

The background of the central section is a photograph of a business meeting. Several people are seated around a table, looking at documents and talking. The image is overlaid with a semi-transparent blue filter. The word 'Manifesto' is written in large, bold, yellow letters across the top of this section, and '2015' is written in large, bold, blue letters below it.

# Manifesto

## 2015

**Liberty Prosperity  
Freedom**

## **LIBERTARIAN PARTY MANIFESTO 2015**

### **INTRODUCTION**

This 2015 General Election is being fought on the interests of the two major political parties not on the interests of the people of the United Kingdom.

Labour is fighting on the basis of public sector privilege in the NHS, it has very little else it can credibly fight a campaign on. They are challenged strongly in Scotland by the SNP and damaged by the far left Greens in England.

The Conservatives are fighting UKIP on the perennial issue of Europe and Immigration.

The Liberal Democrats appear to be heading for electoral oblivion and are simply going through the motions.

The Libertarian Party believes that the main issue that is not being addressed is that of the Constitution, It is no longer business as usual as the Scottish Referendum showed. The SNP has quadrupled its membership and could dictate public policy on the basis of holding the balance of power.

In the 800th year of Magna Carta we need to have a constitutional convention and accept that the United Kingdom is rapidly heading for a de facto Federal Kingdom. People are grown up, they want more of a say, referenda Swiss style should be the norm on both national and local issues not the exception. This includes membership of the European Union.

It is time we moved from a Representative Democracy to a Direct Democracy where our vote matters, first past the post is no longer just or sane. All schools of political thought should be heard.

Finally the 'D' word has to be addressed- our national debt of £1.4 Trillion has to be paid down, either through a specific Tax- the 'Brown' Tax or by a reduced State.

Switzerland and other countries in their Constitutions have a prohibition on the State borrowing above a certain limit. We need to enshrine this into our Constitution and have it codified.

-Andrew Withers

LPUK Party Leader

## **BALANCING THE STATE**

The Libertarian Party is aware that for many people the State is an unfeeling unresponsive animal especially when things go wrong. The NHS, HMRC and others are state institutions where state employees enjoy virtual entrenched immunity from prosecution other than by the very rich. This has led to declining standards of civic behaviour.

The Libertarian Party is committed to –

- Making Misconduct in Public Office a statutory offence.
- This proposal was killed off by Jack Straw on 9th December 2008 as Minister of Justice. Misconduct in Public Office is still a common law offence, but with high walls to overcome to bring charges against a corrupt and incompetent public servant.
- State Compensation for those injured by the State
- Ensuring the State makes compensation to the individual by implementing the Law Commission Report on Administrative Redress: Public Bodies and the Citizen
- Restoring the impeachment process for public servants that abuse their position including Ministers of State.
- There will be an ‘recall’ system for MP’s whose standard of behaviour brings the institution into disrepute on a local referendum

The Libertarian Party will establish local tribunals or Ombudsmen made up of lay citizens elected to the position with a legal advisor to assist to ensure that complaints about public servants and public bodies are heard quickly. Each complaint to be heard with six weeks before referring to a Judge to decide whether the CPS will be directed to prosecute on the citizen’s behalf.

2015 is the 800<sup>th</sup> Anniversary of the sealing of the Magna Carta. This was a peace agreement that lasted a matter of weeks. The Libertarian Party is committed to a written Constitution that protects the individual against the State and to have the Magna Carta and other documents codified into a single constitution. The rights sought from Magna Carta down to the 1951 European Declaration of Human Rights have been continually usurped.

- The party takes as its model the Swiss Constitution of 1999.
- A Constitutional Court would be established.
- The Monarch under law would be the head of State, but subject to the Constitution.

This stable country with a devolution of power to its diverse cantons with different languages and religions is our preferred model.

England alone out of the United Kingdom is disenfranchised amongst the home Nations not having a parliament of its own. The Scottish Referendum showed that there is a constitutional deficit that needs

to be addressed in the name of the people of these isles, not a party political fit up to deny the people an expression of its free will.

Our policy is that we would adopt either the traditional counties with multi seat constituencies with proportional voting as being the only rational way for the country to have representative government or the return of the 1000 year old seven English Saxon kingdoms as the basis of public administration together with Ulster, Wales, Scotland and Kernow, emulating the German Lander or Swiss Cantons.

