



United Kingdom Airsoft Players Union

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To whom it may concern

This informational pamphlet has been prepared in support of the efforts of Airsoft in Canada and others by the United Kingdom Airsoft Players Union, an unincorporated association in the United Kingdom that acts on behalf of airsoft players for issues relating to legislation which may affect the sport of airsoft.

As part of our responsibilities, we actively work with governments across the world to provide insights into UK airsoft legislation and we are considered to be the primary stakeholder when it comes to expressing the thoughts of players to UK government.

If you are not aware of the sport of airsoft, it is very similar in nature to that of paintball. It is a sport that promotes socialising and physical exercise, things that should be strongly promoted especially after the effects of social isolation due to the recent (or current, depending on one's viewpoint) Coronavirus pandemic.

Both the members of the UKAPU committee, and the wider community of airsoft players within the UK have been following the progression of Bill C-21¹ as it makes its way through the Canadian legislative process with great concern.

This concern is held as the bill appears to, as written, create an informal prohibition on the sport of airsoft. Whilst I'm sure that one has been made aware of the monetary effects to retailers and site owners, I would like to take this opportunity to put forward the point of view of airsoft players, and in addition explain the legislation here in the UK – a jurisdiction that once faced legislation that had similar effects to Bill C-21 and that, through the tireless campaigning of the wider UK airsoft community, were ultimately successful in persuading the UK government that airsoft as a sport did not need to be unnecessarily curtailed.

¹ <https://www.parl.ca/legisinfo/en/bill/44-1/c-21>

The position of UK legislation

Airsoft as a sport in the UK faced similar legislation back in 2006, with the introduction of the then-titled Violent Crime Reduction Bill. This bill has similar intentions as Bill C-21, insofar as that it intended to prohibit the sale and importation of imitation firearms.

The legislation, as drafted, wasn't to result in an outright ban, however as consequence of new players not being able to join the sport, and replacement airsoft replicas being almost impossible to legally acquire, it would have led to the rapid cessation of airsoft as a viable sport².

Due to the valiant efforts of UK airsoft players and those in the industry alike, consideration was granted³ to those who were legitimate airsoft skirmishers and also those who wished to find a legal way into the sport.

Whilst the legislation here in the UK still is written in a manner which when read, prohibits the sale, importation and manufacture of imitation firearms⁴ that are realistic in appearance, or conversion of non-realistic replicas into those that are realistic, through secondary legislation it is still possible to obtain imitation firearms for the purposes of airsoft in legal manner.

At the time of writing, there are two routes in which a person who either wishes or is already involved in airsoft – can use to purchase imitation firearms which are used in the sport:

- Purchasing or importing an imitation firearm which is non-realistic in appearance, something that is colloquially known as a “two-tone”. This is a replica that has been deemed non-realistic in appearance⁵, and those who wish to purchase these must be older than 18⁶
- Purchasing or importing an imitation firearm which is realistic in appearance, which is allowed for those who have good reason, specifically in connection with playing at an airsoft site that is adequately insured for third party liabilities

It is important to note that those who are selling realistic imitation firearms – including both players and retailers – are the ones placed with the legal burden of ensuring that the customer is someone who is legally entitled to purchase said articles.

In addition retailers or other commercial enterprises are able to purchase or import realistic imitation firearms, as long as the reason why they have obtained these is ultimately for the onward legitimate sale or use of these imitation firearms⁷.

Whilst there is no formal register of airsoft players in the UK, a popular way to demonstrate good reason to purchase realistic imitation firearms is through being registered as a player on a database owned by the United Kingdom Airsoft Retailers Association – database access rights are granted to police forces and customs⁸ to verify the player's details.

In addition there are power limits on the muzzle energy of airsoft replicas which are defined within legislation – these have no effect on whether or not a replica firearm can be sold, but define whether or not these articles fall under restrictions of air weaponry or firearms under the UK Firearms acts.

² <http://news.bbc.co.uk/1/hi/england/4686161.stm>

³ <https://www.legislation.gov.uk/ukxi/2007/2606/regulation/3/made>

⁴ <https://www.legislation.gov.uk/ukpga/2006/38/section/36>

⁵ <https://www.legislation.gov.uk/ukxi/2007/2606/regulation/6/made>

⁶ <https://www.legislation.gov.uk/ukpga/1968/27/section/24A> – enacted, ignore incorrect ref. to prospective legislation

⁷ <https://www.legislation.gov.uk/ukpga/2006/38/section/37>

⁸ <https://ukara.org.uk/#privacy>

The power limits for Great Britain (so, England, Scotland and Wales) are as follows⁹:

- Replicas that are capable of emitting one projectile at a time, 2.5 joules of muzzle kinetic energy (approximately 1.84 ft-lb)
- Replicas that are capable of emitting more than one projectile at a time, 1.3 joules of muzzle kinetic energy (approximately 0.95 ft-lb)

Northern Ireland is a separate jurisdiction, which holds that anything that is pertaining to be an air weapon or firearm must have an appropriate certificate where the muzzle energy is above 1 joule¹⁰.

