



BRIEFING PAPER

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Air Weapons

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Contents:

1. Current Legislation
2. Statistics
3. Government review in England and Wales
4. Support for reform in England and Wales
5. Appendix: Data tables



Contents

Summary	3
1. Current Legislation	5
1.1 What is an air weapon?	5
1.2 Age restrictions	5
1.3 Offences relating to the misuse of air weapons	6
Provisions in the <i>Crime and Security Act 2010</i>	6
Adults who are prohibited from possessing an air weapon	7
1.4 Licensing in England and Wales	7
1.5 Licensing in Scotland	7
<i>Air Weapons and Licensing (Scotland) Act 2015</i>	8
1.6 Licensing in Northern Ireland	9
2. Statistics	10
2.1 Offences involving air weapons	10
Number of offences	10
Type of offence	10
Injury	10
2.2 Prosecutions	11
2.3 Attacks on animals	11
2.4 Data for Scotland	11
3. Government review in England and Wales	13
3.1 Background	13
3.2 Progress of the review	14
3.3 The response of interest groups	14
Submissions by the shooting community	14
Submissions by animal welfare campaign groups	15
4. Support for reform in England and Wales	16
4.1 Recent attempts to amend legislation	16
4.2 An air weapons licensing scheme for England and Wales?	16
Historic debate on a licensing scheme	17
5. Appendix: Data tables	18

Summary

Air weapons discharge a projectile by means of compressed air or carbon dioxide. Low-powered air weapons are commonly possessed for target shooting and vermin control. There have been long standing concerns about the safe use of air weapons. Members of the sport shooting community argue that the current legislative framework is strong enough to police their use.

Air weapons licensing in the UK

In England and Wales there is no need to acquire a licence to hold an air weapon. There is a separate licensing scheme for air weapons in Scotland that has been in use since January 2017. In Northern Ireland air weapons are covered in the licensing scheme that applies to all firearms.

The RSPCA have argued in favour of a licensing scheme for air weapons in England and Wales. They say that air weapons are used to harm and kill pets. The Government are looking at the licensing arrangements in Scotland and Northern Ireland as part of a review on air weapons regulation.

Statistics on the misuse of air weapons

In the year ending March 2018, there were 2,900 recorded crimes involving air weapons in England and Wales, which accounted for just under one third of all crimes involving firearms.

There are no official statistics on attacks on animals using an air weapon, however the RSPCA records around 900 such cases per year, relating to around 1,100 animals.¹

Since 1 January 2017, Scotland has had a system of licensing air weapons. At the latest count (2014/15), the number of air weapons offences per 100,000 people was around the same rate in Scotland as in England and Wales.²

Since 2006-07 the number of recorded air weapons offences fell by three quarters in Scotland (-74%). This was a slightly higher relative decrease than in England and Wales over the same period (-64%).³

Government review of air weapons regulation

The Government announced a review on 10 October 2017 of air weapons regulation in England and Wales.⁴ The announcement came following a request from a Dr Peter Dean (Her Majesty's Senior Coroner for Suffolk), who wrote to the Minister following the death of 13-year-old Benjamin Wragge, who was accidentally shot with an air weapon.

In July 2018 the Government stated that it had received over 50,000 submissions to the review and that it planned to publish its response "as soon as possible after the summer recess".⁵

In June 2019 the Government indicated that it intended to publish its response to the review soon.⁶ However, the 2019 General Election appears to have stalled progress. In

¹ RSPCA press release '*RSPCA calls for airgun licensing after receiving 4,500 calls in five years*', 30 January 2018 [not publicly available]

² Scottish Government [Recorded Crimes and Offences Involving Firearms, Scotland, 2014-2015 and 2015-2016](#); ONS [Population estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2015](#)

³ ONS [Offences involving the use of weapons: data tables](#), table 2.

⁴ Home Office, [Home Office to review air weapons regulation in England and Wales](#), 10th October 2017

⁵ [HC Deb 16 July 2018 vol 645 cc13-4](#)

⁶ [PQ 269650: Airguns: Reviews, 26 June 2019](#)

4 Air Weapons

October 2019, Jacob Rees-Mogg, Leader of the House of Commons said there would be “no time for a debate” on the regulation of air weapons “before this Parliament comes to a conclusion”.⁷

⁷ [HC Deb 30 October 2019 vol 667 c461](#)

1. Current Legislation

In general, firearms legislation is a reserved issue for the UK Parliament. However, the Scottish Parliament has powers, which it has exercised, to legislate for licencing scheme for air weapons. This means that, whilst legislation relating to age restrictions and the misuse of air weapons apply across Great Britain, there is separate legislation in Scotland which applies to the licencing of air weapons.

