



Home Office

Consultation on new legislation on offensive and dangerous weapons

Government consultation

This consultation begins on 14 October 2017

This consultation ends on 9 December 2017

About this consultation

To:	This is a consultation open to the public and targeted to directly affected parties, including the police, Crown Prosecution Service (and Crown Office and Procurator Fiscal Service in Scotland), community groups, businesses and organisations with a direct interest in the proposals.
Duration:	From 14/10/17 to 9/12/17
Enquiries (including requests for the paper in an alternative format) to:	Tackling Crime Unit 5th floor, Fry Building Home Office 2 Marsham Street London SW1P 4DF Email: Offensive.Weapons.Consultation@homeoffice.gsi.gov.uk
How to respond:	Please submit your response by 9/12/17 by - • Completing the online form at: https://www.gov.uk/government/consultations/offensive-and-dangerous-weapons-new-legislation • Email to: Offensive.Weapons.Consultation@homeoffice.gsi.gov.uk • Post to: Tackling Crime Unit 5th floor, Fry Building Home Office 2 Marsham Street London SW1P 4DF
Extent:	We are seeking views from across the UK. The proposals cover some matters that are devolved and which may apply only to England and Wales but we will work closely with the devolved Governments on how specific proposals might apply to Scotland and Northern Ireland. Where proposals deal with devolved matters and legislation is required this will be agreed with the devolved Governments in accordance with the devolution settlements.

Please contact the Tackling Crime Unit (as above) if you require information in any other format, such as Braille, large font or audio.

Additional ways to respond:

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Background to legislative proposals

Tackling violent crime is a priority for the Government and we are determined to take effective action to protect the public.

Violence recorded by the Crime Survey for England and Wales (CSEW), which is regarded as the best independent survey of crime, shows that violent crime as of March 2017 was 27% below the level of June 2010. However, police recorded violent crime has shown increases in recent years and in the 12 months ending March 2017, violent crime recorded by the police increased by 18%. Some of this increase can be attributed to improvements in how police forces record crime, more victims of domestic violence being willing to come forward to the police, the creation of new offences and greater awareness of these crimes. However, some of the increases in certain types of violent crime recorded by the police are thought to be genuine including offences involving knives and firearms. The Government has already taken significant action to respond to crimes involving knives and firearms. However, we have identified the need for new primary legislation to respond to public concerns and provide the police with the powers they need.

In addition to knives and firearms, we are also concerned about acids and other corrosive substances being used as weapons to inflict serious harm and life changing injuries. The use of corrosive substances as a weapons is centuries old, but whilst the number of offences is relatively small, we are concerned about its increasing use as a weapon. That is why the Government has developed a comprehensive action plan in response.

This consultation paper seeks views on the legislative proposals that will support action currently being taken against offensive and dangerous weapons.

The consultation is open to views from across the United Kingdom. It covers proposals that will apply in England and Wales but also extends to Scotland for certain proposals where indicated. This has been agreed with the Scottish Government to allow views to be gathered from Scottish respondents at this time.¹ All responses from Scottish respondents (or where there is a reference to the position in Scotland, or taking a UK wide approach) will therefore be shared with the Scottish Government. We will work closely with the devolved administration in Northern Ireland on how any proposals might apply in Northern Ireland.

Knife crime

Knife crime and possession offences recorded by the police have been increasing since 2014. This was initially considered to be due to improvements in police recording of crime, but now it is thought that some of the increase may be real.

Police recorded knife crime increased by 20% in the year ending March 2017 compared with the previous year - from 28,875 offences to 34,703 offences. This is where a knife has been used to threaten someone or to actually inflict harm, and is mainly used to record

¹ References within this document to 'Government' refer to the UK Government while the Scottish Government is referred to by its full name.

offences involving assaults or robberies, but it also includes sexual offences and homicides where a knife has been used.

At the same time we have seen police recorded knife possession increase by 23% in the 12 months period to March 2017, from 11,491 offences to 14,183 offences. This is where a person has been caught carrying a knife in public or school grounds without good reason.

The increase in police recorded knife crime and possession offences is also supported by other data, which indicates that the recent increases may be real. The most recent data on hospital admissions in England for assault with sharp instruments shows a rise of 13% in the year ending March 2016 compared with the previous year from 3,590 in the year ending March 2015 to 4,054 in the year ending March 2016. Among them, 771 admission cases were children or teenagers aged 19 or under ².

The Government has been taking wide-ranging action to tackle knife crime including supporting police enforcement through “Operation Sceptre³”, legislating where necessary (e.g. banning zombie knives in August 2016), working with retailers to enforce sales restrictions, and working on prevention through engaging with young people through voluntary sector groups. This was set out in the Government’s Modern Crime Prevention Strategy, published in March 2016.

However, as part of this wide ranging approach, we have identified the need to strengthen primary legislation to provide the police with the powers they need to address public concerns.

Online Sales of knives

There have been legislative controls with age restrictions on the sales of knives since 1996 when it became an offence to sell knives to under 16s. This was amended in 2006 when the law in England and Wales was changed to make it an offence, under section 141A of the Criminal Justice Act 1988, to sell a knife to a person under 18. The maximum penalty for this offence is six months imprisonment, or a fine, or both. The law applies to both sales of knives in shops and online and is enforced by the police and trading standards officers. However it has become clear that additional legislative controls need to be put in place to prevent retailers selling knives online to under 18s.

Similar laws operate in Scotland, although the sale of knives for domestic use is permitted to those aged 16 or over. Within Scotland sellers of non-domestic knives are currently required to obtain a licence under the knife dealer licence scheme, contained in the Civic Government (Scotland) Act 1982, which also includes offences. The knife dealer regime is administered by local authorities and they would be expected to carry out checks to ensure that the dealer was complying with the requirements, for example checking ages. There is an exemption for sales on behalf of another person.

