

**National Autistic Society Scotland –  
‘Call for Views’ from the Scottish Parliament’s Criminal Justice Committee on  
‘Fireworks and Pyrotechnic Articles (Scotland) Bill’**

### About NAS Scotland

The National Autistic Society Scotland is a leading charity for autistic people in Scotland, and their families. There are around 56,000 autistic people in Scotland, both children and adults, plus an estimated 225,000 family members and carers. We provide local specialist help, information and care across Scotland to children, adults and families affected by autism. We offer a wide range of personalised quality support at home and in the community, both in groups and with ‘one-to-one’. Our branches in Scotland offer families and autistic people help and mutual support, and our employment team supports autistic people in work and their employers.

### Proposed Bill

The National Autistic Society Scotland is grateful for this opportunity to respond to the Scottish Parliament’s Call for Views on the proposed Government Bill, ‘*Fireworks and Pyrotechnic Articles (Scotland) Bill*’, and to have the chance to deliver oral evidence to this Committee later in March this year. The distressing, and often highly debilitating, impact of fireworks or pyrotechnics on many autistic people and families is of significant concern to us; thus, we are hugely supportive of attempts by the Scottish Government to tighten regulations on the sale and use of fireworks, and to further control the usage of pyrotechnics. It is imperative that the voice of autistic people is heard in this process, both in Committee and as this Bill moves through the Scottish Parliament.

### Fireworks, Pyrotechnics: Autistic Experiences

Autism is a lifelong neuro-developmental disability affecting how autistic people communicate or interact with the world around. Sensory issues, of varying intensity, often accompany autism; indeed, sensory sensitivities are frequently the symptoms used to assist with the diagnosing of autistic people. Sensory sensitivities can involve either an over-responsiveness (known as *hyper*-sensitivity) or an under-responsiveness (*hypo*-sensitivity), with one, more or all of the body senses affected – sight, balance, sound, touch, etc. Sometimes, sensory issues can mean that autistic people experience profound discomfort, heightened anxiety and distress, or even ‘meltdowns’, when events become overwhelming.

It is always important to consider how, in practical terms, stress / anxiety can manifest for autistic people, and any potential impact this may have on support networks. While stress / anxiety for autistic people may often be ‘uncomfortable yet manageable’, some scenarios may bring a ‘meltdown’ – an intense response to an overwhelming situation – for some autistic people, with the individual (temporarily) losing control of their own

behaviour. The losses of control may be expressed verbally or, sometimes, physically, which can put the autistic person, and those around, at risk.

When we try to understand this, it becomes obvious why fireworks and pyrotechnics can often be such an issue for autistic people and their families. We regularly hear from autistic adults, and parents to autistic children, who tell us that they choose not to celebrate in November and on Hogmanay, owing to noisy, volatile, and therefore unsettling events. In addition to these sensory issues mentioned, the *unpredictability* of disorganised firework / pyrotechnic use may cause great distress.

When events are well-planned, and are organised by professionals, we recognise that some firework displays may be a positive experience for some autistic people. Our charity has produced guidance, collaborating with the autistic people we support, for individuals / families wishing to attend events:

<https://www.autism.org.uk/advice-and-guidance/topics/leisure/bonfire-night/all-audiences>.

### Proposed Licensing System

The National Autistic Society Scotland strongly supports this Bill's proposed creation of a licensing system for the purchase, sale, or use of fireworks in Scotland. We know that it is the unpredictability of their use, alongside sensory triggers, which can cause great distress; therefore, all attempts to regulate, and ultimately discourage individuals from handling fireworks in an inconsiderate and haphazard manner, will likely provide reassurance to autistic people and their families.

With regarding to obtaining such a license, it would seem reasonable that (considering the negative impact of fireworks or pyrotechnics on our communities) this process will involve a registration fee – we have no position on what could constitute an appropriate amount. Furthermore, we would urge the Committee to look seriously at the Bill's ideas on firework safety qualifications, and to back the inclusion of robust autism awareness training in any such course.

### 'Firework Control Zones'

Whilst the National Autistic Society Scotland, and of course a great many of the people with whom we work, support the principles of this Bill, we recognise that some autistic people and their families do choose to mark holidays and religious / cultural events by making use of fireworks – often at professionally-managed events. This will still involve a considerable degree of planning on the part of those involved (particularly for those parenting autistic children) including distraction, reassurance, or sometimes using ear defenders.

Again, however, this raises issues around unpredictability, since these mechanisms for managing an evening with fireworks require forward-thinking and managed schedules. We all know that, in Scotland, fireworks / pyrotechnics are 'let off' throughout the year, and that the holidays that many of us associate with their use often don't tally with the wishes of people who seek to use them on a consistent basis – often with anti-social motivations and disregard for the kinds of families we support.

We strongly support the Bill's inclusion of wide-ranging restrictions on the days during which fireworks may be used by the general public. The measure would make planning one's time around the public's use of fireworks far easier, meaning that 5<sup>th</sup> November, 31<sup>st</sup> December, etc., and the dates around them, also, should no longer be a time for unpredictability and distress. Similarly, restrictions on the days during which fireworks may be sold to the general public have our endorsement, for they would likely help in reducing the overall number of pyrotechnics being purchased in Scotland, and signal that Scotland is not a 'fireworks nation'.

On the proposals for controlled 'Zones' for firework / pyrotechnic prohibition, this would be welcomed by the National Autistic Society Scotland. We would anticipate that these proposals are an aspect of the Bill which would enjoy great support from the public at-large, and certainly from autistic people and families. The security of knowing that your neighbourhood is within such a Zone would provide great reassurance, and would be year-round 'buffers' against sensory anxieties arising from potential misuse. Moreover, this should afford households greater access to legal recourse when these restrictions are violated. We believe that Scotland's local authorities, in particular in urban areas, should combine community feedback, alongside knowledge of local geography, when they are considering implementing these Zones.

### 'Proxy Purchasing' & Pyrotechnic Misuse

Owing to the explosive potential of pyrotechnics, it seems only appropriate, and in line with both governmental policy and societal norms elsewhere, that the proposed 'proxy purchasing' offence – to criminalise the supply of fireworks to those under the age of 18 – should be introduced within a Bill.

Additionally, the National Autistic Society Scotland backs the Bill's ambitious approach on tackling the inappropriate use of such devices in public spaces, and the provisions it makes on adequate stop & search powers being conferred on police officers.

### Conclusion

The National Autistic Society Scotland has no desire to wholly extinguish that fun and excitement which many, including some autistic people, might have on Hogmanay, for example, or on any festival day, connected to fireworks. We recognise that there may be a very limited place in our society for fireworks, and that the overwhelming majority of users are responsible and considerate. Nevertheless, we would urge the MSPs on

this Committee to see the 'bigger picture': enjoyment for some is causing considerable harm to others, especially autistic people.

It is unacceptable that, in 2022, autistic people and their families should simply content themselves with the *status quo* on fireworks and pyrotechnic use. The unpredictable, often frequent, and sorely under-regulated discharge of explosives in the community, through the year, is not fitting of any modern Scotland.

As a result, the National Autistic Society wholeheartedly endorses both the ambition and the contents of this Bill, and urges the Committee to do similar.

Thank you again for affording NAS an opportunity to contribute to the development of this important Bill.