulty is the use of language. It may have been the case that Chief Superintendent Healy made an error. An assault rifle is selectable fire and when the trigger is pulled, it will fire many rounds. No such rifle is held by a legally held licensee in Ireland.

Mr. Declan Keogh: I am delighted that this has been brought up. The terminology “assault rifle” is interspersed inaccurately throughout the review document. As Mr. Flood said, assault rifles by their very nature are prohibited within the EU under its guidelines. For the Garda to even use the terminology and to state assault rifles are licensed in this jurisdiction is emotive and it does not do the credibility of the report any good. Let us stick to the facts. There are licensed rifles in this country that self-load when the trigger is pulled. These are semi-automatic rifles. That is common not only of centre fire rifles or what the Garda refers to as assault rifles, but it is also common to .22 rimfire rifles-----

Chairman: Will Mr. Keogh explain the difference between centre fire and rimfire rifles?

Mr. Declan Keogh: Centre fire rifles are primarily used by deer stalkers and target shooters at long distances because the bullet is much larger and the firing pin hits the centre of the back of the cartridge, which is why it is designated centre fire. It is an accurate and powerful cartridge. Rimfire cartridges have a little indent on the side of the rim because there is very little powder in them. They are popular in Ireland. There are approximately 35,000 licensed rimfire rifles.

I refer back to the mainstay of the concept of assault rifles and why we are under threat in respect of them. There is a perception that they look like assault rifles. Function is everything in firearms. Function is the important aspect of a firearm. Whether a person picks up a rifle with a bolt action or a semi-automatic rifle, they may have the same calibre cartridge and, therefore, the function will be the same. Every firearm in the possession of a civilian was originally designed and evolved from a military look-alike rifle. The 1903 Springfield rifle was an original rifle before the old .303s. Every hunting rifle our colleagues in the wild deer society use is based on that. If the argument was taken to its extreme, it could be said that there should be no licensed firearms in this State because they all look like or emanated from assault rifles or military style rifles.

The reason we need to keep centre fire rifles that self-load is there is a significant competitive edge. My colleagues in the target shooting area will agree with this. When one gets down to shoot a rifle at a bullseye, which is small, from 600 m or 1,000 m, the slightest movement in one’s body can set the rifle off. Conventional rifles for target shooting have a bolt, which is lifted up and pulled back. If I am lying prone, lift the bolt, pull it back and manipulate it into position, I will change my position. The reason self-loading rifles are so popular in competitive target shooting is the movement of the body is neutralised. The competitor can pull the trigger once, the gun fires and it reloads itself and, therefore, from a competitive point of view, it is an important firearm to have.

We must get the terminology right. Self-loading rifles that look traditionally like assault rifles and are accused of being so are modern sporting rifles. They are manufactured to current standards. It is similar to cars. Do we want to have cars that were manufactured in 1960 for everyday use or do we want to move forward with a hybrid and use a car for a particular purpose based on efficiency and improvement? The terminology used in the report is disingenuous, misleading and amounts to scaremongering because we do not have assault rifles. Perhaps the rifles we use look like assault rifles.

There is a provision in the current Act under which .22 rifles that look assault rifles have to be registered as restricted firearms, which is ridiculous, because they are black and have pistol grips. Their function is the same as standard .22 semi-automatic rifles but if members of our clubs want one for a particular purpose, they have to apply to the chief superintendent and,

under normal circumstances because it is a restricted firearm, he will interview the applicants, which is a waste of police time.

Deputy Seán Kenny: Mr. Keogh mentioned the competitive edge a self-loading rifle provides. Where does that come into competitive shooting? If somebody is aiming at a target and firing single shots, is there a timeframe involved? I expect that each time a shooter reloads a single shot rifle, it will be just as accurate as a rifle that automatically reloads. Will Mr. Keogh explain how the competitive edge blends into this?

Mr. Nicholas Flood: There are plenty of ways that it can be on an advantage. One of the ways is when people are shooting long distance, they have to deal with external ballistics, which could be wind, mirage and a number of other factors. There could be a particular type of wind and the shooter will know it will blow his round off a particular distance. He will make an allowance on his scope and make up for the continuous wind he is seeing. He tries to shoot with the wind. A semi-automatic rifle will reload the round and the shooter can fire a round every few seconds. Not only as Mr. Keogh said can the person get away from having to come out of the rifle position, pull the bolt, reload the round and get down, which takes a few seconds, but he can hold position on the target as well as defeat the wind characteristics. It is used by competitors in other jurisdictions.

Chairman: Is Mr. Flood saying the bolt will change his position?

Mr. Nicholas Flood: It will. Do not get me wrong. Many guys will train and train and they have equipment jackets, swings and so on which will bring them tight in around the rifle. However, they can secure an additional advantage in some types of competition with a semi-automatic rifle.

Mr. Kaz Balinski: I refer to animal husbandry. If a shooter wants to take a follow-on shot having acquired a target, he wants to shoot the animal instantly in case he has taken a bad shot to begin with. The semi-automatic platform allows for that much more quickly and with more ease than cycling the bolt because one has to move away from the target.

A semi-automatic platform, given the way it is manufactured and works, is much softer on the shoulder, which is easier for elderly shooters. I had a shoulder injury and I went to use my semi-automatic platform because it was nicer when I was recovering. One can get a hell of a kick off a .308 rifle. The semi-automatic platform is better for certain reasons.

Mr. Desmond Crofton: Deputy Kenny mentioned the issue of stolen firearms in the report. I take great issue with the statistics used because depending on who one listens to and where the question is posed, one tends to hear a different statistic in this regard. I draw the committee's attention to the figure quoted in the report, namely, 1,134 stolen firearms in the period 2010 to 2013. That represents 0.554% of all firearms licensed in the State during that period and taken on an annual basis, it is 0.138%. It is minuscule.

On 17 December the joint group came before the committee and it was alluded to that 45 semi-automatic shotguns would be affected. I have an issue with that statistic. There are 8,700 semi-automatic shotguns licensed in the State. They are the favoured shooting tool of farmers. In terms of having one which is restricted in its manufacture, the recommendation in the report refers to "manufactured not to hold...". The operative word is "manufactured". There is no semi-automatic manufactured in which the magazine cannot be changed. That is a particular problem. That would mean that every semi-automatic shotgun in the country would be affected

by these proposals, and that is many more than 45. Only last week in the Dáil in response to a question from Deputy Collins, if I am not mistaken, the Minister stated that regarding this matter only - I note the use of the word "only" - 6% of firearms would be affected. That is now 12,000 firearms that would be affected. Members will see the difficulty I have with these moveable statistics.

I want to make one last point on that. Regarding the figure of 1,134 firearms, the committee may not be aware but that figure includes deactivated firearms, starting pistols which do not fire anything at all, humane killers, which would be stolen from vets and so on, and firearms stolen from firearms dealers' premises. In other words, a great many firearms are not sitting with ordinary firearms licenceholders but the theft of those are being laid at our doorstep, as it were, as a justification for this report. That is one of the reasons it has become rather offensive to support people who engage in shooting for sport.

Chairman: Mr. Symes wanted to respond to Deputy Kenny's question.

Mr. Kealan Symes: Yes. I wanted to explain something I think Deputy Kenny may not understand. It is the difference between semi-automatic and bolt action. Semi-automatic and bolt action are fairly much the same because the action has to work after one pulls the trigger. In other words, one cannot hold one's finger on the trigger while firing rounds; one must let go and pull the trigger again. There is a delay between one shot and the next, and one has to consciously take one shot after another. One cannot just blast the target out of the sky.

One of the problems in terms of the terminology is that "assault rifle" brings to people's mind the image of someone running around the streets spraying lead in all directions. There is nothing like that licensed in this country. A semi-automatic rifle is virtually no different from a bolt action rifle in terms of how it works except that one does not have to operate a bolt; the machine does that.

Mr. Declan Keogh: I would like to make two points, one of which is in response to the question Deputy Kenny asked about assault rifles. It is very important to point out that semi-automatic centre fire rifles are classified as restricted firearms, therefore, an individual who applies for a semi-automatic licence is required to have a much higher standard of requirement for that particular firearm than would be the case for a standard firearm. I do not believe that has been emphasised by An Garda Síochána. It is akin to a licence for a pistol of higher calibre in that they must make an application to the chief superintendent, and they must show single cause for having that particular firearm. I do not believe these licences have been given out lightly and, therefore, I strongly contend that they should remain.

The second point is that I live in north County Dublin and I empathise with what was said about the loss of life. It is regrettable. I take grave exception to the contention and the evidence given by Chief Superintendent Healy in which he described that the Garda was unable to separate the potential that a licensed firearm might be used in crime because it had not been recovered. I refer back to the 2006 legislation. It is disingenuous because within the 2006 legislation there is a facility for An Garda Síochána to test ballistically and ballistically signature each firearm in this country. In that regard I refer to Northern Ireland where more than 13,500 handguns are licensed. Every licence for a handgun in Northern Ireland requires the owner to hand it in for ballistic testing. That means that the bullet and the cartridge are kept on file. That means it is digitally retrievable and can be identified. At a crime scene, therefore, if a bullet is recovered it can then be matched against the bank of lawfully held firearms to rule out the implication that any firearm has been used in the crime.

FIREARMS LICENCES: (RESUMED) DISCUSSION

I keep changing my numbers but we know the number is vast in regard to handguns in Northern Ireland. The PSNI has never discovered a lawfully held pistol having been used in crime that was not stolen. From the point of view of the evidence given by the Garda Síochána, it has it in its gift to ballistically test the approximately 600 centre fire firearms. We should make no mistake that into the future it will have no problem ensuring that it can guarantee that the firearm used in the crime was not legally held. I strongly contend that is the case.

Chairman: Mr. Hannigan indicated that he wanted to respond.

Mr. Damien Hannigan: In response to Deputy Kenny's question on assault rifles, in my opening statement I mentioned flaws in the report. In particular, I draw his attention to section 4, which proposes amendments to the Firearms Act regarding conditions for the granting of a firearms certificate. Without going through the full list, some of the proposed amendments that would warrant refusal for a firearms permit would be the lethality of the firearm and the size, shape and appearance of the firearm. My colleagues described the differences in detail.

In our day-to-day dealings with members of An Garda Síochána we can find that in one Garda district a certain firearm was granted to one of our members whereas if one travels down the road to another Garda district, a person of a similar background could be refused for the same firearm. That demonstrates the inconsistency in the process. This proposed amendment to section 4 of the Act is of real concern to our members because it will exacerbate that issue in the future.

Deputy Seán Kenny: On the calibre of the rifles, mention was made of .22 rifles. Are rifles of a higher calibre than that used in target shooting and sports? What would be the highest calibre weapon that one would use in target shooting?

Mr. Declan Keogh: I do not mean to be the overriding voice at the meeting but I believe I should answer that question. The reality is that the number of the calibre is irrelevant. People might say that a high-calibre pistol was used in a murder. It does not matter whether one is killed by a small-calibre or a high-calibre firearm.

Deputy Seán Kenny: But the higher calibre might do more damage.

Mr. Declan Keogh: All firearms are lethal. That is the reason they are regulated to such a high degree. They are very well regulated. One must have everything in place to have a firearm.

The original tenet of the Firearms Act 1925 was that a determination was made that the person was suitable to acquire or own a firearm. The calibres and the make and type of firearms are so diverse that once one is qualified to be a firearms owner, that should be the last question.

To answer the Deputy's question, there are major differences between calibres. We have .22 and then much larger calibre rounds. However, their designation does not necessarily tell the story about their size. It is a very complex and technical area.

Mr. Kaz Balinski: I agree. A lot of emphasis is placed on the platform, the calibre and the capacity, when really it is down to the individual. Perhaps further checks and balances could be put in place to ensure that the individual behind the platform is much more competent. However, the object in itself is really inanimate.

Deputy Seán Kenny: On my final question-----

Chairman: The Deputy has had his final question. I will come back to him.

Deputy Seán Kenny: I thank everybody for their replies.

Chairman: I call Senator Bacik.

Deputy Seán Kenny: My final question is as follows. The witnesses mentioned-----

Chairman: I am sorry, Deputy Kenny. We agreed earlier that there would be three questions each and then we will come back to the members.

Deputy Seán Kenny: This is my final one.

Chairman: No. The Deputy has had three already.

Deputy Seán Kenny: One was a supplementary question on the issue of calibre of weapon.

Chairman: Go on.

Deputy Seán Kenny: This is my final question. It is to do with deerstalking and deer shooting. Is deer shooting sport or is it for culling deer?

Chairman: Mr. Hannigan might be best placed to answer.

Mr. Damien Hannigan: In terms of deerstalking and deer management, deerstalkers carry out a very important role in the countryside. In the absence of natural predators, it falls on man to manage our deer populations. When people are involved in deer management, it is in effect a job they are undertaking as opposed to something done for fun.

Senator Ivana Bacik: I thank the Chairman and the witnesses for their submissions. My background as a criminal lawyer means that I would disagree with the issue on perception and functionality of firearms. In terms of perception, it is very important when firearms are being used for illegal purposes. That is why we ban imitation handguns. Colleagues will be glad to hear I have only two questions.

I return to the issue of public safety and consistency of standards. Some of the witnesses, particularly Mr. Symes, spoke about storage and holding conditions. Many witnesses referred to inconsistency. The theme through many submissions is the very real concern of An Garda Síochána about thefts of legally held firearms. The witnesses' concern is that that fear is being used as a reason to drive more restrictive conditions.

Mr. Symes, in particular, pointed out that further security requirements, where deemed necessary to safeguard the public, could be discussed. I understand that the current conditions on holding and storage of firearms are based on guidelines and are not contained in primary legislation. Am I right in saying that there is no sanction for breach of those other than that the firearm holder could have his or her licence revoked in future? Would any of the witnesses agree with strengthening some of those provisions relating to, for example, the requirement for a gun safe, alarm and so on?

Mr. Desmond Crofton: I can probably answer that for the Senator. It is not confined to guidelines, although there are published guidelines. There is a statutory instrument, a secure accommodation order, which is not primary legislation but secondary legislation. The Act in primary legislation sets out a requirement that the firearm must be held securely. The statutory instrument simply sets out the detail of that.

FIREARMS LICENCES: (RESUMED) DISCUSSION

There are different levels of security depending on the number and type of firearm one seeks to own. There are three primary considerations in the grant of a firearms certificate, of which security is one. The others are suitability of the applicant and good reason for requiring the firearm. All of those must combine to direct a decision either to grant or to refuse a firearm.

In terms of the security of firearms, for some time we have been seeking to get an answer, and have not managed to get it, through parliamentary questions on the number of handguns stolen from firearms licenceholders since the new security requirements were implemented in 2009. Nobody has yet answered that question for us. I believe Deputy Niall Collins has asked the question, as have various other Members of the Dáil, and we still await that answer. I suspect that we will all be surprised by the answer to that. I think it will uphold the notion that it is not actually a problem area.

