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CHILDREN, FAMILIES AND EDUCATION

CHILDREN'S SOCIAL SERVICES

DANGEROUS WEAPONS POLICY

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CHILDREN, FAMILIES AND EDUCATION DIRECTORATE CHILDREN'S SOCIAL SERVICES

DANGEROUS WEAPONS POLICY

Introduction

This policy document is intended for Kent's Fostering Service and front line social workers and managers who make placement decisions in relation to Kent Looked after Children.

Legal Context

For legislative purposes dangerous weapons fall into two categories:

- Firearms
- Knives and other offensive weapons

Firearms - the legislation relating to firearms is complex. The term 'firearm' means 'a lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged'. Key policy relating to firearms is contained within the Firearms Act 1982 and the Firearms (Amendment) Acts of 1988 and 1997.

The law does not allow for possession of any automatic or semi automatic weapon or handgun.

The law does allow possession of rifles and shotguns but, with the exception of very low powered airguns, they must be licenced with either a firearms certificate (FAC) or a shotgun certificate. The certificate will also specify how much ammunition may be held by the owner for each gun.

Under Home Office regulations a licence can only be issued if a person has a legitimate sporting or work related reason to have a firearm and the Police must be convinced that a person has a good reason to own each gun, that they can be trusted with it without danger to public safety or peace.

The licensing process involves:

- Positive verification of identify
- 2 references from people of good character
- Approval from the family doctor
- Inspection of premises and storage arrangements
- Personal interview by Firearms Enquiry Officer
- Background check by Special Branch

Licensed firearms may be kept in the home as long as the storage meets required standards. This normally means a strong locking metal cabinet that is fixed to a wall. Owners will be expected to demonstrate that ammunition and keys are also kept in a safe place and that the firearm is also secure while in transit to a sporting event or club.

Licences are time limited and require regular renewal. Licences may also include restrictions set by the certification authority, which might include stipulations as to where firearms and ammunition may be held.

Firearms that have been de-activated in accordance with the requirements of the Act, namely that they have been de-activated by a specific authority and bare its mark of approval, are exempt from the certification process.

Antique weapons may also be exempt from certification. However, it will be for the Police to determine whether they are antique or historic. No ammunition may be kept with antique weapons. Historic weapons require certification.

Young people under 14 may not be granted a license to own a firearm under any circumstances although their parent/guardian may have a licence varied for the young person if that young person has a legitimate reason for using the weapon, e.g. competitive shooting.

A young person under the age of 17 is not allowed to purchase or obtain a firearm unless it is a gift in which case they will be required to go through the same vetting process as an adult.

Offensive weapons – are defined by the Offensive Weapons Act 1996 as a ‘knife, knife blade, razor blade or axe or any other article, which has a blade or is sharply pointed, made or adapted for causing injury’.

The Knives Act 1997 uses the term ‘suitable for combat’ and defines this as anything that could be used as a weapon to cause injury.

These Acts, together with others, made it an offence to sell such implements to young people under 16, for any person to take such items into school premises and for people to carry items concealed upon their persons that could be used to cause injury.

Policy Statement

Looked After Children have often either experienced or witnessed violence or do not have the capacity to recognise danger or protect themselves. Therefore, it is Kent’s policy that Looked after Children must be protected from coming into contact with dangerous weapons.

Kent is a large rural county with a tradition of hunting and country sports and it is recognised that amongst those who wish to be approved as foster carers or adopters there will be applicants who possess firearms and other dangerous weapons. Kent will, therefore, require people who wish to be approved as foster carers or adopters and who have weapons on their property to take stringent precautions to keep them away from children in placement unless such contact is specifically agreed as part of the child’s or young person’s care plan.

Definition of dangerous weapon

While this is not a definitive list, dangerous weapons include:

- All firearms including replicas, de-activated guns and air rifles
- Hunting knives and blades prohibited for sale to those under 16
- Swords, axes and machetes

Risk Assessment of carers

Potential or existing foster carers or prospective adopters or kinship carers who have weapons or implements that could be viewed as weapons on their property must bring this to the attention of their social worker. An assessment of risk to the safety of Looked after Children must be carried out to determine whether:

- The weapons are kept out of the sight of all children living in the home and that the actual or prospective carers ensure that they are never brought to the attention of the child/ren unless this is expressly agreed by the child's social worker. This will include an assessment of whether the weapons are part of the normal life style of the family and how the child could be protected from them;
- Where a firearms licence is required, the documentation is in order and any requirements related to the licence have been met;
- The weapons are stored in a secure cupboard that is always locked and not accessible to the child.

This policy also applies to relatives and friends who apply to be foster carers of children that are known to them. Applicants who cannot satisfy the Directorate that their protection plan is robust will not be approved. If an existing carer is not able to satisfy the Directorate that they have a robust protection plan in place, this matter will have to be considered at a Fostering Panel.

Risk assessment of child/young person

Clearly, some children or young people may be particularly vulnerable and additional actions may be required to protect them in placement. It is therefore important that, as part of the assessment of the child or young person being placed, any specific vulnerability or interest in weapons is identified so that this may be brought to the attention of the foster carers and inform the care plan