Each would determine and have its own tax raising powers that will be devolved from Whitehall.

Both House of Commons and Lords would be by popular election and not by right of birth. To this end a separate English Parliament would be established outside of London.

Westminster would only deal with Defence and Foreign affairs. The House of Commons would be reduced to two hundred members and shall only sit from September to December each year on the basis that the less time sitting the less interference in the life of the individual citizen.

The House of Lords would be abolished and replaced by an elected 100 person chamber to deal with matters that affect the British Isles as a whole with directed elected representatives from each of the home nations. This chamber would be bound to put its deliberations to the people by referenda, and to be bound by it.

This devolution of powers cannot be made without first withdrawing from the European Union, to counter the risk of the country becoming subservient regions to Brussels and the European Union.

The Military and Police would swear allegiance to the Constitution.

No clergyman from whatever faith shall have the right to a seat unless elected.

All public honours and decorations other than proven military service shall set aside. No public servant shall receive an honour as a matter of course for doing a job that they are already paid to do.

The honours system has become a degraded and corrosive form of patronage.

## **DEFENCE**

Following the Crimean War disaster in 1856, the British Army was overhauled by Edward Cardwell Secretary of State for War in 1868, determined on a programme of reform to overcome the incompetence and maladministration of our armed forces.

At a time when we have more admirals than ships and aircraft carriers with no supply of aircraft to land on them, together with there being more civil servants working in the MOD than full time soldiers there is a requirement for a 'Cardwell 2'.

Our aim is to ensure a strong, independent, sovereign nation. This requires a well funded, trained and equipped professional Armed Forces (both full time and Reservist), geared for the defence of our nation and shipping, a policy called Armed Neutrality.

National Defence is one of the few legitimate reasons for the State to exist. This is different to mounting wars in support of other nations and invading other sovereign nations on the command of the Prime Minister exercising the Royal Prerogative. The Libertarian Party follows the Jeffersonian line of "Peace, commerce, and honest friendship with all nations-entangling alliances with none

- Our Armed Forces need to be able to make an enemy think twice, so must have the ability to project force rapidly, globally and flexibly in focused ways, e.g. submarines, amphibious assault, Marines, Special Forces.
- To protect supply lines and commercial shipping and fisheries from piracy and other interference will require a suitably sized fleet of Corvettes, Frigates and associated support craft.
- Reformation of Volunteer Yeomanry on a county basis for 18-25 year olds wishing to enlist as part time soldiers with no requirement to serve overseas and to be paid. This based on the Swiss Militia system.
- Maintain membership of NATO while in the National Interest.
- Maintain strong ties with non-aggressive Commonwealth countries.
- Any nuclear deterrent to be made truly independent, retained maintained and eventually replaced in the foreseeable future.
- The establishment of a separate military pension over and above the State pension for those that have served in the armed forces.
- The establishment of separate military hospitals for those servicemen and ex-servicemen and their families.
- The establishment of a living wage for the armed forces
- A programme of demolition of old housing and building of modern accommodation using the disposal of MOD assets.

This is to establish real substance to the 'Military Covenant' which should be on the statute book. Military Pensions by the State should be seen not as entitlements but as rewards for actual service.

## **IMMIGRATION OVERVIEW**

Our immigration policy will be points based whilst the State provided Welfare System exists. The core tenet is that there should be free movement of peoples. Anybody arriving in the country should have no expectation of being supported by the State, subsidised housing or any benefits of any kind.

- The state will not issue any NI numbers to anybody not born in this country, or has made not less than five years contribution in payments to an NI scheme.
- Anybody granted a residency permit will be obliged to demonstrate that they have adequate medical insurance.
- In parallel, we will establish bilateral agreements with countries to enable free flows of people.

