

Mr Steven McCourt
Clerk to the Ad Hoc Committee
Room 32
Parliament Buildings
Belfast BT4 3XX

10 October 2002

Dear Mr McCourt

Draft Firearms (NI) Order 2002

Please convey my thanks to the Committee for inviting the Northern Ireland Human Rights Commission to provide a written submission, and give evidence, on the draft Order. The Commission is content that both the detail of the draft Order, and the underlying principles, are consistent with international standards on human rights.

The principal human rights issue in relation to firearms legislation is whether it is compliant with the duty on the state to protect the right to life, arising from such standards as Article 2 of the European Convention. The draft Order, although maintaining a slightly different regime from that applying in Great Britain, seems to us to provide adequate safeguards in that respect. The new requirement for a fresh application for a certificate, rather than routine renewal, and in particular the requirement to give the Chief Constable permission to seek relevant medical information, strengthen the protection against firearms remaining in the possession of a certificate holder who has become unfit. We agree that in the present circumstances a handgun ban would be inappropriate. We have not identified any important problem, from a human rights perspective, with any other provisions of the Order.

In order to allow the Committee to make the best use of its time, the Commission wishes to decline the opportunity to give oral evidence since we would have nothing of substance to add to this brief written comment. Of course, if the Committee is particularly keen to have a detailed discussion around the human rights aspects, we would be willing to attend.

Yours sincerely

Brice Dickson
Chief Commissioner