Since legislation on restricting sales of knives on the basis of age was passed over 20 years ago we have seen the growth of the Internet and retailers are increasingly selling online. This has been transformative in its impact of course and a very positive development. However it poses challenges for online sales of age restricted goods such

² Hospital Admitted Patient Care Activity, 2015-2016 - <https://www.gov.uk/government/statistics/hospital-admitted-patient-care-activity-2015-to-2016>

³ Operation Sceptre is an ongoing series of weeks of intensified action on knife crime, including targeted stop and searches, targeting habitual knife carriers, weapon sweeps, test purchases of knives from retailers, and the use of surrender bins.

as knives. It is very difficult for an online retailer to be certain that they have not sold a knife to a person under 18. It is different in a shop where the retailer or member of staff will see the purchaser and can ask for proof of age, and if necessary, refuse the sale. This does not appear possible online and we are not aware there has been a solution developed and adopted by online retailers to provide assurance that they are not selling knives to under 18s. The current online age controls used by retailers tend to be limited to asking the purchaser to ticking a box that they are over 18. Ebay UK and a number of major retailers such as Asda, John Lewis and Wilko do not sell knives online. Other major retailers such as Tesco and Argos have a policy whereby if knives are bought online they must be collected in a store so that the age of the purchaser can be checked if necessary.

The Government worked closely with twelve major retailers⁴ and the British Retail Consortium in March 2016 and agreed a set of voluntary commitments on responsible sales of knives to improve the enforcement of age controls. A further five major retailers⁵ have since joined and abide by the commitments. The agreed commitments cover both sales online and in shops. We are very pleased that major retailers responded positively and improvements have been made to staff training, age checks in shops and packaging, but it is not clear that similar improvements have been made to online sales of knives.

Evidence from online test purchase operations conducted since the last decade, when online shopping became increasingly common, show that the majority of online retailers sampled failed to have effective age verification procedures. The failure rate for test online purchases of knives has improved little compared with the first documented online test purchase operation.

Trading Standards conducted two online test purchase operations in 2008 and 2009, which showed that 80% of the retailers sampled (58 of 72) would sell to a person under 18. This could be seen as a reflection of the maturity of the online retail sector at that time, but a test purchase operation commissioned by the Home Office conducted in 2014 showed that 69% of the retailers (18 of out of 26 retailers tested) failed the test. This was a slight improvement on the exercise five years previously but still showed that the large majority of online test purchases failed and retailers were breaking the law.

A further test purchase operation was carried out In December 2016. Trading Standards, in cooperation with the Metropolitan Police, conducted a test purchase operation to test whether online retailers would sell a knife to someone under 18. The results showed that 72% of retailers (15 out of 21 retailers) tested failed to verify the age of the purchaser at the point of accepting the order, and only 19% (4) went on to require further evidence of age and refused the sale when the evidence was not produced.

Every time an online test purchase operation is undertaken, the large majority of online retailers tested break the law on sales of knives. This contrasts with test purchases carried out in shops where the large majority of sales of knives comply with the law. In the national police week of action against knives under “Operation Sceptre” in October 2016, there were 391 test purchases of knives in shops undertaken. 80% (313) passed and 20% (78) failed. The number of failures is still worrying and further work needs to be done, but it is much better than the level of failures on online test purchases.

⁴ Tesco, eBay UK, Lidl UK, Amazon UK, Wilko, Argos, Asda, Poundland, Morrisons, Sainsbury's, John Lewis and Waitrose.

⁵ Boots, the Co-op, B&Q, Aldi and TKMaxx

The death of Bailey Gwynne highlights the fatal consequences of not having strong checks in place to prevent under 18s from buying knives online. An independent review of the circumstances of Bailey's death was commissioned by Aberdeen City Council and published in October 2016. Bailey was killed on 28 October 2015 when a 16-year-old boy produced a knife, which he bought online, during a fight in a school corridor. The boy bought the knife on Amazon UK and he told police he bought the knife online "because they don't check if you're 18 or not". The independent review⁶ recommended that the Scottish Government should explore legislative controls on the purchase of weapons online, and the Scottish Government in its response⁷ agreed to this recommendation and made a commitment to work with the UK Government to ensure UK wide action.

We also have anecdotal reports from police, Trading Standards and Members of Parliament about the consequences of the online sales of knives. Trading Standards made us aware of an incident where an online retailer sold a knife to a boy in boarding school and failed to flag the package as an age restricted product. The package was accepted by a member of staff and handed to the boy without any checks. In another instance, an online retailer sent a knife to a private residential address after a credit card belonging to the householder had been misused, and the package was handed to their child, who went on to use the knife to inflict injuries to himself.

We are therefore proposing a new offence that knives sold online must not be delivered to a private residential address. Instead knives sold online must be delivered to a location where the age of the purchaser is checked.

In addition to views from respondents in England and Wales, views from Scottish respondents are welcomed.

Possession of offensive weapons in private

There are already strict controls on particular offensive weapons, including certain types of knives, which are listed in the Criminal Justice Act 1988 (Offensive Weapons) Order 1988. In Scotland, these weapons are listed in the Criminal Justice Act 1988 (Offensive Weapons) (Scotland) Order 2005. These are weapons that have been considered by Parliament to be especially dangerous. It is an offence to sell, manufacture, hire, loan or gift these weapons. This offence is in addition to the general offences of possessing a knife or offensive weapon in public or school grounds.

In England and Wales, there are nineteen different weapons listed as offensive weapons and they include items such as the "belt buckle knife", "butterfly knife" and "push dagger". Most recently, in August 2016, we added zombie knives to this list as we were concerned that such knives had no legitimate use and were designed to appeal to young men and intimidate and encourage violence. In Scotland, there are seventeen different weapons listed as offensive weapons.

There are also similar prohibitions in respect of flick knives and gravity knives in section 1 of the Restriction of Offensive Weapons Act 1959

We want to create a new offence aimed at the possession of such offensive weapons, whether in public or private. This would allow the police to be able to seize such weapons

⁶ <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=73891&sID=1224>

⁷ <https://beta.gov.scot/publications/the-death-of-bailey-gwynne-independent-review-scottish-government-response/>

held in private so they cannot be used in crime. At present if the police find a zombie knife in someone's home they can only take action if it is considered to be evidence in a criminal investigation. Otherwise there is nothing that the police can do if they find such weapons in someone's home.