Mr. Kealan Symes: Senator Bacik referred to our submission. The point I am making in our submission is that if there is an issue with security under the current statutory instrument, we have not been consulted about that issue. We have not been informed by any of the authorities that there is a problem with the levels of security as stated in the statutory instrument. We have not been consulted as to whether there are any other possible levels of security that could be introduced. We have not been consulted on or informed of any breakdowns in the current security levels. We are in a bit of a void at the moment as regards this issue.

Chairman: That is interesting. Senator Bacik has another question.

Senator Ivana Bacik: My second question is totally unrelated but it is something that struck me when reading through the submissions made by those interested in the topic. It is the issue of gender. I believe I am correct in saying this is a very male-dominated sport. Mr. Keogh was the only one to refer to having women and men as members. What percentage of women are involved in the sport? What efforts are being made to increase the level women's participation?

Chairman: Mr. Flood indicated first and I will come back to others subsequently.

Senator Ivana Bacik: I did not want to be the one to say it.

(Interruptions).

Chairman: Order, please,

Mr. Nicholas Flood: I have had particular experience of this problem. Women are some of the most formidable shooters. Some have won world championships and compete on equal terms. There is no gender element at all within target shooting. It is one of the most gender-neutral sports. One can say even from a personal perspective that, as opposed to men, a woman's hips come in quite handy when shooting standing up. There are many advantages and there are no gender differences. They shoot together.

Chairman: Does that mean there are not separate male and female teams?

Mr. Nicholas Flood: No, there is no such thing. In the target shooting events in which I competed, gender does not come into play at all. It is equal for everybody.

Mr. Kealan Symes: It is funny but there is a distinction in the Olympics between men's and women's events. However, in practice in national events here in Ireland we do not make that distinction. I presume the Senator is aware that Trinity College has a rifle club.

Senator Ivana Bacik: Yes, I am.

Mr. Kealan Symes: The captain is female, as was the previous captain. There are a huge proportion of women shooters involved in that club, some of whom have represented Ireland. The last Olympic Games at which we had a competitor were in 1996 at Atlanta when Rhona Barry represented Ireland in the air rifle event. There is no difference.

Chairman: What kinds of firearms are used in that club?

Mr. Kealan Symes: It uses .22 rifle, air rifle and air pistol. It is a small range.

Mr. Desmond Crofton: On the issue of gender, Senator Bacik is right in some respects in that it tends to be male dominated, but it is not by design of the sport or the organisations. I am employed by a hunting organisation and the dynamic tends to be somewhat different there. It is fair to say that there would be fewer women in it. However, it is a changing dynamic and more women are coming into the sport every week. If we consider some other European countries, in Sweden, for example, 15% of the hunting population are women. It is a pretty tough sport in which to be involved in those conditions.

Mr. Declan Keogh: I would be delighted to answer Senator Bacik's question. I cannot give the percentage, but in our club and nationally, the National Association of Rifle and Pistol Clubs have evolved a programme, called "Women on Target", which has been in place since 2010. That programme is open to ladies only because we want to draw more people into the support. They have a focused firearms safety day in which they get to fire pistols and rifles. There is morning training on pistols and training in the afternoon on rifles. We have internationally recognised certified instructors instructing. Since 2010, we have put about 300 ladies through the programme in various clubs in the country. The uptake has been significant. We usually get about 20% of the participants at Women on Target programme. Fortunately or unfortunately, their favoured firearm is the pistol. They are extremely good pistol shots. One of the consequences of the proposed amendments would be to destroy that aspect of the sport.

Mr. Kaz Balinski: Women certainly outshoot me and, in my experience, many others. They seem to bring an important sense of calm and responsibility into the environment in a lot of sports. If one had a system that promoted all the facilities within the clubs as infrastructure around the country, one would bring more women into the sport and that would encourage healthy competition and stability as a result. Safety is a factor of that.

Deputy Finian McGrath: I welcome all the groups and thank them for their submissions.

My first question relates to their statements, some of which used the terms "offensive", "scaremongering", "insulted" and "anger" in putting forward their case. As they were saying this, I wondered whether they understood where we and the Minister were coming from - that we are concerned that it is a public safety issue and we will ask the questions. I got the impression that the witnesses do not seem to appreciate that firearms are dangerous weapons and there is public concern about the availability, whether illegally or legally, of firearms. I thought some of the groups' reactions were a little lackadaisical in that they did not get that message.

My question relates to statement that there was no relationship between ownership and criminal activity. If one looks, for example, at arms ownership in the United States and other countries, and at the amount of deaths and violence, one can see there is a link. The other issue mentioned about which I am concerned is that of illegal activities and gangs seeking possession of legally held firearms. I agree with Deputy Seán Kenny. I know well Chief Superintendent

Colm Healy in Coolock Garda Station, who is a top-class garda fighting gangs.

Chairman: The Deputy should not mention names.

Deputy Finian McGrath: I want to commend him because he is on the front line, and we know who we are talking about. If he has concerns about persons in certain cities and certain towns and about gangs finding out who owns the legally held weapons, these are genuine concerns. My question is, do they appreciate the broader concern of society that weapons are dangerous? They use them for sports and they are very responsible, and we accept that point. When they come in here and use terms such as “scaremongering”, “insulted”, “offensive” and “anger”, I hope they understand the broader debate and what is going on here.

Mr. Nicholas Flood: I am sorry if that was the case, but it was not meant in relation to the way in which-----

Deputy Finian McGrath: Mr. Flood used the word “insulted”.

Mr. Nicholas Flood: Yes. I was insulted. I still am insulted.

Deputy Finian McGrath: About the fact that broader society has concerns?

Mr. Nicholas Flood: No. I understand Deputy McGrath is coming from a position of creating an environment whereby public safety is the first and foremost concern, and we agree with that completely. It is because of that agreement that we over the past number of years have worked diligently to make that the case, and that is why we have the statistics to put forward.

On the criminality aspect and the feeling of insult, I will use the example that when I was looking for sponsorship, I would send out letters to various companies and they would send back a cheque, maybe for €1,000, with a little caveat at the end asking us not to thank them but saying that we were welcome and they wished us all the best. The reason for that was the association of firearms with criminality and the idea of “If it bleeds, it leads” in press coverage. Many involved in the shooting community and shooting sports have encountered that. They have been held in that ether. They have participated and have done the best job they could in taking criminality extremely seriously in the responsibility of their ownership. None of those I know who have been involved in competitive target shooting does not take it seriously. They take it extremely seriously. It is as a result of this that the statistics are good.

I have travelled to the United States - I have been in many different countries. The Garda Síochána has done a fantastic job over the years. Nobody will take that away from them. The legislation that we have and the work that has been done by the different committees over the years have resulted in a very good environment where we can carry on with our shooting sports and at the same time keep public safety, which Deputy McGrath mentioned, to the fore in how we carry out our sport. Comparing us with the United States is not good. I have been there, and I know. I remember once borrowing a car from somebody and they said, “Listen, by the way, be careful. There are a couple of firearms of mine in the car.” In that regard, there was the lackadaisical approach that Deputy McGrath mentioned. I have seen that at first hand. That is furthest from the truth in relation to us and the way in which we carry on our sport. We take it really seriously, so much so that there is stress and pressure on us in terms of the way in which we hold the firearms in our possession. I understand Deputy McGrath’s point. He is correct. That should be his job.

Deputy Finian McGrath: Preserve public safety.

Mr. Nicholas Flood: Absolutely.

Mr. Desmond Crofton: Mr. Flood has to some extent stolen my thunder. We very much appreciate the public safety consideration. It is why we have without reservation embraced all of the new provisions in terms of security and in terms of providing, for example, details of our medical practitioners. The raft of requirements in a firearms licence application is quite formidable and I can assure the Deputy we comply with them to the letter.

The United States is a bad comparison to make, for the simple reason that our legislative base is quite different. In America, every citizen has the right to bear arms. Whether or not they have been convicted of an offence, they still have the right to bear arms. There are no security requirements placed on people in the United States. They need not have them locked up in a gun safe and covered by alarms or adopt any such provisions. Our provisions are very different. It is a bad comparison to make.

Mr. Declan Keogh: In response to Deputy McGrath, I would say that public safety is at the forefront of everything that we do. In my opening summary, I mentioned all of the aspects of range construction, range membership, conditions that are laid down and storage conditions - everything that relates back to the 2006 Act, which is extremely strong in its requirement for a person to prove that one is the right person to hold a firearm.

On the reason the term “scaremongering” was used, the reality is that the current legislation is extremely effective. Despite the fact that people may say that criminals, if they cannot get access to firearms, may target our lawfully held firearms, the facts speak for themselves. Our firearms are not targeted by criminals because they have no issues in importing unlawful firearms. Indeed, in the news this week there was talk of the Balkans, where there are still 750,000 illegally held firearms in a country which has the same land mass as Europe. The Garda has contended, and maybe has a fear, that criminals will target our firearms, but the facts speak for themselves. They do not. We have a good system of security and we must prove it before we get the licence. An applicant for a firearm has to have the required security arrangements in his or her home, and sign the document stating he or she has the level of security at home that is required, before the license will be granted. It is also a fact - this is published data, to which I included a link in my submission - that there are estimated to be 155,000 illegal firearms floating around the South of Ireland. If the firearms are taken from us and the criminals then decide to look at Northern Ireland, there are 14,000 handguns there. Would they not be easy targets? The facts speak for themselves. In relation to our firearms, we are not targets of criminality.

Deputy Finian McGrath: I am using the United States as an example because I do not want this country to ease up on regulation and go down that road. Whether the witnesses like it or not, there is an opinion that some within their associations would like us to ease up on regulation. I am putting down a marker. It was stated that 13,935 handguns are available in the North. At the height of the Troubles, and even after, many people in the North had major concerns about the more than 13,000 legally held handguns. Whether they are legal or illegal, they are handguns. I know friends of mine, who are in the minority community in the North, have always been concerned about these thousands of legally held handguns in case there was ever an incident which spilled into violence. We must be strong on regulating the legal availability of guns. Will the witnesses ensure public safety is the priority?

Mr. Desmond Crofton: I assure the Deputy everybody sitting at this table is deeply concerned about our sport being safeguarded and that the public is satisfied that we keep our firearms safe and they are not available to criminals at any level. I accept that in some areas there

will be public concern about this. Hard and all as it may be to do so, depending on the position one takes, one must accept that we do not seek to broaden access to firearms or seek a change in the legislation to make it easier for people to have access to firearms. All of the submissions we have made are about a move to further restrict what we already have. If the Oireachtas wishes to do this it must provide credible data to back it up, but this has not happened. With regard to our consciousness of public safety, I assure the committee that nobody sitting here carries a flag or a mandate for relaxed regulation or the careless possession or use of firearms.

Deputy Finian McGrath: I take Mr. Crofton's point about credible data, and it leads me to my next question. Mr. Crofton mentioned the idea of an independent risk assessment. I am very open to this because I want to see risk assessment from a legislator's point of view. What does Mr. Crofton mean by an independent risk assessment scheme and who would carry it out so that he and I would have confidence in the facts and data?

Mr. Desmond Crofton: Independent agencies have a track record in carrying out such assessments. I am taking the risk of speaking for everybody at the table, but if an independent assessment states that something I have or that my colleague has poses a credible risk to public safety, I would be the first to walk down and hand it in.

Deputy Finian McGrath: So would I, on the opposite side.

Mr. Kaz Balinski: There is ambiguity with respect to the lack of standardisation. Everybody is asking questions which point to various discrepancies in the understanding of firearms, the sport and what we do. If a standardised programme were put in place it would lay to rest all of these queries. Mr. Crofton said he would be the first to state that we would not push past a certain point. We are trying to restrict it, but the issue is trying to put in place checks and balances so that it is focused and public safety is not forgotten.

Mr. Declan Keogh: Deputy McGrath asked about the proliferation of firearms and about fear and concern. We share this concern. As Mr. Crofton mentioned, we are nothing like the United States. If somebody wants to buy a .22 pistol, which is non-restricted at present, to enter the sport, he or she is required to join a club, which costs approximately €500, buy the pistol, which costs approximately €900, install a gun safe, which costs approximately €300, and put in place an alarm system, which costs approximately €1,000. This means the opportunity for people to easily enter the sport is limited. To give the statistics, 1,000 .22 pistols have been licensed in the State since 2004, which equates to 100 a year. Extending this out, it will be another ten years before we have 2,000 pistols and 20 years before we are anywhere near the pistol numbers that exist in Northern Ireland. There is a self-limiting aspect in how the sport is organised. People who enter our sport may take up rifle shooting, pistol shooting or shotgun shooting. A variety of shooting sports are available and people need to have this choice. The proposed amendments to the legislation would remove the choice of a .22 pistol, which is unreasonable in the current environment.

Mr. Kaz Balinski: In my opening statement I said the working solution was to provide a forum through which the coalition can support the Government and work towards a thinking solution on which the Government can then act. This is where we should be. To put in place this reform we need to put together a big think tank which is Government- and Garda-agreed. This would provide properly trained firearms officers. Mr. Crofton would agree that competence should be put in place and checks and balances should be enforced.

Senator Tony Mulcahy: Mr. Hannigan stated that there was no relationship between own-

ership of legally held sporting firearms and criminal activity. The Garda needs to make this connection for us if it exists and if there is evidence for it. The report states that the guns used to murder the Corbally brothers were stolen from a licensed dealer in Dublin. This may not be the case, and we need to clarify it, because anything in a report put before the House must be factual. We should ask the Garda from where the weapons were stolen. I am led to believe they were stolen from the PSNI in the North. We need to qualify this, because anything that comes before the House-----

Chairman: That is for us to discuss later among ourselves. Does the Senator have a question?

Senator Tony Mulcahy: Mr. Crofton asked the key question, which is how many firearms have been stolen since 2009 and what evidence, if any, exists. Licensing bodies-----

Chairman: Let us deal with the question asked about the firearms which were allegedly stolen and we will then come back to the other questions.

Mr. Desmond Crofton: From my knowledge, the figure thrown out includes a range of firearms, some of which most certainly have not been stolen from licensed firearms owners, and we know this. We need a breakdown of the figure and we have asked for it. From my knowledge, because I drafted some of the questions for Members of the Oireachtas - I am sorry Deputy Collins has left, because he asked it on a number of occasions - the answer from the Minister has always been that the Garda Commissioner has been asked to compile the statistic and it will be provided when it is to hand. The breakdown of the statistic has never been provided. The question has been framed to provide clarity on the statistical data from the overall figure being sought. It has never been given. A figure is thrown out in the report as a supporting statistic for the connection between lawfully owned firearms and criminal use of firearms. I would say to this committee and to whoever cares to listen that it is not acceptable in that form. If one is going to use a statistic, one must stand it up and we have asked for that to be done.

Chairman: I have asked that question in the Dáil and have not received a response either.

Senator Tony Mulcahy: I was not primed to ask that question by anybody.

Chairman: I know that. Senators cannot ask questions in the Dáil.

