



12/11/2014

**To All Members of both Houses of the Oireachtas**

Dear Oireachtas Member,

On 7<sup>th</sup> May last we invited you and all of your colleagues in both houses of the Oireachtas to a briefing in Buswells Hotel, Molesworth Street, Dublin concerning the maladministration of the firearms licensing system which has cost the taxpayers of Ireland millions of Euros in legal costs. We had previously circulated to each Member a copy of a critique in support of our concerns.

Following on from that occasion many of you made representations on our behalf to the Minister for Justice. She responded to each of you in writing and on the 12<sup>th</sup> of June on floor of the Dáil in the following terms:

*“As the Deputy is aware, in light of public safety concerns highlighted by An Garda Síochána and difficulties in the interpretation of the legislation expressed by members of the judiciary, my Department is currently examining key policy, legislative, administrative and other issues relating to firearms licensing in conjunction with An Garda Síochána. I expect to receive and consider a report in relation to these matters in the near future. When I have considered that report I will consider what further action is necessary in relation to the firearms licensing system.*

*Officials of my Department met key interest groups in late 2013 and early 2014 who set out their concerns in relation to a range of issues regarding firearms licensing at that time. These interest groups have also communicated their views directly to me, as well as to all Oireachtas members. Further consultation with relevant stakeholders will take place when I have considered the report and before any decisions are finalised in relation to proposals for change to the firearms licensing system. I will decide on the nature of the consultation and what meetings are appropriate at the time I am considering the report.”*

The Minister repeated that commitment to consultation on various other occasions herself in and out of the Dáil and through her officials in the Department of Justice. She also stated in correspondence to the writer that she was prepared to submit the administration of the firearms licensing system over the past five years to the Garda Síochána Inspectorate.

We attach a copy notice which was issued by email by the Department of Justice on 10<sup>th</sup> inst. The effect of this will have profound negative consequences for firearms license holders as it is issued to facilitate the Gardai in refusing to grant or renew existing licenses. Not only has there been no consultation with the stakeholders as promised to us, to you and to the Dáil, but we have discovered an express intention by the Minister's department not to have any meaningful consultation with the stakeholders as had been promised. A consultation, where it is not intended in advance to engage in it meaningfully is we submit, no consultation at all. We attach a copy letter written to the Minister by the undersigned and dated August 22<sup>nd</sup> which is self-explanatory and exposes a most serious dishonest intention by the Minister's Department. As the Minister has made no response to this correspondence, other than a one line acknowledgement from her Private Secretary, we can only take it that she agrees with the intentions of her officials and therefore endorses the intention to deal with the shooting associations in a dishonest manner. In that regard we believe she has therefore misled everyone.

There is now no Annex F to the Garda Commissioner's Guidelines and no Annex at all, leaving potential chaos as the outcome. Let there be no misunderstanding, Annex F has been removed to facilitate depriving firearms licence holders of their existing licensed sports firearms because the courts have consistently refused to allow the Gardai to misapply the legislation. In short, they are being rewarded for maladministration. And lest there be any doubt as to the clarity of what was originally intended and agreed by all parties, one need only refer to Chapter 2 of the Commissioner's Guidelines and the paragraph **"Restricted or Non Restricted Firearm?"** wherein it is stated, even after the removal of the Annex:

### ***"RESTRICTED OR NON RESTRICTED FIREARM?"***

*Attention is drawn to Statutory Instrument No: 337 of 2009: Firearms (Restricted Firearms and Ammunition) (Amendment) Order which amends Statutory Instrument No: 21 of 2008. This S.I. has declared certain firearms to be non restricted and certain types of ammunition to be restricted. The S.I provides that these Olympic standard target pistols shall have a magazine capacity of no more than 5 rounds and the barrel shall not be less than 10cm in length. Applications for a firearms certificate for these short firearms shall continue to be made to the local superintendent and will be considered under the new legislation. Firearms which come under the definition of paragraph 4(2)(e)(iii) of the Firearms (Restricted*

Firearms and Ammunition) Order 2008, as amended, are listed in Annex 'F' of these Guidelines."

We regard the publication yesterday of the Garda Inspectorate's Report as a complete vindication of the concerns which we have been expressing since 2009 to successive Governments and Oireachtas Members of all political persuasions. We reiterated those concerns to every Oireachtas Member last May in very significant detail. Not only was nothing done to address the issues and the scandal of over 650 court challenges, but we are yet again being wronged and lied to (not for the first time) by Fine Gael and we will hold each and every Fine Gael member responsible. As far as shooting, fishing and hunting people are concerned, Fine Gael cannot be trusted where our interests are under threat

We will again be in Buswells Hotel across from Leinster House throughout the day from 10am on Thursday, November 20<sup>th</sup> to provide an up to date briefing on the situation to public representatives and we would hope and expect that you will attend.

We look forward to meeting you then.

Yours sincerely,

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&  
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