Firearms legislation for Northern Ireland is separate from the rest of the UK but it still the preserve of the UK Parliament. The principle piece of legislation in Northern Ireland is the [Firearms \(Northern Ireland\) Order 2004](#). In general firearms controls are more restrictive in Northern Ireland.

1.1 What is an air weapon?

Air weapons discharge a projectile by means of compressed air or carbon dioxide. The [Firearms Act 1968](#) defines air weapons as air rifles, air pistols and air guns, which are not otherwise prohibited.⁸

Under the *Firearms Act 1968* guns with a muzzle energy below one joule, for example most BB guns and paintball guns, are not regarded as firearms and are therefore not considered air weapons.⁹

Airsoft guns are also not considered air weapons. There is specific exemption for airsoft guns from firearms legislation.¹⁰ [Section 57A](#) of the *Firearms Act 1968* defines an airsoft gun as a barrelled weapon that can only discharge a plastic missile and is not capable of discharging a missile above 2.5 joules for a single shot, or 1.3 joules for an automatic shot.

1.2 Age restrictions

It is an offence for a person under the age of 18 to purchase or hire an air weapon (or ammunition for an air weapon). It is also an offence to sell or gift an air weapon (or ammunition) to a person under 18.¹¹

Whilst people under the age of 18 may not buy, hire or be gifted an air weapon, they may possess an air weapon under certain circumstances. Under 18s may possess an air weapon if:

- They are under the supervision of a person aged 21 or over; or
- They are shooting as a member of an approved target shooting club; or

⁸ Section 1(3)(b), [Firearms Act 1968](#)

⁹ Home Office, [Air Weapons: A brief guide to safety](#), October 2017

¹⁰ Section 57(1)(1), [Firearms Act 1968](#) and section 57(1B), [Firearms Act 1968](#)

¹¹ [Section 24, Firearms Act 1968](#), see also Home Office, [AIR WEAPONS: A brief guide to safety](#), October 2017

- They are shooting at a shooting gallery and the only firearms being used are either air weapons or miniature rifles not exceeding .23 inch calibre; or
- The person is 14 years old or above and is on private premises with the consent of the occupier.¹²

1.3 Offences relating to the misuse of air weapons

There are a number of offences relating to the misuse of air weapons. The government have produced a leaflet entitled [Air Weapons: a brief guide to safety](#) (October 2017), which lists relevant offences:

- It is an offence for any person to use an air weapon for firing a pellet beyond the boundaries of any premises
- It is an offence for a supervising adult to allow a person under the age of 18 to use an air weapon for firing a pellet beyond the boundaries of any premises.
- It is an offence to have an air weapon in a public place without a reasonable excuse. It is ultimately for the courts to decide what a reasonable excuse is. However, it might include carrying a weapon to and from a shooting club, or taking a new weapon home from a dealer.
- It is an offence to trespass with an air weapon.
- ...
- It is an offence to fire an air weapon without lawful authority or excuse within 50 feet (15 metres) of the centre of a public road in such a way as to cause a road user to be injured, interrupted or endangered.
- ...
- It is an offence to have an air weapon with intent to damage or to destroy property, or to be reckless as to whether property would be damaged or destroyed.
- It is an offence to have an air weapon with intent to endanger life.¹³

Provisions in the *Crime and Security Act 2010*

[Section 46](#) of the *Crime and Security Act 2010* created an offence for a person in possession of an air weapon to fail to take reasonable precautions to prevent those under 18 from gaining possession of the air weapon (except in circumstances where those under 18 are permitted to use an air weapon).

During the passage through Parliament of the *Crime and Security Bill* the then Home Secretary, Alan Johnson MP, said the measures would ensure owners were required to keep their air weapons safely:

Joan Walley (Stoke-on-Trent, North) (Lab): Because of tragic circumstances, we have campaigned on that issue in Stoke-on-Trent. Can my right hon. Friend assure me that clause 42, which

¹² Ibid

¹³ Ibid

requires reasonable safeguards, can ensure that there is safe storage of airguns, to prevent further tragic accidents?

Alan Johnson: I do think that we can do that through the Bill, although it is not concerned only with guns in storage. We aim for greater safety as they are being transported and used as well, and of course the definition of "reasonable precautions" will vary in accordance with the circumstances involved. We can ensure that air weapons are properly locked away, which is an important point that my hon. Friend has raised for many years.¹⁴

Adults who are prohibited from possessing an air weapon

Some people cannot possess any air weapon, no matter where they live. Those who have been sentenced to a term of imprisonment of between three months and three years are prohibited from possessing an air weapon (or other firearm or ammunition) for five years. Those who have been sentenced to a term of imprisonment for three years or more years are prohibited for life.¹⁵

1.4 Licensing in England and Wales

In England and Wales most people (over the age of 18) can own most types of air weapon without the need for a licence. This means that an individual can buy an air weapon without the approval of the police, as is normally required for other types of firearms.

