

Petitions Committee

Oral evidence: Fireworks, HC 1929

Tuesday 25 June 2019

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Members present: Helen Jones (Chair); Martyn Day; Mike Hill; Paul Scully.

Questions 39 - 88

Witnesses

I: Steve Raper, Vice Chairman, British Fireworks Association; and Fraser Stevenson, Director, Absolute Fireworks.



Examination of witnesses

Witnesses: Steve Raper and Fraser Stevenson.

Q39 **Chair:** Welcome to our two witnesses this afternoon: Mr Steve Raper, the vice chairman of the British Fireworks Association, and Mr Fraser Stevenson, the director of Absolute Fireworks. Thank you for giving us your time this afternoon, gentlemen. Is there anything you want briefly to say before I go to the questioning?

Steve Raper: Thank you for inviting us and giving us this opportunity to answer your questions.

Chair: My colleague Paul Scully will kick off the questions for us.

Q40 **Paul Scully:** I will give you a nice easy one to start with. Why do you think that fireworks are so important to people?

Steve Raper: Fireworks are a long-standing tradition in the United Kingdom. They are a historical family gathering. I remember setting fireworks off as a child with my parents. Friends and neighbours were invited round. Of course, we have moved on and we have the cultural aspect as well. A lot of minorities have been celebrating with fireworks far longer than we have for bonfire night.

Q41 **Paul Scully:** Is there anything you want to say on that, Fraser? Is there anything you are particularly engaged in with people, apart from the generic stuff?

Fraser Stevenson: Although we have a firework import business, we also have a retail business that sells fireworks. What we see are predominantly families. There may be a misapprehension that it is young lads or 20-somethings, but it is genuinely families—mums, dads and kids of all ages.

Q42 **Paul Scully:** Do you sell mainly for garden displays and those kinds of things—people in their own gardens rather than the cultural aspect?

Fraser Stevenson: Yes, it is consumer fireworks.

Q43 **Paul Scully:** Does the current law on fireworks strike the right balance between the enjoyment of fireworks that you have just been describing and minimising the impact on people, property and animals, and so on.

Fraser Stevenson: Yes. As an industry, it is something we discuss. We try to engage with Government and enforcement to see whether the current regulations work and whether they are fit for purpose. Do they minimise disturbances? Certainly, on the retail side of things, we tell customers when they come in to be aware, to let their neighbours know and contact any vulnerable groups they know of round about them to let them know they are having fireworks. It is a source of enjoyment. They enjoy the firework display, but we are aware of the social responsibility to use them responsibly. The responsible use of fireworks is something that the BFA promotes.



Q44 **Paul Scully:** What do the 2004 changes mean to the industry?

Steve Raper: Going back to 2004, the main change was the abolition of bangers and air bombs, which were identified by the industry as the nuisance-type firework. The industry got together and decided that they would make a voluntary embargo for that type of product. That was back in 2003. That voluntary change was taken across into 2004 and regulated for. It was done with the support of industry. We wanted to portray the family image. Unfortunately, the bangers and the air bombs were products that did not do that. They were deemed to be pocket-money type fireworks.

We have now moved on. Unfortunately, we have the internet to contend with. Although those fireworks are illegal already in this country, they are readily available in Europe. We see people buying them online and bringing them over to the UK. Invariably, some of them are flown into the UK, which is certainly not a good thing.

We would like to see more action on that side of things. One of the things we feel is that we are heading towards a potential ban on fireworks. What we see are the unintended consequences of that. The products that are causing the problems are already banned anyway.

Q45 **Paul Scully:** The unintended consequence is that they will get them somewhere else.

Steve Raper: Indeed.

Fraser Stevenson: Absolutely, without a doubt.

Q46 **Paul Scully:** Let me pick you up on that. You say that they are being flown in from Europe. Are they just being packaged under normal postage?

Steve Raper: Yes. Again, we act responsibly. YouTube is a good source of information for these things, and we share information with the authorities. In the past, I have worked with anti-terrorism; I have worked with the police; and I have worked with trading standards. We report that and, nine times out of 10, action will be taken, but we do not get feedback. We are not part of the inner sanctum, as it were, but we would still like to see more being done.

