

Policy and Procedures

Firearms, Weapons and Archery Policy 2020

PURPOSE

The purpose of this policy is to provide a clear framework for the use and storage of firearms and weapons and archery equipment by Members as part of Scouting activities. Firearms and weapons are dangerous and are subject to strict legislative controls. Similarly, archery can be dangerous. In addition, parents and guardians of Youth Members may have differing views as to the appropriateness of their children engaging in activities involving firearms and weapons. In particular, this policy is intended to assist leaders make decisions about the use of firearms and weapons as part of youth programs.

SCOPE

This policy applies to all formations of The Scout Association of Australia, Victorian Branch ('Scouts Victoria') when undertaking Scouting activities. It also applies to non-Scout Members where they use a facility on Scout Association properties.

The policy covers the use and storage of firearms (as defined by the Firearms Act 1996) and the use and storage of weapons (as defined by the Control of Weapons Act 1990) by Members, whether or not such activities are provided by Scouts Victoria or others. Note that the definition of a firearm includes shotguns, rifles and hand guns as well as air guns, air rifles and paintball guns/markers. The definition of a weapon includes, but is not restricted to, throwing blades, swords, crossbows, knives and spear guns. The policy also covers the use and storage of bows (and arrows).

The policy does not cover 'toy firearms' (such as water pistols and foam dart guns), nail guns, or purpose-built starter pistols, nor does the policy apply to archery using non-sharp arrow tips eg forms involving magnetic tipped arrows (eg 'Stick-it Archery') or arrows with foam marshmallow tips (eg 'Archery Tag').

POLICY STATEMENT

It is Scouts Victoria policy that Member's use of firearms, weapons and all forms of bows during Scouting activities be limited and carefully controlled, and that at all times any such use accord with the requirements of Victorian firearm and weapons legislation and the 'Policy and Rules' of The Scout Association of Australia. More specifically:

- Firearms shall not be brought into or stored on any Scout Association property.¹
- Members shall not use firearms except at an Official Shooting Range supervised by an authorised person of an approved Target Shooting Club and subject to the respective age-based restrictions (see below).
- No Member is permitted to possess, use or carry a prohibited weapon, other than a sword by "a person aged 18 years or over who is an active member of the Scout Association" used for the purpose of "keep and display a sword; or participate in ceremonial activities"² – and only by a Rover Scout, Rover Advisor and/or Rover Scout formation.
- No Member is permitted to possess, use or carry a controlled weapon, other than a knife which isn't of a type listed as a prohibited weapon, "when engaged in lawful sport, recreation or entertainment" (eg a kitchen knife or a Swiss Army style knife (clasp knife) can be used for their normal purposes during a Scout activity).³

¹ This provision does not apply to government personnel, for example a police officer, in the course of their official duties.

² This legal exemption to possess swords is made by Order in Council dated 3 June 2014.

³ Other examples: diving tool/knives, fishing knives and utility/hobby knives used for their specialised purpose.

- Members shall not use spear guns,⁴ nor crossbows.⁵ Members shall not use a throwing axe / throwing tomahawk in Victoria, unless an exemption has been obtained under the Control of Weapons Act 1990.⁶
- Members shall not use legally permitted bows other than at a Designated Archery Range under the continuous supervision of an adult.

RESPONSIBILITIES

Executive Manager

- Ensure that this policy is made generally available to Members, and is placed on the Scouts Victoria website.
- Maintain a register of Scout Association properties with a Designated Archery Range and the conditions, if any, applying to such ranges.

Chief Commissioner, or nominated delegate

- Consider applications for the designation of archery ranges on Scout Association property.

Victorian Rover Council

- Maintain a 'record of possession' of all swords owned by a Victorian Rover Unit and/or stored on Scout Association property.

Leader (of Section, Group or District)

- Shall not organize a shooting activity involving firearms other than where conducted under the supervision and instruction of an approved club at an Official Shooting Range.
- Shall not permit a Youth Member to participate in a shooting activity involving firearms unless they wish to do so and their parent/s or guardian has given written permission to participate,⁷ and that all safety and any other requirements of the club conducting the activity are met.
- Shall ensure that all legal requirements, including age limits, are met⁸ viz:
 - no Member under the age of 12 years be permitted to engage in a shooting activity involving firearms.
 - Members aged 12 to 17 years shall only engage in a shooting activity involving firearms (other than a paintball activity) if they have the written consent of their parent/s or guardian.
 - no Member under the age of 16 years be permitted to engage in a paintball activity.
- Shall not permit Youth Members to use bows and arrows other than where conducted under the supervision and instruction of an adult at a Designated Archery Range and unless all safety and any other requirements of the Property Manager and/or operator of the archery range are met.
- Ensure that any other Scouts Victoria general activity notification requirements are met.⁹

Leader of a Rover Unit

- Responsibilities as per Leader and, in addition:
- Shall ensure that if a sword is possessed by a Unit, that it is registered with the Victorian Rover Council, is stored safely and securely (ie locked) and used in a safe and appropriate manner and in accordance with relevant Victorian Rover Scout Council's procedures.

⁴ Note that spear guns are a controlled weapon, but that under this Policy may not be used by Scouts for a lawful purposes ie spear fishing – as they are not only potentially dangerous but difficult to supervise.

⁵ Crossbows are specifically listed as a prohibited weapon in the regulations.

⁶ Throwing blades, including knives or axes modified to be thrown, are prohibited weapons in Victoria and thus illegal unless specific approval by the Victoria Police Chief Commissioner, or a Governor in Council Exemption Order, has been granted for their possession and use.

⁷ For example, by using the Scouts Victoria Form Y5 'Special Activity Permission Form'.

