

Response ID ANON-VCM5-96PB-V

Submitted to Fireworks and Pyrotechnic Articles (Scotland) Bill
Submitted on 2022-03-07 16:02:50

About you

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I would like my response to be published in its entirety

What is your name?

Name:
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Are you responding as an individual or on behalf of an organisation?

Organisation

Organisation details

Name of organisation

Name of organisation:
Scottish Community Safety Network

Information about your organisation

Please add information about your organisation in the box below:

SCSN is a registered Scottish Charity (SC357649) and Company Limited by Guarantee in Scotland (SC040464). We are primarily a membership organisation that brings together representatives from across the community safety sector to achieve a shared vision. We also host Home Safety Scotland (a forum of home safety organisations and professionals).

We are the strategic voice for community safety in Scotland and through working collaboratively with our members and partner agencies aim to:

Provide leadership and be a centre of excellence for the community safety sector
Champion community safety and influence the shaping and development of national policy and local delivery
Be a collaborative learning, developing and sustainable network.

Overall views

What are your overall views on the Scottish Government's plans to restrict the sale and use of certain types of fireworks and pyrotechnic articles in Scotland, as set out in the Bill?

Please provide your response in the box provided.:

SCSN agree that a licensing system could help reduce illegitimate, irresponsible purchasing of fireworks, and improve general awareness of the risks through completion of mandatory course for members of the public who wish to buy and use CAT F2 and CAT F3 fireworks in Scotland. However, there are several issues that might be considered too:

o ANTI-SOCIAL BEHAVIOUR

The proposed changes seem like a response – in large part – to ASB. A more effective response might be to address the root causes of ASB; focus on education, prevention and culture change, instead of tightening regulation, restrictions and punishment.

o EXISTING RESTRICTIONS

New restrictions - which came into force, 30 June 2021 - specify limits to the quantities of fireworks that can be sold, the times of sale, and times of use. Therefore, we suggest these measures are given adequate time to bed-in and take effect. This might help government, local authorities and industry measure the impact and inform which – if any – of the additional proposed restrictions are needed.

o OVERREACH

Citizens may perceive this type of regulation as overreach by central government. Therefore, we suggest the evidence in support of licensing is published and unambiguous, to help demonstrate the need, and win the approval of the public and the industry, vital for uptake and success. This could be anticipated positive impacts in relation to number of hospital visits due to fireworks etc. and the savings to the public purse.

o PARTICIPATION

Obtaining license should take effort but not become such an obstacle that it deters people from purchasing fireworks legitimately. The online course should highlight the dangers and risks, but be straightforward and simple to complete.

o UNDERSTANDING

Some local authorities report few or no issues with fireworks. A national, one-size-fits-all approach could be viewed as unnecessary in parts of the country that don't relate to fireworks as a problem. Therefore, clear public messaging, to explain new national measures - and engage communities - will help build broad understanding and acceptance.

Types of fireworks covered by licensing system

What are your views on this proposal?

Please provide your response in the box provided.:

The course and licensing is an opportunity to engage with the public and alert citizens to the dangers of fireworks and explosives. A safety course could further improve understanding of the risks and positively influence behaviours, concerning sale and use of fireworks. In terms of overseeing the online course, robust infrastructure would need to be put in place to ensure that those completing the course are actually those applying for a license. In addition, how they members of the public evidence their license using physical and digital versions (i.e. an app). In terms of the cost of the course and the license, this seems appropriate and fair and in line with other licensing costs.

Restrictions on supply of fireworks

What are your views on the proposed restricted periods on which CAT F2 and CAT F3 fireworks can be purchased by the public?

Please provide your response in the box provided.:

This could help to prevent the misuse of fireworks throughout the year, however, SCSN has identified two important issues which may need addressed before these restrictions on use can be realised:

o DATE DISCRIMINATION

The exceptions stated, for Chinese New Year and Diwali may not take account of Scotland's numerous other religions and beliefs, potentially missing the Jewish Community, Pakistani community etc (although unsure of specific dates for set celebrations).

o ENFORCEMENT

Limiting the day's fireworks can be used, to a small window of dates each calendar year will present opportunity and challenge. Namely, Police Scotland will be able to plan deployments, ahead of time to help enforce these restrictions. However, competing, large scale events will stretch and perhaps undermine policing plans. Therefore, perhaps the Scottish Government might consider increased, dedicated and ring-fenced police deployments to communities, to ensure support to enforce is always available.

Restrictions on the use of fireworks

What are your views on the proposed changes to the days on which fireworks can be used?

Please provide your response in the box provided.:

SCSN sees this as a positive change in relation to improving animal welfare as well as minimising risk of inappropriate and dangerous firework use.

Criminal offences

What are your views on these new criminal offences?

Please provide your response in the box provided.:

Although proposed fines and sentencing will help to mitigate illegal purchasing and use of fireworks, we know that short prison sentences aren't useful all the time and can be the beginning of a revolving door through the criminal justice system for some people. We also know that a lot of people who engage in ASB are likely to be from more disadvantaged communities and so £5000 is likely to have crippling effects and potentially lead to people committing crime to stay afloat and keep a roof over their head. Clear messaging and discretion will be required in the early stages of introducing new legislation to ensure a period of adjustment that doesn't unintentionally push genuinely unknowing people into destitution.

Compensation scheme for businesses

What are your views on a proposed compensation scheme?

Please provide your response in the box provided.:

If this scheme were to go ahead, calculation of how much compensation would need to depend on historic sales of fireworks and require robust and transparent monitoring and evaluation methods. In addition, an internal evaluation from Scottish Government could help to calculate the savings that are potentially made due to the new legislation, for example (anticipated) reduced hospital visits due to firework injury, reduced number of prison sentences due to anti-social behaviour, reduced number of vet visits from distressed or injured animals. This could potentially demonstrate to the public the overall savings of the bill, despite outgoing compensation payments to businesses.

Firework Control Zones

What are your views on the proposals for Firework Control Zones?

Please provide your response in the box provided.:

It's a positive move. However, work would need to be done alongside councils to ensure that their community engagement processes were fair, open and inclusive so as the proposed zones were not discriminatory, inflammatory or offensive to certain communities in any shape or form.

Restrictions at certain designated places or events

What are your views on the restrictions of the use of fireworks and pyrotechnic articles at certain events, and the restricted use of pyrotechnic articles more generally?

Please provide your response in the box provided:

This is a positive change and SCSN fully endorse this, from the perspective of helping reduce anti-social behaviour as well as decreasing fire risks / accidental injury at events.

Other issues

Those issues which the Scottish Government proposes to deal with in regulations after the Bill has been passed into law? (Set out in the Delegated Powers Memorandum)

Please provide your response in the box provided:

Are there any other issues you think the Bill should address relating to the use of fireworks or pyrotechnic articles?

Please provide your response in the box provided.: