

**Public access and use of firearms during Kennel Club licensed events**

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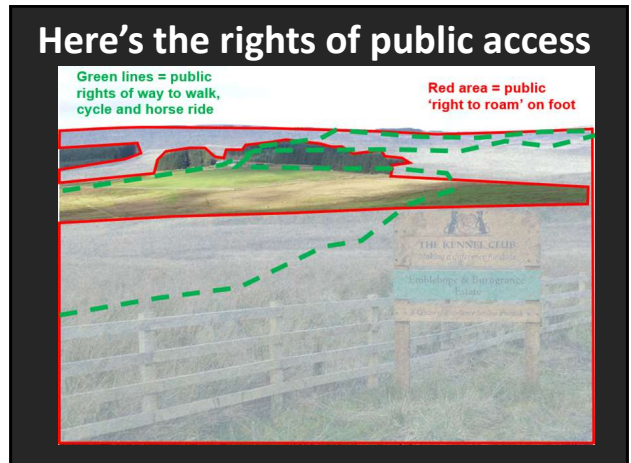
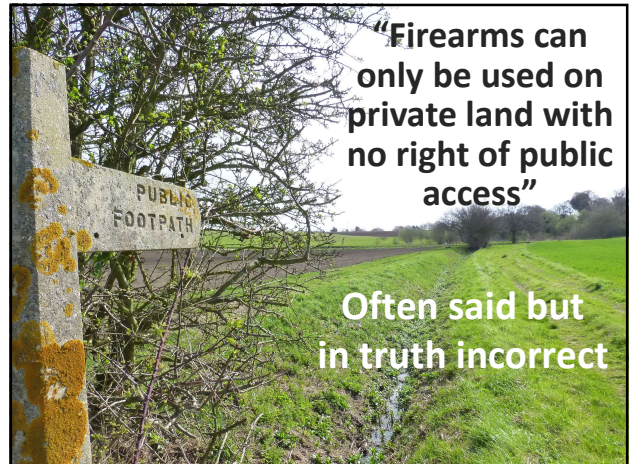
### My work for the Kennel Club

**Cattle Safety**

**PLANNING FOR DOG OWNERSHIP IN NEW DEVELOPMENTS: REDUCING CONFLICT - ADDING VALUE**

**Stephen Jenkinson**  
Access all areas

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## Rights of access

- Public access rights are usually independent of land ownership
- Most public access rights are across privately-owned land
- Equally, no right of public access to land in public ownership
- Rights of public access across almost all land in Scotland
- Also private access rights for neighbours and utility companies
- Duty of care towards trespassers



## Firearms laws around public access are generally pragmatic & proportionate

### Highways Act 1980

161 Penalties for causing certain kinds of danger or annoyance.

[F2(2) If a person without lawful authority or excuse—

- (a) lights any fire on or over a highway which consists of or comprises a carriageway, or
- (b) discharges any firearm or firework within 50 feet of the centre of such a highway,

and in consequence a user of the highway is injured, interrupted or endangered, that person is guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.]

### Firearms Act 1968

19 Carrying firearm in a public place.

A person commits an offence if, without lawful authority or reasonable excuse (the proof whereof lies on him) he has with him in a public place

- [F1 (a) a loaded shot gun,
- (b) an air weapon (whether loaded or not),
- (c) any other firearm (whether loaded or not) together with ammunition suitable for use in that firearm, or
- (d) an imitation firearm.]

**Question** You have permission to go wildfowling here: would it be lawful to shoot the ducks this dog flushed?



## Summary and advice

- The law takes a pragmatic and proportionate approach
- Written access risk assessment: public, private, trespassers
- Record due diligence when selecting firearms user
- Obtain written landowner permission for firearm use to show "reasonable excuse"
- Ultimate duty on firearms user to always act lawfully
- Take care to recognise legitimate public concerns



  
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# Questions?

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