There would be defences available for this proposed offences similar to other knife legislation, and we are also considering defences on cultural, artistic and religious grounds. For example we would not wish to criminalise a display in a museum. However, subject to these exceptions, we see no case for such dangerous weapons to be in someone's home and possession. Even if the owner of the weapon in question has no intention at all of using it, there is a risk that they may be targeted by criminals intending to steal it.

Ensuring that the prohibition on the possession of offensive weapons extends to private addresses will support public safety.

In addition to views from respondents in England and Wales, views from Scottish respondents are welcomed.

Other proposals on knives

We also propose to bring forward other legislative proposals that update existing legislation to reflect current concerns and/or respond to an operational need.

The Offensive Weapons Act 1996 amended the Criminal Justice Act 1988 to introduce an offence of having an article with a blade or point or an offensive weapon on school premises. The definition of school premises though does not cover institutions within the higher and further education sector, such as sixth form colleges or universities, and expressly excludes them. We would amend the legislation to extend the possession offence to include education institutions other than schools. This change reflects the significant expansion of the number of students and changes in such institutions since the law was amended by the 1996 Act.

Similarly the Government is of the view that the current legislative definition of flick knives in the Restriction of Offensive Weapons Act 1959 is outdated as it refers to the mechanism that activates the blade being in the handle. We propose to amend the definition to ensure that new designs also fall under the definition of flick knife in the legislation.

We also intend to amend the existing offence of threatening with an article with blade or point or an offensive weapon set out in section 139AA of the Criminal Justice Act 1988. This currently requires the prosecution to prove that the defendant threatened another with the weapon "in such a way that there is an immediate risk of serious physical harm to that other person". We are proposing to strengthen this offence to ensure that if anyone threatens another person with a knife the offence is committed when the victim reasonably fears they would be likely to suffer serious physical harm. This test will be based on how a reasonable person would respond to such a threat, and not whether the victim was objectively at risk of immediate serious physical harm.

With the exception of the proposal relating to flick knives, these proposals only relate to England and Wales.

Use of acid and other corrosive substances as a weapon

The use of acid and other corrosive substances as a weapon in violent attacks is a terrible crime that can inflict serious harm and life changing injuries that can leave victims and survivors with long term physical and psychological injuries. The use of acid or other corrosive substance⁸ as weapons cannot be tolerated on our streets and communities.

There is also evidence that the number of attacks are increasing. We have been able to get a sense of the scale of this offending through the voluntary data collection from police forces undertaken by the National Police Chiefs' Council following a request by the Home Office in autumn 2016. This data collection covered a six month period between November 2016 and April 2017 and 39 forces provided returns. It found that there had been 408 cases of attacks using corrosive substances between November 2016 and April 2017 and that 21% of these offenders were under 18 (where the age of the offender was known).

The Home Office jointly hosted an event with the National Police Chiefs' Council lead on 4 July 2017 which brought a range of partners together including police, prosecutors, retailers, health professionals, relevant Government departments and agencies to agree what further action can be taken to prevent these kinds of attacks.

Following this event, we announced an action plan to tackle the use of acid and other corrosives in violent attacks which is based on support for victims and survivors, effective law enforcement, ensuring legislation is applied effectively, and working with retailers to restrict access to acid and other corrosive substances of concern.

We have identified the need for legislation in two specific areas. Firstly the Government proposes to create a new offence of possessing a corrosive substance in a public place. The proposed offence is modelled on the current offence in section 139 of the Criminal Justice Act 1988 of possessing a bladed article in a public place. It is envisaged that similar defences to the knife possession offence would also apply to the proposed corrosive substance possession offence, such as, if the person could prove they had a good reason or lawful authority for having it in a public place.

We are not intending to define "corrosive substance" in legislation. As we would like the proposed offence to be flexible enough to cover a range of possible situations: from someone possessing a corrosive substance in a public place that if used as weapon can leave life changing injuries; through to someone using a less harmful corrosive substance which if used as a weapon can still be very unpleasant to the victim but the effect is not lasting.

There is already an existing offence under section 1 of the Prevention of Crime Act 1953 in respect of possessing an offensive weapon in a public place, which may apply if a person is found in possession of a corrosive substance in a public place. However, in order to prove the corrosive substance is an offensive weapon it must be shown that the person in possession of the substance intended to cause injury. A similar offence exists in Scotland under section 47 of the Criminal Law (Consolidation) (Scotland) Act 1995. The new proposed offence would put the onus on the person in possession of the corrosive substance in a public place to show they had good reason for being in possession of it.

⁸ The term 'other corrosive substances' refers to alkalis and bases, such as ammonium hydroxide and sodium hydroxide.

Secondly we propose to introduce a new offence preventing the sale of the most harmful corrosive substances to under 18s. This is intended to be similar to the existing knife legislation and is in response to the significant proportion of known offenders who are under 18. Introducing this offence would make it harder for under 18s to obtain products containing the most harmful corrosive substances that are of particular concern and which are being used as weapons to inflict life changing injuries.

In order to support the proposed offence preventing under 18s being sold products containing the most harmful corrosive substances, we are considering whether to list the most harmful corrosive substances (including relevant concentration levels) in statutory guidance or possibly through an order-making power. Such a list is likely to be necessary because the proposed new offence preventing sales to under 18s is aimed at the most harmful corrosive substances that leave life-changing injuries rather than all products that contain a corrosive substance.

We are already talking to retailers about introducing a similar age restriction on sales on a voluntary basis. We have had a very positive response and intend to have such a scheme in place soon to respond to the immediate need. However having primary legislation to support this will be important to its longer term effectiveness and all retailers would have to comply with the new law. We will also use the existing provisions in the Poisons Act 1972 in respect of regulating the purchase and sale of the most harmful corrosive substances and we will bring forward secondary legislation to make sulphuric acid a regulated substance, which means the purchaser must have a licence to buy.

In addition to views from respondents in England and Wales, views from Scottish respondents are welcomed.

Firearms

Firearms offences make up a small proportion of overall recorded crime and the number of offences has decreased by 34% over the last decade. In the last few years, however, firearms offences have started to rise, increasing by 23% in the year ending March 2017. While some of this increase is likely to be due to improvements in crime recording by the police, it is likely that some of this increase may be real.

