

# **Promoting the Safe and Considerate Use of Fireworks in Scotland: Fairer Scotland Duty Assessment**

January 2021

## FAIRER SCOTLAND DUTY

<p><b>Title of Policy, Strategy, Programme etc.</b></p>	<p><b>Promoting the Safe and Considerate Use of Fireworks in Scotland</b></p>
<p><b>Summary of aims and expected outcomes of strategy, proposal, programme or policy</b></p>	<p>The Scottish Government's Fireworks Action Plan: Promoting the safe and appropriate use of fireworks in Scotland, published in October 2019, sets out the Scottish Government's vision for fireworks to be used safely and handled with care and to ensure they do not cause harm, distress or serious injury. The Action Plan outlines actions that are being taken forward with national and local partners including: improved awareness raising and communication; support to publicly organised firework displays; support to local communities; and legislative and regulatory change.</p> <p>The Action Plan supports the Scottish Government National Outcome of <i>We live in communities that are inclusive, empowered, resilient and safe</i> and sets out a range of outcomes for fireworks to support this including:</p> <ul style="list-style-type: none"> <li>• Organised displays provide the opportunity to bring communities together.</li> <li>• Fireworks are used safely and handled with care.</li> <li>• Fireworks do not cause harm, distress or serious injury.</li> </ul> <p>In relation to legislative and regulatory change, which are the focus of this FSD assessment, three specific measures will be introduced to come into force before the November 2021 fireworks period:</p> <ul style="list-style-type: none"> <li>• The times of day consumer fireworks can be used by the general public will be amended to between 6pm and 11pm, with the exception of 5 November (when they can be used until midnight), New Year's Eve, the night of Chinese New Year and the night of Diwali (when they can be used until 1am).</li> <li>• The times of day consumer fireworks can be sold to the general public will be amended to during the daytime hours of 7am and 6pm, alongside existing requirements on retailers in relation to sale and storage licences.</li> </ul>

	<ul style="list-style-type: none"> <li>• The volume of consumer fireworks that can be sold by retailers to individuals who do not have an explosives licence will be amended to 5kg.</li> </ul> <p>The purpose of this policy is to change how fireworks are sold and used in Scotland with the aim of protecting public and community safety and wellbeing by ensuring fireworks do not cause harm, distress or injury. In particular, to:</p> <ul style="list-style-type: none"> <li>• Reduce the volume of fireworks being set off, and their associated noise and disturbance.</li> <li>• Reduce the volume of fireworks being set off outwith organised firework displays to reduce the burden on emergency services and firework related injury.</li> <li>• Enable those negatively affected by fireworks to be aware of when fireworks will be set off and take preventative measures.</li> </ul>
<p><b>Summary of evidence</b></p>	<p>An evaluation of firework-related harm in Scotland<sup>1</sup> published in October 2020 includes research on the current level of firework related harm and compares it to previous years. The evaluation includes a number of studies and discussions relating to firework related injuries and highlights concerns about the overrepresentation of patients with fireworks related injuries from areas of deprivation.</p> <p>The results demonstrated an over-representation of patients from areas of greater deprivation. People residing in decile SIMD1 were twice as likely to require treatment for a firework-related injury than those residing in decile SIMD2. Of concern is the correlation between social deprivation and the risk of morbidity and mortality from unintentional injury and that these inequalities are not moderating over time. The evaluation concludes that the relationship between people living in areas of deprivation and firework-related injuries is more acute than for those with general trauma.</p> <p>The evaluation also highlighted increasing concern about the acute and long-term effect of particulate matter and heavy metal pollution from firework displays. Those residing in areas of greater social deprivation were also more likely to succumb to diseases connected to air pollution contribution.</p>

<sup>1</sup> <https://www.cobis.scot.nhs.uk/wp-content/uploads/2020/11/Evaluation-of-firework-related-harm-in-Scotland-October-2020-1.pdf>

The report concluded that the evidence of firework-related harm in Scotland remains evident and substantial. Individuals and communities are continuing to experience adverse health consequences from fireworks and that those at greatest risk of sustaining a physical injury are children and young men from areas of greater deprivation. The available literature suggests that particulate matter disease and death are more likely to affect deprived communities.