The [Firearms Act 1968](#) sets out the licensing regime for firearms. [Subsection 1\(3\)\(b\)](#) exempts certain types of air weapons from these provisions.¹⁶

There are two types of air weapon which are not included in this exemption:

- Air weapons that have a self-contained gas cartridge system. In order to possess, purchase or acquire such a weapon, a person requires authority given in writing by the Secretary of State.¹⁷
- Air weapons that are considered 'specially dangerous', as defined by the [Firearms \(Dangerous Air Weapons\) Rules 1969](#).¹⁸ These are air-weapons with kinetic energy in excess of 6 ft lbs or, for air weapons that are not air pistols, 12 ft lbs. These weapons fall within section 1 of the *Firearms Act 1968*, which requires those wishing to possess them to obtain a licence from the police.¹⁹

In England and Wales, you do not need a licence to possess most types of air weapon

1.5 Licensing in Scotland

The *Scotland Act 2012* devolved powers to the Scottish Parliament to license air weapons.²⁰

¹⁴ [HCDeb, Crime and Security Bill, c 24](#), 18 January 2010

¹⁵ Home Office, [Air Weapons: a brief guide to safety](#), October 2017

¹⁶ [Firearms Act 1968](#) and Crown Prosecution Service, [Firearms](#) [last accessed 18/12/2018]

¹⁷ [Firearms Act 1968](#), section 5(1)(af)

¹⁸ [Firearms \(Dangerous Air Weapons\) Rules 1969](#), section 2

¹⁹ Crown Prosecution Service, [Firearms](#) [last accessed 18/12/2018]

²⁰ [Scotland Act 2012, part 1, section 10](#)

The Scottish Government ran a consultation, [Proposals for Licensing Air Weapons in Scotland](#), between December 2012 and March 2013. They published [an analysis of responses](#) to this consultation in July 2013.

On the 3 September 2013, during his speech on the Scottish Government's Programme for Government 2013-14, the then First Minister, Alex Salmond, said that his Government would "introduce a new licensing system for air weapons".²¹

Air Weapons and Licensing (Scotland) Act 2015

The [Air Weapons and Licensing \(Scotland\) Act 2015](#) created a licensing regime for air weapons in Scotland.

The Scottish air weapons license scheme is separate from licenses issued for other types of firearms across the UK. Those who hold a valid firearm certificate issued prior to 31st of December 2016, do not need to apply for a separate air weapon certificate until their existing certificate expires. Those who have obtained a firearm certificate after this date will need to apply separately for an air weapon certificate if they wish to possess an air weapon in addition to their licensed firearm.²²

From the 31st of December 2016 it became an offence to use, possess, purchase or acquire an air weapon in Scotland without holding an air weapon certificate. Someone who commits such an offence can be imprisoned for a term not exceeding 12 months or receive a fine, or both. On conviction on indictment, this rises to imprisonment for a term not exceeding 2 years or a fine, or both.²³

The rules for acquiring and renewing a Scottish air weapons certificate are similar to those of the UK firearms certificates. As with UK firearms certificates:

- police carry out checks and issue licenses to those who demonstrate they have a reasonable reason to have an air weapon and do not pose a threat to public safety;
- certificate owners have to apply for their licenses to be renewed by police once they expire; and
- there is an administration fee applied to the certificate.²⁴

Unlike UK firearms certificates those who are under 18 but over 14 can apply for a Scottish air weapons certificate but, in accordance with the law on age restrictions, under 18s cannot buy, hire or own air weapons.²⁵

To possess an air weapon in Scotland you need an air weapon certificate issued by the police.

²¹ Scottish Parliament, [Meeting of the Parliament 03 September 2013](#), Column 21875

²² Police Scotland, [Air Weapon Licensing](#) [last accessed 18/12/2018]

²³ Police Scotland, [Air Weapon Licensing: Legislation](#) [last accessed 18/12/2018]

²⁴ Police Scotland, [Air Weapon Licensing: Application Process](#), [last accessed 18/12/2018] see also [Air Weapons and Licensing \(Scotland\) Act 2015](#), part 1, section 5

²⁵ Myscot.gov, [License an air weapon](#) [last accessed 18/12/2018]

1.6 Licensing in Northern Ireland

In Northern Ireland you need a firearms certificate to hold an air weapon in the same way as you would need one for any licensed firearm.²⁶

The principal piece of firearms legislation in Northern Ireland is the [Firearms \(Northern Ireland\) Order 2004](#). In general firearms controls are more restrictive in Northern Ireland than in the rest of the UK.²⁷ Unlike in the *Firearms Act 1968* (which is the principal legislation in England and Wales) the *Firearms (Northern Ireland) Order 2004* does not exempt air weapons from the firearms licensing scheme.