- Longer term, and in conjunction with the shrinking of our unsustainable current Welfare System, we are committed to pursuing an open borders policy towards those who would wish to come to the United Kingdom in order to contribute to our economy and peaceful shores.
- Totally free movement of people into the UK is not practical whilst we have a large welfare state and other countries are themselves not broadly Libertarian in nature.
- A free flow notwithstanding, any Libertarian government will reserve the right to eject or refuse entry to foreign nationals convicted in a court of law as part of the Government's prime role in protecting the population and maintaining Rule of Law.
- The UK shall have full control over its immigration policy, with any right of final appeal remaining within the UK.
- Asylum Seekers must present at a UK border or at the British Embassy of a neighbouring country to their own, otherwise their claim shall not be accepted.
- Those refusing to declare originating country and accept that the failure of their application will result in their return shall be denied entry, and any right to seek asylum will be refused outright without appeal.
- Asylum seekers to be held "air side" while their case is heard as swiftly as possible, meaning weeks, not months or years. This shall not apply to children under the age of 15.
- End automatic access to education and resources for any child who presents itself to the authorities, i.e. vouchers will not be available.
- We believe any concept of a mass "amnesty", actual or de facto forgiveness for illegal immigration undermines Rule of Law and as such will not be entertained.
- The policies above are strict but are drawn up in regard to those who approach the process lawfully and follow the rules, not those who try and bend the rules or bootstrap their way in.
- Acceptance into the armed forces will be dealt with by the Ministry of Defence.

## **THE RULE OF LAW**

Freedoms won for us by the blood of our ancestors have been seriously eroded over the decades, and this erosion is gaining speed and must be halted and reversed. It is a core responsibility of the State to enable the citizens to go safely about their lawful business without let or hindrance.

A central tenet of Libertarianism is that we are all equal before the Law from the mightiest to the poorest. This is the Rule of Law.

We have car insurance, we have life assurance, yet so few of us carry Legal insurance. Going to Law to protect an interest or to defend yourself is frustrating and seriously injurious to your wealth.

The Libertarian Party will advocate an insurance scheme to balance out the individual against the State or the wealthy abusing the legal system.

County prosecutors elected at the same time as MP's will defend the individual or prosecute the powerful and the State on behalf of the individual, paid for by this insurance scheme.

Unenforceable Law is bad Law, the Libertarian Party will advocate that after thirty years each Law on the statute book is reviewed and has a sunset on its provisions.

Law that is clearly not understood by the Layman is bad law. It should not need a thousand pages of Civil Procedure Rules to enable any citizen to obtain both Justice and redress.

The Libertarian Party wants less Law and regulation, replacing it with enforceable Laws. This is on the basis that what which is not proscribed is free to do, rather than the State 'giving freedom or licence to carry out and activity.

Police Chief Constables to be locally elected, and given a large amount of autonomy.

We expect this to:

- Drastically simplify and reform Police/CPS targets, now the remit of the Chief Constable, and to remove the desire to prosecute innocent parties.
- A reduction in paperwork to enable more beat officers to remain on patrol for as long as possible.
- We will undertake a review of the PCSO concept, with the potential to recruit those capable into the main police force, and to disband the remainder.
- Limit retention of DNA only in the event of a conviction, and to discard after that conviction is spent.

We will reaffirm the Nine Peelian Principles. These are:

1. The basic mission for which the police exist is to prevent crime and disorder.
2. The ability of the police to perform their duties is dependent upon the public approval of police actions.
3. Police must secure the willing co-operation of the public in voluntary observation of the Law.
4. The degree of co-operation of the public that can be secured diminishes proportionately to the necessity of the use of physical force
5. Police seek and preserve public favour not by catering to public opinion, but by constantly demonstrating absolute impartial service to the law.
6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice, and warning is found to be insufficient.
7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent upon every citizen in the interests of community welfare and existence.
8. Police should always direct their action strictly towards their functions, and never appear to usurp the powers of the judiciary.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

#### *Furthermore-*

- Disorder to be handled via the courts, not on-the-spot fines, which we believe are unconstitutional as laid out in the 1689 Bill of Rights.
- Repeal inhibitions to “right to lawful assembly”.
- Wiretap evidence to be permitted as evidence in court cases if obtained with a warrant.
- Undertake a review to consider returning juries to all criminal trials.
- Immediate repeal of Control Orders.
- Implement a maximum period for detention without charge of 48 hours; arrests should be evidenced based, not fishing expeditions.
- Decriminalisation of all sexual activity related to between consenting adults
- Roll back the right of government agents to enter property without a warrant issued by a judge.

#### *Prisons-*

We will ensure that sufficient prison places are available to make capacity not a factor in detention, bail or sentencing decisions.

