

Notice of a Proposed Direction for Royal Mail to Prohibit the Carriage of Firearms

A Decision Document

June 2005

Summary

S1. In September 2004, Royal Mail applied to Postcomm under Paragraph 1 of Condition 19 of its licence to prohibit the carriage of sporting, deactivated and replica firearms and their component parts, munitions and ordnance (hereafter collectively referred to as 'firearms') in its letters network, which covers letter post, Special and Recorded Delivery and the Standard Parcels Service. Parcelforce, under Royal Mail's application, would be unaffected.

Royal Mail provided three main reasons for its application:

- Firearms cause significant disruption to Royal Mail and the police when they are found in the letters network.
- Prohibiting the carriage of firearms in the post would help the police with firearms control.
- The ease of access to Royal Mail's pipeline and the anonymity of the senders make Royal Mail's letters network the target for the transport of illegal firearms.

S2. In December 2004 Postcomm issued a public consultation in order to gauge public reaction to Royal Mail's application and to assess its soundness.¹

S3. Postcomm would like to thank all those who responded to this consultation. The responses received contributed much to Postcomm's understanding of the issues surrounding the carriage of firearms in the post and generated lively and valuable debate.

Postcomm's Decision

S4. The majority of respondents to Postcomm's consultation opposed the approval of Royal Mail's application to prohibit the carriage of firearms. Respondents raised valid concerns about the level, quality and expense of service that would be available to persons wishing to transport firearms should Royal Mail's application be approved. Many asked specific questions that pointed to inadequacies in Royal Mail's proposal.

S5. After carefully considering the responses, Postcomm has decided to reject Royal Mail's proposal. The principal reasons for this decision are:

- Royal Mail has not provided sufficient evidence that carrying firearms in its letter network causes them undue and unavoidable disruption;

¹ The consultation was published 13th December, 2004, and closed 14th March, 2005. The text of the consultation document and all non-confidential responses can be found on Postcomm's website, www.postcomm.gov.uk.

- Royal Mail has not provided sufficient evidence that prohibiting the carriage of firearms in its letters network would contribute to a material reduction in the number of illegal weapons entering and circulating within the UK;
- Prohibiting the carriage of (legal) firearms in the post would cause unnecessary hardship for many persons and businesses, especially those in rural areas and Northern Ireland.

On 8th June the Government announced plans to ban the manufacture, import and sale of replica guns. If enacted, this will impact on what can legally be sent through the post. As a number of respondents to this consultation have commented, it is for others to determine what is illegal, not Royal Mail. The legislation announced by the Government, if enacted, will do this, and it would not be right for Postcomm to pre-empt the Parliamentary process.

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1. Introduction

Purpose of this document

1.1 This document explains why Postcomm has decided to reject Royal Mail's application to prohibit the carriage of sporting, deactivated and replica firearms and their component parts, munitions and ordnance (hereafter referred to as 'firearms'). Specifically, this document:

- Outlines Postcomm's responsibilities.
- Outlines Royal Mail's licence obligations and the meaning of Condition 19.
- Details the scope of Royal Mail's application, including their reasons and arguments for prohibiting the carriage of firearms in the post.
- Details the scope of Postcomm's consultation on Royal Mail's application, including Postcomm's specific areas of inquiry.
- Summarises and analyses the views of those who responded to Postcomm's consultation, including Royal Mail and Postwatch's submissions.
- Provides an explanation of the rationale behind Postcomm's decision to reject Royal Mail's application

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2. Postcomm's Statutory Duties

Postcomm and Postwatch

- 2.1 The Postal Services Act 2000 (the Act) established the Postal Services Commission (Postcomm) as the independent regulatory body for the postal services industry in the United Kingdom. Postcomm's Business Plan, which can be found on its website at www.psc.gov.uk, gives details of its duties, functions, objectives and work plan.
- 2.2 The Act also established the Consumer Council for Postal Services (Postwatch) to represent the interests of users of postal services.

