



BRIEFING PAPER

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Knives and offensive weapons

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Summary

This briefing provides information on the two main categories of offence relating to knives and offensive weapons in England and Wales: offences relating to possession and offences relating to sale and supply. It also describes police guidance on cautioning and charging and the Government's policy on knife crime.

For statistics on knife crime, please see [Library Briefing Paper 4304 Knife crime statistics](#).

Offences relating to possession

It is an offence to possess an offensive weapon or bladed or sharply pointed article in a public place or on school premises. There is also an aggravated form of these possession offences, committed when the person in possession of the weapon uses it to threaten another in such a way that there is an immediate risk of serious physical harm to that person. Offenders aged 16 or over convicted of these possession offences will (in certain circumstances) receive a minimum custodial sentence.

Offences relating to sale and supply

It is an offence to manufacture or sell dangerous weapons (flick knives and gravity knives) or offensive weapons (such as knuckledusters, swordsticks and zombie knives).

Legislation prohibits the sale of a knife, knife blade, razor blade, axe, or other article with a blade or sharp point made or adapted for use for causing injury to the person, to persons under the age of 18. The prohibition does not apply to certain folding pocket knives and enclosed razor blades. The law also prohibits the marketing of knives in a way which suggests that they are suitable for combat, or which would otherwise be likely to stimulate or encourage violent behaviour involving the use of a knife as a weapon.

Police guidance – cautioning and charging knife crime

Police [Guidelines on the Investigation, Cautioning and Charging of Knife Crime Offences](#) set out an expectation that those who illegally carry and use knives will be prosecuted.

There are also statutory restrictions on the use of cautions for serious offences, including the knife possession offences described in this note.

Government policy

The Government's policy on tackling knife crime is based on "four key strands": working with the police; working on the legislative framework; working with retailers on responsible sales; and looking at early intervention and prevention.

In April 2018 the Home Office published the [Serious Violence Strategy](#), which it has described as looking at "the root causes of the problem and how to support young people to lead productive lives away from violence" as well as at law enforcement. The [Home Secretary has also announced](#) plans for a new statutory duty for all agencies – including health, education and social care – to work together to tackle serious violence.

In March 2019 the [Chancellor used his Spring Statement to announce](#) £100million of funding for the police to tackle knife crime.

The Government has also introduced the [Offensive Weapons Bill](#), which sets out new restrictions on the sale and possession of knives and bladed articles. The Commons is due to consider Lords amendments to the Bill on 26 March 2019. New Government clauses to introduce "knife crime prevention orders" were added to the Bill in the Lords.

1. Offences and sentencing

The criminal law in England and Wales has two main categories of offence relating to knives and offensive weapons: offences relating to possession and offences relating to sale and supply. An overview of the main criminal offences is set out below. General information relating to the criminal law on knives is also available on the Gov.uk website [Selling, buying and carrying knives](#).

The [Offensive Weapons Bill](#), which is awaiting Commons consideration of Lords amendments, will introduce a number of new restrictions on the sale and possession of knives. Please see section 3.5 of this Briefing Paper for further details.

1.1 Offences relating to possession

Possession of an offensive weapon in a public place

Under [section 1 of the Prevention of Crime Act 1953](#) it is an offence for a person to have an "offensive weapon" with him in any public place without "lawful authority" or "reasonable excuse".

Subsection 1(4) of the 1953 Act provides that "offensive weapon" means:

any article made or adapted for use for causing injury to the person, or intended by the person having it with him for such use by him or by some other person.

Three categories of weapon are covered by the offence:

- 1 Articles **made for causing injury** to the person.
Articles falling within this category are considered to be offensive weapons *per se*, and there is no need to go on to consider the intention or purpose of the person carrying them. An important criterion in determining whether or not a particular weapon comes within this category appears to be that the article in question has no other reasonable use.
Case law has suggested that flick-knives, butterfly knives and daggers come within this category, but not other knives. Sword-sticks, knuckle-dusters, coshes and bayonets have also been considered offensive weapons *per se*. The list of such weapons is not closed and inclusion in or exclusion from it is largely a question of fact to be determined by the courts when dealing with any particular case.
- 2 Articles that have been **adapted for use for causing injury** to the person, such as sharpened screwdrivers, deliberately broken bottles and so on. Many household and industrial items are capable of being modified in this way, so inclusion in or exclusion from this category is once again largely a matter of fact to be determined on a case-by-case basis.
- 3 Articles that are not specifically made or adapted for the purpose of causing injury, but which may be considered offensive if court or jury decides that the **defendant intended them to be used**

for the purpose of causing injury to the person. Examples might include corrosive cleaning fluids, a hammer or a cricket bat.

