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Government Consultation on New Legislation On Offensive and Dangerous Weapons – Knives Sold On Line – Post Office and Royal Mail Workers:

To: All Branches

Dear Colleagues,

The Home Office on behalf of the Government has conducted a public consultation, on “new legislation on offensive and dangerous weapons” which amongst other things, seeks views on the proposal for creating a new range of criminal offences in order to prevent knives sold online being delivered to private residential addresses and to ensure the age and identity of the purchaser are checked.

The proposal for England, Wales and Scotland is that where a knife is sold online, it is an offence to deliver the knife to a private residential address and that 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 is intended to provide additional safeguards to the current legislation which already makes it a criminal offence to sell knives to a person under 18.

We note the possible options open to retailers include requiring that customers collect the knives at a store if the retailer has 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 with the important point that the purchaser’s age and identity must be checked. In the event that retailers makes 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 identify of the purchaser is checked by the third party.

The proposals will require that the third party (e.g., Post Office or Royal Mail Caller’s Office Staff) that hands over the knife provides a defence for retailers and third parties to demonstrate that they have taken reasonable precautions and exercised due diligence, similar to the existing defences in the Criminal Justice Act 1988. This may also apply to catalogue/mail order service sales of knives and to postal delivery services for knives ordered online from abroad.

The CWU Health, Safety & Environment Department has responded to the Home Office on behalf of Postal Workers in the UK and along with Royal Mail has made a number of important points:

- The CWU recognises the importance of tackling knife crime and understands the intention of the proposal to better control the sale of knives which is a principle our Union would support.
- We have a number of practical concerns around the proposal for a new offence of delivering a knife to a private residential home or dealing with purchasers collecting knives from a Post Office or Royal Mail Caller's Office.
- We strongly believe liability should sit with the vendor/sender of knives, not the carrier and/or its employees (CWU members).
- The introduction of this new law could well lead to an increase in online, internet purchasing of knives and if that should be the case then liability should rest with those selling and sending the knives out to buyers.
- Criminal liability should not be extended to those Postal workers making deliveries or staffing Post Offices and Royal Mail Caller's Offices where parcels and packets are collected by members of the public and where:-
 - Firstly the Postal workers will not know what the parcel/package contains and it would be wholly wrong to prosecute the Postal worker should a knife have been collected illegally.
 - Secondly, if it is known that the parcel/package contains a knife or knives, sold under the new control law, again it would be wrong to hold the Postal worker responsible and criminally liable for establishing, checking and verifying the age and identity of the person collecting the package.
 - Thirdly the Postal worker's personal safety and security could be endangered should altercations occur as a result of the process.
- The important point is that the sending of parcels and packages are beyond ordinary Postal workers' control.

The Consultation has closed and the feedback is being analysed. We await the outcome of the public feedback.

Yours sincerely



Dave Joyce
National Health, Safety & Environment Officer