Postcomm's statutory duties

- 2.3 Postcomm is required by the Act to exercise its functions in the manner that it considers is best calculated to ensure the provision of a universal postal service.
- 2.4 Subject to its universal service duty, Postcomm must exercise its functions in the manner that it considers is best calculated to further the interests of users of postal services, wherever appropriate by promoting effective competition between postal operators. In doing so, Postcomm must have regard to the interests of those who are disabled or chronically sick, are of pensionable age, are on low incomes and who reside in rural areas.
- 2.5 Subject to the duties mentioned above, Postcomm has a further duty to exercise its functions in the manner that it considers is best calculated to promote efficiency and economy on the part of postal operators.
- 2.6 Finally, in performing all its functions in relation to holders of licences granted under the Act, Postcomm must have regard to their abilities to finance the activities authorised or required by their licences.

Royal Mail's Licence Obligations

- 2.7 On 23rd March 2001 Postcomm granted a licence (the Licence) to Royal Mail Group plc – formerly Consignia plc – to provide postal services within the UK. The Licence came into effect on 26th March 2001 and was amended on 1st April 2003.
- 2.8 Under paragraph 1 of Condition 19 of the Licence, Royal Mail is required to provide its regulated services on as wide a basis within the United Kingdom as they were offered and provided in March 2003 and on terms other than price that are no less beneficial to users than the terms on which they were offered and provided in March 2003, unless Postcomm, after consultation with Postwatch, directs otherwise.

2.9 In the context of Royal Mail's application to prohibit the carriage of firearms in the post, this means that Royal Mail is not permitted to cease carrying firearms without Postcomm's agreement.

3. Royal Mail's Application to Prohibit the Carriage of Firearms

Background

- 3.1 Certain Royal Mail products or services have their charges, terms and conditions detailed in documents called 'schemes.' The schemes set out the items that are prohibited in the mail.
- 3.2 On 3rd September 2004, Royal Mail formally requested consent from Postcomm to alter the schemes to prohibit the carriage of any firearm, shotgun or component thereof or any item that gives a realistic appearance of being such when examined in its letters network. This includes but is not limited to articles that may be sent as ornaments or decorative items, as well as replicas, imitation and disabled guns, starting pistols and realistic-looking toys. The prohibition would also apply to real, fake, disabled or replica ordnance (e.g. replica hand grenades) because of the difficulty of being able to distinguish these from the real items.²

Reasons for Royal Mail's Application

- 3.3 Royal Mail presented two main reasons for the application to prohibit firearms.
- 3.4 Royal Mail's first reason relates to the disruption caused by firearms when they are discovered in Royal Mail's letters network. Royal Mail's transport review has resulted in the carriage of much more mail by air. Under Civil Aviation Authority rules, all parcels carried by air have to be scanned; as a result of this, a greater number of firearms, legal and illegal, are being discovered in the post. Every time Royal Mail identifies a firearm or firearm-related object, operations are halted and the police are alerted. Royal Mail is concerned about the amount of time this takes for both Royal Mail staff and the police. If firearms were prohibited, this would happen far less often – the only firearms in the mail would be there accidentally or illegally. Legal firearms discovered in the post would be returned to their owners by the police.
- 3.5 Royal Mail's second reason for the application is that the prohibition of the carriage of firearms would help the police prevent crime. Blank-firers that can be readily converted to working firearms can be bought over the internet. The Association of Chief Police Officers (ACPO) has approached Royal Mail about the possibility of banning firearms in the post, as ACPO believes such a ban would make it harder for criminals to obtain illegal firearms.

² Copies of the schemes can be found on the Royal Mail website (www.royalmail.com – type 'Non-contract T&Cs' into the search box).