To possess an air weapon in Northern Ireland you need a firearms certificate like you would for any other licensed firearm.

²⁶ Northern Ireland Office, [Guidance: Firearms and explosives controls in Northern Ireland](#), April 2013 see also PSNI, [Know the Law: The Firearms \(NI\) Order 2004](#) [last accessed 18/12/18]

²⁷ Ibid

2. Statistics

2.1 Offences involving air weapons

Statistics on crimes involving air weapons are published annually by the Office for National Statistics (ONS). These show police-recorded crime figures, which are administrative data and not designated as national statistics.

Number of offences

In the year ending March 2018, there were 2,900 recorded crimes involving air weapons in England and Wales, which accounted for just under one third of all crimes involving firearms.²⁸

This number was slightly lower than in the previous year and much lower than the number in 2010 (4,900) and 2003 (13,800). The number of recorded air weapons offences has been in relatively steady decline for at least the past 16 years.

A table showing the number per year is included in the appendix.

Type of offence

Separate statistics are produced by the ONS on the type of offences involving air weapons and whether or not the offence resulted in injury.²⁹

In 2015/16, the latest year at the time of publication, the most common type of offence involving an air weapon was criminal damage (2,200 offences or 67% of air weapons offences), followed by violence against the person (11% of offences).

Injury

In the year 2017/18, 300 offences involving air weapons resulted in injury (10% of total offences).³⁰ Of these, 12% resulted in 'serious' injury and the remainder caused 'slight' injury.

Between 2002/03 and 2014/15, there were around 1,200 serious injuries and 10 deaths caused by offences involving air weapons.³¹

A table showing the number and severity of injuries is included in the appendix.

The statistics also show the age profile of victims of air weapons offences.³² In 2017/18, 27% of air weapon victims were aged 10-19, while people in this age group made up only 11% of the population. A table of this data is included in the appendix.

²⁸ ONS [Offences involving the use of weapons: data tables](#), table 2.

²⁹ ONS [Focus on Violent Crime and Sexual Offences: Year ending March 2016](#): Appendix table 3.08

³⁰ ONS, [Offences involving the use of weapons: data tables](#), table 5.

³¹ Other statistics show 10 homicides involving air weapons. This is because the statistics on air weapons offences by type include those involving crossbows but the injury statistics do not. In 2010, there was a murder where a crossbow was the principal weapon used.

³² ONS, [Offences involving the use of weapons: data tables](#), table 13.

2.2 Prosecutions

Currently, the only data on prosecutions of air weapons offences are for the offence 'firing an air weapon beyond premises' (prohibited under Sections 23(1) and (4) of the *Firearms Act 1968* and Section 34 of the *Violent Crime Reduction Act 2006*).

In 2018, there were 5 prosecutions and 4 convictions for 'firing an air weapon beyond premises'.³³ In the previous year there had been 21 prosecutions and 12 convictions, and the 2018 figures are the lowest for at least eleven years.

In total, between 2008 and 2018, there were 260 prosecutions for this offence, and 211 convictions. There were also 121 cautions issued during this time.

2.3 Attacks on animals

There are no official statistics on attacks on animals but the Royal Society for the Prevention of Cruelty to Animals (RSPCA) has periodically released figures on the number of calls it receives relating to attacks on animals using air weapons.

In January 2018, the RSPCA claimed in a press release that it had received 4,500 calls in five years (2013-2017) alleging attacks on animals using air weapons. This averages at around 900 calls per year.³⁴

These attacks related to at least 5,600 animals or around 1,100 per year.³⁵ The most commonly attacked animals in 2017, according to these reports, were wild birds, followed by cats, wild mammals, and dogs.

Similar data for 2018 showed that there were 258 reported attacks on cats and 73 attacks on dogs, although a full breakdown by animal type is not available.³⁶ The appendix includes a table showing these figures.³⁷

The RSPCA has also released figures showing the areas where they received the most complaints about animals being injured by air weapons. In 2018, Yorkshire and the Humber had the most reported attacks, as a region.

2.4 Data for Scotland

Since 1 January 2017, Scotland has had a system of licensing air weapons.

³³ Ministry of Justice [Criminal Justice Statistics Quarterly: December 2017. Outcomes by Offence data tool](#).

³⁴ RSPCA press release '*RSPCA calls for airgun licensing after receiving 4,500 calls in five years*', 30 January 2018 [not publicly available]

³⁵ These figures come from a separate RSPCA briefing which shows the number of animals of certain types (cats, dogs, birds, and wild mammals) which were the target of attacks reported in calls to the RSPCA.

