

*Joint Statement on***“The Scottish Government Consultation Paper on the Introduction of new Legislation on the Sale and use of Fireworks in Scotland, and Tackling the Misuse of Pyrotechnics”****Introduction**

YouthLink Scotland is a membership organisation and the National Agency for youth work, championing the value of the youth work sector, influencing government at local and national level. We are the collective voice of youth work, representing the policy and practice needs of the sector. Youth Scotland supports 66,000 young people, 1,450 youth groups and over 8,200 youth workers. Its membership is diverse, including rural youth groups to large urban projects. Our common goal is that we share is better outcomes for young people. This is why we are issuing a joint statement on the Use of Fireworks in Scotland and Tackling the Misuse of Pyrotechnics consultation.

In the response to the Fireworks Review Group Final report the Minister for Community Safety, Ash Denham MSP, announced her intention to implement the Fireworks Review Group recommendations as a matter of urgency.

The consultation considers the use of pyrotechnic devices. Specifically, whether it should be an offence to carry a pyrotechnic device in a public place without reasonable excuse or lawful authority and whether police powers should be extended to allow a stop and search provision for anyone *reasonably suspected* of committing the offence.

The police play a vital role in defending some of our most fundamental human rights, including supporting our ability to live free from violence, crime and fear, and help create an environment within which other rights and freedoms can be enjoyed¹. We are aware that Police Scotland take their responsibilities to maintain individual and public safety seriously and pyrotechnics is a matter of significant concern to them. However, on the extension of police powers to stop and search an individual where they are reasonably suspected of committing a crime, we question whether this would be an additional benefit to the existing proposals, or whether this could be counter-intuitive to reducing crime and forging community safety. There remains limited evidence to support the view that stop and search reduces crime. Many young people from the most marginalised communities, including many young BAME people, perceive current use of stop and search as unfair and has a lasting impact on young people’s trust in the police, their willingness to cooperative with authority. Consequently, reducing the ability of the police to carry out investigations and help make our communities safer^[1]. We are therefore concerned that extra powers to stop and search young people would have limited benefit to the already strong proposals contained within the consultation and could potentially be counter-intuitive to generating positive community relations between young people and Police Scotland.

¹ ehrc.stop_and_search_report.pdf (equalityhumanrights.com)

However, community based youth groups were part of the pre-public consultation on fireworks which took place in 2019 and 2020. It was clear fireworks are an important issue to young people and youth workers and there is a strong appetite for change to improve public safety.

We are supportive of the new regulations reducing the times of day fireworks can be supplied to the general public (including the volume of fireworks that can be supplied to and released by the general public) and the restriction of areas fireworks can be used. We believe it is positive certain regulations will come into force in time for the fireworks period in 2021 and that a proxy purchasing offence will be created to criminalise the supply of fireworks to people under the age of 18. Further, if we are to do everything possible to further the safe and considerate use of fireworks in communities around Scotland, we understand that the introduction of mandatory conditions at point of sale and no firework zones, requires primary legislation.

We agree that there should be a reduction in the misuse of pyrotechnic devices such as hand held flares and smoke devices, which are not being used for their intended purposes.

Youth participation and involving young people in decisions affecting them is essential to quality youth work. We encourage involving young people in decision making, support youth action and the developing of essential life skills for leadership. We consider the response to this consultation another example of linking up grassroots youth work and participation with policy outcomes at a national level. Youth workers are in a strong position to continue dialogue with young people when the proposed legislative changes come into force.

We are keen to see practical feedback on the introduction of legislation from those who use and enjoy fireworks and working with those affected by fireworks, including vulnerable groups, pet and animal owners, and from local authorities, enforcement agencies, the pyrotechnics industry, retailers and other organisations that have a role or interest in fireworks.

Our organisations remain interested in discussing how the youth work sector could assist Scottish Government in developing their work in this area, so any changes are delivered in a coherent and consistent manner. We would welcome the offer of utilising the vast youth work networks to achieve this aim.

ENDS

EDITOR'S NOTES

[Use and Sale of Fireworks in Scotland, and tackling the misuse of pyrotechnics - Scottish Government - Citizen Space \(consult.gov.scot\)](#)