- 3.6 Royal Mail claims that since all mail entering the UK is scanned, the prohibition of firearms would have a real effect on this problem: all replica firearms that enter the country could be removed from the main pipeline, and handed over to the police. Firearms could still enter the country using other parcel carriers, including Parcelforce.
- 3.7 ACPO also believes that this would aid the police in intelligence gathering as other parcel carriers require that a sender's name and address, in addition to a recipient's, be affixed to parcels. ACPO believes that the anonymity of Royal Mail's pipeline makes it a target for the illegal transportation of firearms.

4. Postcomm's Consultation

- 4.1 On 13th December 2004, Postcomm issued a consultation document on Royal Mail's application. The consultation was open for a period of 3 months, until 14th March 2005.
- 4.2 Postcomm was concerned to ensure that all potentially affected parties have the chance to comment on Royal Mail's application. The consultation was sent to 211 businesses and consumer representative groups, including Postwatch, The British Association for Shooting & Conservation (BASC) and the Gun Trade Association (GTA). Postcomm was particularly concerned to receive views from small business owners in firearm-related trades and rural inhabitants. For this reason, Postcomm sent out additional 540 letters to small businesses in order to solicit opinions. The consultation was also available on Postcomm's website.
- 4.3 Sixty-two individuals and organisations responded to Postcomm's consultation, including Postwatch and Royal Mail. Postcomm is grateful to all respondents for their consideration of this issue and valuable feedback.
- 4.4 Material and substantive responses were received from the following

Jason Abbot

Brian Ablett

Richard Allan

Alistair Baranowski

British Association for Shooting and Conservation (BASC)

British Shooting Sports Council (BSSC) Stephen Brown

Adrian Burdett

Nigel Carson

Conrad G. Cross

Vicky Day

David Delaney

Direct Marketing Association (DMA)

Ken Elston (Chair), United Kingdom Airsoft Sites Governing Body

Mary Eveleigh

M. D. Eveleigh

Forge Consulting Ltd

Gun Control Network

Gun Trade Association (GTA)

Gun Trade Association Northern Ireland

Historical Breechloading Smallarms Association

Home Office: Crime Reduction and Community Safety Group, Public Order and Police Co-operation Unit

Intellect (Hi-tech industry group)	Michael Jackson
Stephen W. Kendrick	Andy Kerfoot
Peter Knights	David Lacey
A. E. Lemmon	Jonathan Lewis
Kirk Matthews	Chris Miles
Minsterley Ranges	
David Monck, Airgun Training & Education Organisation (AETO)	
T. O'Donnell	
Alan Overton, The Muzzle Loaders' Association of Great Britain	
David Penn, The Imperial War Museum	
Postwatch	E. L. Potts
Chris Price	Royal Mail
Barry Quick	Oleg Savochkin
Helen Shepherd	Shooting Sports Trust
R. Stevenson	Paul Thornton
Patrick Veale	Fred Webb
Craig Whitsey	John Wilkes
F. J. Wiseman	H. Woodall
John Wroughtens	G. M. Yannaghas

- 4.5 Seven respondents wished to remain anonymous, and their views are reflected silently in this document.
- 4.6 In addition, 10 individuals telephoned Postcomm to express their views in person but did not formally respond to the consultation.
- 4.7 Press coverage of the consultation was provided by at least six publications: Western Mail (Farming), Target Sports, Precision Marketing, Sporting Gun, Shooting Times and Country and Clay Shooting. Four included information on how the consultation could be obtained and urged concerned individuals to respond.

- 4.8 The volume of responses also made clear that this is a highly charged issue for many individuals and businesses. While a few individuals and organisations commended the proposal, including Royal Mail, Postwatch, the Gun Control Network and Intellect, the majority of the respondents were against Royal Mail's application and urged Postcomm not to approve it.
- 4.9 Respondents raised valid concerns and questions about the level, quality and expense of service that would be available to them should Royal Mail's application be approved. Several asked specific questions which pointed to weaknesses in the reasoning behind Royal Mail's proposal.
- 4.10 On 8th June the Government announced plans to ban the manufacture, import and sale of replica guns. If enacted, this will impact on what can legally be sent through the post. As a number of respondents to this consultation have commented, it is for others to determine what is illegal, not Royal Mail. The legislation announced by the Government, if enacted, will do this, and it would not be right for Postcomm to pre-empt the Parliamentary process. Postcomm will therefore keep this issue under review as the legislation is progressed through Parliament.