Make prison harsher for uncooperative inmates as necessary while rewarding cooperation.

End the practice of using regular prisons for the incarceration of the mentally ill.

Life to mean life, and an end to early release of the violent or abuser.

No consideration for age or gender should influence sentencing, especially with access orders for children.

We will undertake a review to examine the options available for the provision of training and educational facilities within prisons, and also investigate the possibility of prisoners being able to perform paid work whilst incarcerated should they wish.

Ensure first time remand prisoners are kept separate from other inmates.

#### *Capital Punishment-*

The Libertarian Party is unequivocally opposed to the death penalty by the State.

#### *Torture-*

The Libertarian Party believes that the use of torture is against the Rule of Law.

## THE WELFARE STATE

The welfare state was promoted on the false premise that the State could look after the individual from 'Cradle to Grave', a phrase that is no longer heard. This undertaking was in return for oppressive levels of taxation.

That 'social contract' has been breached repeatedly by the State and the Welfare State has become a by word for social conditioning and has unleashed an army of bureaucrats on the population.

All these changes will be phased in over a twenty year period. All accident and emergency services will remain free at the point of delivery.

As an organisation the NHS has obscured its failings through a political 'sacred cow' status, this cannot continue other than through financial collapse.

### 1. THE NATIONAL HEALTH SERVICE

It is our proposal as an interim measure that National Insurance becomes a true insurance entity for health provision. National Insurance contributions will be paid to not for profit organisations whose board members are elected and are disconnected from politicians much as the Bank of England is.

The holding of a NI membership means the patient will receive appropriate treatment from whatever source including overseas and this will be paid for by the National Insurance Board.

Should you elect to take out your own medical insurance you will be entitled to opt out of the National Insurance Scheme. Employers can offer medical insurance as part of an employee's contract. This will not be a taxable benefit.

The National Insurance Board will not own or operate any hospital, but will purchase services from clean safe hospitals from whatever quarter on the basis of patients before public privilege.

The National Health Boards shall consist of an English Board, Scottish Board, Ulster Board and Welsh Board. They shall be fully independent of regional government interference.

Elective cosmetic procedures will not be funded by National Insurance boards.

Should each board wish to increase the rates they wish to take, this shall be put to the opted in members of the scheme to be agreed by a referendum.

Non Residents arriving at their port of entry show that they have adequate Health Insurance for the length of their stay. This will be reflected in the cost of a visa.

The central premise should be that National Insurance should reflect the true cost of the service provided on an annual basis.

GP services will also be paid for by the National Insurance Board, each GP practice having to demonstrate that it can provide 24 hour coverage on a local basis to alleviate A&E services.

Medical incompetence should be referred to a no fault compensation scheme so those deaths and injuries can be compensated in months not decades.

#### *Emergency Services-*

The RNLI has existed since 1824, was granted charitable status in 1860 and is a registered Charity. The Air Ambulance charities are continuing this honourable tradition of voluntarism We propose that any individual or business that contributes to such charities should be able to set these contributions against taxation. Thus promoting localism and the reduction of bureaucracy.

We also propose this concept be extended to volunteer fire services and ambulance services, together with a volunteer civil defence charity. Much of the 2014 response to the flooding in Somerset was made by local volunteers not the state or the military. 18-24 year olds who volunteer for these services for three years will be granted a sponsored University or further education course for three years.

#### *Medical Training-*

We propose that anybody undertaking any professional medical qualification or nursing qualification in United Kingdom should not be required to pay tuition fees on the basis that they contract to work within the United Kingdom for a period of five years or volunteer to work in a developing country for two years. it is iniquitous that the current NHS relies on doctors from developing countries to make up for the training gap. Any company, charity, corporation or individual who sponsors medical trainees shall be exempt from taxation to the level of the sponsorship.

## 2. THE WELFARE STATE

All pension and unemployment provision will be transitioned to private provision over a twenty year period to non profit trusts or insurance companies, Such premiums shall not be treated as taxable. All such funds remain the asset of the individual. The system of child benefit will gradually phased out, but restricted to two children only. This benefit will not be paid outside of the UK jurisdiction.