Q47 **Paul Scully:** Overall, do you have a sense that the usage of items that have been banned has gone down? Although it is undesirable to be bringing them in from abroad, would you say that there are fewer of them used overall at the moment? Would you know?

Steve Raper: It is very hard for us to gauge illegal usage because all we deal with are lawful, legal fireworks. Facebook is a good example. We can look at a Facebook advert and say, "That's an illegal product." We can raise a query with the authorities, but often their hands are tied as to how they can respond.



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Fraser Stevenson: It is a strange situation, where we can report issues on Facebook but the local authority prohibits its staff from going on to Facebook to see what the problem is. You get the situation where they are not allowed access to social media sites or platforms within their IT structure. We report something but they cannot look at the problem because they are not allowed to look on Facebook.

Q48 **Chair:** Let me clarify that. When you say that they are forbidden, do you mean that their IT systems do not allow it?

Fraser Stevenson: Absolutely. Their IT systems do not allow it.

Q49 **Chair:** What is happening with the customs authorities to prevent these illegal fireworks getting into the country?

Fraser Stevenson: We could not say what is happening from the point of view of customs. The importation is illegal and the method they use is illegal. There were raids in October and November last year.

Steve Raper: In Derby.

Fraser Stevenson: Europol launched a big operation and closed down three companies in Poland, I believe, that were sending products everywhere in Europe, including the UK. Some products coming into the UK were F4—professional products, display shelves and similar.

Chair: That is something we can follow up in another evidence session, but thank you for highlighting that.

Q50 **Mike Hill:** You say as an industry that the number of firework-related incidents per year is quite a lot. Could you embellish that a little bit? Do you have any statistics to support it?

Steve Raper: I do. I work for a company that is the UK's largest importer. I deal with the firework complaints and issues. Invariably, as the largest, they are in single figures. Where I find that there is an injury or a problem, it is invariably down to either misuse or the innocuous sparkler, which is the worst culprit for firework injury.

Q51 **Mike Hill:** Really?

Steve Raper: If ever you go to a firework party, you will see parents unwrap the sparkler. They don't read the instructions. They light it and give it to the child and the child waves it around. They are hot and they cause a burn. It is not a serious injury, but it is an injury. The only way you can prevent that is by education.

We were talking about it on the train on the way down. Back in the 1970s and 1980s, there were public information films in the run-up to bonfire night: "Don't fool around with fireworks." We have the firework code, and I am sure most of you are familiar with it. Growing up, that was hammered into you at school. We have now updated it to include a responsible use aspect—letting your neighbours know.



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We are listening to what the anti-firework campaigners want, but unfortunately some of what they want, or how they wish to achieve it, is going to have unintended consequences. The problem will be far worse if there is a ban or a heavier restriction is imposed.

Q52 Mike Hill: You say that fireworks, as they stand now, are not necessarily causing the problems; it is human supervision and the handling of the fireworks, as opposed to the product itself.

Fraser Stevenson: Yes. The Scottish Government are running a similar inquiry and I went along to the public consultation. One of the things that came out of it was under-age kids using bangers, both of which are already prohibited under the current regulations. As I highlighted to people, stricter regulation will not solve that. It will not stop it because what is already happening is illegal. With more regulation, there will still be under-age kids with bangers. It is trying to understand the root cause. What is the fundamental issue? How are kids getting hold of these things?

As Steve pointed out, under UK legislation, bangers are prohibited, but they are not prohibited in Europe. You can go online, order a box of bangers, it comes into the country and you go on social media, Facebook, and say, "I have bangers; I am selling them at my house at this address."

Q53 Mike Hill: You have touched on this in the previous questions and you are probably still trying to work it through, but is there anything that you feel could be done to prevent the sale of illegal fireworks?

Steve Raper: As the BFA, we would like to see stiffer penalties for the misuse of fireworks, and that includes antisocial use. There is no problem with you setting fireworks off in your garden, but if you do that night in, night out, it is antisocial and it is not anything we condone, so we would like to see stiffer penalties.