5. Assessment of Royal Mail's Application, including Responses to the Consultation

Postcomm's Criteria for Assessing Royal Mail's Application

- 5.1 Postcomm is an evidence-based organisation. This means that its decision to approve or reject Royal Mail's application must be based on verifiable facts, not suppositions or intuition. The control and circulation of firearms is a sensitive issue for many individuals and organisations for varying reasons, and Postcomm was particularly careful to approach Royal Mail's application from a neutral standpoint.
- 5.2 Postcomm is cognisant of the fact that many of the individuals and businesses who would be most affected by the approval of Royal Mail's application would be resident in rural areas. For this reason, we paid special attention to the needs of and alternate services available to rurally-located gun owners and dealers.
- 5.3 Royal Mail's two main arguments against the carriage of firearms both stand alone and must be assessed independently of the other.

Delays to Royal Mail caused by the carriage of firearms

- 5.4 There were 352 reported firearms-related incidents and 254 ammunition related incidents at Royal Mail from 1 April 2003 to 31 March 2004. Although it should be noted that ammunition is already prohibited by Royal Mail
- 5.5 Postcomm and a significant number of respondents had questions about the origin of the delays to Royal Mail caused by the carriage of firearms. Royal Mail noted that whenever a firearm or related item was discovered in the post, Royal Mail halts operations and calls the police. This is detrimental to Royal Mail's Quality of Service targets, and takes up police time.
- 5.6 However, it was not immediately clear if this was required of Royal Mail by the police. Postcomm asked Royal Mail to clarify this point, and Royal Mail helpfully did so. There is nothing within Royal Mail schemes as created under section 89 of the Postal Services Act 2000, the Postal Services Act or the Licence which requires Royal Mail to report firearms discovered in the pipeline to the police. The police have requested that Royal Mail notify them of suspicious items for them to deal with.

- 5.7 This means that delays when firearms are discovered are the product of Royal Mail's own policies and procedures albeit in cooperation with the police. Why Royal Mail chooses to halt operations and contact the police immediately when firearms are discovered has not been made clear to Postcomm. Royal Mail has indicated that concern that firearms discovered in the post may pose a threat to its employees is not a primary concern motivating the application; Royal Mail has told Postcomm that the health and safety question is not the driver behind the proposal, just a spin-off benefit. If safety was a primary concern Postcomm would expect to see Royal Mail's proposal be extended to cover its Parcelforce employees as well.
- 5.8 It is not clear why firearms are viewed by Royal Mail as 'suspicious' given that they are currently legitimately traded items in the UK, nor if they are to be viewed as such, why it is not possible to simply set any firearms discovered aside and contact the police at a mutually convenient time. Indeed, Royal Mail has indicated that the police would be amenable to such an arrangement if the prohibition were passed; why this is not a workable alternative at the present is not clear.
- 5.9 Royal Mail has not provided the reasoning behind its current policy; if there are reasons why it must behave as it does when firearms are discovered, they have not been made clear to Postcomm.
- 5.10 It would appear that Royal Mail has knowingly adopted policies and procedures which result in delays to operations when firearms are discovered. However, this means that Royal Mail cannot in fairness apply to stop carrying firearms on the grounds that those items cause delay when the delays are the product of their own procedures. Four respondents made this point; a submission from Minsterley Ranges stressed that "Royal Mail should do what it is required to do by law. The law does not require the Royal Mail to report the presence of firearms . . . and until that changes it should not do so."
- 5.11 Alan Overton of the Muzzle Loaders' Association of Great Britain argues that, "there is no evidence that Royal Mail have attempted to genuinely explore alternative methods of addressing their perceived problem." Postcomm concurs that Royal Mail does not appear to have given sufficient thought to alternate means of reducing or eliminating delays, including the possibility of simply changing their procedures when a firearm is discovered.
- 5.12 However, Postcomm is concerned to see Royal Mail achieve their quality of service targets. Should Royal Mail restructure their application and ask Postcomm to consider it again, Postcomm would expect to see data showing the impact of the carriage of firearms on Royal Mail's quality of service results.