In response to this, and building on the learning from recent multi-agency firearms operations, the Home Secretary is overseeing a programme of work to ensure that firearms controls are as robust as possible to prevent firearms getting into the hands of criminals and terrorists. This includes working closely with law enforcement partners to ensure that we have the right intelligence, detection and enforcement capabilities internationally, at the border and within the UK. We have recently taken legislative action in the Policing and Crime Act 2017 to introduce new offences to tackle the conversion of imitation firearms and the reactivation of deactivated firearms. We will shortly also be consulting on a statutory definition for antique firearms, to clarify the law and prevent antique firearms falling into criminal hands, and on new statutory guidance for police firearms licensing officers.

We have initiated a new Firearms Science and Technology programme, committing £2 million over two years to the development of new automatic threat detection technology at the UK border, and we have established a multi-agency firearms unit, jointly led by the National Crime Agency and Counter-Terrorism Policing to coordinate law enforcement activity to prevent firearms being used by criminals and terrorists.

This work has led us to identify two particular types of firearms of concern: large calibre (0.50) rifles; and rapid firing rifles. Both types of firearms are currently available for civilian use under general licensing arrangements but there are concerns about their potential for serious misuse and loss of life if they were to fall into the wrong hands. We consider that these two types of firearms should be subject to the stricter controls under the existing provisions of section 5 of the Firearms Act 1968, which prohibit a number of types of firearms from civilian use.

In addition to views from respondents in England and Wales, views from Scottish respondents are welcomed.

Proposals for new knife offences

This consultation seeks views on the following proposals:

- A. Creating offences to prevent knives sold online being delivered to a private residential address, and ensuring the age and identity of the purchaser are checked.
- B. Making it an offence to possess certain weapons in private.
- C. Introducing an offence of having an article with blade or point or offensive weapon on education institutions other than schools.
- D. Amending the existing offences of threatening with an article with blade or point or offensive weapon.
- E. Updating the definition of a flick knife.

A. Creating offences to prevent knives sold online being delivered to a private residential address and ensuring the age and identity of the purchaser are checked

England, Wales and Scotland

We propose that where a knife is sold online, it is an offence to deliver the knife to a private residential address. Knives sold online must only be delivered to and collected - by the person who made the purchase - at a place where the age of the purchaser can be checked. This new offence will provide additional safeguards to the current legislation which already makes it a criminal offence to sell knives to a person under 18. As we have set out in the Background section, we are concerned that too many online sales break the law that knives must not be sold to under 18s.

It will be for retailers to decide where purchasers can collect the knives bought online and have their age checked. However, there are a number of possible options open to retailers including requiring that customers collect the knives at a store if they have both an online and physical store presence, while online-only retailers could consider making arrangements for the item to be collected at a place where age and identity can be verified in person e.g. entering into a third party agreement with another retailer, collection service or post office etc. where age and identity can be verified in person. The important point is that the purchaser's age and identity must be checked.

In the event that retailers make arrangements with a third party to provide collection and age verification services on a retailer's behalf, there will be an associated criminal offence to ensure that the age and identity of the purchaser is checked by the third party. The offence will also apply to retailer who sold the knife and will apply whether or not the purchaser is in fact over 18. This will also apply if the third party hands over the knife even though they know that the purchaser is under 18. We will provide a defence for retailers and third parties who demonstrate that they have taken reasonable precautions and

exercised due diligence similar to the existing defences in section 141A of the Criminal Justice Act 1988.

We are also considering whether the offences should also apply to catalogue/mail order service sales of knives and to delivery services for knives ordered online from abroad.

B. Making it an offence to possess certain weapons in private

England, Wales and Scotland

This proposed new possession offence will apply to offensive weapons (including certain types of knives e.g. zombie knives) described in paragraph 1 of the Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 and section 1 of the Restriction of Offensive Weapons Act 1959. The 1988 Order now sets out 19 different types of weapons such as push daggers, butterfly knives, and zombie knives. In Scotland, the Criminal Justice Act 1988 (Offensive Weapons) (Scotland) Order 2005 sets out the 17 types of weapons to be covered by this new offence. The 1959 Act covers flick knives and gravity knives.

We will use these specific weapons as the basis of the proposed offence. Parliament has already decided that these weapons are of such concern that they should be prohibited from being sold, manufactured, hired, loaned, donated or imported into the UK. These weapons are offensive weapons and their possession in a public place is prohibited without lawful authority or reasonable excuse. We are proposing that this prohibition should no longer be restricted to public places. This will ensure where the police find a zombie knife, for example, in someone's home in future they can arrest and charge the owner with this proposed offence and remove the offensive weapon from the owner. The new offence would have a similar penalty as the existing offence of possession in a public place: namely a maximum of six months imprisonment on summary conviction or a fine; or a maximum of four years imprisonment, a fine or both on conviction on indictment.

Current legislation provides defences for a person charged with possession of an article with a blade or point or an offensive weapon in a public place and on school premises. We will provide defences available similar to other knife legislation, and we are considering providing statutory defences on cultural, artistic and religious grounds.

C. Making it an offence to possess a knife or an offensive weapon in education institutions other than schools

England and Wales⁹

We are proposing to extend the provisions in section 139A and section 139B of the Criminal Justice Act 1988 to the grounds of education establishments other than schools, including the grounds of sixth form colleges, further education colleges and universities. Our intention is to update the law to reflect the significantly increased number of students and provide the police with increased powers to tackle potential incidents involving carrying knives in the grounds of these educational institutions. It is already an offence to carry a knife in a public place or school grounds without good reason.

⁹ The criminal law of Scotland in this area already extends to education establishments.

D. Amending the offences of threatening with an article with blade or point or an offensive weapon

England and Wales¹⁰

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 amended the Prevention of Crime Act 1953 and the Criminal Justice Act 1988 to create new offences of threatening with an offensive weapon and threatening with an article with a blade or point or offensive weapons respectively. Both offences require proof that the defendant threatened the other person with the weapon “in such a way that there is an immediate risk of serious physical harm to that other person”.

