



POLICY AND GUIDANCE ON THE USE OF WEAPONS

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POLICY AND GUIDANCE ON THE USE OF WEAPONS

This Policy and Guidance has been provided to assist instructors and students in the use of weapons in Aikido and Iaido sessions. It forms part of (and should be read in conjunction with) the overall Tenchi Ryu Health & Safety Policy and Risk Assessment. Both of these documents can be found on the Tenchi Ryu website www.tenchi-ryu.com

This document does not constitute legal advice of any kind.

Please also see separate section in this document regarding the additional restrictions re the use of metal-bladed weapons

THE LAW: OFFENSIVE WEAPONS

Section 1 of the Prevention of Crime Act 1953 prohibits the possession in any public place of an offensive weapon without lawful authority or excuse.

The term 'offensive weapon' is defined as: "any article made or adapted for use to causing injury to the person, or intended by the person having it with him for such use"

These could include weapons such as original and replica "samurai swords" (i.e. curved blades of 50cm or over in length from handle to tip) and tanto, and under the 2008 Amendment to the Criminal Justice Act 1988 (Offensive Weapons) could include weapons made from wood, alloy, carbon fibre or even plastic.

The use of approved weapons is covered by the Tenchi Ryu Insurance policy, subject to strict adherence to this Weapons Policy.

THE LAW: METAL BLADED/POINTED WEAPONS

Under section 139 of the Criminal Justice Act 1988 it is an offence for a person to have with him/her in a public place any article which has a blade or is sharply pointed, except a folding pocket knife with a cutting edge of three inches or less.

Meanings:

Public place is any highway or premises to which members of public have access at the time whether permitted to have access by payment or not. Examples are cinema, leisure centre, dojo, car park.

With him/her means possession and possession can be to have it on your person. However, there is also something called "constructive possession" which means that you have control over it even though the weapon may not actually be on your person. For example, if someone else is holding the weapon for you. In this scenario it could be said that you have control over the item while the other person holds it and so you could both be accused of the offence.



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A blade means the blade of a knife or sword. It does not matter that the blade is not sharp.

THE LAW: SWORDS

The sale, manufacture, hire, loan, importation or donation of certain types of weapon is prohibited by section 141 of the Criminal Justice Act 1988 and the Criminal Justice Act 1988 (Offensive Weapons) Order 1988, SI 1988/2019 (as amended). The following definition is taken from this list of prohibited weapons:

- *a sword with a curved blade of 50 centimetres or over in length; and for the purposes of this subparagraph, the length of the blade shall be the straight line distance from the top of the handle to the tip of the blade.*

Weapons that would otherwise fall into this category are excluded from the prohibition if they are “antiques”. For these purposes, a weapon constitutes an antique if it was manufactured more than one hundred years before the date of the alleged offence.

In respect of swords that would otherwise be covered by subparagraph (r) above, a person charged will have a defence if they can show that:

- the weapon in question was made before 1954 or was made at any other time according to traditional methods of making swords by hand; or
- his conduct was for the sole purpose of making the weapon available for the organisation and holding of a “permitted activity” (defined as a historical re-enactment or a sporting activity requiring the use of the weapon) for which public liability insurance is held.

DEFENCES

It is a defence for a person to prove that he had good reason or lawful authority for having the article or weapon with him in a public place ¹

Although there are defences, they may not protect you from arrest if the police believe that an offence has been committed.

Whilst the words “reasonable excuse” and “good reason” in may provide a defence in relation to the carrying aikido/iaido weapons, it will be for the individual, not the police, to prove that they had a reasonable excuse or good reason for possessing the item.

¹ researchbriefings.files.parliament.uk/documents/SN00330/SN00330.pdf



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TYPES OF WEAPONS USED IN TENCHI RYU CLASSES

WOODEN WEAPONS, INCLUDING BOKKEN, KUBOTAN, TANTO, TANJO AND JO.

The use of wooden weapons is covered under the Tenchi Ryu insurance policy providing that the guidance in this document is followed.

METAL BLADED WEAPONS

The used of metal-bladed weapons covered under the Tenchi Ryu insurance Policy providing that the guidance in this document is followed.

Please note:

It is Tenchi Ryu policy that the use of metal-bladed tanto is prohibited in ALL classes.