Concerns about the circulation of illegal firearms

- 5.13 ACPO and Royal Mail's concerns on this aspect of the application circulated around the fact that deactivated firearms imported from the continent can be easily converted into working weapons once imported, and that the anonymity of Royal Mail's pipeline has led to it being a target for the transport of illegal weapons.
- 5.14 It is clear that Postcomm and others are concerned to see the number of illegal firearms entering and circulating within the UK fall. However, many questions have arisen about the validity of Royal Mail and ACPO's concerns, and how the possible positive impact of the prohibition would weigh against the negative impact on legitimate owners and dealers of firearms in the UK.
- 5.15 Furthermore, five respondents (BASC, Minsterley Ranges and three respondents who wished to remain anonymous) have expressed concern that this is not an issue that Royal Mail and ACPO should be trying to resolve between themselves, and that if there are legitimate concerns about the use of the post to transport illegal weapons, they should be directed to HM Customs and Excise and the Home Office.
- 5.16 BASC asserts that, much of the police concern is centered on the importation of readily convertible blank firing pistols into the UK from a single source in France – where they are legal to own. The police are right to ask for Royal Mail's cooperation in preventing the importation of illegal firearms but this matter is principally the reserve of HM Customs and Excise. It does not merit a prohibition on the movement of items originating in this country where they are legitimately possessed and sold.
- 5.17 A similar point is made by A. E. Lemmon, who notes that he can see the sense of banning the import of firearms, but that 'for internal domestic carriage . . . I would have thought that the inconvenience to the legitimate trade such as myself will be totally out of proportion to any positive effect on combating the criminal element.' Postcomm considers BASC and Mr. Lemmon's arguments regarding the difference between firearms being imported into the UK and those circulating only within the country to be valid and in need of consideration.
- 5.18 The Crime Reduction and Community Safety Group / Public Order and Police Co-operation Unit of the Home Office submitted a response to Postcomm's consultation. In it, the Home Office expresses its concern that the needs of legitimate firearm owners and dealers who use the postal service be considered and weighed against the suggested benefits of the prohibition. The Home Office did not ultimately declare itself for or against the proposal.

- 5.19 Postcomm spoke to HM Customs & Excise by phone on this matter. HM Customs and Excise was similarly concerned that the benefit of fewer firearms entering the country be weighed against the fact that many senders of firearms from overseas will not be aware of the prohibition and will attempt to send firearms into the UK by post, only to have the firearms returned to them. This is not productive for anyone. HM Customs and Excise too did not see that the prohibition would be a greater positive than a negative.
- 5.20 Respondents raised other questions that are shared by Postcomm. Eleven asked what percentage of firearms discovered in the post are illegal, as this would help to understand the scope of the problem Royal Mail and ACPO claim exist. Royal Mail does not currently hold data on the number of firearms discovered in its pipeline which are illegal. Nor is it able to provide other evidence that this prohibition will significantly affect the flow of illegal firearms.
- 5.21 As noted above, the lack of evidence available to back up Royal Mail's and ACPO's assertions is one of the major reasons for Postcomm's rejection of Royal Mail's application. If this is a serious problem, Postcomm would expect to receive data to support the contention.