The Government is considering amending the offences as there is currently a requirement in that the prosecution must show that there is an immediate risk that the other person will actually suffer serious physical harm. This is a high barrier to prosecution and so instead we are intending to amend the offences the offence is committed when the victim reasonably fears they would be likely to suffer serious physical harm. This test will be based on how a reasonable person would respond to such a threat, and not whether the victim was objectively at risk of immediate serious physical harm.

E. Updating the definition of a flick knife

England, Wales and Scotland

The current definition of flick knives in the Restriction of Offensive Weapons Act 1959 is outdated and refers to the mechanism that activates the blade being in the handle. We will delete the reference to the switch blade mechanism being in the handle, as manufacturers now place the mechanism in a part of the knife that can be argued is part of the blade. This means the prohibition on the sale, manufacture and importing of flick knives cannot be circumvented through changes in their design.

¹⁰ These specific laws do not operate in Scotland.

Proposals for new acid and corrosive offences

This consultation seeks views on the following proposals:

- F. Making it an offence to sell products with certain corrosive substances to under 18s.
- G. Making it an offence to possess corrosive substance in a public place.

F. Making it an offence to sell products with certain corrosive substances to under 18s

England, Wales and Scotland

We are proposing to introduce a new offence preventing the sale of products with the most harmful corrosive substances to under 18s. This is intended to be similar to the existing knife legislation and is in response to the significant proportion of known offenders who are under 18. Introducing this offence would make it harder for under 18s to obtain products containing the most harmful corrosive substances that are of particular concern and which are being used as weapons to inflict serious harm and severe life changing injuries.

In order to support the proposed offence preventing under 18s being sold products containing the most harmful corrosive substances, we are considering whether to list the corrosive substances (including relevant concentration levels) of particular concern in statutory guidance or possibly through an order-making power. Taking such a power, whether through guidance or secondary legislation, would allow us to add further substances or amend concentration levels without needing to resort to primary legislation.

We recognise there are a very wide range of products containing corrosive substances, and many of these do not contain harmful levels of corrosives and certainly do not lead to serious injuries if in contact with a person's skin or eyes. We want the proposed offence to focus on products containing potentially harmful corrosives or harmful levels of corrosives and the proposed list in guidance or secondary legislation will help retailers and others comply with the proposed law.

We are not preventing the sale of such products to adults, but we do not believe that there is a sufficiently strong case for under 18s to be able to buy these substances compared to the risk of some under 18s obtaining a corrosive substance to inflict serious harm.

Retailers will commit the proposed offence if they sell a product containing harmful corrosive substances to a person under 18. This will also apply to online sales. There will be defences available for retailers similar to the existing knife legislation in respect of taking reasonable precautions and exercising due diligence.

We propose that the penalties for this new offence would be similar to the offence in respect of not selling knives to under 18s, which is a term of imprisonment not exceeding six months, or an unlimited fine, or both.

G. Making it an offence to possess a corrosive substance in a public place

England, Wales and Scotland

The Government is proposing to create a new offence of possessing a corrosive substance in a public place. The proposed offence is modelled on the current offence in section 139 of the Criminal Justice Act 1988 of possessing a bladed article in a public place. A similar offence exists in Scotland under section 49 of the Criminal Law (Consolidation) (Scotland) Act 1995.

It is envisaged that similar defences to the knife possession offence would also apply to the proposed corrosive substance possession offence, such as, if the person could prove they had a good reason or lawful authority for possessing it in a public place.

We are not intending to define “corrosive substance” in this offence. As the proposed offence must be flexible enough to cover a range of possible situations: from someone possessing a corrosive substance in a public place that if used as weapon can leave life changing injuries; through to someone using a less harmful corrosive substance which if used as a weapon can still be very unpleasant to the victim but the effect is not lasting.

There is already an existing offence under section 1 of the Prevention of Crime Act 1953 in respect of possessing an offensive weapon in a public place, which may apply if a person is found in possession of the corrosive substance in a public place. However in order to prove the corrosive substance is an offensive weapon it must be shown that the person in possession of the substance intended to cause injury. A similar offence exists in Scotland under section 47 of the Criminal Law (Consolidation) (Scotland) Act 1995. The new proposed offence would put the onus on the person in possession of the corrosive substance in a public place to show they had good reason for being in possession of it.

We are also proposing to create a minimum custodial sentence for those convicted of a second or subsequent offence of possession of a corrosive substance in a public place. This mirrors current knife legislation. The Criminal Justice and Courts Act 2015 introduced a minimum custodial sentence for those aged 16 and over convicted of a second or subsequent offence of possession of a knife or offensive weapon, contrary to section 1 of the Prevention of Crime Act 1953 or sections 139 and 139A of the Criminal Justice Act 1988.

The minimum custodial sentence is at least six months imprisonment for an offender aged 18 or over when convicted and at least a four month detention and training order (DTO) for 16 and 17 year olds.

The judge must impose the minimum custodial sentence unless the court is of the opinion that there are particular circumstances which related to the offence, the previous offence(s), or the offender which would make it unjust in all circumstances.

We propose that the penalties for the new offence should be similar to the offence of possession of a knife in a public place, which is a maximum of six months imprisonment on summary conviction or a fine; or a maximum of four years imprisonment, a fine or both on conviction on indictment. Similarly, we are proposing that the minimum custodial sentence for a second or subsequent conviction for possession of a corrosive substance in

a public place would be similar to the minimum custodial sentence for a second or subsequent conviction for possession of a knife in public.

Proposal on firearms

H. Prohibit .50 calibre ‘materiel destruction’ rifles and rapid firing rifles under section 5 of the Firearms Act 1968

England, Wales and Scotland

These two types of firearms are currently subject to general licensing arrangements but we consider that there are good grounds to subject them to the stricter controls provided by section 5 of the Firearms Act 1968. This provision prohibits the ownership, other than as authorised by the Secretary of State or the Scottish Ministers (as appropriate), of more dangerous, non-civilian firearms such as handguns and automatic rifles.

The Government is proposing to prohibit the ownership of .50 calibre ‘materiel destruction’ rifles of a type developed for use by the military to allow for shooting over long distances, for example, to enable sniping at long ranges and in a manner capable of damaging vehicles and other equipment (referred to in military terms as ‘materiel’). They are also designed to penetrate armour worn by soldiers. These rifles are currently used by a small number of civilian target shooters to test their shooting over very long ranges using large calibre firearms, but we consider that the potential range and penetration of these weapons are such that they are a significant risk if they were to fall into the wrong hands. For this reason, we propose that they no longer be allowed for civilian use.