We would also like to see the current law imposed. We find that one of the problems is that the authorities that can impose the law are unclear as to where they sit. They are unsure whether to make a prosecution, and a failed prosecution costs money. They seem a little bit reluctant to prosecute the illegal importer or illegal user. It is a vicious circle, because, if that person gets away with it, his friends do it the next year, and so on and so forth. Social media has a lot to answer for in this.

We share the frustrations of the campaigners; there is a minority who have the potential to ruin a perfectly good, lawful, legal and safe industry within the UK just because nobody is willing to administer the correct punishment to them. Those are the facts.

Fraser Stevenson: It is about better enforcement. I am waiting to go to court as a witness. The police caught under-age kids with fireworks, but the procurator fiscal—the CPS—was reluctant to prosecute because they viewed it as a soft crime. This was 14-year-old kids who had illegally got



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hold of fireworks and were running about the streets letting them off. The police want to prosecute but the court side do not want to prosecute. What message does that send? "If you get caught it's okay, and you can carry on doing what you are doing."

Q54 Chair: You will know that we have had a number of petitions calling for a ban on the private use of fireworks and for us to move to public displays only. In effect, you would not get the public sale of fireworks that you have now. What do you see as the problems in doing that?

Steve Raper: The simple answer to that question is that it would not work. There are not enough professional firework companies in the UK to fill that market. If there were, they would be doing it already. A lot of people miss the point about home use being the enjoyment; setting the fireworks off is the enjoyment. I am sure that a lot of people here have hobbies and pastimes that are dangerous, but we would not want to force you into going to public-only displays, at Crufts, for example, if you owned a dog.

There is a cost issue with public displays. They are expensive to get into. It is not an ideal mix for a family of four going to a display, with the associated refreshments at that display, parking nightmares, large crowds and small children. The current pro providers would be stretched. You would see an upsurge in pop-up professional display operators trying to fill the gap. That is not an ideal situation.

Q55 Chair: Fraser, do you want to add to that?

Fraser Stevenson: I agree 100%, given the experience we have on the retail side. Glasgow has one of the biggest public firework displays that happens, yet we still get families coming in because they do not want to go to the public display. With some of them, it is the safety aspect. They do not feel safe taking their kids. There are lots of people and it is dark. There are teenagers running about. They have the getting there and the coming back. For some of them, as Steve said, it is a cost thing. They can come in and buy £20 or £30-worth of fireworks, go home and have a nice family event. They can have their relatives round.

They tell us stories about having a pot of soup, hamburgers or some sort of thing, and they turn it into an occasion and an event. Again, it is not about the portrayal that everybody who uses fireworks is a yob. They are not.

Q56 Chair: What would be the effect on the industry if that happened?

Fraser Stevenson: I do not think there would be one. Certainly from the point of view of the retail industry, it would put a lot of pressure on. We know the guys on the professional side. We have relationships with them. They are concerned and worried. Think about the logistics of it. On 5 November, you might only have the capability to do maybe three professional firework displays. If every town and every community



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wanted that to happen, how could you provide it? How could you fulfil that need?

We get communities coming in and buying fireworks from us. They take them back to their local village. Their local fire brigade even sets the fireworks up for them and sets them off. You would be saying, "No, you can't do that. You need a professional company to come in." The professional company will want £1,000, £2,000, £3,000, £5,000 or whatever the price is to do that display for a community of 50 or 100 people.

Q57 Chair: Is it your experience that there has been a decline in organised displays? Do you have any information on that? I ask because, anecdotally, I know in my area that the council has stopped doing them because they can no longer afford to.

Steve Raper: A lot of councils have stopped doing them on the grounds of safety. They do not want to take the risk. Unfortunately, that is the flip side of the coin. The professionals I work with are professional and they would not put an audience at risk. If you were to get a pop-up firework professional, he would feel pressured to set off the display irrespective of the weather conditions, because it is revenue.

You break it down into home use and the next step up is social club events. They perform a very important role in society. You then have the professional displays. They are the sort of thing you see in London for the millennium or new year's eve.