Royal Mail's pipeline and the question of anonymity

- 5.22 Another concern raised was with the anonymity of Royal Mail's pipeline. Royal Mail argued that because its pipeline can be accessed without any interpersonal contact, and without the provision of a sender's name and address, it is more likely to be the target for illegally transported firearms.
- 5.23 There is no evidence to prove that this is so. Nor is there any evidence that providing a sender's name and address will prevent crime; senders can easily provide a fake sender's name and address. One respondent, Stephen Brown, goes further to ask if Royal Mail is currently discovering illegal weapons and thus aiding the police in their attempt to charge criminals, is this not a good thing for the public?
- 5.24 The joint submission by the BSSC, GTA and SSC argues that "little research appears to have been carried out about the nature of the items actually sent through the postal system.[. . .] Reference is made in several places to the so-called anonymity of the Royal Mail service which is said to encourage the shipment of illegal arms by this means. There is no evidence to support that view in respect of real firearms." Postcomm too recognises that this is a flaw in Royal Mail's application. If the shipment of illegal firearms into the country via Royal Mail is a common occurrence, Postcomm would expect to be provided evidence that proves this.

- 5.25 Seven respondents (Stephen Brown, Forge Consulting Ltd, GTA Northern Ireland, Gordon Newell, Craig Whitsey, John Wilkes and one who wished to remain anonymous) pointed out that the problem of anonymity, if one exists, would be easily addressed by requiring senders of firearms or related items to affix their names and addresses to the parcel. Specifically, Royal Mail could require that firearms be sent Recorded Signed for Delivery.
- 5.26 Postcomm considers this to be a worthwhile solution which Royal Mail might profitably consider. This should address the perceived problem of anonymity at little extra cost to senders, as the cost of Recorded Signed for Delivery is 65p plus the cost of first or second class post.
- 5.27 More generally, however, Postcomm is concerned that no rash steps be taken that might undermine legitimate UK businesses on grounds that cannot be substantiated by hard evidence. It may be, in future, that an argument will be put forth that conclusively demonstrates that a significant volume of illegal weapons is being transported into the country via Royal Mail and that the best way to counter this activity is to prohibit the carriage of firearms in the post. At that time this issue will need serious reconsideration. However, at present, Royal Mail is unable to supply Postcomm any figures to support this. As Postcomm is an evidence-based organisation, it cannot agree to Royal Mail's proposal on the basis of hypotheses.

Other concerns relating to Royal Mail's application

- 5.28 Although Postcomm's main reasons for rejecting Royal Mail's arguments are noted above, the points below also caused Postcomm concern and would need to be more thoroughly addressed should Royal Mail choose to revisit this issue.

a) The definition of 'Component Parts' and 'Replica firearms'

- 5.29 Royal Mail's proposal that it would, in addition to firearms, ban 'component parts' caused considerable confusion to many respondents who asked what the definition of component parts would be. Royal Mail responded that they will define 'component parts' as something that is clearly identifiable as part of a firearm during screening, such as the trigger mechanism. Items such as springs, bolts, barrels etc. are classed as lumps of metal and may be transported.

- 5.30 Postcomm was relieved to learn that Royal Mail was not proposing to ban the carriage of component parts such as springs and bolts. However, it is not clear what would be gained from banning parts of firearms; is a part of a firearm to be regarded as a suspicious item? Would Royal Mail alert the police if it discovered a trigger, or a box of triggers, in its letters network? This is of particular concern as many repair businesses and individuals use the post to transport relatively small and light component parts cheaply and efficiently. To transport these items by courier would result in considerably greater expense (see below under 'Availability of Alternate Carriers' for further discussion of this point).
- 5.31 Royal Mail also included in its application a request to ban 'munitions.' However, as an anonymous respondent noted, ammunition is already on Royal Mail's list of prohibited items. It is not clear why Royal Mail chose to include ammunition in its proposal, given this information. It is, however, interesting to note the amount of ammunition that Royal Mail continues to discover in its pipeline; as noted in the table above, Royal Mail discovered 254 items of ammunition Apr 03 – Mar 04. What does Royal Mail do with the ammunition it discovers currently? To what extent has the prohibition on ammunition helped to keep ammunition out of Royal Mail's pipeline?
- 5.32 BASC also raised valid concerns about how a 'replica' firearm would be defined and identified. Who would decide what a reasonable facsimile of a firearm is? How would this information be made available to customers?
- 5.33 The DMA, although in favour of approving Royal Mail's application, were concerned about the extension of the prohibition to cover toys. The DMA suggests that Royal Mail should have substantial dialogue with small companies specialising in replicas and realistic toys to ease any transition, should it occur.
- 5.34 These are very real problems of definition that must be clarified and resolved should Royal Mail choose to rework their application to prohibit the carriage of firearms in the post. Postcomm would expect evidence that Royal Mail has consulted with knowledgeable members of the British firearm-owning and trading public – the GTA would seem a likely organisation to consult – and that the definitions Royal Mail provided would therefore be clear, logical, and designed to limit inconvenience to those wishing to transport firearms.

