

18th September Airsoft Defence meeting (2009)

Attendees: [REDACTED] (UKARA); [REDACTED]
(UKARA), [REDACTED] (UKGSB); [REDACTED] (UKGSB)

Home Office: [REDACTED] (Chairman); [REDACTED]

The Home Office had recently been contacted by an organization bearing a very similar name to that formerly headed by [REDACTED]: the Association of British Airsoft (ABA). The Chairman sought to clarify whether [REDACTED] organization was still in existence and whether it had a link to a new organization, the Association of British Airsoft Limited By Guarantee ((AoBA)). [REDACTED] confirmed that the ABA had not totally disbanded but was in abeyance as it had been set up to represent interested parties involved in airsoft during the passage of the Violent Crime Reduction Bill through parliament. [REDACTED] was to take over as chairman of the UKGSB and the meeting was notified that a National Airsoft Girls' association (NAG), was in the process of being set up.

Lethality

The Chairman outlined that the current level of 1 joule was recommended by the Firearm Consultative Committee as a working definition of the level at which an item should become a 'firearm' for legal purposes. Those representing the interests of airsofters queried whether this limit still applied with a plastic pellet. The Chairman stressed that it was a strict test in order to set a muzzle energy level above which a child could be killed if an artery near the surface of a child's skin was hit.

[REDACTED] stated that as he understood it, anything with a muzzle energy of 1 joule or above needed to be sold through a Registered Firearms Dealer – this would mean that others, not just airsofters, could buy such objects. The Chairman added that only RFDs could sell such objects which, in turn, added a strong element of control over their sale.

[REDACTED] explained that his site recommended airsoft guns fired pellets at a speed of 328 ft per second, which equated to a muzzle energy of 1 joule. The Chairman confirmed that ACPO was looking into the matter and might consider that those over 1 joule should only be sold by RFDs as certain objects were capable of being lethal regardless of the pellet fired.

[REDACTED] suggested that it would be worth testing airsoft guns with a muzzle capacity in between 328 ft per second to 500 ft per second to see whether they were capable of being lethal. The Chairman confirmed that this was something that airsofters would have to pursue themselves; whether an object is a lethally barrelled weapon is ultimately down to the courts to determine. The Firearm Consultative Committee recommended that a muzzle energy of in excess of 1 joule (0.7376 ft/lbs) should be used to define what constituted a firearm. The Chair added that legislation was drawn up on the premise that airsoft guns had a muzzle energy under 1 joule.

█████ stated that there was a concern that airsofters were being penalized - as airsoft guns could only fire plastic pellets he asked why a higher muzzle energy could not be permitted for the sole use of airsofting. The Chairman thought it important to bear in mind that if the use of more powerful airsoft guns became widespread it could result in either the introduction of a certification system or an outright ban.

The Chair pointed out that the Violent Crime Reduction Act 2006 (Realistic Imitation Firearms) Regulations 2007 refer to 'permitted activities', which are defined in the Regulations as, "the acting out of military or law enforcement scenarios for the purposes of recreation". As the regulations specify that third party liability insurance must be held in relation to liabilities arising from or in connection with skirmishing it was likely that insurers would become concerned if airsoft skirmishing started to involve the use of lethal barrelled weapons.

█████ asked if the provisions in the Violent Crime Reduction Act on realistic imitations were working. The Chair confirmed that there had been a drop in the number of offences involving imitation firearms [in 2008/09 there were 1,502 offences which was 41% fewer than the previous year's].

Illegal sales

Airsofters were concerned that the police were not pursuing those acting illegally (i.e. selling to under 18s or to those who did not meet one of the defences) which in turn was undermining the offence.

The Chair appreciated their concerns and added that airsoft retailers, to protect their position, must ensure that buyers are over 18 and that they fall within the provisions of the airsoft defence. From the perspective of self regulation this would include a check to ensure that the potential buyer was at least 18 and buying the gun for airsoft skirmishing. The Chair stated that while in last year's meeting we had suggested that the parent of a regular skirmisher could buy an airsoft gun on the child's behalf, as a matter of best practice it might be preferable to ensure that all buyers were over 18.


Customs

█████ and others suggested that Customs were requiring skirmishers to be members of UKARA to import an airsoft gun when this was not a requirement of the legislation. The Chairman suggested that this was a matter to pursue with Customs [which has now become part of the United Kingdom Border Agency (UKBA)]. He suggested he could understand the approach as Customs would wish to ensure that importers were genuine but that it would be worth pursuing the matter with Customs.

Requirement to have played 3 times in 2 months

█████ said that there were some concerns with this on airsoft forums. The Chair stressed that this was a requirement in the ABA's criteria for membership

(since adopted by UKARA) as outlined in the circular to the Violent Crime Reduction Act and in the interests of a successful self regulatory scheme should remain.

 asked how the defence in general was working. The Chairman confirmed that self regulation seemed to be working, but that it was all dependent on how the system continued to work and that best practice was key to success.

The Chair agreed that the Home Office and interested airsoft parties would continue to monitor the defence.