⁸ Including ensuring that no Member, or person accompanying the Member to the activity, is a 'prohibited person' under the Firearms Act 1990.

⁹ For example, completion of an 'Adventurous Activity Notification Form', ScoutSafe risk management plan, and seeking authorisation of external experts – as detailed in the current Scouts Victoria Info Book.

Property Manager and/or Activity Team and/or Event Team

- Shall ensure that if bows and arrows are proposed to be brought into or stored on a Scout Association property that they be stored safely and securely and shall nominate a specific adult to be responsible for them.
- A Property Manager proposing to offer or permit activities using bows on Scout Association property, shall seek approval to retain or establish an archery range from the Chief Commissioner or their delegate, and ensure that conditions of such approval/s, if any, are met.¹⁰
- An activity team or event team proposing to conduct an archery event that is not being held at an Official Shooting Range or Designated Archery Range shall obtain the prior approval of the Chief Commissioner or their delegate to establish a temporary range – to ensure that appropriate safety and risk management controls are in place.

PROCEDURES

Applications for the designation of archery ranges on Scout Association property

- Applications for the designation of existing or proposed archery ranges on Scout Association property shall be submitted to the Chief Commissioner, or their nominated delegate, in writing and at least four weeks prior to the intended use of the range.
- Applications shall include the approval of the land owner (where relevant), the purpose of the range (including the equipment proposed to be used and whether the range is to be temporary or permanent), nomination of the adult member/s to be responsible for the archery range and details of proposed safety and risk management controls, including:
 - safety cordoning
 - butts
 - overshoot areas
 - warning signs.
- Approval and, if any, conditions of approval shall be in writing.
- On approving an application, the Chief Commissioner, or their delegate, shall advise the Executive Manager so that it can be included in the register of Scout Association properties with a Designated Archery Range.

Events held by other State Branches or overseas Scout Associations

- The Victorian contingent leader shall ensure that the principles of this Policy are adhered to and that, in particular, Victorian Youth Members who have applied for the event and wish to participate in an activity at the event involving a firearm or weapon, and their parents or guardians, give explicit approval to participate in that activity.

DEFINITIONS

Activity Team / Event Team: A team or group under the auspices of, and reporting to, a District, Region or Branch, with an approved charter or terms of reference. They include, for example, activity teams such as Branch adventurous activity teams and event teams such as those established to run large camps such as Kangarees, Cuborees, Gilveroo, VicGathering and SurfMoot.

Adult Member: As defined by 'Policy 3.1 Members' of Policies and Rules 2017 (National Council of the Scout Association). A Member over the age of 18 years.

Approved Target Shooting Club: Being a club approved under the Firearms Arms Act 1996.

Bows: Types of bows include recurve bows, compound bows, crossbows and longbows. Only cross bows are gazetted as weapons under Victorian legislation.

¹⁰ The Property Manager of a Scout Association property which has an archery range established prior to the approval of this policy, will need to follow the procedures of this policy to obtain the status of a 'Designated Archery Range'.

Designated Archery Range: For the purposes of this policy, an area specifically designated to undertake archery ie use bow and arrows, which is one of the following:

- a range or archery field on Scout Association property – which may temporary ie in use for a specific event, or permanent ie for ongoing use;
- a range or archery field operated by an archery club affiliated with Archery Victoria;
- a range or archery field, other than a range or archery field on Scout Association property, at a QTF accredited campsite.

Firearm: For the purposes of this policy, firearm has the same meaning as defined in the Firearms Act 1996. In summary, any devise designed or adapted, or is capable of being modified, to discharge shot or a bullet or other missile – including air guns, hand guns, long-arm firearms such as rifles and shot guns but excluding spear guns designed for underwater use and signal flares.

Leader: Being an adult holding a Certificate of Adult Leadership in the Scout Movement.

Members: As defined by 'Policy 3.1 Members' of Policies and Rules 2017 (National Council of the Scout Association).

Youth Member: As defined by 'Policy 3.1 Members' of Policies and Rules 2017 (National Council of the Scout Association). A Member under the age of 18 years.

Official Shooting Range: For the purposes of this policy, means a target shooting range operated by an approved Target Shooting Club. Note that a firearms licence is not required when undertaking target practise at an approved club's shooting range.

Scout Association Property: For the purposes of this policy, means land and improvements, including freehold and leaseholds as well as land and improvements held or occupied under licence or other legal instrument or arrangement.

Weapon: For the purposes of this policy, weapon has the same meaning as defined in the Control of Weapons Act 1990 (relevant extract included as Attachment 2) – that is any weapon other than a firearm. Under the legislation, weapons are categorized as prohibited weapons (eg swords, crossbows, martial arts weapons, certain knives and blades, blow guns, knuckle dusters and so forth) and controlled weapons, the latter being weapons that can be possessed, carried and used for legitimate purposes but may pose a potential danger to the community (eg some knives, spear guns, batons, cattle prods, etc).

RELATED DOCUMENTS, REFERENCES

- Archery Australia Safety Guidelines 2011
- Control of Weapons Act 1990 (Vic)
- Firearms Act 1996 (Vic)
- 'Policy and Rules 2017', The Scout Association of Australia
- Victoria Police www.police.vic.gov.au
- Rover Scouts Victoria – Sword Information <https://www.vicrovers.com.au/resources/crews/swords>
- Note: This policy supersedes the 'Guns and Firearms Policy 1998'

PROCEDURE OWNER

The Chief Commissioner chief.commissioner@scoutsvictoria.com.au

Date of Approval: 22 October 2020

Date Effective, other than the Designated Archery Range procedures: 6 October 2020

Date Effective, for the Designated Archery Range procedures: 22 April 2021 [to allow the relevant approval procedures to be implemented]

Review Date: October 2023.