

## Summary: Intervention & Options

<b>Department /Agency:</b> <b>Home Office</b>	<b>Title:</b> <b>Impact Assessment of Controls on Safe Storage of Air Weapons</b>	
<b>Stage:</b> Final	<b>Version:</b> 1.0	<b>Date:</b> August 2009
<b>Related Publications:</b> None		

Available to view or download at:

[www.crimereduction.homeoffice.gov.uk/crimeandsecuritybill/](http://www.crimereduction.homeoffice.gov.uk/crimeandsecuritybill/)

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**What is the problem under consideration? Why is government intervention necessary?**

Air weapons can be bought and possessed without the need for a firearm certificate. Although there is advice and guidance available stressing the need for safe storage, there is no legal requirement to reinforce this. Recent cases involving children being shot with air weapons have indicated that air weapons have not always been kept securely and away from children.

**What are the policy objectives and the intended effects?**

The Government wants to ensure that air weapons are stored securely, thereby reducing the incidence of children gaining access to them and injuring one another.

**What policy options have been considered? Please justify any preferred option.**

Option 1: Do nothing.

Option 2: Make it an offence not to store an air weapon safely, thereby failing to prevent unauthorised access by young persons.

Option 3: Publicity to raise awareness of the need for safe storage.

Option 4: A licensing regime, which would require safe storage.

Option 2 is the preferred option as it provides an effective and proportionate response to the problem.

**When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?** Annually after implementation, through statistics on injuries resulting from air weapons and through feedback from individual cases and from stakeholders.

**Ministerial Sign-off For Impact Assessments:**

*I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.*

Signed by the responsible Minister:

David Hanson, Minister of State. August 2009

.....Date:

## Summary: Analysis & Evidence

**Policy Option: 2**

**Description: Make it an offence not to store an air weapon safely, thereby failing to prevent unauthorised access by young persons**

<b>COSTS</b>	<b>ANNUAL COSTS</b>		Description and scale of <b>key monetised costs</b> by 'main affected groups' FORMTEXT This option would require each person possessing an air weapon to take appropriate security measures. It is estimated there would be a £1 million one-off cost to existing owners and £40,000 pa to new owners in purchasing security devices. There would also be minor costs to the criminal justice system in prosecuting a small number of offenders (estimated as up to £2k/yr).
	<b>One-off (Transition)</b>	<b>Yrs</b>	
	£ 1m		
	<b>Average Annual Cost (excluding one-off)</b>		
	£ 42k		<b>Total Cost (PV)</b> £ 1.2m
Other <b>key non-monetised costs</b> by 'main affected groups'			

<b>BENEFITS</b>	<b>ANNUAL BENEFITS</b>		Description and scale of <b>key monetised benefits</b> by 'main affected groups'
	<b>One-off</b>	<b>Yrs</b>	
	£ N/A		
	<b>Average Annual Benefit (excluding one-off)</b>		
	£ Unknown		<b>Total Benefit (PV)</b> £ Unknown
Other <b>key non-monetised benefits</b> by 'main affected groups' Reduction in injuries to children and other people resulting from the unsafe storage of air weapons. Consequent reduction in costs to NHS from treating such injuries.			

**Key Assumptions/Sensitivities/Risks** Assumes an initial 100k owners buying security devices, and 4k new owners per year thereafter (at £10 per device). Assumes other owners could achieve safe storage through existing measures, such as locked cupboards and padlocks. Assumes 2 prosecutions per year involving costs to police (2 hours per case at £33 per hour), courts (one hour per case at £350) and CPS (£50-£400 per case, depending on plea).

Price Base Year 2009	Time Period Years 5	<b>Net Benefit Range (NPV)</b> £ Unknown	<b>NET BENEFIT (NPV Best estimate)</b> £ Unknown
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What is the geographic coverage of the policy/option?	GB
On what date will the policy be implemented?	After Royal Assent
Which organisation(s) will enforce the policy?	Police
What is the total annual cost of enforcement for these organisations?	£ Up to 2k
Does enforcement comply with Hampton principles?	Yes
Will implementation go beyond minimum EU requirements?	No
What is the value of the proposed offsetting measure per year?	£ N/A