Scout clubs, football clubs and cricket clubs generate revenue to help with the running of the club. If they could not get that revenue from a firework party or event, they would have to try to seek it from somewhere else. Unfortunately, local funding and grants are falling away. They see it as a very safe and enjoyable way of raising £500 or £600 for the scout group. They form the bulk of our customer base.

Q58 Chair: You are saying that there is a knock-on effect, other than on the industry.

Steve Raper: Yes. It is the unintended consequences. A lot of other people, besides the firework industry, would suffer if there were more restrictions on firework use or sales.

Fraser Stevenson: Could I add a point that was mentioned before about the restrictions on sale and the unintended consequences? In the past, it has been mentioned that fireworks are banned in the Republic of Ireland. That is true, but I quote the district officer for Dublin fire brigade. Last year, he said, "We see kids, adults and young teenagers with fingers blown off and some people with their whole arm blown off. Fireworks, because they are illegal in this country, do not come in with safety certificates."

Q59 Chair: That is a very good point. Is there anything that you think could



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be done to minimise the problems that people perceive at the moment without going to a public-only display situation?

Steve Raper: Encourage the responsible use of fireworks, and come down hard on those who are irresponsible. One suggestion we put forward through BEIS is that, if you increased the penalty for the misuse of the product, some of that revenue could go back to the local authority. In a sense, it is self-funding. They would then have the resources to check up on the next case. It is a potential. Banning the product would not alleviate the problem because it is invariably an already banned product that is causing the problem. A study in the EU, although it was predominantly aimed at category 4 fireworks, concluded that the countries that had the biggest problems with fireworks were those that had the strictest rules.

Q60 **Chair:** If you could point us towards that study, it would be very helpful.

Steve Raper: Yes, that is not a problem at all. We can send you the link.

Q61 **Martyn Day:** In some of your earlier answers, you answered some of what I was going to ask, which is probably a good sign that we are on the same page. Do you want to expand on some points? How do the rules on public and private fireworks differ? You went into part of that in your earlier answer.

Steve Raper: At a public display—a display set by a professional firework company at a large event—they charge the site to set off the display. They use a range of fireworks, categories F3 and predominantly F4, which are fireworks that only professionals are allowed to use. It is usually a short, sharp firework display—10 or 15 minutes—and that's it. It is a very impressive display but there is no social integration.

At the semi-public displays, which are the pubs and clubs, they tie it in with social events. They often run a barbecue and there are raffles and prizes. It is a gathering, and the firework display itself forms a small part of the evening. Then you have home use, which is the category F2 and F3 fireworks that people have in their gardens. They invite their friends and family round and make a full evening of it. Those are the three distinct firework displays that we see in the UK.

Q62 **Martyn Day:** Are there any steps the industry could take to meet the aspirations of the petitioners partway?

Steve Raper: We have tried to engage with the petitioners. We offered to meet them very early in this process, back in 2016. We said, "We will sit down as an industry and listen to your complaints. We will address your questions. Where you have anecdotal evidence, we will go and find factual evidence to either support or discount your case."

The BFA have done that. We have gone out and made freedom of information requests. We have factual information about the actual degree of antisocial noise use across the UK. It is certainly nowhere near



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as bad as the perceived problem. There is very little that we as an industry can do now.

Q63 Martyn Day: Are there any specific reforms that the industry itself would suggest that might help the situation?

Steve Raper: I have to stand my ground. We would like to see better enforcement of the current laws and an increase in the penalties for misuse. Once people are aware that there are consequences for letting a firework off in the street, it will decline. You are not going to impinge on the liberty of those who want to set off fireworks in the confines of their own garden.

Q64 Martyn Day: We have had evidence from animal charities suggesting that a lower decibel level would be helpful in terms of the disturbance to pets. What are your thoughts on that, and how does it tie in with the lower noise fireworks?

Steve Raper: First of all, time and again people say that fireworks are getting louder and louder. That is not the case. All fireworks legally sold in the UK are limited to a maximum of 120 decibels. That sounds a lot. If I were to clap my hands now, it would be about 130 decibels.