Senator Tony Mulcahy: I know a number of people who shoot and their first concern is safety. On the issue of licensing bodies and the range of licensing methods of the chief superintendents throughout the country, is the preferred option to have one licensing body? How do we get to that point? The lack of engagement between the responsible organisations and the Garda Síochána is of grave concern to me. The experts are here today. I do not believe that the Garda Síochána has the same level of expert knowledge of the different firearms that are in the country. Global statements are thrown out, including at meetings of this committee, about mass-murderers in other jurisdictions, but I do not recall any here. I would like somebody to point to a connection between legally held firearms, particularly since the introduction in 2009 of additional security measures, and murder. Is there a connection? If so, somebody must point it out to us clearly and not just make global statements.

I know quite a few people involved in target shooting as well as shooting pheasant, duck and so forth, and I can guarantee that they are the most responsible, safe people that I know. I just wanted to make that statement because it is important that we are balanced in our discussions and our decisions. Will the witnesses elaborate on where we should go from the perspective of

a licensing body? How do we strike the right balance? It is critical that the Garda Síochána, the representative organisations present and the Department be involved in whatever structure is put in place.

Chairman: The suggestion of creating a centralised licensing authority has been put forward by a number of speakers. Perhaps the witnesses could give us some idea of how they think that might work. We do not have time to go into great detail today, but perhaps the witnesses would come back to us at a later stage with their thoughts on that.

I must point out that this is an all-party parliamentary committee. I do not know if representatives of firearms owners, clubs and so forth have appeared before a committee such as this before.

Mr. Desmond Crofton: There is a broad church on this side of the room which would favour - in light of our experience of the past five years in particular, which has been characterised by rancour and adversarial positions being taken - a centralised system. Nobody here is suggesting for one moment that the Garda Síochána should not be part of that system. Everybody is of the view that the appropriate body to vet applicants is the Garda Síochána. I do not think anybody has an issue with that, good, bad or indifferent. Where the system breaks down is in terms of the administration or the movement of the paperwork, leaving the assessment of the character of the applicant to one side. A centralised system would bring clarity and consistency to the situation. It would also allow for the build-up of expertise that is consistent in order that we do not have situations like the one referred to by Mr. Hannigan, where two members of his organisation who happened to live in two different Garda divisions got two different decisions on their licence applications which seemed to defy logic.

The various organisations involved in shooting published a critique last May of the operation of the administration of the system over the past five years. We sent a copy of that critique to every Member of the Oireachtas. That critique set out the problems in the system and the concerns of the representative bodies, based on practical experience. It should be noted that the report and recommendations that have been published since have not addressed or even considered a single concern outlined in the aforementioned critique. Indeed, it did not even merit mention or acknowledgement, which is very telling. It is also very telling that the proposals which seek to address the public safety risk from unlawful access to firearms, albeit that the potential source is not a real issue, do not include a single new penalty. That is significant in our view. If one wishes to address an issue of criminality, one normally addresses it by looking at the penalty structure in place, but that is absent from this set of recommendations.

Chairman: Thank you, Mr. Crofton. Would Mr. Balinski care to comment?

Mr. Kaz Balinski: I would like to go back a little bit. The Chairman spoke about us being professionals and being able to advise. Something like this will only work if the Garda Síochána and the Department have buy-in from us. We need to work together. Otherwise we will just be going to and fro and will not get very far.

Senator Tony Mulcahy: Obviously the Garda Síochána would have to be involved in any licensing body, but the fact that there is little or no engagement between the Garda Síochána and the representative organisations is a cause for concern.

Mr. Kaz Balinski: One has to have the buy-in to make it work. We will all have to work together to move this forward.

Senator Tony Mulcahy: That is the point I am making. The fact that there is no buy-in ---

Chairman: I would argue that this is the start of the process. A lot more will happen and the Minister has told me that she is not rushing this. There will be buy-in, consultation and discussions on this. I have been assured of that by the Minister and she also said that in the Dáil last week. This committee is taking this issue very seriously, as the witnesses can see.

Deputy Alan Farrell: I thank our guests for attending and I apologise for missing their opening statements. I was in the Dáil contributing to the debate there. I have read all of the submissions and thank the representative organisations for taking the time to send those to the committee. Having listened to the various questions and responses, the main question I have is simple. What is the bottom line? What is the view of the witnesses on why these proposals are being put in place? Related to that, why do the witnesses think that the Garda Síochána is taking so long to process applications from existing firearms licenceholders? In certain instances, those licences are being refused, as several individuals who visited my constituency office have testified in the past eight to ten weeks, even though there has been no change in circumstances and the individuals are complying with the statutory instrument referred to. The individuals in question are trained to a reasonable standard and are, by and large, fine upstanding citizens who happen to have a sporting interest in firearms.

Mr. Nicholas Flood: That is a really good question and when one looks at the history of Ireland, one can understand why An Garda Síochána has been charged with ensuring public safety. It has done a fantastic job in that regard and still does so today. Over the years, however, there has been a deficit of knowledge and understanding of the whole firearms issue. Now that Ireland has moved forward and is doing a lot of amazing things in different fields, we have the opportunity to talk to An Garda Síochána and the Department to rectify some things. This meeting bodes well for the future but trying to get to the genesis of it would be difficult to do today. As the Chairman has said, this is a great starting point.

Mr. Kaz Balinski: Gardaí here do not carry so we are asking them to perform a task that they do not necessarily understand. That puts undue pressure on them. If one puts oneself in their position one would say, "I have to do this or that stack of paper. I know how to do this one; I do not how to do that". That is where the time delay will happen. There is a human element. We are talking about standardisation, which would get rid of all that. The difficult element of the problem for the Garda would be taken away, and placed into a more privatised sector with a link between the Garda by way of standardisation with trained firearms officers. It would present gardaí with the potential to do psychological profiling and due diligence testing of individuals or applicants, something which they already do very well. That is what they do, because they do not carry.

Mr. Desmond Crofton: The Deputy asked about the bottom line and the why. I cannot answer the question properly because I will run foul of the Chairman if I do. We have asked for a look-back and analysis of what has happened over the past five years, in light of the 650 court challenges, none of which were to change the legislation but all of which concerned administering it in accordance with the provisions of the legislation. I will leave that exactly as I say it.

To answer the other parts of the question, in terms of what is required and the bottom, line the Deputy mentioned a couple of things. He mentioned the length of time it takes to process an application and refusals. The problem is very simply that the Garda Commissioner's guidelines and the primary legislation require a firearms application to be dealt with within 12 weeks. The basis for that was that, prior to the current legislation, it was a moveable feast and there was

no compellability in dealing with the matter. Even with that provision, licence applications, in many instances, go far beyond the three months.

One of the flaws in the administration is that when the process goes beyond the three months, under the primary legislation it is deemed have been refused. Therefore, if an applicant wishes to address that he or she must go to the District Court. That is a dreadfully unsatisfactory situation for a sporting activity. We want the guidelines to be mandatory, rather than simply being guidelines, as we have been told.

I am familiar with the refusals. There are many situations where people have firearms, have licensed them and which were listed on an annex as unrestricted firearms under the Commissioner's guidelines. The goalposts have been changed mid-stream. We are now being told some firearms are actually restricted firearms but they have already been licensed as restricted firearms. We can take it from this that when our licences come up for renewal they will be refused, despite the fact that we have licensed them and complied with the legislation. This is why we have asked for a look-back and an analysis of what happened. We have suggested that the Garda Inspectorate may be the appropriate body to do that.

Mr. Kaz Balinski: We can go on about what happened in the past, the problems, the time taken, the association and everything else. Right now we have a great opportunity to build a great system, which could potentially be the best in the world because it is the most recent. We can gather all the reports and everything else we like from every jurisdiction to make a comparison.

Mr. Declan Keogh: Deputy Farrell made a very good point, namely, what the bottom line is and why we are where we are. I have been a licence holder for 40 years and held my first licence when I was 18 years old. When I applied for my second licence I was told by An Garda Síochána that it was illegal for me to have two rifles. At 18 years of age I went into Molesworth Street and bought the Firearms Act for 1/6 and could not find the provision in the legislation which stated that it was illegal to have two firearms. The experience I have had for many years is that there is no accountability in the interpretation of the legislation.

I referred to the raft of changes brought forward in 2006. I sat with the people who put the legislation together. It was agreed with the shooting bodies that there would be certain aspects. One of the major aspects was the fact that there was no accountability in regard to the process of a firearms application. One could apply in one jurisdiction and it could take two years to get a licence. There could be a combination of paperwork being lost and three applications having to be made.

In 2006, accountability was brought to the situation. If a decision is not made within three months, it is deemed to be refused. One has 30 days to appeal, and the only recourse is to appeal to the District Court. Tom Lynch put the legislation together and we understood that the three month limit was introduced to ensure that we were treated fairly. It was designed to be the exception, not the rule, and to be used in the very odd case where one would have the right to appeal to the District Court and would not be used regularly. Some 650 District Court cases have been taken as a consequence of refusals. Most of the cases granted by the courts are being reassessed by them. There have been nearly 200 High Court cases.

The current accountability regime set out in the legislation is excellent. It would be a lot easier to get rid of the .22 pistols and other pistols from the environment in Ireland. We would not then have any problem. The issue here is throwing the baby out with the bath water. They

are trying to get rid of our sport because they have created a problem which needs a resolution. The resolution involves sitting down, holding discussions and reaching agreement between us.

Chairman: It also strikes me that a lot of court time is being used.

Mr. Declan Keogh: Absolutely.

Deputy Alan Farrell: I appreciate the responses. I fear that we will be as frustrated by this process as the delegation probably is by the applications process. There is a lack of information available, notwithstanding what Mr. Crofton and the Chairman said about parliamentary questions not being answered, timelines not being honoured and things like that.

Chairman: It is serious.

Deputy Alan Farrell: It is serious. The matter of wasting court time or costs-----

Chairman: Court time is being used.

Deputy Alan Farrell: -----is of paramount importance to this committee. Given the length of time we have been here, the other members have asked plenty of questions. When An Garda Síochána came before the committee to discuss this issue, I was surprised by the lack of databases on gun ownership and, more specifically, bullets. I do not watch a large amount of television, but I do watch a lot of box series, one of which is “CSI”. People can laugh, but I like watching them.

Chairman: Okay.

Deputy Alan Farrell: My question concerns bullets. Is it the case in other jurisdictions that when a firearm is licensed an agency of the state takes a record of the striations of the barrel of the gun on a bullet for record purposes so that if instances of criminality or theft take place, a weapon can be traced back to the source?

I have an inter-related question on that, which is linked to what I would deem to be the civilianisation of the application process, notwithstanding what Deputy McGrath had to say regarding the necessity for An Garda Síochána to be involved at some stage in that process. A civilian or State authority could bring the licensing process to point B or C in the process, and then allow the Garda to complete its section of the process. The bottom line comes down to whether an applicant is a criminal or there is a risk. An adjudication could then be made by a civilian authority using the best advice given to it by An Garda Síochána. Would that be pertinent? I posed two questions - one on a database and the second on the method we might use to explore the civilianisation of the process.

Chairman: Okay, that is two questions for the price of one. I call Mr. Flood.

Mr. Nicholas Flood: Especially where short firearms are concerned, doing some form of ballistic checking would be welcome. It is most likely that we would all be very happy with that. The matter could be discussed later.

In terms of a centralised system, the difficulty with chief superintendents and superintendents who are making decisions on areas on which they are not necessarily completely and utterly *au fait*, is that it can cause a little bit of apprehension because their job is public safety. A similar system such as that in the UK whereby everything is centralised and the experts are in one particular place and one chief superintendent signs off on everything would make their

job so much easier.

As Deputy Farrell said, having a process whereby a group, association, civil servants or the post office can take in an application and move it forward after which it can be signed off by a central committee would make things a lot easier for everybody.

Mr. Declan Keogh: That was a great question Deputy Farrell asked. Much emphasis was placed on the inability of An Garda Síochána, based on the evidence given to the committee, to identify the potential for licensed firearms to be used for criminal purposes. In some cases that was due to the firearm not being recovered. However, bullets would be recovered. Rightly, there was reference to ballistic testing.

In Northern Ireland every single handgun is ballistically tested. There is no problem there with the use of lawfully held guns being used in crime. No such cases have been identified. The Garda Síochána has the ability, under the 2006 firearms Act to ballistically test the firearms we have in our possession. The opportunity to do so has never been taken. That is the answer to the Deputy's question. In such a case the witnesses would have been able to quite categorically state that no licensed firearms were used in the particular crimes referenced. Ballistics experts in court could spend days giving evidence and claiming that my .22 pistol is a military firearm would have been better employed doing the ballistic testing on the firearms that are legally held and then they would have a database.

Chairman: I ask Mr. Balinski to be brief as we are against the clock.

Mr. Kaz Balinski: The point really is that the Garda is overstacked on a time basis. That very job to which Mr. Keogh referred could be taken up by the standardised system at ranges. The infrastructure is there; it just has to be allowed to happen.

Chairman: On that question, is it not a huge administrative function to ballistically test a lot of the firearms?

Mr. Kaz Balinski: No, it is not, it could be totally privatised. The reason the Garda is probably not doing it at the moment is because there is no time or manpower, nor the inclination based on the lack of understanding of firearms.

Deputy Alan Farrell: I have one follow-up question related to ballistic testing. I will have to research whether standard practice is to privatise testing, but if the licensed firearms community was asked to provide a photograph or digital record of a certain quality and a report of a certain quality to An Garda Síochána or a civilian authority at a specific cost of approximately €200 for a new firearm licence, would it be prepared to bear the cost itself? The last thing I want to do is put more cost onto the budgets of An Garda Síochána. I would much rather that would go into front-line services.

Mr. Desmond Crofton: If cost is an issue, nobody has suggested sitting down with us to talk about cost sharing.

Deputy Alan Farrell: I am not suggesting that.

Mr. Desmond Crofton: Licensed firearms holders are paying the State €16 million every three years for the administration of a licensing system. At the moment we are not getting a proper system for the money. Before we start talking about additional cost we must get some quality into the system that is consistent with the amount of money we are spending on it.

Mr. Kaz Balinski: That is going over the past again. There is nothing wrong with suggesting that, and it would help the business because the industry needs to be supported. The infrastructure is there and if it is not expanded upon and taken into account then the system will fail again. So what if €16 million is spent in every three years; I would like to see even more spent on an annual basis based on the very numbers that were spoken about on an individual system which would then increase taxes for the State and promote the industry and the sport. It would be a good thing.

Mr. Kealan Symes: The ballistic question has been answered but I wish to go back to the centralised system. There is not a whole lot of work to be done to change the current system to a centralised one. It is really not that difficult. The current firearms Act does not require a team from the Attorney General's office to fix it. All it requires is willingness and the ability to create a team to do it. That would be a huge boon to the whole system and for everybody involved in it.