There are also links between the misuse of fireworks, antisocial behaviour and socio-economic disadvantage. 'The Scottish Picture of Antisocial Behaviour (ASB)<sup>2</sup>' report, published in July 2020, found that area deprivation stands out as a factor associated with antisocial behaviour.

The report found that those living in the most deprived areas, in socially rented housing, and in large urban areas, as well as younger people, are more likely to perceive antisocial behaviour issues in their area. Specific factors that potentially link to or drive antisocial behaviour include low-socio-economic status; lack of good facilities and social services; lack of appropriate youth facilities; opportunity to experience a sense of status, identity or social recognition and vulnerability and marginality (e.g. mental health issues, substance use, experiences of homelessness).

When considering the prevalence and type of antisocial behaviour, the report highlighted that the most common types of antisocial behaviour include noise nuisance, disturbance and complaints and fireworks misuse. For example, according to the Criminal History System, in 2018-19 the most common anti-social criminal behaviour to receive court action was fireworks misuse, followed by breach of anti-social behaviour orders.

Policy options have been developed taking into consideration a range of evidence including a rapid review of the existing evidence<sup>3</sup> that considered the impact of fireworks in the context of international legislation and regulations, including evidence relating to injury, pollution, noise and animal welfare; as well as international case studies to draw on evidence on the effectiveness – or

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<sup>2</sup> [The Picture of Anti-Social Behaviour in Scotland \(safercommunities.scotland.org\)](https://www.safercommunities.scot.nhs.uk/)

<sup>3</sup> [Fireworks legislation and impacts: international evidence review - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/fireworks-legislation-and-impacts-international-evidence-review/pages/1-10.aspx)

	<p>otherwise – of tighter measures in place in other countries<sup>4</sup>.</p> <p>The international case studies point to a potential a reduction in firework related injuries with the introduction of restrictions on the time period fireworks can be used, alongside related measures introduced simultaneously.</p> <p>We believe that the broad base of evidence from research, public consultation, surveys and focus groups provides sufficient evidence at this time. Whilst no specific data gaps have been identified, it will be important to monitor the impact of the policy changes.</p>
<p><b>Summary of assessment findings</b></p>	<p>The package of measures has been developed following completion of a range of impact assessments to ensure that the policy balances the needs of individuals and communities across Scotland.</p> <p>The policy will be complimented by a range of other preventative work:</p> <p>A Fireworks Rules and Regulations Campaign was launched ahead of bonfire night in 2019 and 2020, in partnership with Fearless, the Youth arm of Crimestoppers Charity targeting young people aged 11-16 years. The campaign focussed on improving awareness and understanding of the existing rules and regulations and improving understanding of how and when to report the misuse of fireworks.</p> <p>The Scottish Government worked with the Scottish Society for the Prevention of Cruelty to Animals, Education Scotland and other key partners to launch an online educational resource on fireworks safety for use in primary and secondary schools ahead of bonfire night 2020.</p> <p>A module on fireworks safety has been incorporated into the Scottish Fire and Rescue Service and Police Scotland Youth Volunteers schemes.</p> <p>Nationwide annual fireworks communication campaigns were launched ahead of bonfire night 2019 and 2020 to improve people’s awareness and understanding of the impact that fireworks can have on people, specifically highlighting those with autism and sensory issues.</p>

<sup>4</sup> Fireworks regulations - impact: case studies - gov.scot ([www.gov.scot](http://www.gov.scot))

	As fireworks misuse is more prominent in deprived communities and urban areas, the benefits of the policy will contribute to reducing inequality of outcome in areas of socio economic disadvantage.
<b>Sign off</b>	<b>Name: Wendy Wilkinson</b> <b>Job title: Deputy Director Safer Communities</b>



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