If you have that limit, and we work to that as a limit and not a target, most of our fireworks already fall into the bracket of about 105 to 110 decibels, so the 120 decibel limit is a fair cap. There are a few fireworks that will achieve that, and I am sure that Fraser will come to those in a moment. They are known as salutes, and it is something that I will let Fraser deal with.

There is no such thing as a silent firework. It is a relative thing. Italy reports that in certain towns they use silent fireworks. They are quieter than they were the year before; that is what they are saying. I understand that Disneyland in Florida promotes the use of quiet fireworks. They are just as loud as ours, but what they do is crank up the music volume. It is a bit of a misnomer. You cannot have an absolutely quiet firework. The lifting charge on a firework for a shot tube is about 95 decibels, and that is just the cartridge being ejected into the air. A rocket is probably at about the same sort of sound level.

Q65 Chair: Fraser, do you want to comment?

Fraser Stevenson: The 120 decibels was a standard that was agreed not by industry but by experts. They looked at the noise levels and how they would affect people. That is why we have 15-metre and 8-metre safe distances. It is not something where the industry said, "We will cap it at that." It came as part of the pyrotechnics directive that an acceptable noise level for fireworks was 120 decibels.

As Steve said, it is not a target for the industry. We aim to pitch ourselves at 105 to 110 decibels. There is product that is obnoxiously loud making its way on to the UK market, and we are trying to work with



the enforcement authorities to get that product removed from the UK market.

Q66 **Martyn Day:** What is the maximum decibel level for the professionals?

Fraser Stevenson: There is no limit for the professionals. There is a risk assessment that they must go through. You asked about professional displays in public. It is worth pointing out that another key aspect of the professional side is that under the pyrotechnics directive you have to be deemed a person of specialist knowledge. You have to have a recognised degree of qualification to be able to buy, handle and use the product. Ultimately, it is up to that person to risk-assess the environment and their location, and then decide what product is fit for purpose, so there is no limit.

Q67 **Paul Scully:** We have heard evidence, from both retailers and people who have been complaining, about the enforceability of the current rules. It is not necessarily the regulations but the way they are enforced. Can you tell us a little bit about how you think they are enforced?

Fraser Stevenson: I will be candid. It is unfortunate that some people in enforcement view the industry as trying to get one over on them; but that is certainly not the point of view of the BFA. We try to work with them, as Steve said. It might be market surveillance information: "This is happening and here is where we have been told it's happening." The response is pretty poor in many respects. We have a good working relationship with some individual authorities. The industry has virtually no working relationship with other authorities. They tend to view people in the industry as out to catch them: "We are not here to help you; we are out to catch you." That is unfortunate and disappointing. Disappointing is the best thing to say.

Q68 **Paul Scully:** Do you think that more needs to be done to ensure that people adhere to the rules?

Fraser Stevenson: Absolutely.

Q69 **Paul Scully:** What more can be done?

Fraser Stevenson: Just better co-operation. I will give you another example. The transport regulations are organised by one department. The storage regulations are organised by a different department. We have seen situations where storage has been aware of issues with transportation, but because it is not their remit they are not interested. They are not even telling the other authority that illegal transportation is taking place.

Q70 **Paul Scully:** Better communication is needed. Do you think there are any changes in the rules that need to be made, or could be made, to make them easier to enforce?

Fraser Stevenson: Not so much easier to enforce. Again, the industry has offered education to enforcement authorities. We get the police



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coming into our shop in Glasgow. We get local trading standards coming into our office in Glasgow. We have an excellent working relationship. We tell them what the latest regulations are, what the roadmap is, what is planned in the future and what may be coming down the line in a year or 18 months, so that they can prepare for it. But other authorities are not interested in dialogue. "We don't want to talk to you; we are here to catch you. Our job is to catch you."

We fully understand that, if we do not work with enforcement and get effective enforcement, people will think, "Yes, we'll ban fireworks and that will solve the problem." It does not. As a society we have banned drugs, but it does not solve the problem.

Q71 **Paul Scully:** In the evidence session we had last time, someone was talking about garden sizes. They said that category 2 fireworks have a safety distance of 8 metres.