What is the value of changes in greenhouse gas emissions?				£ N/A	
Will the proposal have a significant impact on competition?				No	
Annual cost (£-£) per organisation (excluding one-off)	Micro N/A	Small N/A	Medium N/A	Large N/A	
Are any of these organisations exempt?	Yes/No	Yes/No	N/A	N/A	
<b>Impact on Admin Burdens Baseline</b> (2005 Prices)				(Increase - Decrease)	
Increase of £ 0	Decrease of £ 0		<b>Net Impact</b>	£ 0	

Key: Annual costs and benefits: Constant Prices (Net) Present Value

## Evidence Base (for summary sheets)

### **Background**

It is generally accepted that there is an estimated 4 to 7 million air weapons in this country (see <http://www.homeoffice.gov.uk/documents/ria-violent-crime-bill-cov-0605/ria-violent-crime-bill-4-0605?view=Binary> for a previous reference to this estimate) and they are used for a variety of purposes from target shooting to vermin control. Apart from high-powered air weapons they do not need to be held on a firearm certificate. This means it is not possible to apply a safe storage requirement through a condition on a certificate, as happens with licensed firearms, and there is no other statutory requirement for safe storage. The Home Office and gun trade do, however, produce safety advice for air weapon owners in the form of leaflets and articles in trade magazines.

### **Rationale**

Certain tragic cases have recently highlighted the dangers that can occur when young people gain unauthorised access to air weapons. In one case, a 12 year-old boy was shot in the face and killed by his friend while playing with an airgun belonging to the friend's father. In another instance, an 18 month-old toddler was shot and killed by his young sister using their father's airgun, which had been left unattended by the father when target shooting in his garden. In these and other cases children had been allowed to gain unauthorised access to an air weapon with sometimes tragic consequences.

There are statistics on air weapon injuries (<http://www.homeoffice.gov.uk/rds/pdfs09/hosb0209.pdf>) but they do not show the age of the offender, whether they had unauthorised access to the air weapon or whether poor safe-keeping was an issue. So apart from cases such as those referred to above, the overall extent of the problem is not known, since there is no specific offence covering this issue. However, the Government believes that steps should be taken to ensure that air weapons are kept safely and securely so that young people can not gain unauthorised access to them.

### **Objectives**

The Government wants to deter owners of air weapons from being careless with the safekeeping of their guns so as to reduce the possibility of young people gaining unauthorised access to them and using them to cause injury or sometimes even death.

### **Options**

The Government has considered the following options for meeting its objective:

#### Option 1 – Do nothing

This option has been rejected because it would not meet the Government's objective.

### Option 2 – Make it an offence not to keep an air weapon safely, thereby failing to prevent unauthorised access by young persons

This is the Government's preferred option. It would allow action to be taken against people who fail to take reasonable measures to keep their air weapon stored safely, thereby allowing an unauthorised young person to gain access to it. The Government proposes to make the offence summary in nature and with a maximum penalty of a level 3 fine (£1,000).

### Option 3 – Publicise the need for safe storage

The Government will continue to work with shooting organisations to publicise the need for safe storage of air weapons but it was felt this option alone would not meet the Government's objective since it provided neither a deterrent nor a sanction for those who did not heed the advice.

### Option 4 – Licence air weapons and make safe storage a condition of the licence

The Government has rejected this option because it would be a costly and disproportionate response to the problem. There are between 4 and 7 million air weapons in the country, the majority of which are used responsibly. Licensing them all in order to tackle a minority of careless owners would be wasteful of police resources.

## **Appraisal**

### Option 2 – Make it an offence not to keep an air weapon safely, thereby failing to prevent unauthorised access by young persons

The Government believes a new offence along the lines of option 2 would provide an effective and proportionate response to the problem. Most air weapon owners will already keep their guns safely away from young people and they will therefore be unaffected by the proposed offence. But it would provide a deterrent to the minority of owners who might be careless with their air weapons. The Government believes the prospect of a substantial fine and a criminal record would prompt them to store their air weapon more responsibly. This would reduce the opportunities for unauthorised access by young people and consequently the number of instances where young people are injured or killed with air weapons.