b) Availability of Alternate Carriers

- 5.35 In its proposal, Royal Mail indicated that there were over 300 alternate carriers (including Parcelforce) available in the UK to carry firearms, and that the price impact for the 3-5 kg range, into which Royal Mail estimated most firearms would fall, between Royal Mail and those alternate carriers was minimal.

5.36 These assertions have prompted fierce objections from respondents to Postcomm's consultation. Three respondents note that in fact the vast majority of the carriers will not carry firearms. This would leave many who wish to transport firearms with little choice but to use Parcelforce. The joint submission by the BSSC, GTA and SSC argues that relatively few dealers and owners send complete firearms through the post for reasons of security and the lack of insurance provided. However, many use Royal Mail for smaller, component parts of firearms, so in fact the weight range that should be compared is the 1kg and under class. Here, as the table below shows, costs would be significant.

Maximum Weight	Royal Mail First Class	Parcelforce 24 (England, Wales and parts of Scotland excluding Highlands & Islands)	Parcelforce 24 (Highlands and Islands of Scotland)	Parcelforce 24 (Northern Ireland, Isle of Man, Isles of Scilly)
60g	28p			
100g	42p			
150g	60p			
200g	75p			
250g	88p			
300g	£1.01			
350g	£1.15			
400g	£1.33			
450g	£1.50			
500g	£1.68	£17.50	£34.50	£39.00
600g	£2.03			
700g	£2.38			
750g	£2.55			
800g	£2.73			
900g	£3.10			
1kg	£3.45	£17.50	£34.50	£39.00

5.37 The GTA, BSSC and SST joint submission and Nigel Carson note that there are surcharges of up to 100% on items to Northern Ireland, and clearly residents of the Highlands and Islands of Scotland would be similarly disadvantaged. For residents of Northern Ireland in particular, then, the increase in shipping costs could be exorbitant.

c) Impact on Businesses and Individuals

5.38 Postcomm was concerned not to let undefined threats about gun crime and terrorism impinge upon the rights of legitimate gun dealers and traders. The GTA estimates that mail order sales of small parts of firearms, deactivated firearms, imitation firearms, soft air guns, and low powered air weapons may be as high as 250,000 per annum, and that toys may be 2-3 times that number. A significant number of businesses would therefore be adversely impacted by any prohibition. Eighteen small businesses responded and noted that their ability to do business would be severely impinged by the prohibition of firearms in the post; their concern was echoed by organisations including BASC, BSSC, GTA, GTA NI, The Home Office, and STT.

5.39 This is particularly the case in Northern Ireland, an area for which Postcomm has special concern as it is largely rural and often at a disadvantage in terms of the services provided to it. Whereas Royal Mail is required to provide its services on the same terms throughout the UK, Parcelforce and other courier services are not.