We are also proposing to prohibit ownership of rapid firing rifles, such as the VZ 58 Manually Actuated Release System (MARS) rifle, which can currently be purchased by anyone who has a firearms certificate authorising them to possess a centre-fire rifle in one of the relevant calibres. While a rifle of this nature is capable of a rapid rate of fire, there is uncertainty about whether they can or should be defined as a self-loading rifle of a kind already prohibited under section 5 of the Firearms Act 1968 because a second pull of the trigger is required to discharge a round. Nevertheless, the rate of fire is significantly greater than a conventional bolt-action rifle and recognising the intention of the Firearms Act to prohibit civilian ownership of semi-automatic firearms and the risk that they would pose if they were to get into the wrong hands, we consider it appropriate to subject rifles of this type to the controls of section 5 of the Firearms Act 1968.

Consultation – Groups and Responses

Copies of this consultation paper are being sent to professional bodies and representative groups at Annex 2.

Questionnaire

Proposal A: Creating offences to prevent knives sold online being delivered to a private residential address and ensuring the age and identity of the purchaser are checked

Q1 Do you agree that further action should be taken to ensure knives are not being sold online to under 18s?

Yes	No
☐	☐

Please give reasons. (max. 250 words)

Proposal B: Making it an offence to possess certain weapons in private

Q2 Do you agree with proposals to introduce an offence of possession of certain weapons in private?

Yes	No
☐	☐

Please give reasons. (max. 250 words)

Proposal C: Making it an offence to possess a knife or an offensive weapon in education institutions other than schools

Q3 Do you agree that it is in the public interest to extend the offence of possession of offensive weapons/articles with blade or point to further education colleges, sixth form colleges, designated institutions and 16-19 academies?

Please explain your answer and give evidence where possible, including on the scale and nature of this problem and the likely impact of such an offence.

Yes	No
☐	☐

Please give reasons. (max. 250 words)

--

Proposal D: Amending the offences of threatening with an article with blade or point or an offensive weapon

Q4 Do you agree that we amend the existing offences on threatening with a knife so that the prosecution must instead prove that the victim would have feared that he/she would be likely to suffer serious physical harm?

Yes	No

Please give reasons. (max. 250 words)

--

E. Updating definition of a flick knife

Q5. Do you agree with our updated definition of a flick knife?

Yes	No

Please give reasons. (max. 250 words)

--

Proposal F: Making it an offence to sell products with certain corrosive substances to under 18s

Q6. Do you agree that we should make it an offence to sell certain corrosive substances to under 18s?

Yes	No

Please give reasons. (max. 250 words)

--

Proposal G: Making it an offence to possess a corrosive substance in a public place

Q7. Do you agree that it should be an offence to possess a corrosive substance in a public place?

Yes	No

Please give reasons. (max. 250 words)

Proposal H: Prohibit .50 calibre 'materiel destruction' rifles and rapid firing rifles under section 5 of the Firearms Act 1968

Q8. Do you agree that we should prohibit these specific weapon types under section 5 of the Firearms Act 1968?

Yes	No

Please give reasons. (max. 250 words)

Business and Trade

Q9 How many knives/articles with blade or point did your business activities (stock, purchase, supply, etc) involve in 2016-17, approximately?

Number:

Q10 What was the value of your turnover specific to knives/articles with blade or point in 2016-17, approximately?

Value:

Q11 What proportion of your business' or organisation's trade in knives/articles with a blade or point originate from online orders?

Value:

Q12 Does your business or organisation trade through third parties in order to deliver knives/articles with blade or point?

Yes	No

Q13 What would be the impact of the knife legislation proposals on your business or organisation if they come into force? Please provide estimates on any costs or benefits, if possible. (max. 250 words)

--

Q14. What number of corrosive substances and products did you sell in 2016-17, approximately?

Drain cleaners/unblockers that contain sulphuric acid

Number:

Drain cleaners/unblockers that contain sodium hydroxide (12% and over)

Number:

Paint strippers that contain sodium hydroxide (12% and over)

Number:

Brick and patio cleaners that contain hydrochloric acid (10% and over)

Number

Cleaning products (including limescale removers) that contain hydrochloric acid (10% and over)

Number:

Cleaning products that contain ammonium hydroxide (10% and over)

Number:

Cleaning products that contain sodium hypochlorite (10% and over)

Number:

Q15. What number of corrosive substances and products did you sell to under 18s in 2016-17, approximately?

Drain cleaners/unblockers that contain sulphuric acid

Number:

Drain cleaners/unblockers that contain sodium hydroxide (12% and over)

Number:

Paint strippers that contain sodium hydroxide (12% and over)

Number:

Brick and patio cleaners that contain hydrochloric acid (10% and over)

Number:

Cleaning products (including limescale removers) that contain hydrochloric acid (10% and over)

Number:

Cleaning products that contain ammonium hydroxide (10% and over)

Number:

Cleaning products that contain sodium hypochlorite (10% and over)

Number:

**Q16. How will your business be affected by the proposal if it comes into force?
Please provide estimates on any costs or benefits, if possible. (max. 500 words)**

--

Q17 Do you have any article captured by the proposal to make it an offence to possess certain weapons in private for which you think that a defence has not been provided?

Yes	No

Number:

Q18 If you replied Yes to Q17, what is the approximately value of the article in your view?

Value:

Q19 How many .50 Calibre firearms do you currently hold as part of your shops stock?

Number:

Q20 If you trade in .50 calibre firearms what is the average value of the stock you hold?

Value:

Q21 If you trade in .50 calibre firearms, what is your turnover from the sale of these rifles from the past year?

Value:

Q22 If you trade in firearms that use Manually Actuated Release Systems such as the VZ58 MARS Rifle, how many do you hold as part of your shop's stock?

Number:

Q23 If you trade in firearms that use the Manually Actuated Release System, what is the average value of the stock of these firearms that you hold?