Chairman: It probably would be self-financing as well. We are more or less finished. I spent a number of years in the FCA-Army Reserve and one was not allowed to use a firearm until one was highly competent in every aspect of it. Could the witnesses briefly tell me what requirements exist at the moment in terms of competency? I assume people must have some training. Is that a requirement under the legislation?

Mr. Declan Keogh: The legislation requires a level of competence to be demonstrated.

Chairman: How is that certified?

Mr. Declan Keogh: It can be demonstrated in a number of ways. It is a reasonably broadly based in that one can be a member of a recognised club and by virtue of that one is deemed to be competent in the use of a particular firearm. The recognised clubs have protocols in place for safety training and firearms training. A certificate can also be provided by a body. In our clubs we have brought forward a structure of firearms instructor training and individual training. Between 2004 and 2006, I personally trained more than 350 people in competency in pistols because I am a pistol instructor. That ethos has gone forward so every club has a mandatory safety course. There is also individual coaching for individual firearms because they are all different. That structure does exist and the proof of the pudding is when we look at the safety record of our clubs. In the 30 years in which I have been involved in clubs, we have not had one firearms related accident on our ranges that resulted in injury.

Mr. Nicholas Flood: I have one quick point to make. In regard to safety, one of the great things about the club that I have seen over the years is that there is always an opportunity for someone to go back and do another safety course. Even though I shot 25,000 to 30,000 rounds a year I routinely went and did another safety course. It was because the idea of complacency does not have any role in shooting. That is part of the ethos we design. We protect the sport that we love and we make sure that we are up to scratch.

Mr. Damien Hannigan: In regard to the Chairman's question on competency and training, specifically in regard to deer management, our organisation undertakes a lot of training in terms of ethical deer management but deer stalkers who manage deer on Coillte property are required to complete the hunter competence assessment programme. Effectively, that entails both a written examination and a range test as well. It is a first step in terms of basic knowledge of target identification, safety and other aspects of firearms use. To date, more than 1,000 people have been put through the programme.

Mr. Desmond Crofton: I speak for the NARGC. We have more than 30 coaches qualified to an international standard. It is fair to say that every representative body has an education programme specifically targeting safety.

Chairman: I thank the gentlemen for being present today. It has been a long session. Every question that was asked was answered thoroughly and at length. We are grateful for that. Perhaps the witnesses could alert us later in written format to the clerk about best practice in respect of centralised systems. Likewise, if other points come to them they should feel free to contact the clerk and to provide information and detail. I thank the witnesses for their time, expertise and patience. We have another session in the afternoon. Is it agreed to publish the opening statements that were provided? Agreed. We will suspend the meeting until 2.30 p.m. when we will have further engagement with other interested parties.

Sitting suspended at 12.10 p.m. and resumed at 2.30 p.m.

Chairman: We have resumed in public session. The purpose of this meeting is to have a further engagement with citizens who made submissions on the review of firearms licensing. On behalf of the committee I welcome Mr. Philip Slattery, Mr. Mark Dennehy, Mr. Jeff McCann, Mr. Brian Conroy from the Irish Firearms Dealers Gunshops, and Mr. Joe Costello from the National Rifle Association of Ireland, and Mr. Michael Tope from the National Association of Sporting Rifle and Pistol Clubs. We look forward to hearing from the gentlemen. We will invite everybody to make an opening statement of approximately five minutes and then there will be a question and answer session to get into the detail. We covered a lot of ground this morning so I am not sure we need to go into all the detail. We try not to be repetitive if possible.

I draw the attention of witnesses to the fact that by virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

I invite Mr. Slattery to kick off please.

Mr. Philip Slattery: I thank the Chairman of this committee for the invitation to speak today. I also thank committee members for listening to my submission.

I first started shooting at 17 when I joined the then Fórsa Cosanta Áitúil and have continued shooting in my personal time with various firearms over the last 15 years. Since getting my first shotgun and rifle at 19 I have owned in total one non-restricted rim fire rifle, two restricted centrefire pistols, three restricted shotguns and seven restricted semi-auto centrefire rifles.

I qualified as an armourer having completed a four year apprenticeship in 2007. The responsibilities of my job include but are not limited to the inspection and maintenance of small arms. I have a vast knowledge in the workings of both civilian and military firearms to include pistols, shotguns, bolt action rifles, assault rifles, light and heavy machine guns, mortars and

grenade launchers. I am also studying mechanical science in Cork Institute of Technology, CIT.

I have on several occasions given evidence in cases against the State where people had a pistol and-or rifle licence application refused by An Garda Síochána. The reason for these refusals was due to the Garda classifying such firearms as military pistols or assault rifles. I am here to talk about and answer any questions of a technical nature in relation to these types of firearms and correct the information presented to this committee.

While firearms legislation in itself is fragmented and flawed the problem is grossly compounded by the organisation left to run the firearms licensing system. My submission outlines how I believe the Garda and the Department of Justice and Equality have used legislation in a way not intended by legislators to slowly remove legally licensed firearms from law abiding citizens.

I have in my submission addressed only a few issues that stem from the working group's report. These include Garda statistics; the Oireachtas debate in 2009; background to prohibition on centerfire pistols; mass shootings; the Connelly Hospital report; and licensing of firearms in other jurisdictions. My proposals are my personal opinion of how I believe we can start getting away from the mistrust and frustration built up over decades because of An Garda Síochána. I ask that the committee listen with an open mind and thank members for their time.

Mr. Mark Dennehy: I thank the committee for its invitation to speak here today. It is good to see those being impacted upon directly by the proposed changes in the working group's review document being afforded this opportunity. The committee has read my submission which contains more detailed notes, and I am happy to answer any questions on that but I want to open by trying to explain what we want from the law, why we want it and why the committee wants it too.

As I said in my submission, what I, and many other shooters, would wish to see in the Firearms Act is a clear and unambiguous set of rules regarding firearms licensing which are readily readable by everyone and which are enforced equally in all Garda districts. In my submission I have gone into some detail on some of the technical problems that prevent that being the case at present, such as the layered nature of the Firearms Act and the other Acts that make up the body of firearms law in Ireland; others will no doubt present other aspects of this problem and I expect the national governing bodies will present the details of their respective sports but there is a fundamental perspective on this problem which I suspect may not be obvious to those outside the shooting community and which would assist the committee in understanding our viewpoint.

In our sport, everything is measurable. The size, shape and weight of our firearms, the calibre of the rounds used, the weight and thickness and tailoring of the clothing used, our scores and where our shots land and how they were fired and so on. Our sports coaching is built on this fact; our rulebooks are based on it and it permeates every aspect of what we do and the culture that surrounds it. We are in a sport unique for its brutal honesty. You aim the shotgun, rifle or pistol, and you pull the trigger. Then either you hit the target or you do not. You cannot hide from it. Everyone sees what happens. You cannot say you did well but some judge gave you a biased opinion. You cannot say that you did well but your team let you down. You cannot say the referee was blind. You cannot say that anything, other than your own skill, was the reason for the good or bad outcome of that shot. It is a fundamental part of the attraction to the sport. It is why, 20 years into the sport, I enjoy every minute I spend on the range as much as the first. I have found nothing like it in sport and very little like it in life. To answer some of the questions that were asked earlier, this is why we do this. This is the fundamental attraction for the sport.

FIREARMS LICENCES: (RESUMED) DISCUSSION

It has the side-effect that we are used to clear, objective rules which make judgements based on physical features or events that can be measured in the real world with instruments, so the judgements are mathematical in their objectivity. For example, an ISSF air rifle must weigh 5.5 kg or less according to the rule book. At the start of a competition, my rifle is weighed and if the scales say 5.5 I can enter the competition, and if they say 5.6 I cannot. The judge running equipment control does not have to make a subjective decision - he or she just reads the scale. The rule is clear and easy to read and everyone can look at a single rule book and see what that rule is. Competitors can check that they pass that rule ahead of time using the same equipment the judge will use and be confident that they will pass on the day.

In contrast to this, the Firearms Act is frustratingly complex to read and there is no single rule book for everyone to look at. The judgements it calls for are highly subjective and how they are reached is opaque to the applicant. The decisions which affect us vary from issuing officer to issuing officer, so what is allowed and what is not under the Act is often a function of one's address, with no way to tell ahead of time what the decision might be. I am not even touching on the problems of those parts of Irish firearms law that are plainly daft, although we can discuss them if the committee wishes.

This might sound like a niche problem which affects a small number of sportspeople in a minority sport but it is not. It has an effect on the public in general. We have seen hundreds of District, High and Supreme Court cases over the last decade or so, many of which have as a fundamental cause a Firearms Act that is effectively unreadable to the average person. These cases not only represent enormous amounts of time, money and stress to shooters – the equivalent of building and equipping several badly-needed national-level shooting ranges – they also represent thousands of Garda man hours, millions of euro of public money, and the court's time, all of which are badly needed elsewhere, not arguing in a court over fiddly points of badly-written law with people who would rather be on the range taking part in our sport.

I have spent years involved in the legislative side of our sport which I regard that as time wasted and sporting opportunities lost. We had no choice but to be involved - even from the first days our sports were at risk of being crippled purely by oversight or misunderstandings in the drafting process - but there are far better uses for our resources. If we had clear, universal rules in the Act, that would be possible. The only way I know to get to that happy scenario from where we are now is, as I recommended in my submission, to undertake a restatement of the Firearms Act. Once we have the Act written clearly in one place, we can consider correcting some of its more obvious anomalies but until then, if we apply more patches to an already over-patched body of law, we will simply be confusing the situation even more than it currently is and will in all likelihood create more problems than we solve. If we go down that road, we will be back here again in a few years, with even more Garda man hours and public money and sporting resources lost as a result.

In the meantime, the average voter is even more in the dark about what protections the law provides them and, given how the media portray problems like gun crime, this can be nothing but a source of fear. Good law should reassure people by showing that a potential risk is understood and a fair system exists to govern it. The Firearms Act at present fails woefully in this task because almost nobody really knows what is in it. I therefore urge the committee to reject the review's proposals in their current form and to recommend that the Firearms Act be restated to give us a known baseline from which to work. I ask the committee to recommend that those changes - whose necessity will be clear and obvious to everyone - be worked on by all the stakeholders together, to produce a clear, readable, boringly consistent law which everybody

understands and can follow. The first Firearms Act stood unamended for almost 40 years because it had those characteristics, so while it is a privilege to appear before the committee today, I would hope that its decision will mean we do not meet again until 2055, with all due respect.

Chairman: I did not think Mr. Dennehy disliked us that much. The issue of consolidated legislation is what he was referring to there. I thank the witness.

Mr. Jeff McCann: I thank the Chairman and the committee for giving me the time to take part in this meeting. I would like to describe my personal background, my involvement in the sport of target shooting and some of the issues of the proposed legislation we are discussing.

I am a type 1 diabetic. I used to be a scout leader, undertook many outdoor pursuits and used to play rugby. Due to diabetic complications I am now unable to take part in a number of these competitions. As a challenge, and to get myself out of the house, a few years ago I took up clay pigeon shooting and moved on into target shooting for the camaraderie of getting out of the house and working with people. That has moved on and I have now become an honorary treasurer of the Munster Target Shooting Club. We are a not-for-profit organisation and as part of this role, I am responsible for the organisation of our club training days and competitions. We are associated with NASRPC, with Mr. Topes here, and we undertake a large amount of safety training with all our new members. That covers things like handling firearms, storage when off the range, travelling to and from the range, and range operations - what people need to do when they are actually on the range. We also run mandatory safety refresher courses for all members on an annual basis. Safety is very much the most important thing while on the range.

We are comprised of over 50 current members, shooting in a variety of disciplines, including bench-rest rifle and pistol, WA1500 competitions and local competitions within the club. We are also part of the Munster League and are involved national competitions. I have also shot at some international competitions with a small-bore pistol. Target shooting is the only sport I am aware of where those over 17, male or female, disabled or able-bodied, or of any nationality, can compete together on equal terms. In my time with the club, we have supported disabled shooters, people in wheelchairs. We have had everybody from novices - 14 year-olds with their fathers on a training licence learning how to fire a bolt-action shotgun - right through to Irish champions who have competed internationally. We also have a number of club members who are in their 80s and still competing successfully. The phrase, "right through from the docker to the doctor" is used within the organisation. There is a very strong community spirit, bringing these disparate members of society together through their love of the sport.

On the issue of firearms licensing in general, there has been a discussion around the statistics used in the discussion document. We have to agree that gun crime is a worldwide issue, however illegal acquisition of illegally-held firearms is usually via organised crime gangs and has nothing to do with the sporting community. As an example, quoting Deputy Niall Collins' piece in the *Limerick Leader* a couple of weeks ago, "a strategy focused on policing that targets known offenders" has led to the murder rate in the Limerick region dropping from six murders in 2008 to no recorded murders in 2014, purely through focusing on organised crime. The report and recommendations of November 2014 - the document that was provided - gave no statistics pointing towards legally-held firearms being lost or stolen, be it from registered firearms dealers, members of the Garda Síochána or the Defence Forces, or the civilian population. It is very hard to work out from the numbers that are cited what is actually relevant for the sporting population. Nor does the report provide any evidence of illegal acts committed, with the exception of the Corbally brothers. While a tragic event, it has been reported in the *Herald* that the firearm in that case was stolen outside the jurisdiction and would never have been classified as

an illegally-held firearm in the Republic of Ireland.

Firearms licensing is a civil, not a criminal matter. I have never received as much as a parking ticket in my life and to be dealt with in this matter under criminal legislation is unusual. Looking at other European countries, in Germany the issue is dealt with by the Federal Ministry of the Interior, not the Federal Criminal Police Office or BKA. I believe the Garda Síochána should have a veto on a person possessing firearms certificates, however it should pertain to the person, not against individual firearms as is currently the case.

I would like to see a meaningful consolidation of the legislation. It is very complex at the moment to try and work out anything. It is very disjointed. I would also like to see a progressive, logical firearms policy implemented. I believe firearms licensing is a civil matter and should be dealt with as such. Firearms licensing is a civil matter, not a criminal one, and I query whether it should be managed by criminal law legislation. We should look at best practice elsewhere. For example, in Germany, the municipal authorities deal with firearms licensing, while in Northern Ireland 15,000 short firearms are held legally.

I thank the Chairman and all members of the committee for giving me this chance to address them on this matter. I hope and trust we can work together to find an amicable and safe method of continuing the sport of target shooting in this country.

Chairman: Thank you Mr. McCann. I call Mr. Conroy of *gunshop.ie* to make his opening statement.

Mr. Brian Conroy: I thank the Chairman and the members of the committee for inviting *gunshop.ie* to present our submission on firearms licensing. Due to business travel arrangements made some time ago, Mr. Frank Brennan of *gunshop.ie* is unable to address the committee on this date. He would be available to attend any future meeting.

I am a registered firearms dealer, a family man and also a commissioned officer of the Defence Forces with 16 years of service to the State. Some may see a little irony in the fact that *gunshop.ie* has asked another firearms dealer to present its submission to the Oireachtas justice committee. While it is true to say that as firearms dealers we compete on a business footing, it should also be noted that as sportsmen, engaged in a business established solely to support our chosen sport, we have a great deal of mutual respect. Hence, I am present today to represent the position of *gunshop.ie*.