³⁶ RSPCA press release, '*RSPCA calls for air gun controls, after 767 animal shootings last year*', July 2019 [not publicly available]

³⁷ RSPCA '*Air weapon misuse and its impact on animals*', 08 November 2018 [not publicly available]

12 Air Weapons

The BBC reported that by mid-2017 around 15,000 people had applied for licenses and 21,000 weapons had been surrendered to the police.³⁸

There were 127 recorded offences in which an air weapon was the main firearm used in Scotland in 2017/18.³⁹ This was equivalent to around 2 such offences per 100,000 people, lower than the rate of around 5 per 100,000 in England and Wales.⁴⁰

Since 2006/07 the number of recorded air weapons offences fell by four fifths (81%). This was a slightly higher relative decrease than in England and Wales over the same period (-67%).⁴¹

As noted in the [Recorded crime in Scotland 2017-2018](#):

In 2017-18, i.e. the first full year for which statistics are available there were 396 air weapons licensing offences recorded by the police.⁴²

The number of recorded licensing offences in 2018/19 has not been published.

³⁸ BBC Police '[Scotland hail air weapon law 'success'](#)', 30 June 2017.

³⁹ Scottish Government [Recorded Crimes and Offences Involving Firearms, Scotland, 2016/17 and 2017/18](#)

⁴⁰ ONS [Population estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2018](#)

⁴¹ ONS [Offences involving the use of weapons: data tables](#), table 2.

⁴² Scottish Government, [Recorded crime in Scotland 2017-2018](#), p60. The newest version at the time of writing is [Recorded crime in Scotland: 2018-19](#) but this does not include the number of air weapons licensing offences.

3. Government review in England and Wales

3.1 Background

The Government announced a review of air weapons regulation in England and Wales on 10 October 2017.⁴³ The announcement came following a request from a Dr Peter Dean (Her Majesty's Senior Coroner for Suffolk), who wrote to the Minister following the death of 13-year-old Benjamin Wragge, who was accidentally shot with an air weapon.

Dr Dean was reported as saying: "I hope there will be a great deal of learning from this tragedy that might prevent similar tragedies in the future."⁴⁴

On 12 December 2017 the Home Office released a 'news story' saying that they had written to interested parties in relation to their review of air weapon regulation.⁴⁵ The 'news story' set out what the Department sought in the review:

The review will seek feedback on whether existing controls are sufficient to prevent children getting hold of air weapons and the potential for placing extra requirements on adults regarding the security of air weapons when children are present.

The review will also ask for views on:

- the storage and safe-keeping of air weapons, including possible requirements for increased security e.g. trigger locks or locked cabinets
- whether further measures are needed on manufacturing standards to prevent accidental discharge of air weapons or to prevent modification of air weapons post-sale in order to increase their power; and
- Evidence from Scotland and Northern Ireland, where air weapons are subject to a licensing regime.⁴⁶

As discussed in [section 4.1](#) of this briefing the Government has since stated that it will also look at age restrictions on the use of air weapons as part of its review.

The Government stated that interested parties should write to the Home Office before 8 February 2018.⁴⁷

⁴³ Home Office, [Home Office to review air weapons regulation in England and Wales](#), 10th October 2017

⁴⁴ *The Guardian*, "[Boy, 13, died after air rifle accidentally discharged, inquest hears](#)", 8 June 2017 see also *BBC News*, "[Ben Wragge's air rifle death accidental](#)", 8 June 2017

⁴⁵ Home Office, [Home Office writes to interested parties on air weapon regulation](#), 12 December 2017

⁴⁶ *Ibid*

⁴⁷ *Ibid*

3.2 Progress of the review

In July 2018 the Government stated that it had received over 50,000 submissions to the review and that it planned to publish its response “as soon as possible after the summer recess”.⁴⁸

In June 2019 the Government said that it intended...

...to publish our conclusions to the review of air weapons regulation as soon as possible, alongside a consultation on firearms safety issues to which the Government committed during the passage of the Offensive Weapons Act 2019.⁴⁹

However, the 2019 General Election appears to have stalled the Government’s response. In October 2019, Mr Jacob Rees-Mogg, Leader of the House of Commons said there would be “no time for a debate” on the regulation of air weapons “before this Parliament comes to a conclusion”.⁵⁰

3.3 The response of interest groups

Various interest groups have independently published information about their submissions to the review.