Value:

Q24 What was the value of your turnover specific to the use of your facilities by those shooting .50 calibre rifles or the Manually Actuated Release Systems such as the VZ58 MARS Rifle.

Value:

Q25. How will your business be affected by the proposals in this consultation if they come into force? Please provide estimates on any costs or benefits, if possible. (max. 250 words)

--

Q26. Do you have any comments or further information to add to the impact assessment to inform this legislative proposal?

Yes	No

Please give details. (max. 250 words)

--

About you: respondent's information

Please use this section to tell us about yourself. Providing this information is voluntary. Please be assured that responses will be treated as personal data by the Home Office in compliance with government guidance on holding personal information.

1	Full name	
2	Company name/organisation (if applicable, please answer Section 5, p.15)	
3	Job title or capacity in which you are responding to this consultation exercise (for example, member of the public or chairman of a representative body)	
4	Contact details: - Email address or - Main address including postcode <u>We will acknowledge receipt of all the responses to the consultation.</u>	
If you would like your response to remain anonymous, please tick this box:		☐

Q27 Do you have any comments about the proposals in this consultation in relation to impact on protected characteristics under the Equalities Act 2010: age; disability; pregnancy and maternity; race; religion or belief; gender; sexual orientation?

Yes	No

Please give details. (max. 500 words)

THANK YOU FOR YOUR RESPONSE

Contact details and how to respond

Please send your response by **9 December 2017** by either -

- Email to: Offensive.Weapons.Consultation@homeoffice.gsi.gov.uk
- Post to:

Tackling Crime Unit
5th floor, Fry Building
Home Office
2 Marsham Street
London SW1P 4DF

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the above address.

Extra copies

The consultation can be found online at

<https://www.gov.uk/government/consultations/offensive-and-dangerous-weapons-new-legislation>

Alternative format versions of this publication can be requested from

Offensive.Weapons.Consultation@homeoffice.gsi.gov.uk.

Publication of response

A paper summarising the responses to this consultation will be published within three months of the closing date. The response paper will be available online at www.gov.uk

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information

we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Home Office.

The Home Office will process your personal data in accordance with the DPA and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties. In responding to the consultation from Scotland, you are however consenting for your response to be shared with the Scottish Government.

Annex 1. Offensive weapons list

England and Wales

The Criminal Justice Act 1988 (Offensive Weapons) Order 1988 applies to the following weapons:

- (a) a knuckleduster, that is, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, and any weapon incorporating a knuckleduster;
- (b) a swordstick, that is, a hollow walking-stick or cane containing a blade which may be used as a sword;
- (c) the weapon sometimes known as a "handclaw", being a band of metal or other hard material from which a number of sharp spikes protrude, and worn around the hand;
- (d) the weapon sometimes known as a "belt buckle knife", being a buckle which incorporates or conceals a knife;
- (e) the weapon sometimes known as a "push dagger", being a knife the handle of which fits within a clenched fist and the blade of which protrudes from between two fingers;
- (f) the weapon sometimes known as a "hollow kubotan", being a cylindrical container containing a number of sharp spikes;
- (g) the weapon sometimes known as a "footclaw", being a bar of metal or other hard material from which a number of sharp spikes protrude, and worn strapped to the foot;
- (h) the weapon sometimes known as a "shuriken", "shaken" or "death star", being a hard non-flexible plate having three or more sharp radiating points and designed to be thrown;
- (i) the weapon sometimes known as a "balisong" or "butterfly knife", being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade;
- (j) the weapon sometimes known as a "telescopic truncheon", being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;
- (k) the weapon sometimes known as a "blowpipe" or "blow gun", being a hollow tube out of which had pellets or darts are shot by the use of breath;
- (l) the weapon sometimes known as a "kusari gama", being a length of rope, cord, wire or chain fastened at one end to a sickle;

(m) the weapon sometimes known as a "kyoketsu shoge", being length of rope, cord, wire or chain fastened at one end to a hooked knife;

(n) the weapon sometimes known as a "manrikigusari" or "kusari", being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip;

[(o) a disguised knife, that is any knife which has a concealed blade or concealed sharp point and is designed to appear to be an everyday object of a kind commonly carried on the person or in a handbag, briefcase, or other hand luggage (such as a comb, brush, writing instrument, cigarette lighter, key, lipstick or telephone)];

[(p) a stealth knife, that is a knife or spike, which has a blade, or sharp point, made from a material that is not readily detectable by apparatus used for detecting metal and which is not designed for domestic use or for use in the processing, preparation or consumption of food or as a toy;

(q) a straight, side-handled or friction-lock truncheon (sometimes known as a baton)];

[(r) a sword with a curved blade of 50 centimetres or over in length; and for the purposes of this sub-paragraph, the length of the blade shall be the straight line distance from the top of the handle to the tip of the blade];

[(s) the weapon sometimes known as a "zombie knife", "zombie killer knife" or "zombie slayer knife", being a blade with--

(i) a cutting edge;

(ii) a serrated edge; and

(iii) images or words (whether on the blade or handle) that suggest that it is to be used for the purpose of violence].

Scotland

The Criminal Justice Act 1988 (Offensive Weapons) (Scotland) Order 2005 applies to the following weapons:

(a) a knuckleduster, that is, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, and any weapon incorporating a knuckleduster;

(b) a swordstick, that is, a hollow walking stick or cane containing a blade which may be used as a sword;

(c) the weapon sometimes known as a "handclaw", being a band of metal or other hard material from which a number of sharp spikes protrude, and worn around the hand;