It is Tenchi Ryu policy that the use of iaitos is restricted to iaido classes

IAITO AND SHINKEN

- These may be used for solo practice only. (See Risk Assessment section.)
- Shinken blades may not be used in general iaido classes by students OR instructors. Shinken may be used by Instructors only during private solo practice.
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MISCELLANEOUS

Rubber knives and replica weapons of various kinds may be used in simulation exercises, again subject to the adherence to this guidance document

GENERAL GUIDANCE TO BE FOLLOWED

TRANSPORTATION AND STORAGE

The law regarding the carrying of weapons in a public place is contained in SECTION 1 of the Prevention of Crime Act 1953 and SECTION 139 of the Criminal Justice Act 1988.

- If a Tenchi Ryu member carrying weapons is stopped by the Police, they should give every assistance to the officer(s) and offer a full explanation as to why such weapons are being carried. No attempt to conceal the fact that weapons are being carried should be made. Members carrying weapons are advised to print off their personal membership card from the MemberMojo site.



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- Weapons should be carried directly to and from a practice and should not be left in a vehicle either permanently or overnight.
- Weapons must be carried in a secure bag and never left unattended. “Live blades” must always be transported in their scabbards
- Avoid travelling on public transport when carrying weapons.
- Instructors’ iaitos may be stored in the secure cupboard at reception if left in the dojo.
- Students must take weapons home: any weapons left at the dojo will be at the owners’ risk and responsibility

RISK ASSESSMENT

Before starting a training session the instructor should carry out a risk assessment. Students should also be made aware of their duty of care to keep themselves and others safe.

Risk assessments should include the following:

1. The Dojo floor should be clean and dry with no trip hazards; check for holes, gaps etc in the mats and potential slippage from sweat or spills etc.
2. The height of the ceiling should be sufficient to avoid contact with weapons and the training area should be free from (or away from) obstructions such as pillars, heaters etc.
3. It is very difficult to give a minimum space requirement for planning practice with weapons. Instructors should take into account, for example:
 - a. The level of skill of the student
 - b. The technique or kata being performed
 - c. The total number of students in the class
 - d. Is the practice solo or in pairs
 - e. The type of weapon being used
 - f. Be aware of the space required *behind* the students
4. Ensure students know how to check their own equipment and understand how to use it safely.
5. Weapons and any related equipment should be checked for safety
 - a. WOODEN, PLASTIC AND RUBBER WEAPONS: check for cracks and splits
 - b. IAITO: check for cracks and splits in the metal blade. Particular attention should be paid to the security of the handle, ensuring that it is not loose. The tsuba should firmly attached with



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no evidence of loose movement. Remember that the pin securing the blade to the handle may work loose and so this should be checked before every practice.

6. The student's gi and hakama should be worn correctly to avoid the risk of tripping and to avoid weapons becoming entangled in clothing.
7. Additional risk mitigation measures should be in place where there are other "users" sharing an area, particularly in sports hall or leisure centres, where access routes are shared with other activities.

TRAINING WITH WEAPONS

1. The Instructor should ensure the students always practise what is being taught and not permit any deviation during the training session. The concept of progressive practice should be used.
2. There should be an atmosphere of study and concentration
3. Be aware of sweaty wrists and palms
4. Under no circumstances should any weapons be left lying on the dojo matted area. ALL iaito must be in their scabbards when not in use.
5. Where they might be other people present in the vicinity of the matted area (e.g. spectators, other venue users passing through) then there must be at least a 2 metre safety zone around the matted or training area
6. The instructor shall be responsible for all persons present, whether on or off the mat.
7. Metal-bladed weapons are not allowed in any aikido class. However, an exception would be a pre-planned iaido demonstration under controlled conditions, supervised by, or given by the instructor, and with the prior approval of the Chief Instructor (Brian Stockwell)

DISCLAIMER

By providing this information, Tenchi Ryu is not providing legal advice or any indication as to what might or might not be an acceptable defence should you be stopped by police whilst carrying a weapon.

This information is supplied in good faith for information only, and should not be considered an alternative to professional legal advice.



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CHANGE LOG

March 2020

Removal of restrictions regarding Instructors holding the Weapons Module certification (rationale: to be included in L2 coaching to formalise evidence of skills and knowledge)