Submissions by the shooting community

The British Association for Shooting and Conservation (BASC) have stated that current legislation is tough enough. The BASC argue that:

- Current legislation already addresses the issue of storage and under 18 access.
- Airgun manufacturers already supply products that are safe, fit for purpose and fully comply with British firearms and consumer products law.
- The police already struggle to properly service existing certificate holders and simply do not have the resources to deal with millions of additional certificates.⁵¹

The Countryside Alliance responded with a “firm rejection of further restrictions to a popular and growing sport and useful asset in pest control”.⁵²

Jack Knott, campaigns manager at the Countryside Alliance issued a statement saying that the group did not see need for further legislation:

We do not believe that any further legislation in this area is necessary at present. Where offences involving air guns are committed, or even minor nuisances caused, there is more than adequate legislation to enable prosecutions to be brought against offenders.⁵³

⁴⁸ [HC Deb 16 July 2018 vol 645 cc13-4](#)

⁴⁹ [PQ 269650: Airguns: Reviews, 26 June 2019](#)

⁵⁰ [HC Deb 30 October 2019 vol 667 c461](#)

⁵¹ BASC, [Airgun legislation tough enough, BASC tells Home Office](#), 2 February 2018

⁵² Countryside Alliance, [Countryside Alliance responds to Home Office Air Weapons Review](#), 6 February 2018

⁵³ Countryside Alliance, [Countryside Alliance responds to Home Office Air Weapons Review](#), 6 February 2018

Submissions by animal welfare campaign groups

Unlike the BASC and the Countryside Alliance the RSPCA has argued in favour of reform. The charity has argued for a certification system which is similar to that for licensed firearms, so that all airguns can be traceable.

The RSPCA recommends that the following be considered:

- *Need:* The RSPCA does not believe that certification should be granted unless specific need can be demonstrated by the applicant and appropriate conditions in respect of that need be entered onto the certificate. In this way we would hope to exclude those with malicious intent.
- *Competency:* The RSPCA does not believe that anybody should have charge of a weapon unless their competency can be proved. Where an animal needs to be killed a trained marksman is able to limit injury and ensure an outright kill – thus significantly reducing distress to the animal.⁵⁴

Similarly, the Cats Protection charity wants to see a licensing system for air guns in England and Wales. The charity issued a press release in January urging people to put pressure on the Government:

Last year over 90,000 people signed an online and paper petition calling for the licensing of air guns in England and Wales, showing the depth of public feeling on the issue. Our hope is that as many people as possible email the Government in support of air gun licensing so that we can make the whole of the UK a safer place for cats, animals and human beings.⁵⁵

⁵⁴ RSPCA, [Airgun misuse and its impact on animals](#), January 2018

⁵⁵ Cats Protection, [Support the Battle for Air Gun Licensing](#), 12 January 2018

4. Support for reform in England and Wales

4.1 Recent attempts to amend legislation

Karin Smyth MP sought to use the [Offensive Weapons Bill 2017-19](#) to amend the current legislation on air weapons. Ms Smyth has been calling on the Government to legislate for greater restrictions on the use of air weapons. This follows an incident in her constituency in which a baby boy was critically injured with an air weapon.⁵⁶

Ms Smyth moved several clauses relating to air weapons throughout the progress of the Bill in the House of Commons. These amendments were designed to probe the government on the progress of the review.

- '[New clause 8](#)' tabled at committee stage and '[new clause 2](#)' tabled at report stage would have required the Secretary of State to report on the safe use of air weapons following the Act receiving Royal Assent. The amendment specified (amongst other things) that the report should consider the current age restrictions on the use of air weapons.⁵⁷
- '[New clause 7](#)' tabled at committee stage would have restricted under-18s from having an air weapon on private land other than as part of a sporting club.⁵⁸
- '[New clause 18](#)' tabled at report stage would have created an offence of failing to store an air weapon in a locked cabinet.

None of these proposed clauses were pushed to a vote.⁵⁹ The responding Minister, Victoria Atkins, stated that these issues, including the issue of age restrictions (which had formerly not been under consideration) would be considered as part of the review.⁶⁰

The Bill completed its Commons stages on the 28 November 2018 and was introduced to the House of Lords on the 29 November 2018. The Bill received Royal Assent on 16 May 2019, when it became an Act.

4.2 An air weapons licensing scheme for England and Wales?

In February 2018 the RSPCA called for the

mandatory licensing of airguns in England Wales after receiving 4,500 calls in five years (1 January 2013 to 31 December 2017) about attacks on animals using airguns.⁶¹

There are some who are strongly opposed to the introduction of a licensing scheme in England and Wales. A petition to Parliament

⁵⁶ [HC Deb, 9 October 2017, Air rifles](#), c35-14

⁵⁷ Offensive Weapons Bill, [Consideration of Bill Amendments as at 28 November 2018](#)

⁵⁸ [HC PBC, Offensive Weapons Bill \(Tenth sitting\)](#), 11 September 2018, c268

⁵⁹ [HC Deb, Offensive Weapons Bill: Report Stage, 28 November 2018](#), c301; House of Commons, [Public Bill Committee Proceedings](#), 11 September 2018, p18-19.

⁶⁰ [HC Deb, Offensive Weapons Bill: Report Stage](#), 28 November 2018, c300.

