

## **The Violent Crime Reduction Act 2006**

### **Drama clubs should not that there are now strict new laws governing the ownership and use of replica weapons**

The latest legislation covering weapons has in many ways simplified several of the current restrictions. There is a serious tightening up of many aspects of “real guns and real weapons”, but there is provision within the Act to cover weapons which are used in theatrical productions.

These notes apply only to the use of weapons in a seated auditorium type venue with the stage area specifically designed. You will have to seek professional advice on the use of weapons outdoors or in other public places.

The new act allows a “defence in law” for the use of deactivated, replica, prop and blank firing guns, together with blunted swords and knives, in “Theatres and Theatrical Productions”

The situation as we now understand it is:

#### **Guns**

Any item having the “external appearance” of a gun is now considered to be a “realistic imitation firearm”. It does not matter whether it is a plastic, alloy, cap gun, deactivated gun, imitation gun, prop gun, dummy gun, water pistol, a gun made by your props team, whether blank, firing or otherwise. In fact, anything having the “external appearance of a gun” is the issue. If it is good enough to give the appearance of a gun to an audience then it is a “realistic firearm”. Realistic Firearms are now banned in all public places. However, the new Act Provides a legal defence if you can prove that they are required and necessary for a specific theatre production.

We strongly advise that you prove to yourselves and set down in writing the need for such a gun, so as to have this information on request – for example, be able to refer to the actual pages in the script.

#### **Weapons**

The Act also covers edged weapons, swords, daggers, knives, spears, pikes, halberds, in fact anything that could be said to have an edge, or a point. The act does not define “edge” or “point”, nor does it define “the material” the weapon is made of. It could be interpreted that a wooden or plastic sword is a “weapon”. All these items are now banned in all public places.

However, again there is a defence for these weapons, but the wording differs from the Guns section. The legal defence here is to prove that they are “required and necessary” for the purposes of “theatrical performances and rehearsals”. Note the differences in the wording. Rehearsals are not mentioned in the Guns section. We therefore assume that the guns cannot be used for rehearsals, only for the performances, whereas swords can also be used for rehearsals.

We again strongly advise that you prove to yourselves and set down in writing the need for such weapons, so as to have this available on request.

#### **So what do you need to do?**

- Check that you do not have any imitation firearms or other weapons. All items that would be deemed weapons should be locked away and put in the charge of someone over 18
- Immediately on choosing a show, identify any guns or weapons in the script, and check if they are blank firing guns or fighting weapons
- If you are using your own existing props, carry out written assessments as above
- If they are to be hired, contact the hire firms, not only to check availability and prices, but also to have time to comply with the new conditions

From now on you will have to supply additional information to satisfy the hire company, that the items are actually in the script and necessary to satisfy the performances.

Blank firing guns are covered by the above guidelines, but will need additional disclaimers regarding the actual venue.

### **Edged weapons used for fighting**

The actual weapons are covered by the new regulations, but their use is not. All fighting swords/weapons will have to be supplied through a registered "Fight Arranger" who will not only supply the swords but have the necessary personal and product liability insurance cover. It will not be possible to hire "fighting weapons" without going through a Fight Arranger.

### **Summary**

In many ways, the regulations have been simplified. In particular, contradictory rules between the Firearm Regulations and the Criminal Justice Act have been simplified under one law.

However, the new Law is more pedantic in its interpretation of "proof of need". It is now illegal to have in your possession "in a public place" any gun or something having the external appearance of a gun, or any sword, knife, etc even if they are made of plastic or wood. You can only "prove a defence" under the Act if the items are ACTUALLY being used in a theatrical performance and if they are in the script.

Further, you can only use these items wholly and exclusively for purposes of that production. Do not wear costume swords in the foyer, do not carry them through the auditorium, and do not have any weapon or gun outdoors or in any public place other than the stage area of the theatre.

Risk Assessments are still required, and you should refer to the HSE publications "Weapons in Productions".

Provided we understand the above explanation we should now be able to use both guns and swords in future shows.

These guidelines have been prepared in good faith by Howorth Wrightson Limited, Manchester.