## **ECONOMY**

- Our short-term goal will be to reduce and simplify taxation and shift it towards consumption not income, to increase transparency and accountability.
- Begin repayment of the National Debt and to reduce the payment of unsustainable monthly interest payments . Our long term goal is to have a vibrant, transparent, open, honest, low-tax, sustainable and true market economy, in which the Pound Sterling value is preserved and little or no National Debt exists.

- We understand that there is a risk to everybody's wealth should the State decide to emulate Cyprus and seize a percentage of all wealth. Therefore the choices are further reduction in spending or a tax for a period of five years to reduce the debt. If the latter course is adopted it will be applied on the same basis as the German Re Unification Tax, and we would propose to call this after a former Prime Minister 'The Brown Tax'
- This would be written into a Swiss style constitution that forbids the State on our behalf to overspend.
- The State has a responsibility to not destabilise the economy nor create government debt, which is both a tax on the existing population and a mortgage on our children's future.

## **FREE MARKETS**

- Libertarians believe passionately in free markets. And when we say 'free markets' we mean exactly that—people and organisations trading freely, honestly and voluntarily, for the benefit of all.
- Some lobby groups use the term 'free markets' to mean the economic rule over us by faceless corporations. Such corporatism (sometimes called political capitalism) is opposed by libertarians, and many of our policy proposals are squarely aimed at tackling this abuse by monopolies, cartels and regulation.
- Attempts to reform our economic system would founder if we ignore one of the major underlying structural issues; the question of how our money supply is created.

### *Income and Corporation Taxes-*

- Personal Income Tax to be abolished. Initially the poorest will be taken out of income tax with a £21,000 personal allowance and a flat rate above that.
- Corporation Tax lowered to 10% to encourage business and commerce to be based in the UK. The Party is committed to investigate the viability of a 5-year exemption from Corporation Tax for start-ups.
- Inheritance Tax and Capital Gains Tax abolished in first Libertarian parliamentary term.

### *Local Taxation Areas-*

- As the Libertarian Party advocates a Swiss style devolution, the Party would not have a standard tax rate across the country.
- Low or differential Tax in different areas would create competition for business to move, locate or set up in a low tax area.

### *Local Banking Groups-*

The Libertarian Party advocates the immediate breaking up of the insolvent, bailed out banks and placing them into administration and the setting up of locally owned commercial banks whose banking licence is based on their ability to lend or invest in small to medium sized business.

‘Too big to fail, means it is too big to start with’

### *‘The Spending Plan’-*

The Libertarian Party endorses ‘The Spending Plan’ produced by the Tax Payers Alliance as attempting to bring some honesty back into Elections where the moon is promised and could never be delivered,

## **EDUCATION**

Tony Blair made a speech that extolled ‘Education, Education, Education’ as a central plank of the Nu Labour project. The fact that he was addressing public sector workers and really meant ‘Indoctrination, Indoctrination, Indoctrination ‘ sums up the political football that Education is.

Before the 1870 Education Act, the Church had largely founded schools in the name of religious indoctrination. The State fearful of superior German Education standards introduced ‘State Education’ which has largely become a by word for poor standards and public sector teachers being social workers ramming home political messages on gender, race and many other issues, other than education.

The Libertarian Party advocates the denationalisation and secularisation of education to end this 150 year battle over indoctrination and put power back where it belongs, with the parents.

As an interim measure each child would receive an educational voucher which the parents can use at a school of their choice, and top up should they so wish. This would ensure that only worthy schools with high standards would prosper.

The Libertarian Party would ensure that educational trusts that gave scholarships , their donors could set that off against corporation and personal tax.

The Nu Labour project of fifty per cent of young people going to University was fanciful nonsense. We need technical educational establishments to train young people in transportable skills. Again donors to such high standard establishments would set off their donations against tax.

Tertiary education has to be paid for, many universities now rely on foreign fees to pay their way. Others are just finishing schools. The key to education is in the arts to have superlative standards to gain entry. In technical and language universities proven ability is the key to access.

Teachers should not be banded, but paid on talent. Poor quality teachers and lecturers will be removed from their posts, equally there will be no barrier to entry into the profession from business and the armed services.

Post Military service of five years or more, service personnel will receive an education voucher for any three year course at tertiary level.

