
This email has been received from an external party and
has been swept for the presence of computer viruses.

TKC013

Name:- Fraser Stevenson

Postal address:- 95 Queensferry road, Rosyth Fife. KY11 2PU.

Consultation title:- TACKLING KNIFE CRIME – A CONSULATATION

The responses to the consultation questions are below.

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

Licensing of retailers would certainly go a long way to reducing the influx of new knives in circulation of the criminal element.

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

The proposed definition

“A knife which has a blade or sharp point, and which is not designed only for domestic use, or only for use in the processing, preparation or consumption of food”

Is a good start; however it fails to take into account Multi-tools such as Swiss army knives or leather-man style tools used by many in their working day. The wording could be adapted to

“A knife which has a blade and/or sharp point, and which is not designed only for domestic or specific work-related use, or only for use in the processing, preparation or consumption of food”

This would cover such tools; it would also allow the inclusion of ‘Stanley’ knives unless specifically required for a person’s or domestic use. These knives at the moment are excluded under the new legislation.

Q3. What conditions should be imposed on someone seeking a license to sell non-domestic knives?

The only condition I personally disagree with is the last, “ID numbers or other means to identify their merchandise with a shop marker”. To convince collectors to have an ID number actually on their newly bought knife would be difficult. However, Japan has a system where an Identifying marker is sewn into a collectibles carrying bag or case, additionally; In Japan it is an offence to separate the marked bag and the piece. A similar system might be well received. The marker could also be potentially used for tracking 2nd hand sales at a later date.

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

A licensing fee to cover the scheme could be used, although potential high cost may put off some dealers and cause them to sell their stock off quickly before it comes into force. Resulting in an unwanted situation of knives and swords flooding the market. Maybe some type of variable charge depending on the numbers of swords or knives sold.

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

Yes.

Q6. Should shops require a license to sell swords?

Yes.

Q7. Should the sale of swords by shops be restricted to require them to sell only to members of approved organisations?

In theory this would be acceptable, however it would be difficult to implement and unless there was an exception for tourist sales I think this would prove unpopular.

Q8. Should the sale of all swords be banned?

My group would support this with the follow caveat. Swords used for our sport are usually imported from suppliers in England or abroad as the 'samurai' swords sold in shops would be dangerous to our use. Samurai swords are commonly grouped together due to a lack of clarification. The weapons of our sport (laido) can be grouped into three categories.

1. Bokken or Bokuto are wooden replica swords. Beginners use wooden swords to avoid any injuries to themselves or others. Whilst in the practice hall (dojo) these are treated as 'real.' Wooden swords are currently classed as offensive weapons so we instruct beginners in the safe transportation of their practice weapons to and from practise. Once they have gained sufficient skills and shown maturity they progress on to Iaito's.

2. Iaito's. These are a metal alloy blade which while resembling the katana, or Japanese sword, are constructed in such a way that is impossible for them to be sharpened without ruining the blade. In this way the definition of the Victoria parliament in Australia does not apply, as they do not have a cutting edge only a sharpened tip.

"Sword' being a thrusting, striking or cutting weapon with a long blade having 1 or 2 edges and a hilt or handle"

Only experienced and mature practitioners are allowed to use Iaito's due to the slightly increased risk of injury.

3. Shinken. These are swords constructed in the traditional (or near traditional) Japanese style. These are extremely sharp weapons which require great skill to use correctly. Their main use is in Tameshigiri (an exercise where straw or rush mats are rolled into tubes and used as targets for actual cutting techniques) although high ranking individuals use them in place of an Iaito. Shinken's can be very expensive and are only used by very experienced individuals. Shinken are relatively rare and usually have to be imported.

The majority of swords sold in shop's in Scotland are of the 'wall-hanging' variety. By this I mean the look impressive but are not designed to be used. They feature 440 stainless steel blades, or similar making them potentially dangerous. In comparison a Shinken is constructed from a high carbon steel in a complex differential forging process that results in a one of a kind blade with varying properties across the blade.

To this end, banning the sale of swords in Scotland would not affect our group as long as we could still import blades suitable for our use.

Q9. If so, should there be any groups who are exempted from that ban (i.e. should there be any reasons/uses for which it remains legitimate to sell swords)?

Any group or individual who has a legitimate use for a sword, whether cultural, sporting, collector or entertainment value should be able to buy a sword. Whether the swords sold 'over the counter' are fit for that purpose is another question. If the importing of swords for the above legitimate uses are still allowed then my group would support the ban. The only people then losing out would be the tourists who would not be able to buy a 'sword from Scotland'.

Q10. Should the sale of only samurai swords be banned?

As mentioned above in Q8, the term 'samurai sword' is often used as a generic term to describe all 'Japanese style' swords. Whether the weapon in question is a straight 'ninjitsu' blade, a Tanto, Wakisashi, Katana's or Tachi. They all get erroneously grouped together. My group would recommend allowing the purchase of wooden swords (Bokken or Bokuto) over the counter and the importation of Iaito and Shinken. Private sales or auctions should be exempt.

Q11. If so, should any groups of people be exempt from that ban (i.e. should there be any reasons/uses for which it remains legitimate to sell samurai swords)?

The sports of Kendo, Iaito and Aikido, specifically call for the use of Japanese swords, whether wooden or metal, depends on the school. Also To-ken or Japanese sword collectors should have access to Japanese Swords.

Q12. How should a samurai sword be defined?

As mentioned above in Q8, the term 'samurai sword' is a generic term used to describe all Japanese style swords. Whether straight 'ninjitsu' blades, Tanto's, Wakisashi, Katana's, Dia-katana's or Tachi. Whether they are historically accurate or 'fantasy' style blades most are commonly referred to under the generic 'samurai sword'.

Clarification of the term 'Samurai' would be useful, whether it refers to a specific style or generic Japanese style sword. Again the material it is made from should be specified whether it is a wooden replica, an alloy practice sword, a stainless steel decorative sword or a traditional tama-hagane steel sword.

Q13. Is there a case for individual licenses for the purchase of Swords?

In the case of Shinken's (see Q8) my group would recommend that they be registered rather than licensed as currently you cannot buy a Shinken 'over the counter.' This means that the law could potentially not apply at the point of sale. This also applies to Iaito's although they are not classed as swords as regards the Victoria parliament's definition.

If you have any queries about anything in my replies please do not hesitate to get in touch.

Fraser Stevenson