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Offensive Weapons Bill – 2nd Reading

I am very grateful to you and the other peers who spoke at Second Reading on 7th January. In my closing remarks I undertook to write on a number of the points raised during the debate.

You raised the matter of the further consultation we have undertaken to conduct. As I mentioned, this would take place after the Bill has received Royal Assent. The results of this consultation will have to be considered before deciding how best to proceed. If a prohibition on high muzzle energy rifles is still considered necessary, primary legislation would be required and, as such, there would be a need for another legislative vehicle. Any action short of a prohibition might be achieved by non-legislative means, such as guidance.

You also asked why the Bill covered possession of offensive weapons and further education premises, but not higher education premises. This is because universities are generally attended by adults rather than children, that is to say those that are over 18 years old. As such a university can be regarded as more akin to an office or other place of work rather than a place where children are taught. Not all parts of universities can be considered as a public place – for example halls of residence. A person possessing a bladed article or offensive weapon or corrosive substance in part of a university campus which is open to public access would be caught by the existing (and proposed) offences.

The Duke of Montrose asked whether amendments that are passed in the Lords and which apply to Scotland will require approval by the Scottish Parliament. The Legislative Consent Motion (LCM) that has been agreed by the Scottish Parliament gives its consent to the UK Parliament legislating on certain devolved matters as contained in the Bill. For example, consent has been given for the new offence of possessing a corrosive substance in public. Any minor changes to this offence made by amendment

would be covered by the existing LCM. However, if any new policy was included in the Bill which extended to Scotland in a devolved area, then a supplementary LCM would be required as that policy was not covered in the original LCM.

The Duke of Montrose also raised the issue of farmers managing their farms remotely, and so not being able to receive deliveries on site. In relation to the points made about clause 3 of the Bill and the delivery of corrosive products to residential premises then I would like to clarify that this offence applies to sales which are made remotely. We have made provision within the Bill to provide an exemption that in circumstances where an individual over 18 runs a business from their home then this would not meet the definition of residential premises.

Concerns were raised about the impact on farmers where they are managing their farm business from different premises and how they would be able to receive deliveries of any corrosive products. This would depend on where the delivery was being made to and whether the location or site would be defined as residential premises for the purposes of clause 3. If it met the definition of residential premises then farmers would be required to pick the delivery of corrosive products from a collection point.

Also raised by the Duke of Montrose was the issue of what would become of organisations like the Atholl Highlanders after the Bill became law. The Atholl Highlanders only carry conventional weapons that are all held legally on licence, as per Home Office requirements. As such they will not be affected by provisions in the Bill.

Lord Bilimoria raised the issue of shooting being one of the sports included in the 2022 Commonwealth Games. This is a matter that sits with the Department of Digital, Culture, Media and Sport and I am aware that this is a matter that Lord Bilimoria has previously engaged with colleagues in that Department on. Since Birmingham was awarded the rights to host the 2022 Commonwealth Games, there has been interest and support from a number of additional sports seeking to be added to the Games programme.

The Birmingham 2022 Organising Committee is conducting an Additional Sports Review and Costing exercise, which will assess the merits and costs associated with adding further sports to the Games programme. To ensure that this is carried out in a fair and equal way, this exercise will include each of the remaining optional sports as denoted in the Commonwealth Games Federation's (CGF) Constitution.

In addition to shooting (clay target, full bore, pistol and small bore) the sports and disciplines being considered as part of this Additional Sports Review and Costing exercise are: archery (recurve); women's cricket; para-table tennis and beach volleyball.

Last month each sport submitted information to the Organising Committee, and representatives from the respective international federations presented details of their submission to an assessment panel made up of representatives from the Games partners (Birmingham City Council, the Organising Committee, the Department for Digital, Culture, Media and Sport and Commonwealth Games England). The Organising Committee board will consider the findings of the Assessment Panel in the coming months before making a decision about whether to apply to the CGF to propose an increase to the confirmed sports programme or an increase to the CGF's cap on athlete numbers. A final decision by the CGF is likely to be made at its General Assembly in

September 2019. The review includes a cost assessment of each of the options, and any decision to add additional sports to the programme is not guaranteed and will be taken with careful consideration of the cost implications.

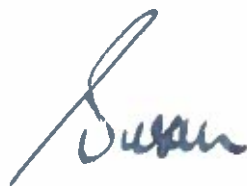
I would like to assure Lord Bilimoria that the Games partners remain committed to developing an event which will demonstrate the vibrancy of Birmingham and the West Midlands, that will be attractive to viewers domestically and across the Commonwealth, provide high-quality competition, equal medal opportunities for men and women, and a strong para sport programme.

Lord Lucas asked why the Government had chosen the definition of a bladed product as set out in the Bill. The definition of "bladed product" is aimed at excluding table knives from the prohibition on delivery to a residential address or locker. The Government's intention is to capture the knives where there is a known risk and where we know the threat lies. Some knives may not cause serious injury and that is why we have chosen a definition that will still allow them to be delivered to residential addresses and lockers.

Lord Lucas also raised concerns that overseas sellers of knives will not be obliged to label their packages in the same way United Kingdom sellers will be, and what the Government planned to do about this. Clause 20 of the Bill applies where the delivery company has entered into specific arrangements to deliver bladed articles on behalf of an overseas seller. Even though the legislation does not apply to sellers based outside the UK, the delivery company will commit an offence if the item is delivered to a person under 18. It is therefore in the interest of the delivery company that deals with the item to be aware of what they are delivering and make this part of any arrangement with the seller based outside the UK.

Finally, the Earl of Listowel asked what is being done to assure youth work can be considered a stable career. As this matter is the responsibility of the Department for Digital, Culture, Media and Sport I have asked my Ministerial colleague Mims Davies, Minister for Sport and Civil Society, to respond directly to him on this matter.

I am copying this letter to all Peers who spoke at Second Reading and will place a copy in the Library of the House.

A handwritten signature in blue ink, appearing to read 'Susan', with a long, sweeping flourish extending upwards and to the left.

Baroness Williams of Trafford