



© GWCT

## Shooting and the public

### Bringing shooting into disrepute

Guns should remember that others will judge the shooting community by their behaviour and the actions of their fellow Guns. If you see others behaving in a way likely to bring the sport into disrepute, politely make them aware of their duty to the shooting community as a whole.

### Codes of conduct

First and foremost use courtesy and politeness with the public at all times. Make sure you are aware of any public rights of way and avoid frightening, obstructing or endangering users. Shooting or beating should be paused to allow horses or walkers to pass. Avoid shooting birds over another's property or shooting near other properties, if it may be a nuisance.

Be aware that:

- Shooting across any right of way may constitute a wilful obstruction or public nuisance, which is a criminal offence.
- It is a civil offence to allow shot to travel over a boundary on to another property
- It is an offence to be drunk in possession of a loaded gun

**Follow  
the Code**

**Shooting is judged by  
how you behave**

*“Shooting and shoot management practices  
will be judged by the way participants  
and providers behave”*

**Carrying a shotgun in a public place/staying away  
from home**

You may not carry a loaded shotgun in a **public place** without lawful authority or reasonable excuse. The onus of proving lawful authority or reasonable excuse lies with the person carrying the gun. Reasonable excuse could include, when out shooting, having a loaded shotgun on a footpath running across the shoot. The police have the power to examine guns if they have reason to believe this part of the law is being infringed.



*It is bad practice to shoot near a public footpath. © GWCT*

**Public place**

Broadly speaking a public place is anywhere to which the public have, or are permitted to have, access (by payment or otherwise) and includes public footpaths and public highways. Thus some parts of a shoot may be a public place whilst others are not. Vehicles are considered to be in a public place whilst they are on the highway. Open access legislation, especially in Scotland, has turned large areas of open land into a public place.

### **Shooting near roads/rights of way**

There is a common misconception that all shooting within fifty feet of the highway is prohibited – it is not. In England and Wales it is an offence to discharge a firearm within fifty feet of the centre of a highway if in consequence a user of the highway is injured, interrupted or endangered. For this purpose a highway is any road over which the public have a right of way in a vehicle.

A footpath, cycle way or bridle path is not a highway but it is good practice not to shoot close to a path which is being used by the public. You are not allowed to shoot if you are standing on a public road or its verge. It is widely accepted in Scotland that you are not precluded from shooting from a public highway, but reckless discharge would apply under common law if you were to inconvenience or disturb others using the highway.

#### **Follow the Code**

##### **Positioning of release pens**

*“Release pens where possible should be sited out of public view”*

##### **Roadkill pheasants**

*“Game managers should collect and dispose of road casualties where possible”*

##### **Released pheasants in neighbours’ gardens**

*“Released birds should be managed to avoid damage to neighbouring crops or gardens”*

##### **Frequency of shooting**

*“The frequency of shooting must not give rise to unreasonable nuisance (particularly noise) to neighbours”*