We wish first to express our complete disagreement with the Garda Síochána and Department of Justice and Equality working group report on the licensing of firearms. This report seeks to create fear where none should exist. It is entirely biased and was constructed with little or no input from the groups which it would impact most. Indeed, we are aware through our colleagues within the sporting groups that only a token gesture of consultation would be afforded to the sporting stakeholders and that it would be disingenuous.

Many well-respected sports people will speak for our sport and elaborate on the social good which derives from it. Accordingly, I will concentrate on the effect which this report may have upon dealers in sporting firearms. Amendments in legislation in 2009 saw a ban introduced on the licensing of centre fire handguns. As a result, no new entrants could participate in this sport. Even the sharing of a centre fire handgun on a licensed shooting range was made illegal.

A concession, however, was made toward the sport of handgun shooting in that a sports person could apply to license a handgun which uses rimfire ammunition which is of a smaller

calibre. This concession was further underpinned by the publication of the Garda Commissioner's guidelines on firearms licensing. In this document, a list of small calibre handguns used worldwide in sport shooting was published. This list was known as annexe F. Since that date, the guideline document became a mantra in many Garda districts with Garda licensing persons sticking slavishly to it. In fact, the list contained several firearms no longer in production. In late 2014, the annexe F list was withdrawn without any consultation with stakeholders in any section of sport shooting. As a result, the stocks of *gunshop.ie* are now in limbo. We have purchased firearms which must be held with wholesalers in Europe until such time as a domestic licence is granted. These firearms are bought and paid for but now are proving impossible to sell because of the move by the Department without any consultation with the stakeholders.

The Garda-Department report seems to suggest a pressure release valve to the situation is to simply deflate the business of firearms dealers and have the stocks of heretofore legally licensed firearms sent to the North of Ireland. I can assure the committee having spoken with numerous firearms dealers in Northern Ireland that this is a complete non-runner. Strict quotas exist there and the pricing offered, even for firearms in which there was interest, would be only 10% to 15% of the value of the firearm.

We fear any such immediate moves will result in certain categories of firearms dealers being asked to store firearms in number, thus creating a security risk. It should be noted the Garda and Department seem to regard the granting of a firearms licence as a gift and, accordingly, that it can be taken back. While sporting firearms licenceholders do certainly acknowledge it is indeed a privilege to be considered competent to safely hold a firearm, they do not regard it as any kind of gift. It is not given freely as is the very definition of a gift. It is in fact typically hard won having spent several months in the application process and a significant amount of money for the licence, as well as the ancillary security upgrading which surrounds any licence application.

The Garda-Department document refers to the UK handgun ban and speaks of its success. It was not a success. For ten years after the ban, gun crime continued to rise. Only a significant policing policy shift eventually saw the gun crime figures there plateau. This document is awash with unsupported statistics. We note it does not spell out the nature of the compensation scheme arrived at in the UK, whereby sporting shooters were compensated financially for not only their firearms, but the ancillary accessories purchased in support of their sport. A similar package would be the least sporting shooters here will demand.

As for the trade, the committee must note the 200 plus firearms dealers to be affected will seek to pursue the defence of our livelihoods through the courts. Having invested heavily to meet storage criteria and security standards set down by An Garda Síochána and the Department of Justice and Equality, this report proposes to remove the very mechanism by which we could recoup the investment.

Some strategists say the best defence is a good offence. We earnestly believe this report is an offence. It is a slight on sporting society and is made to deflect attention from the poor administration of the firearms licensing duty of An Garda Síochána. We believe this report is grounded in interpersonal differences arising out of over 600 court challenges to the application of the legislation. We respectfully ask the committee to consider the setting aside of this report. We feel it is not a balanced presentation of the facts. We ask that genuine engagement with the sporting and trade interests be sought and that such engagement be incorporated into the formulation of future firearms licensing strategy.

Chairman: Thank you Mr. Conroy. I must point out that the committee does not have the authority to set aside the report as such. It will, however be making recommendations to the Minister based on our hearings.

I call Mr. Joe Costello of the National Rifle Association of Ireland, NRAI, to make his opening statement.

Mr. Joe Costello: We already have some of the most restrictive firearms policy in the world. As a member of the committee recently pointed out correctly, the root cause of most of the gun crime in Ireland is strongly related to the drugs problem. It is obvious that those who illegally import dangerous and addictive drugs have no problem importing and using illegal firearms to commit crime. That is a well-established fact. The drugs trade, the violence and disregard for human life as criminals carry out their vendettas is a matter for the Garda and the security forces of the State. Making firearms legislation even more restrictive has no effect on these people who have no regard for law and order. It has, however, a profoundly negative effect on law-abiding citizens who have already been vetted and approved by the Garda. As many will point out, there needs to be more clarity in the legislation and a removal of many subjective terms.

We have concerns as shooters too that in whatever way the legislation is changed, that the Garda honours the letter and the spirit of the law in its application. Sadly, that has not been our experience in many cases. For example, a list of permitted firearms was published in the Garda Commissioner's guidelines. I was involved in that as a member of the FCP, the firearms consultation panel. This list, while not all encompassing, was agreed by all of the stakeholders involved, including the Garda Síochána, the Department of Justice and Equality, the firearms dealers and the representatives of the shooting organisations. Yet, almost from its publication, these recommendations have been largely ignored. Of concern to us is whether if we engage in further discussion or agreement we will be treated any better.

Chairman: Thank you Mr. Costello. The next speaker is Mr. Michael Tope.

Mr. Michael Tope: I thank the committee for the opportunity to express the views of the National Association of Sporting Rifle and Pistol Clubs, NASRPC. This organisation is the largest target shooting organisation in the country and represents the vast majority of rifle and pistol clubs engaged in target shooting. The NASRPC is the national governing body for a range of non-Olympic target shooting sports in Ireland. Currently, membership consists of 18 clubs, with combined membership of approximately 2,500. The sportsmen and women we represent have achieved international success on many occasions and currently Ireland is Gallery Rifle World Champions, having won the competition last year. Furthermore, Ireland will be hosting the Gallery Rifle World Championships in 2017.

I would like to make it clear that the members of the clubs that we represent are Garda vetted, law abiding citizens. Furthermore, they are sportsmen and women who seek only to participate in their chosen sport and develop it in a safe sustainable manner. With this in mind, we sought to engage with An Garda Síochána and the Department of Justice and Equality over an extended period to bring about a mutually acceptable solution to the ongoing litigation, which has been a feature of firearms licensing over the past number of years. Alas, despite our best endeavours, we failed to make any progress. In the context of firearms licensing, we would point out to the committee that in 650 or 92% of cases firearms certificates were granted by the courts to sportsmen and women who were initially denied these certificates by An Garda Síochána.

We are not seeking the liberalisation of the nation's gun laws, nor are we seeking a dramatic

increase in the number of licences issued. We are asking the committee to recommend the firearms legislation implementation process be independently reviewed, ultimately, to enable us to continue in our chosen sport and develop it in a safe and sustainable manner. The claim has been made that sporting firearms owners are being targeted by criminals. Our firearms are licensed. There are 150,000 illegal and unlicensed firearms in the country. In addition, given that firearms can be illegally imported with a customs detection rate on only 10%, the evidence suggests that it is easier for criminals to import guns rather than steal them.

Is theft of firearms from those involved in target sports a problem? No, it is not. The figure for stolen firearms for the past four years, which stands at 1,136, includes firearms stolen from firearms dealers, blank firing firearms, crossbows, antique firearms, deactivated firearms, humane killers and, of course, firearms stolen from members of the Defence Forces-An Garda Síochána. If the proposal is to ban pistols, pump-action shotguns and semi-automatic centre-fire rifles because their theft poses a danger to public safety, the key figure must be how many of this type of firearms were stolen from licensed firearms holders. This is the key figure and we urge An Garda Síochána to make this number available to the committee as it is key to the discussion and we believe it is likely to be in low single digits if not zero.

The proposal to allow the issuing officer to refuse a license based on calibre, ammunition velocity, the appearance and lethality of a firearm is, in our view, not the way to proceed. We believe that the focus should be on the suitability of the individual applicant and not the firearm. We accept that all firearms pose an inherent risk if used illegally or incorrectly. We would suggest that the most effective way of preserving a sport, where Ireland has achieved international success and is demonstrably safe, is to initiate and independent review of all aspects of firearms licensing and administration. Such a review should include all or the relevant stakeholders. As I mentioned, the NASRPC represents 2,500 sportsmen and women. However, we are aware that there are at least another 100,000 sportsmen and women who will be directly affected by this legalisation.

In regard to natural justice, one can imagine a scenario where a new superintendent entering a district could, because he or she did not like the appearance of firearms being used in a particular sport, effectively wipe out that sport. The investment made by the shooting participants, clubs and ranges in that area would be lost without compensation. How is that fair, reasonable or constitutionally compliant? This is another reason we need an independent review of the firearms legislation. I urge the committee to initiate an independent assessment of the firearms legalisation and its implementation.

Chairman: I thank Mr. Tope for his interesting submission. I congratulate those involved in winning the Gallery Rifle World Championships. Perhaps Mr. Tope would elaborate a little more about that, including in what year Ireland won the championship.

Mr. Michael Tope: The championship was won by our team late last year. One of the successful team members is in the Visitors Gallery. The team, following great practise in Ireland, and success over the years, has been continually improving. They competed against people from the UK, Germany, South Africa and, thankfully, they won the competition, repeating a success it had against the UK team in the NASRPC international open this summer in Harbour House Sports Club.

Chairman: Well done and congratulations to all involved.

Deputy Seán Kenny: I will try not to repeat any of the questions asked this morning. I

thank the delegates for attending today's meeting and for their submissions, which I listened to with interest.

Mr. Slattery stated that he has extensive experience of firearms, of which he has a collection, and that he is an armourer. Is Mr. Slattery a member of the Defence Forces?

Mr. Philip Slattery: Yes.

Deputy Seán Kenny: I presume Mr. Slattery's use of assault rifles and machine guns is as a member of the Army?

Mr. Phillip Slattery: There are not any licensed assault rifles in this country.

Deputy Seán Kenny: They are mentioned in Mr. Slattery's submission.

Perhaps Mr. Conroy would give us an idea of the range of guns on sale in his shops. A couple of years ago I went on holidays to Prague. I surprised by the number of gunshops there and the quantity of guns for sale. While I acknowledge that eastern Europe has had a difficult history, it was chilling to see some of the weapons that were for sale.

Chairman: I was taken to task recently by somebody for using the word "weapons". Apparently, we should use the word "firearms". I am advised "weapons" are designed to hurt and kill and used only for that purpose. I was not aware of that.

Mr. Joe Costello: A weapon, technically, is something that is used to commit an assault. A golf club could be weapon.

Chairman: Of course.

Deputy Seán Kenny: Weapons training would not then be the correct term to use.

Mr. Joe Costello: Unless one was playing golf.

Mr. Brian Conroy: In response to Deputy's Kenny question, in the Irish firearms dealing context the types of firearms and sporting firearms on offer by dealers nationally would be in the vernacular context of what applications firearms are used for. The vast majority of firearms sold in Ireland would be sporting shotguns, followed by sporting rifles and then sporting handguns-pistols. These would not comparable to the type of firearms the Deputy might have seen when on his travels in eastern Europe, where the purchase of firearms would not have been for sporting reasons. It is important to point that out.

Deputy Seán Kenny: What type of security is in place at Mr. Conroy's shops to prevent theft?

Mr. Brian Conroy: The security surrounding a firearms dealer is quite onerous. The physical structure is robust and tough. Without getting into the semantics of exactly what we need to have, because it should not be on the public record as such, let us say that nobody could break into a currently licensed firearms dealer's store without setting off several different tiers of alarm system.

Deputy Seán Kenny: Is there a record of thefts over a period of years? Have there been break-ins?

Mr. Brian Conroy: Over a period of years there have been a number of situations. Not

physical break-ins *per se*, but situations in which people were coerced into handing over firearms, rather than their physical premises being robbed.

Deputy Seán Kenny: Robberies?

Mr. Brian Conroy: Yes.

Deputy Pádraig Mac Lochlainn: I apologise for being late. I have had a chance to read the submissions, so I have a good sense of the issues the witnesses are raising.

As an Oireachtas justice committee, we must try to find a balance between the different perspectives. As the witnesses know, representatives of the Garda Síochána and the Department attended the committee before Christmas and now we have the witnesses. The witnesses said they had engaged with the Department and the Garda. A significant number of refusals have been overturned in the courts, so clearly the perspective of the Judiciary is that the law is on the side of licensed firearms users such as the witnesses. I have a great deal of sympathy with the fact that we have law-abiding citizens here who are participating in a sport and who are not a threat. That is a major aspect of the grievance the witnesses have, given their professionalism and commitment to their sport. Large numbers of people throughout the State, in every county, are involved in this. Obviously the witnesses will be engaging with the Minister and the Department. Is there a middle ground to be found in terms of security and reassuring the public? A very good question was asked in one of the submissions - how many weapons is it proposed to ban? How many have been stolen? I have been trying, over several months, to get responses from the Department and the Garda Commissioner to parliamentary questions I have submitted so that the committee can get the most specific information possible.

My first question relates to security arrangements. It may have been dealt with in the first session. I apologise for not being present at that. What type of security, in terms of safes and so on, can be put in place to reassure the public? Second, from the information the witnesses have, how many of these weapons have been stolen? Mr. McCann suggests that maybe none has. That is a very important point - it is possible that not one of these weapons, which are apparently a threat to the public and which the witnesses use for their sport, have been stolen and have become a threat to the public.

Mr. Joe Costello: There are a number of issues with regard to security. I am not speaking on behalf of firearms dealers. The inevitable arrangement is that if one has a rifle, even an air rifle - some of us would have referred to them as pellet guns growing up, with all due respect to Mr. Dennehy and people who partake in the sport of Olympic air rifle, just to make clear what we are talking about - in one's house, one needs a gun safe. One needs a steel safe which has been properly scrutinised and passed, fixed solidly to the structure of the house. That is just for an air rifle. There are about four different levels of security requirement depending on what type of firearm one has. There is an actual safe storage requirement, because part of the work of the firearms consultative panel was to look at the various levels. A bolt-action rifle, such as a .22 that somebody could use for shooting rabbits or targets, would also require a gun safe. One would need an alarm. Generally, the crime prevention officer from the Garda would inspect the applicant's premises, check it was in a safe area, and ensure that sufficient precautions had been taken.