### Costs

The costs associated with the proposed offence would be relatively small. There would be no cost to business but those individual owners who do not already store their air weapon safely might need to purchase some form of security device. The level of precautions that would be reasonable would depend on the particular circumstances of each individual case, both in terms of where the air weapon is stored and how it is being used. The Government does not therefore believe it would be right to require specific security measures. Most people already keep their air weapons safely and will not need any additional security. Others will be able to make use of existing lockable cabinets or padlocks. But some people will probably need to purchase some form of inexpensive security device, such as a trigger lock.

We estimate perhaps 100,000 existing owners (2% out of an estimated 5 million) might fall into the latter category. We understand from the gun trade that around 200,000 new air weapons are sold each year and we estimate that about 4,000 new owners each year (2%) will also require some sort of security device. A basic trigger lock or similar costs about £10. It is estimated, therefore, that the new offence would cost existing owners of air weapons around £1m and there would thereafter be a cost of around £40k/yr for new owners.

It is anticipated that the cost to the criminal justice system would be limited to a small number of offences each year. There would be no routine opportunity for the police to check that storage was adequate, although they could act if they were visiting someone's house for some other reason and noticed an unsecured air weapon. An estimated two prosecutions each year would cost around £1k to £2k, depending on how the defendant's plea. This estimate uses standard unit costs and is based on 2 hours of police time per case (at around £30 per hour), one hour in a magistrates' court per case (at £350 per hour) and Crown Prosecution Service (CPS) costs of between £50 and £400 per case, depending on plea.

The PV cost of this option is therefore estimated to be around £1.2m.

### Benefits

The main benefit of the proposed offence would be in acting as a deterrent, thereby reducing the number of accidents involving young people. This could lead to potential savings for the National Health Service (NHS). We are unable to quantify the benefits due to a lack of available data.

### Option 3 – Publicise the need for safe storage

#### Costs

This option 3 would incur costs to both the Government and the shooting community, in terms of the publication of written safety advice. The Government and the shooting community believe these costs to be justified in public safety terms and will continue to work together on publicity. However, the Government believes that publicity on its own does not go far enough since it provides no deterrent or sanction to people who fail to heed advice.

#### Benefits

Owners and users of air weapons will be better informed about the need for safe storage, which will help reduce the number of injuries. This could lead to potential savings for the NHS.

### Option 4 – Licence air weapons and make safe storage a condition of the licence

#### Costs

This option would impose the same level of security and safe-keeping to air weapons as currently applies to licensed firearms. However, it would be very costly in terms of police time and resources. It would also be costly for owners of air weapons and would likely result in costs to business through a drop in sales of air weapons.

#### Benefits

Improved security of air weapons would help reduce the number of injuries and could result in savings for the NHS.

### Risks

Under Option 2, people might not be aware of the new offence, and those who currently fail to take reasonable steps to safeguard their air weapon might continue to do so. However, the Government will continue working with the shooting community to publicise the need for safekeeping, which will mitigate this risk.

### Enforcement

The new offence will be enforced by the police.

### **Implementation**

The Government plans to implement these changes once legislation has received Royal Assent.

### **Monitoring and evaluation**

The effectiveness of the new regime would be monitored by the Home Office through published statistics and feedback from stakeholders.

## Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

**Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.**

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	No	No
Small Firms Impact Test	No	No
Legal Aid	No	No
Sustainable Development	No	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	No	No
Disability Equality	No	No
Gender Equality	No	No
Human Rights	No	No
Rural Proofing	No	No

## Annexes

### **Small Firms Impact Test**

Many air weapon dealers are small businesses but they will not be adversely affected by the proposed offence, which would apply to owners.

### **Competition Assessment**

The proposed offence would not affect competition.

### **Race Equality Test**

Air weapons are not licensed and there is no record of who owns them. The Government is not aware that any minority racial group is disproportionately represented among air weapon owners, and the proposed offence is not expected to have a disproportionate effect.

### **Disability Equality Test**

Air weapons are not licensed and there is no record of who owns them. The Government is not aware that disabled people are disproportionately represented among air weapon owners, and the proposed offence is not expected to have a disproportionate effect.

## **Gender Equality Test**

Air weapons are not licensed and there is no record of who owns them. The proposed offence would apply to all owners, irrespective of gender, and is not expected to have a disproportionate effect.

## **Health Impact Assessment**

The proposed offence should reduce the number of injuries resulting from the unsafe storage of air weapons. This would, in turn, reduce costs to the NHS from having to treat such injuries.