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The British Association for Shooting and Conservation

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29th September 2005

Dear Sir or Madam,

Tackling Knife Crime: A Consultation

I would like to take this opportunity to reply to the above consultation on behalf of the British Association for Shooting and Conservation (BASC), specifically BASC Scotland.

The British Association for Shooting and Conservation (BASC) was founded in 1908 and is the largest representative national body for sporting shooting and gamekeeping. We have a total membership of over 123,000 and, in Scotland, we have over 10,000 members, including gamekeepers, professional deerstalkers and many others involved in day to day land management activities. With respect to this consultation our interests concentrate on, predominantly, on those who require to use knives on a daily basis, either as part of their work or as part of their recreational sporting shooting. It has to be fully recognised that a large number of individuals in Scotland use knives not falling into the category of "domestic knives" in the countryside on a regular and routine basis. These individuals (and their knives) may not be the target for further restrictions but could be unfairly restricted unless full consideration is given to their legitimate needs.

SECTION ONE

While we recognise the seriousness of knife crime we also note from the table under 2. that there is a disproportionate distribution of convictions between different Police Force areas. The more rural areas, where one would expect a more widespread possession and use of knives for agricultural and land management activities, have the lowest levels of knife crime compared to Strathclyde and Lothian and Borders areas. It is obvious that, to be successful, this initiative must target the urban rather than rural areas. The following table, on page 3, clearly shows that assault with knives is characterised by a relatively young age profile – those in their teens and twenties. The average age of BASC members, and of those engaged in sporting shooting, is mid to late thirties.

The British Association for Shooting and Conservation Limited
Registered Industrial & Provident Society No. 28488R

Patron: HRH, The Prince Philip, Duke of Edinburgh, KG KT

President: The Earl of Lichfield, DL

Chairman: John Graham

Chief Executive: John Swift, MA, MPhil

In section 4. it is stated that there “are already strict laws concerning the carrying of knives in public”. Despite this, we appear to have a large and growing number of offences. Why will strict laws concerning sale, for example, be any more effective than those covering the carrying of knives in public places?

Under 15. the concept of “domestic” vs. “non-domestic” knife is introduced, and recognition also given to the fact that there are a large number of knives that are used in a safe and responsible way. This section also suggests that there will not be any new age restrictions for “domestic” knives, including we assume carving knives and “Stanley” knives but implies that there will be further age restrictions for the purchase of “non-domestic” knives.

Under 17. The definition of “non-domestic” knives is further extended to include those which do not have a clear and unambiguous domestic purpose. A full definition is given in 18. We could obviously argue that many knives that may be regarded as “hunting knives” have a very important role to play in “the processing, preparation or consumption of food”. Every deer that is “gralloched” and every rabbit “panched” is done so using a knife that would probably be regarded as “non-domestic” in this consultation, but has only one real use and this is in primary food production (as stated in 19.).

On a more fundamental point we would have to argue that restricting the availability of one category of knife is only going to divert attention to other knives; in this case those falling under the “domestic” definition. We have yet to see any evidence that non-domestic knives play a significant part in knife crime in Scotland, or evidence that “domestic” knives do not pose as much of a threat as if not more of a threat.

SECTION 2

Licence the sale of non-domestic knives

Section 26. contains a considerable list of conditions to be applied to anyone attempting to sell non-domestic knives in Scotland. If all of these conditions were to apply then no retailer would even consider trying to sell such knives in Scotland; nor would anyone intent on purchasing such a knife consider doing so in Scotland. (This may indeed be the intention.) Retailers would sell other unlicensed products and purchasers would get their knives via mail order, via the Internet or on a trip to England. All of these options would be easier and possibly quicker than waiting for a “cooling off” period, providing photographic ID and a statement of confirmation from an MP or JP etc, and being filmed while purchasing the knife. There would be just as many knives in Scotland as ever before, with perhaps a slightly lower proportion of them being non-domestic, and knife crime would be unaffected. Those currently selling hunting knives to the shooting community, to farmers and anglers would find themselves at a considerable disadvantage compared to retailers in other parts of the UK, and indeed the world, and would cease to trade in knives.

Section 29. talks about “some additional demands on legitimate purchasers and retailers” and the “resulting reduction in knife crime”. Our considerable experience in the fields of land management, firearms legislation and to a lesser extent peripheral

issues such as knives, leads us to believe that such statements are nonsensical and the scenario painted in the paragraph above is more likely to be realistic.

Q1 Should a licence be needed to sell non-domestic knives?

Without the evidence to show how frequently non-domestic knives are used in serious crime we cannot comment objectively. However, we see little point in licensing a 4” hunting knife when a 12” carving knife is available outwith the proposed licensing scheme.

Q2 What should be covered by a definition of a non-domestic knife?

We would argue that distinguishing between domestic and non-domestic knives is somewhat pointless and unlikely to have any impact on knife crime overall. It will severely disadvantage current retailers and inconvenience legitimate users/purchasers to the extent that they will probably make all purchases outwith Scotland.

Q3A Are the suggested conditions of licence reasonable?

We feel that the conditions are, on the whole, totally unreasonable.

While it may be acceptable to keep records and require photographic ID, it is not acceptable to require regulation of the display of knives to the extent suggested (this does not even apply to firearms), to require a statement of ID confirmation from a countersignatory, to require CCTV records of transactions or ID numbers or a shop “marker”. We also question the value of a “cooling off” period – how many crimes are committed immediately after a knife is purchased?

Q3B Should there be any additional conditions of licence?

No.

Q4 What would be the costs for business of licensing the sale of knives?

We would predict that the costs for businesses would be such that no retailers would apply for licenses, nor contemplate selling non-domestic knives, due to the competitive disadvantage that would be introduced compared to competition via mail order, the internet and unlicensed businesses in England.

Q5 Should it be a criminal offence to purchase a (non-domestic) knife from an unlicensed seller?

While it may be seen as desirable to restrict sale to licensed sellers only, this would not affect those wishing to give such knives to others and it would be difficult, if not impossible, to police with respect to private sales.

Swords

BASC Scotland has no direct involvement with swords although we recognise that a number of our members either collect swords or have an interest in their use for fencing, re-enactment etc. It is therefore difficult for us to give specific advice in this area. We support the submission to this consultation made by Arms and Armour Society, Historical Breechloading Smallarms Association and the Muzzle Loaders Association of Great Britain with respect to all issues pertaining to swords.

However, we would like to register our concern over the suggestion made under section 41. that "organisations would need to accept some responsibility for their members". As a membership organisation with 123,000 members we certainly do all that we can to ensure the highest standards of both sportsmanship and respect for the law. However, we as an organisation cannot accept responsibility for the actions of all of our members all the time, no more and no less than can a Parliament accept corporate responsibility for the actions of all of its members.

We would also like to suggest that if a licensing system was to be introduced for the purchase of swords it should follow the proven success of the Shotgun Certificate rather than the questionable detail surrounding the issue of a Firearms Certificate. The route proposed in Section 61. follows the Firearms route, which would require not only corroboration of the reason for owning a sword, but demonstration of good reason for owning each and every sword.

We hope that this response is of value to you in your deliberations and that you have taken the trouble to seek response from all relevant trade interests in Scotland, such as the Gun Trade Association. We make this comment because BASC Scotland was not officially sent a copy of the consultation document, despite our extensive and valid interest in this area.

Yours faithfully,



Dr Colin B. Shedden
Director Scotland