⁶¹ RSPCA, [We're caring for a young cat shot with airgun](#), February 2018

opposing the introduction of a licensing system received 12,455 signatures.⁶²

In response to the petition the Government said it was 'considering carefully' the responses to its review on air weapons which, amongst other things, will look at the position in Scotland and Northern Ireland.⁶³

Historic debate on a licensing scheme

In their 2010 report on firearms controls, the House of Commons Home Affairs Committee was cautious about the idea of introducing a licensing scheme for air weapons. The Committee concluded then that

...before considering whether or not to incorporate low-powered air weapons into the firearms licensing regime, the Government should continue to monitor closely the impact of recent legislation, including the *Crime and Security Act 2010* on reducing air weapon offences.⁶⁴

The then Coalition Government responded to this recommendation:

The Government has no plans to ban or licence air weapons, the vast majority of which are used safely and responsibly and prefers to tackle the minority who misuse air weapons. The Government agrees that enforcement of the wide range of existing controls referred to in the Committee's report and which appear to have secured significant reductions in air weapon misuse since 2003-4, might usefully form part of police activity to deal with anti-social behaviour.

The Government will continue to monitor the misuse of air weapons and will not hesitate to take further action should this prove necessary.⁶⁵

⁶² [Petition 211656: Drop any proposals to licence airguns in England & Wales](#), March 2018

⁶³ Ibid

⁶⁴ House of Commons Home Affairs Committee, [Firearms Control: Third Report of Session 2010-2011](#), Volume I, paragraph 133.

⁶⁵ Home Office, [The Government Response to the Third Report from the Home Affairs Committee Session 2010-11: Firearms Control, Cm 8155](#). Paragraph 20

5. Appendix: Data tables

TABLE 1: OFFENCES RECORDED BY THE POLICE IN WHICH FIREARMS WERE REPORTED TO HAVE BEEN USED, BY TYPE OF PRINCIPAL WEAPON

England and Wales, year ending March				
	Air weapons	All firearms	Proportion where air weapon was the principal weapon	Change since previous year (air weapons)
2002/03	13,822	24,070	57%	.
2003/04	13,756	24,094	57%	-0.5%
2004/05	11,824	22,893	52%	-14%
2005/06	10,438	21,526	48%	-12%
2006/07	8,836	18,481	48%	-15%
2007/08	7,478	17,343	43%	-15%
2008/09	6,041	14,240	42%	-19%
2009/10	4,931	13,013	38%	-18%
2010/11	4,295	11,335	38%	-13%
2011/12	3,510	9,532	37%	-18%
2012/13	2,977	8,135	37%	-15%
2013/14	2,873	7,729	37%	-3%
2014/15	2,954	7,865	38%	3%
2015/16	3,217	8,399	38%	9%
2016/17	3,203	9,578	33%	-0.4%
2017/18	2,898	9,419	31%	-9.5%

Source: ONS [Offences involving the use of weapons: data tables](#), table 2.

Notes: 1. These data are police recorded crime data and are not designated as National Statistics.

2. More explicit guidelines for the classification of weapons introduced on 1 April 2004 may have increased the recording of firearm offences, particularly those committed by imitation weapons.

3. Further weapon breakdowns were available for the first time on 1 April 2004.

TABLE 2: RECORDED OFFENCES INVOLVING AIR WEAPONS, BY PRINCIPAL OFFENCE TYPE

England and Wales, year ending March														
	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Violence against the person	2,895	3,079	1,678	1,336	1,187	1,051	829	760	556	429	425	400	368	363
<i>of which:</i>														
Homicide	1	-	1	1	3	0	0	1	1	0	0	2	0	0
Attempted murder and other most serious violence	144	138	168	133	123	104	..	..	..	..	..	..	..	..
Attempted murder and GBH with intent offences	..	..	..	..	..	..	103	123	67	55	..	..	..	..
Attempted murder, assault with intent to cause serious harm and endangering life	..	..	..	..	..	..	..	..	..	..	71	71	73	73
Other	2,750	2,941	1,509	1,202	1,061	947	726	636	488	374	354	327	295	290
Robbery	146	85	68	67	73	75	39	56	50	34	34	26	25	23
Burglary	23	27	12	12	15	8	10	10	8	12	5	2	4	3
Criminal damage	10,496	10,373	9,308	8,165	6,900	5,724	4,630	3,646	3,197	2,669	2,091	2,109	2,193	2,162
Public fear, alarm or distress	..	..	57	68	65	47	44	47	53	27	17	21	17	19
Possession of weapons	..	..	297	356	310	273	263	183	166	128	100	94	111	81
Other firearm offences	262	192	404	434	286	300	226	229	265	211	305	221	236	566
Total	13,822	13,756	11,824	10,438	8,836	7,478	6,041	4,931	4,295	3,510	2,977	2,873	2,954	3,217

Source: ONS [Focus on Violent Crime and Sexual Offences: Year ending March 2016](#): Appendix table 3.08

Notes: a) The data capture the principal weapon used. Year runs from start of April to end of March.

b) One homicide was recorded in 2010/11 although the injury statistics in the other table do not show a fatal injury in this year. This is because crossbows are included here in the definition of air weapons but not in the injury statistics.