5.40 It is clear that the ability to transport firearms through the mail is also important to individuals. Postcomm has had eleven responses from individuals stressing the importance to them of being able to use the post to transport firearms and related items, particularly for repair purposes. The Imperial War Museum (a National Museum) has indicated the importance it places on the ability to send the items Royal Mail proposes to prohibit by post; the Museum receives from individuals items on which a professional opinion is sought, and currently does not charge to send assessed items back to their owners. Were the prohibition enacted, the Imperial War Museum would either have to absorb the increased costs associated with using a courier service, or begin to charge for the public services it provides.

d) Support for Royal Mail's application

- 5.41 In addition to Royal Mail, four individuals, Postwatch, the DMA, Intellect (a high-tech marketing group) and the Gun Control Network were in favour of Royal Mail's application. E L Potts, Vicky Day, and one individual who wished to remain anonymous voiced general support. Fred Webb, a small business owner, feels that 'the companies licensed for the shipment of specialist ammunition are better equipped to handle anything of this nature and therefore have used M/s TNT as our carrier.' The DMA supports the application on the grounds that the transport of firearms and liaison with police impacts efficiency, quality of service and the universal service. Postwatch also believes that the disruption caused to Royal Mail and the waste of police time, in addition to health and safety concerns, merit approval of the prohibition.
- 5.42 Upon first reading Royal Mail's application Postcomm was of a similar view to Postwatch. However, upon closer inspection, as demonstrated above, Royal Mail's arguments do not stand up to close scrutiny and there is little evidence provided to prove that there is just cause to approve the application. Also noted above, Royal Mail has noted in the past that they do not consider this a health and safety issue.
- 5.43 The Gun Control Network's (GCN) submission is lengthier and more concerned with the criminal element of Royal Mail's application. They note increasing concern regarding the use of guns and imitation guns, and argue that society as a whole would benefit from a reduction in the number of firearms transferred and traded for criminal use. They further argue that 'the interests of the few who shoot must be balanced against public safety [and] the efficient running of the postal service' and that the impact on customers wishing to transport guns would be minimal.
- 5.44 Postcomm appreciates the GCN's concerns, but still feels that it has not been provided sufficient evidence to prohibit the carriage of firearms on these grounds. There is little evidence as to how many illegal firearms are transported and put to criminal use, so it is difficult to gauge the effects the prohibition will have. What is certain is that for many firearm dealers and individuals the prohibition would cause real hardship – in this Postcomm disagrees with the assessment by Postwatch, the DMA and the GCN – and that Postcomm cannot impose that hardship without evidence that the prohibition on firearms would truly benefit a larger section of society.
- 5.45 Postcomm welcomes this feedback in support of Royal Mail's application and assures respondents that their views have been considered. However, it is Postcomm's view that while it is valuable to receive opinions on this matter, the absence of hard evidence to support the purported benefits of the prohibition on firearms renders it impossible for Postcomm to approve it at this time.

6. Postcomm's Final Analysis

- 6.1 Postcomm is concerned to weigh both the needs of legitimate firearm owners and traders and the right of Royal Mail to run their business efficiently and profitably. At this time, the hardship that individuals and businesses legitimately wishing to transport firearms will suffer should Royal Mail's application be approved has been demonstrated with reference to verifiable evidence. Weaknesses and areas of concern in Royal Mail's application have been pointed out by respondents to the consultation and identified by Postcomm.
- 6.2 Conversely, the case for prohibiting firearms in the post has not been proven. Postcomm acknowledges that legitimate concerns may be at the root of Royal Mail's application, but in the absence of evidence to support those concerns, cannot at this time approve the application.
- 6.3 Postcomm is conscious of the sensitivities around this issue and has taken note of the the Government plans to introduce legislation to ban the manufacture, import and sale of replica guns. If enacted, this will impact on what can legally be sent through the post. However, as a number of respondents to this consultation have commented, it is for others to determine what is illegal, not Royal Mail. The legislation announced by the Government, if enacted, will do this, and it would not be right for Postcomm to pre-empt the Parliamentary process.