A great exception, which we find very disturbing and ambiguous, is that one is not required to have a safe for a single-barrel shotgun. Anybody who has ever seen the movies knows that a single-barrel shotgun and a hacksaw, which is pretty low-tech stuff, can be turned into one of

the most lethal firearms in the world. Such firearms can punch a hole through the engine of a car. They are colossal. Yet they are not required to be kept in any form of gun safe or anything similar. Those are mostly owned by farmers. I am not castigating a particular group, but they are mostly owned by farmers for vermin control, for protection of their sheep against foxes and so on. The result is that often they are unguarded, available in farmhouses all over the country, and make a soft target. In the last two weeks, from a casual reading of the reports in the daily papers, there have been three or four firearms incidents involving stolen shotguns. When a bullet leaves the end of a barrel, the shape, size, colour or appearance of the gun does not really matter. It is the same thing, whether it is a .22 rifle or a .22 pistol. If one is a safe, sane person and judged as such by the Garda, one is at no greater risk with one than the other, just as if one is a safe driver, it does not matter what brand of car one drives. However, shotguns were cast in a very benign light. I was astounded that Superintendent Healy said, basically, that he did not see them as being of any concern, while he saw the other firearms as a great threat. The contrast is that the majority of pistols of any calibre, even the smaller ones such as .22s, are held in armouries on target ranges, which are of a very high standard and are also inspected. The rest are under very severe personal security requirements, with multiple alarms and so on.

I would like people to consider the reality. If people talk about the concealability of a short firearm, I would be willing to demonstrate with a deactivated firearm that in about five minutes, any member of the committee could turn an apparently very benign gun - the most common and cheapest is probably a Baikal hammer-action gun, which costs about €80 or €90 new - into something about eight inches long. That would be a horrendous firearm to be confronted with. Our security is second to none. It is inspected, it is a factor in the granting of our licences and it is a condition of our licence that we must fulfil and that we are happy to fulfil, because most of us have families. We do not want children to be exposed to these guns, we do not want any members of the public to be put in danger, we do not want to put ourselves in danger and we do not want to risk the loss of our property.

Mr. Michael Tope: I agree with everything Mr. Costello has said. I absolutely take the point on the shotguns. From a home security point of view, every target shooter - I think that is everyone around the table - has invested very significant amounts of money in home security. I have certainly invested over €10,000 in personal home security. I know my experience is mirrored by that of many others, because we all talk about security. Recently, I had a visit from a Garda Síochána crime prevention officer. We have had an excellent working relationship with the Garda in Kildare since the beginning of the licensing issue. Kildare is one of the few districts in which there is such a good working relationship, under Chief Superintendent Byrnes, for whom I have great respect and time. Unfortunately, he retired at Christmas. The crime prevention officer comes to our homes. In considering crime prevention, we must literally begin at our front gates and go through the entire home, and the officer checks everything. I do not want to go into the details of my personal security or those of any other shooter. However, the crime prevention officer spent 45 minutes in my house checking security, and I do not live in a mansion. He checked absolutely everything.

If stolen firearms are a concern, why were recommendations not made on improving security? This brings me to the question regarding the middle ground. The shooting community would be more than willing to discuss improved home security measures, but all stakeholders would have to be involved in that. As Mr. Costello said and as I pointed out in my submission, the country is, effectively, awash with stolen firearms and there are almost the same number of stolen firearms as licensed ones. We have a target-shooting community that is willing to engage in security and has invested greatly in it, yet there are shotguns in many houses that are rela-

tively unprotected. Why, therefore, are the target shooters the focus of attention? This defies logic. However, in regard to whether there is a middle ground and whether we are prepared to discuss it, I am sure there is, and the NASRPC - and, I suspect, the other groups - are more than willing to discuss the issue.

Mr. Philip Slattery: On that note, I have a copy of the Firearms (Secure Accommodation) Regulations 2009. As mentioned, there are four levels of security. Level one is for one non-restricted shotgun - the standard side-by-side or over-and-under shotgun that farmers would have. The regulations state that the shotgun should be disassembled and each part stored securely and separately in the house, but there is no requirement for a safe. Under level two, which allows for one restricted firearm or three or fewer non-restricted firearms, each firearm should be stored securely in a gun safe which complies with British standard BS7558 and which is securely fixed to a solid structure. Level three provides that if a person has two restricted firearms or more than three non-restricted firearms, the firearms must be stored in a safe but an alarm must also be fitted and external doors must be fitted with locks that comply with British standard BS3621. The highest category, level four, provides for three or more restricted firearms or six or more firearms of any type. At this level, in addition to the requirements under the previous standards, the owner must have a monitored alarm that has been installed by a licensed installer from a private security party which complies with Irish Standard EN 50131. The alarm must be connected to a monitoring service operated by a person licensed to be a private security operator and supported with GSM mobile service backup. I do not want to go into the detail of my security arrangements, but those regulations are the minimum of what I have. This is also the minimum for many people I know who have restricted firearms. They all go above and beyond the regulations to protect their investment, because generally the firearms they own are worth several thousand euro.

Mr. Mark Dennehy: We have discussed the secure accommodation regulations, but it has not yet been mentioned that these are the minimum requirements. Therefore, when the crime prevention officer comes to a person's house and inspects it, he is completely free in his recommendations to the superintendent to ask for more security than the statutory instrument calls for. This has happened and has been upheld by the Supreme Court. Basically, it is law. If the superintendent wants a person to have a higher level of security, he is entitled to ask for that on a case-by-case basis. If, for example, he believes a person needs a monitored alarm because of the area the owner lives in, although it is a class of arm that does not require this by law, he can ask for that. There is no public safety issue in this regard, because the law has considered the issue fully.

Deputy Pádraig Mac Lochlainn: The witnesses will probably be aware that when senior members of An Garda Síochána made a presentation here before Christmas, they circulated photographic examples of weaponry, and a number of times they used the phrase "military-type weapons". These would obviously cause concern to the public. Why would anybody need military-type weapons? I note that Mr. Slattery has particular technical expertise. Will he explain at length why the weapons the Garda suggest might be banned are not military-type weapons? I believe his contribution would be important in that regard.

Mr. Philip Slattery: I have supplied a handout and I hope everybody has a copy of it. I have dealt with several cases against the State in which, prior to the change of law in 2008, people had certain types of pistol or rifle. When the new system began, these were classed as assault rifles under Irish law, and the owners appealed that decision. Under Irish law, an assault rifle is a rifle capable of functioning as a semi-automatic, which is legal here, and as fully automatic,

which is illegal here, or a rifle that resembles that rifle. Therefore, once it looks like it, it is it.

I believe that at the previous meeting Deputy Alan Farrell mentioned that there are cars made in Korea that look like Ferraris but are not Ferraris. The case is the same here. These guns might look like an assault rifle, but actually they are so far from one that there is no comparison. The first picture on the handout I provided shows a Ruger 10/22 rifle. These rifles are probably the most commonly licensed semi-automatic .22s in the country and in their standard form are licensed as unrestricted. If an individual buys a gun with a wooden stock and then decides to change the stock, perhaps because the stock has broken or because wooden stocks absorb moisture, need more care and are heavier than synthetic stocks, and if the change makes the rifle look more like an assault rifle, he has converted his gun into what looks like an assault rifle and now requires a new licence because of the change. That is the scenario if the rifle looks like an assault rifle.

Chairman: Did Mr. Slattery say that the owner has changed the licensing requirement by doing this?

Mr. Philip Slattery: Essentially, the licence is broken into categories - restricted and non-restricted. Certain features of a firearm change it from non-restricted to restricted. Therefore, if an owner makes a rifle look like an assault rifle, it is then classed as restricted, but the owner only has a licence for a non-restricted firearm and essentially does not have a licence for that gun.

Chairman: Is the example shown in the picture, a modified Ruger 10/22, not legal?

Mr. Philip Slattery: No. It is perfectly legal, but the way the law is worded is that if it looks like an assault rifle, it is one, despite the fact that only the stock may have been changed to improve accuracy or to lighten the weapon.

Chairman: Perhaps I am missing something. Is Mr. Slattery saying the owner is moving it from the unrestricted category to the restricted category by making the change?

Mr. Philip Slattery: Yes. Another picture shows a Remington R-25. This relates to a case I dealt with in Limerick in which the owner was refused a licence for this firearm because it was classed as an assault rifle. It can be seen from my notes that I have included the manufacturer's website classification of the firearm. While it is based on a miniature rifle, it is so far from it that it is not one at all. The rifle can never be fired in a fully automatic manner. For these firearms to be licensed and imported into Germany, the BKA has to conduct a test on them. Section 3a of the documentation I have furnished to the committee consists of a translation of the official document that was used when an importer wanted to import a firearm from Remington Arms, provide it with different magazines and change the colour patterns, etc. Essentially the BKA decided that the firearm in question could not be converted to being fully automatic with the use of simple tools. While it might look like an assault rifle to a lay person, it can never function in that way. Its colour has never been used by any military force. Its barrel does not offer any military advantage - in fact, the opposite is the case as it is designed solely for accuracy. Its magazine capacity is relatively low compared to that of an assault rifle.

Last week the committee was shown a picture of an Overland Arms rifle, which is manufactured in Germany for the German and worldwide markets. If this was an assault rifle, it would not be permissible to manufacture it in Germany. It cannot function as a fully automatic weapon.

The same applies to the Heckler & Koch SL8 which is shown on page 6 of my documentation. I was involved in a case involving this rifle in Dublin. Interestingly enough, it involved a person living in Lucan who had a pistol also. He was refused a firearms licence on the grounds that they were military weapons. When we went to court, he got his guns back. This case revealed some of the differences in this area. The person's friend who was living in Phibsboro had two pistols and a semi-automatic rifle that were licensed. These two people travelled all over the world to shoot with their guns. That is the level of difference. It is made clear on the website of the maker of this rifle that it is designed to be used for target shooting. It is not designed for assaulting or anything other than what it is designed for.

The MKE T43 which is shown in section 5 of my documentation is a copy of the Heckler & Koch 33 which is an assault rifle. This one is for sale in the German market. It was my gun. I used to own it until I sold it. I licensed it in County Clare, but the new owner could not license it in Limerick. On the day the case went to court, the new owner of the gun produced a technical document from the German federal police - this can be seen in section 5a of my documentation - showing all aspects of the design of the gun that ensured it could never function as a fully automatic weapon. The new owner of the gun uses it for target shooting.

A licence for an M1 Grand rifle which is shown in section 6 on page 9 of my documentation was granted in Limerick following a court case. However, the Garda again described it as being an assault rifle. Under Irish law, an assault rifle is a fully automatic firearm or one that resembles it. The M1 Grand rifle was never produced as a fully automatic. It is an ex-service rifle that was used by the Americans, much like the FN rifle was used by the FCA.

The pistol that corresponds with the Heckler & Koch SL8 that I mentioned is shown on page 10 of my documentation. This custom made gun was hand built at a cost of €2,800. My client in this case was refused a licence on the basis that it was used by military and police forces around the world. I e-mailed the guy in Germany who had built it when I was conducting research for the case. He told me it was like comparing a Willys Jeep to a Ferrari. He said they were so different that they were incomparable. No part of this gun will fit the Colt 45 from which it was originally designed. If members turn to page 11, they will see what the original pistol is like. This gun is so advanced that it is called the 2011 rather than the 1911 pistol. As I said, no part of it will fit the original pistol. The stance the Garda has taken in this regard is that these pistols are military firearms when, in fact, they are not. If one put a grain of sand inside one of these pistols, it would not work. Their tolerance levels are that tight and the firearms are that accurate. Such a level of dirt in the gun would stop it. A military firearm would keep on working in the same circumstances. I hope that answers the Deputy's question.

Deputy Pádraig Mac Lochlainn: Yes.

Chairman: One or two other delegates want to respond to the Deputy, if he does not mind.

Deputy Pádraig Mac Lochlainn: That is fine.

Mr. Mark Dennehy: I would like to make two points, the first of which might seem like a small one.

Language shapes thought. We keep using the word "weapon". I have a very low expectation of what I would like to see from today. It will be on my Christmas list to try to get people to stop using that word. If they were to stop using it, I would be a really happy man. I do not have weapons. Unfortunately, I cannot submit my firearms certificate to the committee because

it is an official document. If members want to read it, that is fine. The word “weapon” does not appear on the certificate or in the legislation that governs the issuing of certificates. We always train everybody from the first day they start target shooting to believe every firearm is lethal, or could be lethal if abused. The certificate is for my air pistol, which could be lethal. I would have to hold someone down and beat him or her with it in order to kill him or her with it. If I were to try to shoot someone with it, he or she would just get annoyed. If I wanted to harm someone with this thing, I would have to feed him or her the pellets in the stew from the cafeteria to give him or her lead poisoning. When I have presented the licence for it to customs agents in other countries, they have looked at me and said, “that is not a real gun; what are you talking about?” When people keep using the word “weapon,” it sustains their rather unusual beliefs about what we do. They keep seeing Hollywood films in their heads. During the years I have trained approximately 1,000 people to shoot. I have never met one who knew what we did before he or she started. They are always of the opinion that it is nothing like what they thought it would be. When someone said our sports were like golf without the exciting bits, it was about the best description I had ever heard. When people keep using the word “weapon,” it is confusing on one level and downright silly on another. I would love if we could stop using the word.

Chairman: We will do our best.

Mr. Mark Dennehy: I am sorry; I know it is a fiddly point.

Chairman: Does Mr. Dennehy have a second point that he would like to make?

Mr. Mark Dennehy: As we said, the word “resemble” is used in the legal definition of an assault rifle. I mentioned in my opening statement that there were many daft areas and anomalies in Irish firearms law. This is one of them. The law considers a semi-automatic or an automatic rifle, or something that looks like one, to be an assault rifle. Somebody has to make a judgment on what a rifle looks like in order to decide what kind of licence - for example, an unrestricted or a restricted licence - should be issued for it. Unrestricted and restricted licences are not like supersets of one another. I cannot get the harder version and expect it to cover me for the other case. It is like a motorcycle licence and a car licence - if I have a licence for one and I am stopped while using the other, I will be for the high jump. It is the same with firearms - if I have a licence for an unrestricted firearm and I am told that I have a restricted firearm in my hands, I will be in trouble. The same applies the other way around - if I have a unrestricted firearm in my hands and I am found to have an restricted licence, that licence will not cover me. Given that the only way to tell whether one licence or the other should be obtained is to get somebody to say, “that looks like this to me,” and bearing in mind a severe penalty of up to seven years in jail and a €20,000 in fines applies in this area, I suggest there is a problem with the law. It is a legislative issue that should have been fixed a long time ago. We brought it up at the time, but it is still an issue.

Chairman: It is very subjective. Mr. Tope indicated that he wanted to respond to Deputy Pádraig Mac Lochlainn also.

Mr. Michael Tope: I would like to make two points. We were asked why sportsmen and sportswomen needed semi-automatic firearms or rifles. We use the Ruger 10/22 in many cases, particularly for gallery rifle shooting, in which our team has been successful. If one uses a semi-automatic rifle, one does not have to change one’s shooting position when firing. Typically, one can be more accurate, particularly in gallery rifle shooting, provided one has made the investment. My colleague shoots to 1,000 yards, which is slightly different.