All replicas are therefore at or below 1 joule (approximately 0.73 ft-lb) of muzzle kinetic energy.

The benefits of airsoft

During the past couple of years, people across the planet have mostly – for the safety of themselves of others – been confined to their houses. For many people, communicating with their friends and loved ones virtually using applications such as Skype or Zoom were the only way for people to socialise.

Whilst airsoft as a sport involves a considerable amount of exercise – think of it as being similar to game of soccer but with cross country hiking involved, there is a massive mental health benefit to it too.

I personally use participating in the sport of airsoft to socialise with friends and to meet new people. In a world where people are sadly being once again becoming targets of racism, sexism, homophobia or transphobia, it is my experience that airsoft players are very welcoming to those from what one may consider to be “marginalised backgrounds”.

And the mental health benefits don't stop at socialising. Airsoft has been looked at for many years as a potential way to aid the rehabilitation of military veterans with anxiety disorders such as post traumatic stress disorder.

I attended a game day earlier in 2022 where the focus of the day was targeting raising money for mental health charities – judging from some of the testimonials of some of the airsoft players who were brave enough to tell those present their awful experiences of their prior poor mental health, it would appear that them finding the sport of airsoft and taking part in it was critical to them beginning their recovery process.

What about the misuse of imitation firearms?

Whilst misuse of imitation firearms aren't unheard of here in the UK, they are rare. Due to the relatively strict controls that are in place when obtaining imitation firearms that are realistic in appearance, those with criminal tendencies have been known to instead steal firearms such as shotguns from those who are legally licensed to have them, or illegally import pistols from mainland Europe.

The sales of imitation firearms here in the UK are in effect self-policing. Whilst the police here do not like the abuse of imitation firearms, the community here is even more vocal in their dissatisfaction when there is the potential to bring the sport into disrepute. We have experienced first hand the feeling of nearly losing our sport and as a result the community is vocal when the sport is put in a bad light.

Understandably the environment regarding firearms in Canada is substantially different. The United Kingdom, for example, is not located next to the biggest consumer market for firearms, without the advantages and pitfalls of being positioned along side such a market provides.

⁹ <https://www.legislation.gov.uk/ukpga/1968/27/section/57A>

¹⁰ <https://www.legislation.gov.uk/nisi/2004/702/schedule/1/crossheading/air-guns-and-ammunition/made/data.pdf?view=extent>

A further note on airsoft replicas

Airsoft replicas are imitation firearms which share considerably the appearance of actual firearms but without the physical capability to support the discharge of a live bullet.

These replicas, when used safely, are relatively harmless. Numerous governments, when determining how to handle legislative aspects of airsoft, have commissioned scientific testing in order to determine their risk to human health and the tests that I have personally reviewed have concluded that airsoft replicas, when used in the manner that they are intended to be used, pose minimal risk to those taking part¹¹ in the sport.

Physical appearances of replicas play little part in the sport – having a replica coloured in a bright colour does little to harm game play. The replica being as realistic in appearance however adds to the illusion of disbelief. It makes playing the sport more fun and enjoyable. It also contributes to the safety aspect, as players are less likely to take risks with something that could be misconstrued as a real firearm.

However, having a replica coloured in a bright colour does little to aid with law enforcement either, as there's nothing to stop those with nefarious intentions from spray painting a live firing firearm in similar colours – in what one would describe as a devious attempt to assure others that what they have does not pose a firearm risk to others.

From what I have managed to gather from the Canadian press, there are fears that the presence of airsoft replicas are causing identification issues for police¹².

As an example, it is the position of the police in the United Kingdom that anything that looks like it could possibly be a firearm is a firearm until said article has been confirmed to be safe.

To elaborate, an airsoft replica identical in appearance to a live firing firearm, or an airsoft replica painted in bright proscribed colours to suggest it is not an actual firearm, or a prop firearm made out of foam or even a banana held pressed under a jacket to provoke the assumption that someone is carrying a firearm are all things that are to be judged as firearm risks until proven otherwise.

Conclusion

It is understandable that the government and law enforcement agencies of Canada feels that there exists a problem with firearms that they wish to resolve.

However, I cannot help but feel that targeting those who wish to take part in a sport that helps build social cohesion, strengthens and creates relationships and promotes exercise, in an era when people have recently been promoted or forced to stay inside, feels in my opinion, a rather unwise move.

Yours faithfully,

David Weston
Chairman of the United Kingdom Airsoft Players Union

¹¹ https://www.ukapu.org.uk/wp-content/uploads/2022/09/2011_Lethality_-_Certified_Document.pdf

¹² <https://globalnews.ca/news/8706351/saint-john-police-warn-increase-imitation-firearms/>