- (d) the weapon sometimes known as a “belt buckle knife”, being a buckle which incorporates or conceals a knife;
- (e) the weapon sometimes known as a “push dagger”, being a knife the handle of which fits within a clenched fist and the blade of which protrudes from between two fingers;
- (f) the weapon sometimes known as a “hollow kubotan”, being a cylindrical container containing a number of sharp spikes;
- (g) the weapon sometimes known as a “footclaw”, being a bar of metal or other hard material from which a number of sharp spikes protrude, and worn strapped to the foot;
- (h) the weapon sometimes known as a “shuriken”, “shaken” or “death star”, being a hard non flexible plate having three or more sharp radiating points and designed to be thrown;
- (i) the weapon sometimes known as a “balisong” or “butterfly knife”, being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade;
- (j) the weapon sometimes known as a “telescopic truncheon”, being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;
- (k) the weapon sometimes known as a “blowpipe” or “blow gun”, being a hollow tube out of which hard pellets or darts are shot by the use of breath;
- (l) the weapon sometimes known as a “kusari gama”, being a length of rope, cord, wire or chain fastened at one end to a sickle;
- (m) the weapon sometimes known as a “kyoketsu shoge”, being a length of rope, cord, wire or chain fastened at one end to a hooked knife;
- (n) the weapon sometimes known as a “manrikigusari” or “kusari”, being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip;
- (o) a disguised knife, that is any knife which has a concealed blade or concealed sharp point and is designed to appear to be an everyday object of a kind commonly carried on the person or in a handbag, briefcase, or other hand luggage (such as a comb, brush, writing instrument, cigarette lighter, key, lipstick or telephone);
- (p) a stealth knife, that is a knife or spike, which has a blade, or sharp point, made from a material that is not readily detectable by apparatus used for detecting metal and which is not designed for domestic use or for use in the processing, preparation or consumption of food or as a toy;

(q) a straight, side handled or friction lock truncheon (sometimes known as a baton).

Annex 2. Consultation groups¹¹

Acid Survivors Trust International
Alliance of Chemical Associations
Association of Convenience Stores
Association of Colleges
Association of Employment Learning Providers
Association of Police and Crime Commissioners
Association of Town and City Management
Ben Kinsella Trust
British Association for Chemical Specialities
British Association for Shooting & Conservation
British Shooting Sports Council
British Independent Retailers Association
British Retail Consortium
Changing Faces
Chemical Business Association
College of Policing
Confederation of British Industry
Countryside Alliance
County Land and Business Association
Crown Office and Procurator Fiscal Service
Crown Prosecution Service
European Cartridge Research Association
Gun Control Network
Gun Trade Association
Guild HE
Health and Safety Executive Her Majesty's Courts and Tribunals Service
Her Majesty's Revenue & Customs
Her Majesty's Inspectorate of Constabulary
Her Majesty's Inspectorate of Constabulary in Scotland
Heritage Arms Study Group
Historic Environment Scotland
Historical Breechloading Small Arms Association
Holex
Independent HE
Katie Piper Foundation
Museums Association
National Association of Valuers and Auctioneers
National Auctioneers Association
National Ballistics Intelligence Service
National Crime Agency
National Museum Directors' Council

¹¹ Further groups may be added including by the Scottish Government to ensure all key Scottish interests are represented

National Police Chiefs' Council
National Trust
National Trust for Scotland
National Rifle Association of GB and NI
National Small-Bore Rifle Association
National Union of Students
Natspec
Office of the Police & Crime Commissioner for Staffordshire
UK Cleaning Products Industry Association
Police Scotland
Proof Houses
Royal Armouries
Royal Courts of Justice
Royal Society of Chemistry
Russell Group
Scottish Courts and Tribunals Service
Scottish Enterprise
University Chemical Safety Forum
Universities UK
Victim Support
Victims' Commissioner for England and Wales

Ending Gang Violence and Exploitation Forum

Abianda - Gang affected young women
Achieving for Children
Band of Brothers
Barnados
Basildon Council
Bedfordshire Police
Birmingham City Council
Black Country Women's Aid
Brighton and Hove City Council
Bringing Hope
Catch 22
Centre for Mental Health
Cheshire County Council
City of Manchester Xcalibre Task Force
Clinks
Colchester Borough Council
Coreplan
Crimestoppers
Crying Sons
Derby City Council
Early Intervention Foundation

Engage Communities
The Enthusiasm Trust
Essex Police
The Factory Youth Zone
Greater Manchester Police
Growing Against Violence
Hampshire Police
The Harbour Centre
Hastings Borough Council
Humberside Police
Kent Police
Knowsley Metropolitan Borough Council
Leeds City Council
Lime Culture
Liverpool City Council
London Ambulance Service
London Borough of Barking and Dagenham
London Borough of Barnet
London Borough of Brent
London Borough of Bromley
London Borough of Camden
London Borough of Croydon
London Borough of Ealing
London Borough of Enfield
London Borough of Hackney
London Borough of Hammersmith and Fulham
London Borough of Haringey
London Borough of Harrow
London Borough of Havering
London Borough of Hillingdon
London Borough of Islington
London Borough of Lambeth
London Borough of Lewisham
London Borough of Merton
London Borough of Newham
London Borough of Redbridge
London Borough of Southwark
London Borough of Tower Hamlets
London Borough of Waltham Forest
London Borough of Wandsworth
Luton Borough Council
Mac-UK
Manchester Active Voices
Manchester Children's Services – IGMU
Manchester City Council

Manchester Probation
Mayor's Office for Policing and Crime
Medway Council
Mentoring West Midlands
Merseyside Police
Metropolitan Police Service
Middlesex University
Missing People
Mutual Gain
The Nia Project
North East Lincolnshire Council
Nottingham City Council
NSPCC
Oasis Community Hub
Oldham Council
Positive Steps – Oldham
Princes Trust
Race Equality Foundation
Redthread
Royal Borough of Greenwich
Royal Borough of Kensington and Chelsea
St Giles Trust
St Mary's SARC
Safe Innovation Projects Limited
Safer London
Safer Wolverhampton Partnership
SaferMK - Housing and Community Group - Milton Keynes Council
Salford City Council
Sefton Council
Sheffield City Council
South Yorkshire Police
Southampton City council
Staffordshire Police
Suffolk Constabulary
Swindon Borough Council
Tendring District Council
Thames Valley Police
The Averment Group Ltd
West Midlands Police
West Yorkshire Police
Westminster City Council
Wolverhampton City Council
Women and Girls Network

Further affected groups with an interest in this consultation may include museums and exhibitions or fairs; auctioneers; antique dealers, and any other businesses and services whose activities relate to the affected groups.

This list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in or views on the subject covered by this paper.

Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

www.gov.uk/government/publications/consultation-principles-guidance



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