The second point I want to make is that the design of target firearms is evolving. The equipment used in this sport is evolving like the equipment used in any other sport. Many of the platforms on which target firearms are now being manufactured could be said to look like assault firearms to the untrained eye. The German sporting company Anschütz makes the MSR 22 rifle. When I was having one of these firearms licensed recently, I had to obtain a restricted licence simply because it had a pistol whip. Anschütz never made a military firearm. It only makes target firearms and this is its latest. I take on board completely the points made on appearance, but appearance means nothing. My MSR .22 is no more lethal than the Ruger 10/22 with the wooden stock and it probably has a lower magazine capacity. It is as simple as that.

Chairman: Mr. Costello wants to respond to Deputy Pádraig Mac Lochlainn.

Mr. Joe Costello: Some of it has been covered to an extent, but there are a couple of key phrases that keep coming up, “weapon” being one. The other is the concept of resembling something. If one asks someone to consider something that resembles a car or a spaceship, that is fine, as long as he or she knows what a spaceship and a car are. However, if a person was one of the early explorers talking to someone in the Polynesian islands, he or she would probably not know what either was. It would be very hard for that person to make a good accurate judgment on whether something looked like them, apart from it being a flawed concept in the first place. The appearance of something has absolutely no bearing on its use or effectiveness. A black shotgun is no more and no less dangerous than another shotgun. If it was pink, it would not be safer. I would not feel particularly happy to see a burglar coming in with a pink shotgun. The appearance means nothing, but I have heard about many cases in which people have had difficulty in having licensed something because it was black. To me, it is a non-issue.

The other term that comes up a lot is “designed for”. There are many things that are designed for one particular purpose that could be used for another. Jamie Oliver’s kitchen knives can be used very successfully in preparing meals. Unfortunately, if a person is of ill intent, he or she could use them to inflict serious harm on somebody. I propose that the criteria be the suitability of a person to hold something and his or her intent in using it. Legitimate target shooters and firearms owners have already been through a very rigorous vetting exercise and, surely, their intent has been spoken to; their sanity and their health. It is an ongoing matter which can be examined and the licence withdrawn. Their intent is covered, after which the phrases “designed for” and “appearance of” are largely immaterial.

The idea that something should be done in case somebody does something is an equally flawed piece of logic. If one were to follow it to its ultimate conclusion, one could not sell a car that could exceed the speed limit as the person might exceed it. It would be a huge restriction on civil liberties. Normally, we make a law and expect citizens to follow it. If they do not, there is a penalty. We do not say we will penalise a person on the basis that he or she might do something in the future. That is what a lot of those calling to restrict the legislation even further are looking to do.

Deputy Pádraig Mac Lochlainn: The practical issue as I understood it from the Garda was that it did not want anybody to have possession of a weapon.

Chairman: “Firearm”.

Deputy Pádraig Mac Lochlainn: I will explain why I use the word “weapon”. I do not agree with the delegates’ point. They must remember that they are members of sports clubs, that we are lay people in the Oireachtas and that the vast majority of citizens would not draw

a distinction between a weapon and a firearm. We live in the world of Hollywood culture and watch movies. While the delegates are focusing on the terminology used for weapons and firearms, most people do not see a difference. It is not the most important point. On the issue of automatic rifles and weapons that might be used, the concern of An Garda Síochána and the Defence Forces is that they do not want anybody to have possession of a weapon that would give him or her an advantage against gardaí on the streets. If someone has an automatic weapon or rifle and there was a situation, that person would have an advantage. That is the practical concern which is a reasonable one.

The delegates make the strong point that if something resembles something but is not it, there must be a logical and sensible way to say that while something looks like an automatic rifle, it clearly is not one. That takes me to my question. Is there an international practice or an international body to adjudicate and state that what we want safely to be in the hands of sports clubs is fine and will not be in the category about which one is worried?

The delegates spoke about crime prevention officers visiting their homes. Is there a space for an independent body that would do two things - adjudicate on whether the weapon is one that is internationally understood to be used for sporting purposes and hunky dory if secured safely and have the responsibility instead of crime prevention officers of visiting the homes of sports body members to ensure they were complying with the security requirements? It strikes me that there is a way to find common ground that does not put the sport at risk, while reassuring the public who are lay people and do not have the delegates' understanding. I am a layperson and to me, weapons and firearms are the same. It is about giving that sense of assurance in a sensible way that reassures the public.

Chairman: We also discussed the idea of centralised authority this morning.

Mr. Michael Tope: That is exactly what I was going to say. We would welcome the establishment of a centralised licensing authority. If it was to take on responsibility for considering the issue of home security, we would not have an issue with it. Equally, we do not have an issue with members of An Garda Síochána making home security checks. My experience is that An Garda Síochána does a very good job when it comes home security checks. That said, from a licensing administration point of view, the Deputy is correct that it has to be objective and specification-based. If we were to involve the stakeholders, agree, if necessary, the specification following debate and have an independent body to implement it, I would totally support it, as would the team present.

Mr. Mark Dennehy: I understand the Deputy's point about how people regard the words "weapon" and "firearm". I do not have a problem with this. I have trained several hundred people. When they come, they do not know anything about our sport and we do not turn around, slap them on the face and say, "Get out because you called it a weapon." It is our job to train them. If I am talking to my father as I did a few days ago in my kitchen and he uses the word "weapon," I do not haul him up on it. It is an informal chat. I do not have one of those lovely little light-up microphones in my kitchen and do not talk to the people who draft our laws in my kitchen. This is not an informal setting; rather, it is a formal one.

Deputy Pádraig Mac Lochlainn: That is a fair point.

Mr. Michael Tope: There are approximately 10,000 people watching us via the camera and I am sure a large number of them are laughing at me for this. However, it is something fundamental that gets in below all the stuff about which we are talking to shape the way people think

about it from the outside. That is why I am making such an effort of myself.

Deputy Pádraig Mac Lochlainn: It is a fair point which is accepted.

Chairman: Language is important.

Mr. Jeff McCann: I support Mr. Tope in his discussion on a licensing authority that would be impartial and set clear specifications and guidelines. In my submission I mentioned the German model, in which there are a number of tiers of licensing, starting with meeting simple shotgun licensing requirements. There are also stringent requirements to be met within them for those who seek to own a licence. Looking at international best practice, Germany, Canada and New Zealand are all classified as having restrictive firearms policies and equal or lower firearms related crime rates to Ireland, while having much higher numbers of firearms *per capita*. This should be looked at and taken on board as a possible solution.

Senator Tony Mulcahy: I spoke earlier when quite a few of those making presentations were present. With regard to the description, it is a cosmetic change to a firearm, even though its capacity has not changed, if I am using the right terminology. The cosmetics of it have changed. It is moving it from unrestricted to restricted. Mr. Tope made the point of having genuine consultation and debate with the Garda and the other authorities regarding what is and is not a suitable firearm. That is what we must decide in that regard. Will the witnesses elaborate on where they envisage this consultation process going? They have given their presentation today and we will move on from here. I appreciate getting an understanding of what firearms are. I have looked at the photographs but they effectively all do the same thing. They are all for the purpose of target shooting.

The other matter of note is that there are two members of the Defence Forces, although I realise they are not giving the view of the Defence Forces but their personal opinions. However, it certainly adds balance to the debate after the original presentation we were given by the Garda. We would trust our Defence Forces as much as we trust the Garda on this. From what I have heard today there is a level of expertise that must be engaged with before we finalise or sign off on anything, and that level of expertise is before us. I know the Garda has resources and the witnesses have said that they trust the Garda implicitly, but I cannot see how a scattered licensing arrangement with over 50 to 100 districts and decision makers can be a fair process for those partaking in sport. We must have some type of single licensing authority and an agreed calibre, or whatever word one wishes to use.

Chairman: We will have to discuss that among ourselves afterwards.

Senator Tony Mulcahy: Mr. Tope made that point and perhaps he would elaborate on it. We have said we need one authority but where does he see that going from here?

Mr. Michael Tope: The first and most important thing to do is bring independence to it. There must be an independent review of some type. A sub-committee of this committee, for example, might be the ideal group of people to complete such an independent review and take the views of all stakeholders into account. As has been mentioned this afternoon, with more than 650 court cases there will be interpersonal issues arising from that so we desperately need independence. I believe a review that includes the views of all stakeholders is a critical first step. An independent licensing authority is a very desirable second step so we can prevent the type of litigation that has occurred in the past and where there is a working appeals mechanism that is outside the courts. That is the point we must reach. I hope that answers the Senator's

question.

Mr. Joe Costello: I mentioned previously that I, among others, sat on the firearms consultative panel that was in operation a couple of years ago. Much good work was done and there was great progress. It was the first time there was anything like that. It went on for some time.

What strikes me is how much we are talking about the same things as we discussed then. One matter that arose early, when we were doing an outline of a type of wish list, as Mr. Dennehy said, was that we would like to have impartial and objective decisions. We would like to see a centralised system, hopefully, rather than a scaremongering that these are horrible things and why would one want them because they are evil and nasty. As Senator Mulcahy pointed out, changing the appearance of something cosmetically makes no difference to what it does or does not do. It is like changing the colour of one's car.

We really sought to do that and to get that going, but we were told it could not be done. For one reason or another it was shelved. That was a huge loss. It cost the State millions and it cost the citizens of the State an unbelievable amount of money. It created frustration and distrust, which was the most important casualty. Instead of having the Department of Justice and Equality, the Garda and shooters working together, it created the distrust that started to gel. It was a tragedy that it happened. Speaking for myself and my shooting colleagues, any of the stakeholders involved would welcome the opportunity to have an interface like that again.

Chairman: We will eventually finalise a report with a number of recommendations from this committee to the Minister on how this committee would wish to see things proceeding. So far, we have a good record of being listened to. We have produced a number of reports and submissions on various topics. It is an all-party committee and we try to reach a consensus as best we can on how we proceed.

Deputy Niall Collins: I thank our witnesses. I apologise that I had to leave the meeting for a while. I had to make a comment on the marriage equality referendum, which is part of our brief as justice spokespersons.

Will the witnesses comment on their experience of interfacing with the Department of Justice and Equality? Many of them would have made written or e-mailed submissions, but will they comment on face-to-face engagement?

Second, can the witnesses give us an overview, to their knowledge, of the number of other jurisdictions where the licensing or permitting of firearms is entirely within the remit of the police service in those jurisdictions? How many jurisdictions have a system similar to ours?

Mr. Michael Tope: On the experience of dealing with the Department of Justice and Equality, we engaged with the Department over an 18 month period, approximately. Our objective was to try to bring an end to the ongoing litigation, as I have previously mentioned. We were invited by the Department and we discussed what we believed were its problems or issues. We produced a lengthy and detailed submission suggesting alternative approaches to resolving those issues. We also discussed matters such as increased home security and so forth and an apprenticeship scheme for pistol ownership. It would be much like the motor cycle licensing model, where one started off with low calibre firearms and one trained and demonstrated one's capability and interest in the sport, after which one could move on to different types of firearms. Believe it or not, that idea came from a senior civil servant and we worked on it. Unfortunately, the submission was put forward and I believe it was read, but we never discussed it. We never

received a single question on it or anything that resembled a negotiation. It became apparent to us that we were going nowhere. We did not stop engagement. We had a meeting and there were no further meetings called.

It is interesting to note that the senior person in charge of the section in the Department of Justice and Equality moved shortly thereafter and that might have had something to do with it. I do not know. We then engaged with the replacement. We invited that civil servant out to one of our ranges so we could explain our sport. We were somewhat disheartened and a little suspicious, and I do not wish to do anybody wrong so I will not mention anybody-----

Chairman: You must be careful to remember the caution I mentioned at the start of the meeting.

Mr. Michael Tope: Yes, Chairman, and I will not mention any names. We were a little concerned when the main question we were asked was how much our firearms cost.

Chairman: We hope that this will lead to a further engagement and so forth.

Mr. Joe Costello: In response to Deputy Collins, the National Rifle Association of Ireland is based in a range in Offaly at Blueball or midlands range. It is the second largest range in Europe. It was built from our membership fees and moneys and with the work and effort of the members involved. It is an approved range and has been inspected and approved by the range inspector. We have had engagement with the Department and the Garda and various branches. As I said, we engaged with them on the firearms consultative panel in the past but more than that, we had a pretty good relationship with the Department of Justice and Equality. We put in a submission, in which I was involved, to advance the idea of ammunition reloading in Ireland. After some negotiation and so on, as one can imagine, we were granted that facility. We are currently the only club in Ireland which is allowed to legally reload rifle ammunition. That was done because it is an essential part of our sport. What we do is somewhat like the Formula One of shooting, where little things mean a lot, as the song says. We try to eliminate all the little things - the cumulative errors and so on. If someone who did not know what was involved in that were to watch somebody loading ammunition for a competition, he or she would probably fall asleep before anything happened.

However, we have engaged with the Department of Justice and Equality and the department of explosives extensively and they visited the range several times. We had meetings with them once every three or four weeks and there was somebody on the range. Reloading is a section of the legislation, so I offer an invitation to any member, or all interested members, of the committee to visit and to see the facilities.

Deputy Niall Collins: Are there any takers on the experience of other jurisdictions? Do many other jurisdictions have a regime similar to ours where the police service more or less runs it?

Mr. Mark Dennehy: The nearest example would probably be the UK where it is a police function. Our system is very different from anywhere else in the world. We do not license the individual but rather the firearm, which has some interesting side effects. For example, we can tell members how many firearms are licensed in Ireland today. If they ask me how many people have a firearm or who are the licensed owners, I cannot tell them that. I do not think I have ever seen that figure presented to the Dáil. The answer to the simple question of many people have guns is that no one knows. We can have people who have two or three licences and we can have

a firearm which is licensed to two or three people. One would have to audit all the data and it would be a monumental task to come up with that figure, simply because of the way the system is structured. In terms of trying to compare ourselves to other jurisdictions, there are fundamental differences as to how we do things here which make simple comparisons almost impossible.

Chairman: I welcome Deputy Heydon.

Deputy Martin Heydon: I thank the Chairman for allowing me to sit in on the committee. I am sorry I could not make it this morning but I would welcome the opportunity to make a couple of brief points and ask a couple of questions. The input of this committee is very important and I welcome the work it is doing on this because it will bring a balance to the debate, which is very important. Ultimately, this whole thing is very subjective. Much of the concern I have with the report from the Garda and with what has happened in the past and all the litigation is subjective in terms of interpreting what is there already and what could change. Deputy Mac Lochlainn's point was that perception and use of language are important, as has been accepted. The people in Harbour House Sports Club, my local club, and in others, who take their sport and their responsibilities dealing with firearms very seriously, are being portrayed as gun-toting irresponsible citizens. That is a problem and that is where the use of language is very important.

Chairman: A question, please.

Deputy Martin Heydon: Mr. Conroy referred to the change in the legislation five or six years ago. Nobody in this room wants a legally or an illegally held gun to be involved in an incident in the future. From the Garda's point of view, have any incidents happened in the recent past - since the change in the legislation - which the witnesses believe are driving these further changes?