.. denotes no data is recorded.

TABLE 3: OFFENCES RECORDED BY THE POLICE IN WHICH AIR WEAPONS WERE USED RESULTING IN INJURY, BY DEGREE OF INJURY

England and Wales, year ending March				Total air weapons offences where injury was caused
	Fatal injury	Serious injury	Slight injury	
2002/03	1	156	2,220	2,377
2003/04	.	157	2,238	2,395
2004/05	1	144	1,353	1,498
2005/06	1	119	1,062	1,182
2006/07	3	95	955	1,053
2007/08	0	86	837	923
2008/09	0	72	621	693
2009/10	1	67	588	656
2010/11	0	35	415	450
2011/12	0	30	325	355
2012/13	0	34	325	359
2013/14	2	46	278	326
2014/15	0	37	262	299
2015/16	0	30	240	270
2016/17	0	25	288	313
2017/18	1	34	262	297
2002/03	0%	7%	93%	100%
2003/04	.	7%	93%	100%
2004/05	0%	10%	90%	100%
2005/06	0%	10%	90%	100%
2006/07	0%	9%	91%	100%
2007/08	0%	9%	91%	100%
2008/09	0%	10%	90%	100%
2009/10	0%	10%	90%	100%
2010/11	0%	8%	92%	100%
2011/12	0%	8%	92%	100%
2012/13	0%	9%	91%	100%
2013/14	1%	14%	85%	100%
2014/15	0%	12%	88%	100%
2015/16	0%	11%	89%	100%
2016/17	0%	8%	92%	100%
2017/18	0%	11%	88%	100%

Source: ONS [Offences involving the use of weapons: data tables](#), table 5.

Notes: 1. Injuries could be caused by either the firearm being fired or used as a blunt instrument.

2. Number of fatal injuries where a firearm has been involved in an offence may differ from the number of homicides by shooting. This is due to offences where a firearm has been involved but shooting has not been the principal method of killing. Additionally, Homicide Index figures include crossbows which are excluded from the firearms collection.

3. A serious injury is one which requires a stay in hospital or involves fractures, concussion, severe general shock, penetration by a bullet or multiple shot wounds.

TABLE 4: AGE PROFILE OF OFFENCES INVOLVING AIR WEAPONS VICTIMS, COMPARED TO POPULATION PROFILE FOR ENGLAND AND WALES, YEAR ENDING MARCH 2018

Age	Victims	Full population
0-4	1%	6%
5-9	1%	6%
10-14	10%	6%
15-19	17%	6%
20+	71%	76%

Source: ONS [Offences involving the use of weapons: data tables](#), table 13.

Notes: a. Police recorded crime data are not designated as National Statistics

b. Excludes 52 cases where victim age was unknown

c. The population figures are based on mid-2017 estimates from the Office for National Statistics.

d. Recorded crime covers all indictable and triable-either-way offences. Additionally, a few closely associated summary offences are included.

e. These figures do not include most summary offences, e.g. criminal damage and miscellaneous offences, involving air weapons because victim age is not recorded for these.

f. Age categories are set by the Home Office but ages over 20 have been aggregated.

TABLE 5: NUMBER OF ANIMALS ALLEGEDLY ATTACKED USING WEAPONS, AS REPORTED TO THE RSPCA, BY ANIMAL TYPE

	Wild birds	Cats	Dogs	Wild		Total
				mammals	Farm birds	
Animals attacked						
2011	402	244	145	35	32	858
2012	353	313	70	58	4	798
2013	534	352	105	76	45	1112
2014	662	399	152	55	25	1293
2015	559	359	98	88	30	1134
2016	404	306	59	66	22	857
2017	519	341	111	125	.	1240
Reports of attacks						
2018	.	258	73	.	.	767

Source: RSPCA press releases [not publicly available]: 'RSPCA calls for airgun licensing after receiving 4,500 calls in five years', 30 January 2018; 'Air weapon misuse and its impact on animals', 08 November 2018; 'RSPCA calls for air gun controls, after 767 animal shootings last year', July 2019.

Notes: a) The numbers for years 2011 to 2017 record the number of animals reportedly attacked, while the 2018 numbers relate to reports of attacks. One call can potentially report attacks on more than one animal and can include duplicate incidents.

b) The number of farm birds attacked in 2017 has not been published.

c) The total for each year (except 2017) is only for this selection of animals, i.e. there may have been more reports of attacks on other types of animal.

d) Reports by type of animal in 2018 is only available for some types of animal so the numbers here do not add up to the total.

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