## APPENDIX A

### **FIREARMS OWNERSHIP**

#### **Introduction**

The question is posed as to why we bother with a certification system for firearms in the UK. As such this piece must be considered entirely from a UK perspective and is an appraisal of the certification system. Why do we have one? A question that is easily answered, we have one purely for political reasons. The current manifestation of the certification system is the unwarranted and unnecessary desire of Government to instil control over people, their possessions and how they use them hidden behind a mask of protecting public safety. They could not readily sell you control but they can sell you fear.

Revisions of firearms legislation and other acts of attrition on civil liberties have resulted in the fragmented, divisive job creation scheme we call the shotgun and firearms certification system currently run by UK police forces. In more recent times two well-known tragic but significant events in 1987 and 1996, have been ruthlessly exploited by political parties to gain emotionally charged votes. The actual effects of certification has not reduced crime and has served only to categorise firearms depicting certain firearms as more dangerous than others, however when firearms are used with safe best practice, we know a firearm is no more dangerous than any other inanimate object.

Considering there needs to be a system of checks and balances to ensure those with certain criminal convictions and known propensities toward violence, plus some medical conditions, are precluded from lawful firearms ownership.

This licensing system should default to that ownership being a natural right with authority having to justify withholding that right subject to background checks. The licensing system should certify the person, not the item, if an individual is deemed a fit and proper person to own and use, what they own and use is irrelevant, the person with intent being the danger not an inanimate, non-autonomous object.

Any system of certification of the individual should not be in the grant of the Police who represent the force of law imposing the contract of statute issued by government. The certificate issuing authority should be an independent body such as The Security Industry Authority (SIA)<sup>(1)</sup>, the body that oversees the provision of security guards and door staff, or a similarly designated issuing body.

The only involvement for the Police Force would be to provide background information resulting from a request from the SIA, or to have involvement in enforcing the law following the committing of a criminal act. Similarly Police Force involvement would be required if the system of Certification were to identify the need to withdraw certification of an individual for reason other than contravention of the law, for example, on medical advice, but only under the authority of a judge signed warrant.

The system of medical referral currently under consideration should be adopted where again the certifying body makes reference immediately prior to certificate issue. The Medical Practitioner being required to notify of any medical or psychiatric condition that precluded the issue of any certificate, to the individual. It would also be the responsibility of the Medical Practitioner to specify the reason for refusal to exempt the individual rather than a pre-determined default list from Government.

*Note:* It is important to understand at this stage that extensive change and/or repeal of a large number of legislative acts would be required to enable the regime suggested to be implemented. Fragmented UK firearms legislation does not address all the relevant issues regarding the implementation of a system defaulting to the freedom of the individual to own and use with an emphasis on authority to prove unsuitability. Legislation requiring alteration includes various Crime Prevention and Policing

statutes, even some consumer law is impacted, and at the last count some 37 acts of statute were affected. Some legislation holds default clauses that become enacted by secondary legislation at the repeal in part, or in whole of related primary legislation, great care is needed to understand the relationships and their effects.

The relationship between issuing authority and those with whom they liaise to ascertain suitability shall be subject to minimum service standards.

#### *Requirement for Training-*

The current situation regarding the individual once certification has been verified if they shoot on land consent, or are a target shooter, belonging to a club or association, needs no change. Shooters on land consent require the land owner's written permission and must have in place adequate insurance cover for public liability. The land consent system should be modified to remove the Police classification for caliber element currently imposed.

Target shooting clubs that affiliate to the NRA of UK require probationary members be subject to a safety and practical course prior to being issued full club membership and unsupervised range access, this requires no change and is sufficient to purpose. Non NRA of UK affiliated clubs must as part of their range certification by MOD have conditions requiring as a minimum a mentoring scheme for probationary members with a similarly structured path to full membership. If this latter is not currently a wholly encompassing requirement, consideration should be given to how competence is assured.

#### *Firearms possessed for Self Defence-*

Use of a firearm for self- defence is not a firearms legislation matter, it's a self-defence, and as mentioned earlier a crime prevention law issue.

Firearms for self-defence would need to become a legitimate reason for ownership and would be subject to the same freedoms of possessions as for any other reason, similarly the certification would follow the same pattern described earlier in becoming a natural right unless the authorities can prove ownership and use is a defined threat to public safety.