Fraser Stevenson: They have a safety distance of 8 metres from spectators. If you positioned it next to your fence in your garden—

Steve Raper: It is not the 16 metres that Mrs Kerr mentioned in her evidence. It is an 8-metre safe distance from spectator to firework.

Q72 **Paul Scully:** You obviously need due regard that there is no one on the other side of the fence.

Fraser Stevenson: Absolutely, but that comes down to the communication thing and letting your neighbours know. Quite often, we have found that, if you let your neighbours know, they come out and watch the fireworks because they know it is happening at 8 o'clock or 8.30. Rather than getting a surprise element, there is a degree of preparation they can make for it.

Q73 **Paul Scully:** There will always be an issue about enforcement, because, once you have let the firework off, you have let the firework off and there is no real comeback.

Fraser Stevenson: But it is things like, for example, if you know something is happening on a street, the community police could come along and chat at doors to say, "Look, someone is setting off fireworks. Just to let you know, you shouldn't really be doing that. Can you tell your neighbours?" You are not accusing an individual of doing that; you are trying to engage with the community to say, "Something's happening. Do you know you can't do it after 11 o'clock at night?" Quite often, a lot of people do not know.

You will know the situation in Scotland. At this time of year, 11 o'clock at night is broad daylight. In Scotland, there is no professional industry per se for fireworks. There is no real consumer market at that time of year for fireworks.

Q74 **Paul Scully:** With the rules in Ireland being as they are, is there no



industry in Ireland?

Fraser Stevenson: In the Republic, there is a professional industry because that is the only way they can watch fireworks. It is the illegal import side. Coming back to what Steve said, it is about the unintended consequences. You think you solve a problem by doing one thing, but the reality is that you create a completely different issue that is worse.

Chair: We held an engagement event with veterans recently. Martyn would like to ask you some questions about some of the things we heard from them.

Q75 **Martyn Day:** It was a very interesting engagement and they gave us some very poignant stories of how fireworks going off spontaneously can trigger panic attacks or anxiety. What engagement have you had as an industry with veterans on the issue?

Steve Raper: I am ex-military. A lot of my friends are retired military, so we have done many tours in places that have not been very pleasant. I have been in contact with a former colleague. He runs a PTSD charity to help veterans. Part of what they do is to set fireworks off. He ran a survey, and the survey results came back with 88% of veterans having a positive response to fireworks. Only 12% said that fireworks were a problem for them.

I fully understand the PTSD aspect. Where we have a problem is that you are looking at a product—fireworks—that may have an adverse effect on a small group of people, the PTSD sufferers. Where do we draw the line? There will be many other things that happen day to day that can trigger an adverse response in somebody.

Throughout the debates, I have used dogs as an analogy. I have nothing against dogs whatsoever. A report from one of the insurance groups said that 33% of the UK population have a genuine fear of dogs. If we were to look at that on balance, would we be calling for a ban on dogs in public? We are picking on a product—fireworks—which may or may not have an adverse effect for a small minority of people. We have sympathy for them and we would promote everything possible—

Chair: Order. I am sorry, but we will have to suspend the Committee for a few minutes while we go and vote. We will be back as soon as possible, if you could hang on. We won't keep you very long after that.

Sitting suspended for a Division of the House.

On resuming—

Chair: Thank you for bearing with us during the vote. Martyn, would you finish your questioning?

Q76 **Martyn Day:** You made an analogy comparing a minority vulnerable group with dogs. The big difference is that dogs are usually under control, or should be, and people can take steps to avoid them.



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Steve Raper: But isn't that the point, Mr Day? The responsible dog owners are not a problem. It is the minority of irresponsible dog owners who cause the issues. We see the injuries and fatalities that dogs have caused in the UK over the last 10 years.

With anything like this—fireworks, motorcycles, cars, dogs, horses or whatever—there is a minority who will always push boundaries. We do not think it is right that a lawful majority should be penalised for what they do, when there are steps that can be taken to stamp out that minority.