Chairman: We will get the witnesses to answer that question first and then we will come back to the Deputy.

Mr. Brian Conroy: I thank Deputy Heydon. The question was about whether there have been incidents since the 2009 legislative change which we feel might underscore the proposed changes in this draft document. Speaking as a representative of the trade and, to some degree, wearing my hat as a committee member of the Harbour House Sports Club, we do not believe there have been any incidents which underpin this legislative drive.

Deputy Martin Heydon: I thank Mr. Conroy for that answer. Mr. Tope referred to the significant investment to upgrade clubs' security facilities and those of anybody who has licensed weaponry, and this was touched on in a number of the presentations. One could say there is a greater threat from illegally held firearms and there seem to be a lot more of them in this country. Irrespective of the outcome of this, things cannot say the same because we cannot keep having 600 or 700 court cases. I am not a member of this committee, which has to decide on things, but I very much support the calls for an independent licensing committee and authority. I welcome the opportunity to make my points.

Chairman: Would Mr. Dennehy like to respond again?

Mr. Mark Dennehy: On the question as to what changes we would make, having studied this for ten years or so – ten years I would like to get back, to be entirely honest – there are definitely things that are broken. For example, it is not right that since 2009, those at stag party paint-balling in Wicklow for a weekend are committing a breach of the Firearms Act. Technically, that requires them to be put in jail for seven years and fined €20,000, along with

everybody who works in the companies that run these services. I do not think anybody would think that is a great way to have the law. If hunters going out to shoot rabbits for the pot take a shot before they start hunting the rabbits to ensure their sights are aligned, that is technically target shooting outside of an authorised range, which is illegal act. The Minister for Justice and Equality at the time said afterwards that was an unintentional mistake in the law. There are many errors in the law to which we can point and that is really awful. There is the Firearms Act 1925 and there are eight more Acts which amend parts of it. Nothing has ever been repealed. There are another 12 Acts which have parts in them which define the behaviour target shooters and hunters are supposed to follow, including the Wildlife Acts, the Airports Act and the Explosives Act, which covers the reloading shooters do. There are Acts from before the foundation of State, including both of the Explosives Acts. The Summary Jurisdiction (Ireland) Act 1851 still applies. It relates to how far away from a road one has to be before one can start hunting bunnies. There is no single place a person starting off in the sport can go to see what the rules are to which they must adhere. Before we start to make any changes to these things, and there is a list, we need to have a solid base from which to work.

What has to be done is that all of those nine or ten Acts, which amended the Firearms Act, need to be restated under a Statute Law (Restatement) Act 2002. That was called for by the Law Reform Commission in 2004 and by Mr. Justice Charleton in the High Court a few years ago but it has never been done. The Law Reform Commission has prepared informal restatements of these Acts. The only textbook ever written on firearms law in Ireland, which was only just published last year, has a restatement in one of the appendices but that is not the same thing as a restatement of the Act under the law, because at that point, we would take all that has gone before it, repeal it and replace it with the Firearms Act, as amended, and we would have a single document to which we could all go.

If we do that, then we can start to talk about the fairly silly things in it that need to be fixed. For example, if I am doing my Christmas shopping and I walk into a popular shop in a popular shopping centre and see a shelf full of toy crossbows being sold – they are obviously toys and are meant for firing suction darts at walls and so on - under the current Firearms Act, they are restricted firearms. These are obviously toys and meant for firing suction darts at walls and this kind of thing. Under the current Firearms Act, these are restricted firearms and need to be licensed. If a person does not have a licence for it, he or she faces seven years in jail and €20,000 in fines. This is beyond silly.

Mr. Joe Costello: It is cheaper than babysitting.

Mr. Mark Dennehy: Do not give me ideas.

Chairman: Is it being proposed that Santa Claus be jailed? Consolidation of legislation happens now and again, but it is usually very complex and takes quite a while. However, we will examine the Law Reform Commission report and others. If there are other such documents available, I invite the witnesses to make them available to the clerk to the committee. Obviously there is a lot of work to be done in this area.

Mr. Mark Dennehy: I have already mentioned in the submission that we could take the restatements which have been done by the Law Reform Commission and by Martin McDonnell, who is the barrister who wrote the only book on this area of law. These could be used as working documents by the firearms consultation panel. All the stakeholders could come together with a baseline document, point out what is broken in it, fix these and pass it as a new firearms law, which repeals everything that is in force in order that it is all contained in the one law.

Chairman: I can feel a recommendation coming on here.

Deputy Seán Kenny: We have had a very good discussion. We spoke for much of the time about assault rifles and how, if a thing looks like an assault rifle, the laws in this regard will operate. As Deputies, we often meet people who have been the victims of a robbery. I met a postal worker who described what it was like to be looking down the barrel of a firearm or a weapon or whatever one wishes to call it. He was not a firearms expert. He was looking down the barrel of what he thought was an automatic weapon. I know the witnesses are as much against this as we are. However, to understand the perception that exists and why the regulations cover assault rifles or something which looks like one, if someone is holding up a bank with what looks like an assault rifle to the people behind the counter, it is one to them. This could be one of the reasons for this in the current Act. I ask the witnesses to comment on this.

Mr. Mark Dennehy: In 2004, I was the secretary of the National Target Shooting Association, NTSA. We met Department of Justice officials, because at that time they were starting to draft the firearms Bill 2004, which became the 2006 Act. One of the initial suggestions in the draft was to describe assault rifles as rifles that had a pistol grip and a collapsible stock. Every air rifle and small bore rifle used in the Olympics has a pistol grip and a stock which adjusts, which could be defined as collapsible, because every single human being has a different distance from where the stock goes on one's arm - for air rifles it goes on one's shoulder - to one's eye, which is doing the aim. It has to be adjustable because a person is paying €2,500 for a rifle and he or she will want it to fit. We talk about how we define these things in the Act, but this is the effect it has on sportspeople.

However, the Act is kind of odd in that it deals with two separate groups. There are two separate scenarios. On one hand, the Act deals with law-abiding people engaged in sports, hunting, veterinary practice, airport safety and so forth and it covers how these things are licensed. The assault rifle part deals with this. On the other hand, another section of the Act deals with every murderer, terrorist and drug dealer. This section deals with possessing firearms without licences and with intent to endanger life and so on. This has nothing to do with us. When we find the definition of assault rifle going into our section of the Act, we are confused. It is not, to our minds, a fantastic association to have.

In the scenario the Deputy described, where someone walks into a post office and points a gun at the poor woman behind the counter, under Irish law it does not matter if it is a gun. If I point a toy at someone behind the counter and say, "This is a robbery. Stick 'em up", I will go to jail for the same length of time as if I had used a loaded firearm. The law does not make a distinction between whether the firearm is real, loaded or anything else. It is an offence for a person to point something at another person which the second person thinks is a loaded firearm and the first person acts like it is. The person is going to jail for the same amount of time, regardless of what it is he or she is actually holding in his or her hands.

There is this idea that we are trying to get around things that would concern public safety. It is very difficult to explain how foreign a concept this is. Most of us here have children. If the Deputy wishes, after the meeting I can sit him down and show him photographs of the most beautiful child ever born in Irish history and quite happily bore him to death with it. I am very concerned about this child's public safety. He is a member of the public, as am I. When we start talking about that with this, it is a bit confusing, because there is nothing in this law which says that we are a separate group from the public. When we speak about the firearms licensing laws and the half of the Firearms Act that applies to us, it is really important to keep it distinct in our minds from the other half of the Firearms Act, which is about people none of us would

like to be seen given the time of day and which most of us would like to see locked up for the rest of their lives. That is what the law applies to in most cases. There is a life sentence for half these things.

Mr. Joe Costello: My deepest sympathies go to the person about whom the Deputy was speaking. I cannot imagine how traumatising a situation like that would be. It is totally repugnant to any target shooter or law-abiding citizen. I would make the point, while not wishing to be insensitive, that if someone walked in my front door and pointed any kind of firearm at me, I would be more worried about the fact that they were pointing a firearm rather than the type of firearm it was, its shape, colour and so forth. I can understand that the person relating the story to the Deputy said that it was an assault rifle. In a way it is a moot point, because it could have been a single barrel shotgun or a piece of pipe with a handle on it. It might not have been a real gun, but it would have had a very traumatising effect. I understand the public safety aspect. However, it is no basis for deciding what type of firearm or what the appearance of something is or whatever.

Mr. Michael Tope: We are back to a link between target shooting, legal firearm ownership and crime. I dispute there is one. If the Deputy were to walk into any firearm shop, the nonsense of this appearance argument would become apparent. A person can buy a realistic imitation firearm and I would not be able to tell the difference between it and a real firearm. A child could buy one. From here to the table, I could not tell the Deputy the difference.

Chairman: Any toy shop.

Mr. Michael Tope: Any toy shop. A person can buy M16s, M60s, AK-47s, yet my MSR .22 calibre rifle is a restricted firearm. It is nonsense.

Chairman: This is getting more complex as we go along.

Mr. Jeff McCann: I once had a firearm pointed at me during a bank robbery. I did not hang around thinking, "It is okay; it is only a semi-automatic", or "It is a sawn-off shotgun". It took quite a while to be able to sit down and recall it. When the police were questioning me, all I was able to tell them was that there were two barrels. That is all I knew. I could not say if it was large or small, and it did not matter. No matter what that weapon - I use that term because it was a weapon at that stage as it was threatening me - was being used for or what it was, it was lethal at that stage if that person had pulled that trigger. On Mr. Tope's point, that was a malevolent person using a firearm for purposes that are not ours and with which we should not be linked.

Chairman: This morning we spoke about having a record of ballistics for all firearms, rifles and pistols. I take it shotguns do not apply. Obviously it would not work.

Mr. Joe Costello: That is not strictly true. I presume that the members of the committee understand how a firearm works.

Chairman: Yes.

Mr. Joe Costello: When the cartridge goes into the barrel of a shotgun, the vagaries of manufacture are such, even among very high quality items, that like a fingerprint, when it strikes the back of the cartridge, an indent is left which is specific to that firearm. However, one might not have the normal range of ballistic testing that one can do.

It is a funny thing that the Chairman mentioned ballistic testing because I ran this idea by

some of our members. Some of them commented that if the idea of ballistic testing was put out there, and if this would exonerate us or our firearms from involvement, they would happily pay their travelling expenses and even a fee to have it done. That possibly sounds very dramatic but we take it that seriously.

Deputy Alan Farrell: I wish to ask a follow-up question. Does Mr. Costello agree that it is a lot easier to change the configuration of a firing pin than a barrel? I could adjust the striations left by a firing pin in a shotgun with a nailfile in 30 seconds to make it completely unrecognisable from the record previously taken. To do the same with a barrel of a rifle or handgun is a completely different kettle of fish.

Mr. Joe Costello: I agree.

Mr. Jeff McCann: The German authorities have held a ballistics database since 2000. It is not just the firing pin that is involved. There are grooves on the cases, which we call the brass of the case, even in a shotgun which are much harder to change than just the firing pin. The German authorities say that 77% of all cases recovered at crime scenes at the moment are useful in the identification of the crime.

Chairman: That is something we should certainly explore. Would it be administratively cumbersome and awesome to do this work?

Mr. Jeff McCann: It is already allowed for within legislation.

Chairman: We have mentioned graduated apprenticeships and proper training at one stage. Does Mr. Tope wish to comment?

Mr. Michael Tope: We put forward such a proposal and we included it in our detailed submission. We put it forward to address the concerns raised by the Department of Justice and Equality about a perceived dramatic growth in centre fire pistol ownership. Whether one agrees or disagrees with the Department's perception, we felt we should help solve the problem.

In our view the Department did not seem to have an issue with the right type of people - target firearms people - having firearms. It was concerned that people who were not necessarily dedicated target shooters might get a licence for these firearms. We then built on an idea from a senior civil servant to have a graduated scheme like motorcycle licensing, from 50 cc up to a 1,000 cc motorcycle. We developed a scheme which we felt would work and put it forward in our submission to the Department. Let me give an example. If centre fire pistol licensing was back on the table again, and I hope that it is, there would not be a dramatic rise in applications because it was only people who had proved their interest in the sport and developed a capability who would be capable of obtaining such licences. The same applies for small calibre pistols and various types of rifles. One must work one's way up the categories.

Chairman: I know one can change an automatic into a semi-automatic. The difference is semi-automatic is a single shot weapon so it is far more accurate. An automatic firearm like a rifle can spray shots all over the place which may not be very accurate. Will Mr. Slattery comment on that, explain the differences and why people perceive one to be more lethal than the other? To me, the single shot can be more lethal because a person has more control and accuracy.

Mr. Philip Slattery: We are at the stage in firearms development where it is tradition versus evolution. In terms of the development of firearms, realistically we are now going as far

as lasers. Firearms cannot develop any more so a lot of manufacturers have moved to a semi-automatic platform. That means every time one pulls the trigger, one has a one round fire. For a fully automatic platform, every time one pulls the trigger and as long as one holds back the trigger, the firearm or weapon, depending on its use, will continue to fire until there is no more ammunition or it jams. In the past it was perceived that bolt action rifles were far more accurate than semi-automatic rifles. Nowadays, several manufacturers produce semi-automatic rifles that are as accurate if not more so than a lot of bolt action rifles on the market. We must legislate for this development or we will be left in the dark again.

Chairman: What about an automatic?

Mr. Philip Slattery: An automatic weapon is illegal in this country.

Chairman: I know.

Mr. Philip Slattery: Such weapons would not be as accurate because each time one pulls the trigger there will be a burst of bullets, depending on the distance.

Chairman: Two, three bullets or whatever number one needs.

Mr. Philip Slattery: Yes.

Mr. Mark Dennehy: I wish to re-emphasise that point. Under Article 6 of the EU Directive 91/477, that has been out since 1991 and is part of our law, any automatic firearm comes under the heading of category A in the EU and cannot be licensed to any civilian. One can only possess them with specific permission from Government. That means Enda Kenny would have to write a note saying one could have one. The directive states that all member states should prohibit people from having such firearms and, therefore, this is not an issue in Ireland.

Chairman: I thank witnesses for taking the trouble to attend today and for giving of their valuable time and expertise. I invite them to keep in contact with the committee. If there are other points of view or whatever they want to convey, I ask them please to contact the clerk to the committee after the meeting.

We will continue our work. We plan to visit a firing range in a number of weeks. We also plan to visit the Phoenix Park and will engage further with Department officials, the Minister and others on this issue. After our deliberations we will issue a report and will invite the witnesses to its launch. We have all learned a lot; I certainly have. I thank everybody for attending and wish them well.

I propose that the meeting goes into private session to deal with housekeeping matters. Is that agreed? Agreed.

The committee went into private session at 4.27 p.m. and adjourned at 4.40 p.m. until 2.30 p.m. on Wednesday, 18 February 2015.