Shooting club ownership would not need to be a pre-requisite but in order for the certificate issuing body to satisfy its duty of care any certificate would need to be endorsed with competence training in firearms safe use and storage, law governing self-defence, and situational awareness and how to avoid conflict, all carried out by a competent training organisation. Once these competences are obtained they should be subject to refresher at certificate review. These latter issues would need to be fulfilled prior to acquisition of a firearm for this purpose.

#### *Administration-*

Government is through ACPO developing an online certification regime which is being rolled out in stages. Whilst the specification for this is at time of writing unknown it would be recommended that any online system shall as a minimum contain the following functionality:

The requirement to apply to authority to own and use firearms of any category would be instigated by the man or woman expressing a desire to purchase from a retailer and be entered into the system by the retailer who would designate the buyer as a new purchaser, the safeguard would be the lack of legitimate numerical identifier recognised by the system.

- Create a database. <sup>(1)</sup>
- Individual user accounts for Manufacturers and Importers. Every firearms made has unique serial number entered into the database at birth and assigned to the maker or importer.

- Firearms certificate issuers have an administrator account that updates with any online data entry from any source.
- Applications for certificates are made online and at the same time a unique user account is established. Relevant checks are confirmed and authorities issued via database notifications. Any limited documentation can be made available for download and protected against edit.
- Maker or Importer assigns firearms to Dealer at purchase, Dealer accepts receipt.
- Individual issued with unique certificate number as now with perhaps credit card style certificate issued, or similar as stated above.
- Individual purchases firearm from dealer, database updated immediately with purchaser ID on dealer account and Admin account. New buyer account will trigger background checks at this point, Firearm cannot be issued to buyer until retailer is given clearance from certificate issuer, further prevented by retailer terms and conditions of trading, and penalty is immediate loss of license to trade, confiscation of stock under judge signed warrant.
- On issue individual is responsible for updating their user account within 72hrs of purchase to confirm entries as now.
- Individual sells to Individual and carries out transfer using the same criteria as purchase from dealer.
- Ammunition purchase is recorded in same manner as firearm purchase. (Optional)
- Database issues immediate notification e-mail to administrator at conclusion of each transaction.

The above process removes the need for separate SG/FAC issue. Every firearm, and if desired, round of ammunition, is tracked from manufacture or import to purchase. As now SG shells need not be included.

Authorities have a clear and up to date track of all firearms (and ammunition). The database can flag ammunition purchases over a preset database default amount by any one individual if required allowing further investigation.

In conclusion, the narrative above sets out to sow the seeds of an idea that could potentially address the civil liberties, public safety, public interest and personal freedoms of choice that must be considered for there to be an effective but proportionate approach to firearms ownership. It sets out the basis of a plan to establish satisfying the areas of concern but removes the most divisive element of all, the control by the state of the personal choice for individuals.

*In Summary-*

Firearms ownership and use becomes a natural right but subject to intervention on criminal or medical grounds.

- As a natural right the State must prove its case for exclusion.

- Firearms administration is removed from state responsibility.
  - State retains intervention on evidential grounds subject to judicial authority.
  - Competence training for sporting possession, to be unchanged.
- Competence for defensive use is conditional for certificate endorsement.
- Use of firearm for defensive use without competence endorsement is mandated within self-defence legislation and treated on case by case basis.
  - Individuals do not apply for the right to possess but will incur a cooling off period of (x) days before a firearm may be released to a buyer to allow background checks to take place.
  - A register of firearms ownership is available to authority via issuing authority on production of a judge signed warrant.

## **Conclusion**

The narrative above sets out to sow the seeds of an idea that could potentially address the civil liberties, public safety, public interest and personal freedoms of choice that must be considered for there to be an effective but proportionate approach to firearms ownership. It sets out the basis of a plan to establish satisfying the areas of concern but removes the most divisive element of all, the control by the state of the personal choices of individuals.

The Libertarian Party UK does not however extend these proposals to automatic weapons or military assault weapons. It is difficult to see how these proposals will elicit public support. However in line with our defence proposals, that county yeomanry that should form the basis of our depleted defence capability should have access to such weapons in local secure facilities.

## References:

1. Richard Law & Peter Brooksmith publication 'Does the trigger pull the finger' April 2011.cp