- Q77 **Martyn Day:** One of the points that came out of the veterans consultation, which prior to attending I had not myself considered, was that it was not just the veterans that were affected; it was the impact on their families and their immediate loved ones as well. The tracer effect was what the veterans were concerned about. It brought back flashbacks and memories of different types of weapon fire that they had seen. Is there any way of alleviating that impact of fireworks?

Steve Raper: It would be a very difficult one to alleviate. Again, it goes back to what we said. If you knew that there was a veteran in your area who suffered, you could take steps to forewarn them. I know this sounds harsh, but the veteran accepts that life is life, and there may be other things that happen quite naturally over which they have no control. There are support groups out there, and I am hoping that over the next few days you will get to speak with my colleague, the veteran who runs the PTSD charity. He will give you in detail the information you need on that.

- Q78 **Chair:** I want to explore a little bit more about the sale of fireworks. Obviously, at certain periods, around 5 November, Chinese new year and all that sort of thing, you do not need a licence for sale, so we see fireworks at the entrance to supermarkets and so on. Do you think that is a sensible way of dealing with sales of fireworks, or should they always be sold through people with a licence?

Steve Raper: I would flip that one step the other way. One of the issues we see is the binge period. It starts in October and runs until the end of November. You get a peak again around new year.

The yob culture sees that as an opportunity. It is suddenly there, and they can go out and buy fireworks and cause mayhem. We used to have a similar problem with alcohol and closing times in pubs. There was the 11 o'clock cut off and binge drinking. The Government at the time wisely decided to relax the laws as to when pubs could close.

My personal view is that, if you were to relax the laws entirely so that fireworks were permitted all year round, you would remove the binge element and the novelty factor of having fireworks suddenly readily available in shops and supermarkets. It is something that ought to be considered. I cannot see it going that way, but it makes sense at least to consider it as an option.



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Q79 **Chair:** Fraser, do you have a view on that?

Fraser Stevenson: It has been questioned as to why fireworks are positioned at the entrance to the supermarket, but from a logistics point of view that is the last point you want the customer to buy the product and then leave the building. You do not want the fireworks at the back of the shop, so that the customer walks through the entire shop with the fireworks. You want them at the front of the shop so that they go out. That is why they tend to be in that location.

Coming back to the point about veterans. It has been mentioned that in certain states in America fireworks are prohibited. There are different reasons for that. When they have their firework event, which is on 4 July, some states are quite dry so they worry about the fire hazards associated with fireworks.

Some of the biggest sellers of fireworks in the States are veterans. Veterans organisations in individual towns get the concession and licence to sell fireworks. They are obviously in a similar situation, but they use fireworks as a valuable source of revenue for veterans. If there were big issues, I would say they would be in America. Why would veterans be selling fireworks in America?

Q80 **Chair:** Given that we have fireworks on sale in supermarkets, corner shops and so on, do you think that checks on people's ages in those situations are, or can be, properly carried out?

Steve Raper: They most certainly are. We supply fireworks to one of the larger store groups in the UK—I won't give the name—and the training pack for their staff runs to something like 75 pages. Three pages of that is the under-age sales aspect. The store itself runs a "Challenge 25" policy for all age-restricted products. Their points of sale are tagged up, so that if an item is scanned it automatically flags "Challenge 25" and the sale will not go ahead until the operator overrides that.

Certainly the checks are there. Trading standards make test purchases. They send under-age people into shops to try to purchase. To be honest, I am not aware of any that have succeeded, because there is a livelihood at stake. To make that sale to an under-age youth is not worth the risk.

Q81 **Chair:** That is for the big supermarkets, but what about the smaller shops?

Steve Raper: The smaller shops are the same. They apply for their sales licence and storage licence through the local authority. They are subject to exactly the same stringent tests and processes.

Q82 **Chair:** They are, but do trading standards actually have the resources to check all those outlets?

Steve Raper: Sometimes you can get a feel for a store. I work very closely with trading standards in North Yorkshire. They have somewhere



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in the order of about 138 stores across the county that sell fireworks. They will make a visit. It is in their interest to make a visit.

