

Autumn Nights 2016



Firework Offences, Anti-social behaviour and the consequences

Fireworks and the Law

Recent years have seen a number of changes in the law surrounding the sale and use of fireworks. These changes are summarised below.

Fireworks curfew

There is a curfew on firework use between 11pm and 7am (in line with the Noise Act), with the exception of the following night where the curfew is:

November 5th – until midnight

Fireworks and the under 18s

Under 18s are not permitted to buy fireworks or to possess them in a public place.

Buying fireworks

You can't buy or use 'adult' fireworks if you're under 18, and it's against the law for anyone to set off fireworks between 11pm and 7am, except on certain occasions.

Offences and Consequences

The law says you must not set off or throw fireworks (including sparklers) in the street or other public places.

It is an offence to:

- possess adult fireworks (all fireworks except party poppers and sparklers) in a public place by anyone under the age of **18**
- possess category 4 fireworks (professional display fireworks) by anyone other than a fireworks professional
- it is illegal to supply adult fireworks to those under **18**

Fireworks can be used between 7am and 11pm but you could also commit offences if you were to use them in such a manner as to cause a nuisance.

It is an offence to throw or set off fireworks in any highway, street, thoroughfare or public space (including sparklers).

If a person without lawful authority or excuse discharges any firearm or firework within 50 feet of the centre of a highway which consists of or comprises a carriageway.

You can be fined up to £5,000 and/or imprisoned for up to 6 months for **selling or using fireworks illegally**. You could also be fined.

If you **cause damage** to someone's property, (for example, throwing eggs and flour at someone house or vehicle) this could amount to criminal damage. Contrary to sections 1(1) and 4 of the Criminal Damage Act 1971:

If you throw a firework and it hits someone and you injure them (burns, blindness, deafness) then you may commit Actual Bodily Harm or Grievous Bodily Harm.

- **ABH** (loss or breaking of teeth temporary loss of sensory functions extensive or multiple bruising minor fractures and cuts requiring stitches psychiatric injury going beyond fear, distress or panic) - 5 years imprisonment
- **GBH** (permanent or visible disfigurement, broken displaced limbs or bones and injuries requiring blood transfusion or lengthy treatment) – 5 years imprisonment
- **GBH with intent to endanger life** – Life imprisonment