

C. R.
PRIME MINISTER

CROSSBOWS

I gather that earlier this year you asked to be kept informed of progress on legislation bearing on the misuse of crossbows.

The attached letter sets it out in detail. In summary the Home Secretary has concluded that legislation on the misuse of crossbows is adequate, but further measures are required to control their sale. Some of these are non-statutory (issue of leaflets etc.) but he also proposes to introduce legislation to prevent sales to people under 17.

PSB

Thank you
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(P.A. BEARPARK)

24 September 1986

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HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

19 September 1986

Dear Andy

at Foot

In his note of 12 March, Mark Addison indicated the Prime Minister's interest in the Home Secretary's review of the legislation bearing on the misuse of crossbows and asked to be kept informed.

The review was undertaken against a background of considerable public concern about the potential dangers of these items. Since Janet Fookes raised this subject early in February, media coverage of the campaign has increased and several incidents involving the misuse of crossbows have been highlighted in the popular press. An Early Day Motion calling for a ban on the unrestricted sale of crossbows to the public across the counter and by mail order, and the institution of a licensing system to cater for legitimate interests, has attracted over 160 signatories, with a further 8 in support of an amended Motion in effect calling for a total ban on sales. A Ten Minute Rule Bill (Crossbows (Restrictions) Bill) seeking to restrict and control the sale of crossbows and make their sale to minors a punishable offence was introduced by Don Dixon in June; it fell at second reading on 4 July. Since the beginning of the year, approximately 90 letters from Members and 75 from members of the public expressing concern about crossbows and calling for restrictions on their sale have been received.

In order that the Home Secretary might obtain a balanced view of the crossbow problem, consultations have taken place with the police, the RSPCA, the crossbow sporting and manufacturing interests and other interested parties. He is satisfied from these discussions that the legislation which can be brought to bear on cases of actual misuse, though not always widely known, is adequate. He considers however that there is some justification for the public concern about the unrestricted sale of crossbows to young people and proposes a number of statutory and non-statutory measures.

The non-statutory measures are these:

- (a) the issue of a guidance notice to all crossbow retail outlets advising traders not to sell to any person under a specific age and encouraging the recording of names and addresses of people who purchase crossbows;
- (b) the issue of an educational leaflet advising crossbow users on points of law and giving guidance on the safe use, carriage and storage of crossbows.

/In respect

P A Bearpark, Esq

In respect of statutory measures, we have considered the feasibility of introducing a full licensing system such as exists, for example, under section 2 of the 1968 Firearms Act in respect of shotguns. It has emerged from our study however, that, while crossbow vandalism can have very distressing results, the overall incidence of misuse is comparatively low. Statistics are not kept for the purpose of compiling the criminal statistics for England and Wales which are published annually, but the police and the RSPCA have gathered statistical information which indicates that the number of recorded incidents of crossbow misuse over a twelve month period is unlikely to exceed 200 compared with a possible 5,000 in respect of air weapons. It is estimated that there are between 100-200,000 crossbows already in private hands; there are probably several million air weapons. The police have confirmed that crossbow misuse is not at present a major problem, particularly when compared with misuse of other weapons such as air weapons and shotguns. For this reason, it would be hard to justify placing on the police the administrative burden of an expensive system of legislative controls on crossbows. Any movement towards a licensing system for crossbows would strengthen the call for similar measures in respect of air weapons and other potentially dangerous items.

The Home Secretary has looked closely at a number of alternatives, in particular a system of licensing based on a distinction between members of crossbow clubs and others. However, the concept of a licensing system based on club membership, while in principle less resource-demanding for the police, is fundamentally undermined by the unstructured nature of crossbow sport: very few crossbow users are club members, there are relatively few clubs affiliated to the national crossbow bodies, and those that do exist do not generally own their own premises.

While there is no evidence to link misuse to any particular category of person either by age or other social factor, crossbows are powerful weapons and the Home Secretary considers that they should not be in the hands of unsupervised juveniles. He proposes therefore that a handout Bill should be prepared which could be available for introduction in the next session. It would make it an offence to sell a crossbow to someone under the age of 17; for someone under the age of 17 to purchase a crossbow; and for someone under 17 to have with him a crossbow capable of discharging a missile unless supervised by a person over 21.

Introducing a ban on sales to and purchases by young people under 17 would bring crossbows into line with the rules governing the sale and purchase of firearms, including air weapons, under sections 22(1) and 24(1) of the 1968 Firearms Act. The 1968 Act also contains restrictions on the possession of shotguns and air weapons by young people, which are broadly similar to what I have in mind for crossbows. The penalties for the proposed crossbow offences could mirror those in the 1968 Act, which stand at a maximum of 6 months' imprisonment or a fine of £2,000 or both, in respect of the offences of selling and purchasing, and a fine of up to £400 in respect of unsupervised possession of a shotgun.

The Home Secretary believes that this package of limited measures would cover the main areas of purchase and possession by young people without unduly inhibiting legitimate use. They would go some way towards meeting the concerns which have been widely expressed since Janet Fookes' campaign to introduce controls on crossbows gained momentum in February; they would not fully satisfy the RSPCA and similar bodies, who support a full licensing system, but would be seen as a step in the right direction. The measures would be acceptable to the police and would have no significant resource implications. They are unlikely to find particular favour with the crossbow sportsmen or the manufacturers, although they would be regarded as less onerous than a licensing system.

The Home Secretary has today written to the Lord President, setting out these proposals, seeking the agreement of H Committee (and that of the Lord Privy Seal to a handout Bill).

Yours ever
W R Fittall

W R FITTALL

Home Affairs: Animal welfare June 1979

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