Fraser Stevenson: I agree with Steve. If you accept that illegal fireworks come into the country, you need to accept that the people who bring them in have no ethics as to who they sell them to or how they store them. Again, I come back to what I said earlier about the public consultation in Scotland. When there are under-age kids with bangers, who are they buying them from? If you have a legitimate business, and fireworks are a valuable source of revenue, why would you jeopardise that to sell £5-worth of illegal fireworks to an under-age kid?

Q83 **Chair:** What about the packaging? Given that all fireworks can be dangerous if they are misused, do you think there should be tighter regulations on packaging and more warnings on the actual fireworks and on the boxes they come in?

Steve Raper: I do the warning labels for the company I work with. The legislation states that firework instructions have to be clear and concise. Even the clear concise instruction is often ignored; it is not read. That is not just fireworks. I can guarantee that, if you buy anything in the shop tomorrow, it will have an instruction leaflet with it and you will not read it.

If I was to put a public information film out about the product, the chances are that at least some of the information would get through and you would be able to handle the product safely. We cannot put too much information on the warning label, because the key phrases—the safety distance being particularly important—can be lost.

What we would propose is that, if we go down the route of stiffer penalties, the BFA would be more than happy to include on the warning labels a statement to the effect that “Misuse of this product will result in a fine of £X or X number of months in jail.” If you let people at least have that, they have no excuse to say, “Oh, but we didn’t know it was illegal.”

Q84 **Chair:** I want to show you some pictures of firework packaging, if we can get them up on the screen. We have one that looks a bit like ET, an “Alien Surprise Fountain”. Then we have “Funky Frog”. We have one that looks like a Hummer, and then we have a Minion, with lots of little faces on it. Those look to me like packages designed to appeal to children, yet no one under age should be buying fireworks. What is your view of that kind of packaging?

Steve Raper: Packaging for any product has to be attractive; it has to attract the eye. Parents will see that. I am very familiar with the “Funky Frog” and the “Alien Surprise Fountain”. They are basic garden fountains, and they are very popular fireworks.

Q85 **Chair:** Should they be packaged in that way, to appeal to an age group that should not be buying them?



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Steve Raper: The age group cannot buy them, can they, so it does not matter how appealing it is to a five-year-old because a five-year-old cannot buy it? It takes an adult to complete the purchase. The adult would buy that firework if it was in rainbow colours, as we see there for the Minion, or if it was in a brown plain wrapper. They go out with the intention to buy fireworks. Fireworks are not like any other product. People do not buy them on impulse, contrary to what we have heard in other claims. People physically go out with money to buy fireworks.

Q86 **Chair:** In which case, why would you have that packaging at all if people are going out with the intention to buy them anyway? Why design the packaging like that?

Steve Raper: What that packaging suggests to me is that it is potentially a fountain ideally suited for small children to watch.

Fraser Stevenson: The majority of people who buy fireworks are family related. It is a family event. The project is not targeted at under age. There is no under-age purchasing.

Q87 **Chair:** That is a very sweeping statement. You are telling me that there is no under-age purchasing at all.

Fraser Stevenson: Going back to what we said before, the responsible retailers who have legitimate licences and legitimate retail outlets do not under-age sell, no. You can see that by the prosecutions. I presume you will be taking evidence from people like trading standards. They do visits and make test purchases. They send in under-age kids to see if the retailer will sell them fireworks.

Q88 **Chair:** To finish, you were telling us earlier that you did not think there was enough enforcement, but then you tell us that you can tell by the number of prosecutions that people are not selling under age. Surely, if there is not enough enforcement you cannot say that for sure.

Fraser Stevenson: The point we raised about enforcement was the reporting of illegal sales. As an industry, retailers will report, whether to the police if there is street selling or to trading standards if it is an illegal retailer, that someone is illegally selling fireworks. An illegal activity is happening and it needs enforcement. That is where there are issues with resourcing. It is not a situation where people are walking into legitimate retailers and they are selling a firework to a 10-year-old. I have never personally encountered that with any of our customers.

Chair: Thank you for that. As always, if there is anything you feel you did not have the chance to say and that you want to present in evidence to the Committee, please feel free to email us later on. Thank you both very much for your presence this afternoon, and for the time you have given us to hear your evidence.