“Public place” is defined as including:

any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise.

No offence will have been committed where the accused can demonstrate that he had “lawful authority” or “reasonable excuse” for having the offensive weapon with him in a public place. The Divisional Court has suggested that lawful authority only applies “to those people who from time to time carry an offensive weapon as a matter of duty – the soldier and his rifle and the police officer with his truncheon”.¹ An example of a reasonable excuse might be where the accused was in anticipation of an imminent attack and was carrying the weapon in self-defence.² It is up to the court to decide whether the accused’s explanation amounts to a reasonable excuse in any particular case.

Possession of a bladed article in a public place

Under [section 139 of the Criminal Justice Act 1988](#) it is an offence for a person to have with him 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.

It is a defence for the accused to prove that he had good reason or lawful authority for having the article with him in a public place. It is also a defence for a person charged with a section 139 offence to prove that he had the article with him for use at work, for religious reasons, or as part of a national costume.

Possession of an offensive weapon or bladed article on school premises

Under [section 139A of the Criminal Justice Act 1988](#) it is an offence for a person to have with him on school premises:

- an article to which section 139 of the 1988 Act applies (i.e. an article with a blade or sharp point other than a small folding pocketknife); or
- an offensive weapon within the meaning of section 1 of the Prevention of Crime Act 1953.

Once again, 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, or that he had the article or weapon with him for use at work, for religious reasons, or as part of a national costume.

Aggravated possession offences: making threats

There are two aggravated possession offences, which involve using a bladed article or offensive weapon to threaten another person.

The first offence is set out in [section 1A of the Prevention of Crime Act 1953](#), which provides as follows:

¹ *Bryan v Mott* (1975) 62 Cr App R 71, Lord Widgery CJ (*obiter*) at p73

² *Evan and Hughes* [1972] 3 All ER 412

- (1) A person is guilty of an offence if that person—
- (a) has an offensive weapon with him or her in a public place,
 - (b) unlawfully and intentionally threatens another person with the weapon, and
 - (c) does so in such a way that there is an immediate risk of serious physical harm to that other person.

“Offensive weapon” and “public place” have the same meaning as in section 1 of the 1953 Act.

The second offence is set out in [section 139AA of the Criminal Justice Act 1988](#), which provides as follows:

- (1) A person is guilty of an offence if that person—
- (a) has an article to which this section applies with him or her in a public place or on school premises,
 - (b) unlawfully and intentionally threatens another person with the article, and
 - (c) does so in such a way that there is an immediate risk of serious physical harm to that other person.
- (2) In relation to a public place this section applies to an article to which section 139 applies.
- (3) In relation to school premises this section applies to each of these—
- (a) an article to which section 139 applies;
 - (b) an offensive weapon within the meaning of section 1 of the Prevention of Crime Act 1953.

For both of the aggravated offences, physical harm is considered “serious” if it amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861.³

Sentencing

The above offences are all “either way” offences, meaning they can be tried in either the magistrates’ court or the Crown court depending on the seriousness of the offence.

The maximum sentence for each of these offences is up to six months’ imprisonment and/or a fine following summary conviction in the magistrates’ court, or up to four years’ imprisonment and/or a fine following conviction on indictment in the Crown Court.

Mandatory minimum custodial sentences apply if an offender aged 16 or over:

- is convicted of possessing an offensive weapon or bladed article in a public place or on school premises, **and** he has at least one previous “relevant conviction” for an offence of possession of or threatening with a weapon;⁴ or

³ “Grievous bodily harm” equates to “really serious harm”: see the CPS website, [Offences against the Person, incorporating the Charging Standard](#) for further details

⁴ “Relevant conviction” means a conviction under sections 1 or 1A of the Prevention of Crime Act 1953 or under sections 139, 139A or 139AA of the Criminal Justice Act 1988

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- is convicted of one of the aggravated possession offences of using an offensive weapon or bladed article to threaten another.⁵

In such cases, the court must impose:

- a detention and training order of at least four months (with or without a fine), where the offender is 16 or 17; or
- a custodial sentence of at least six months (with or without a fine), where the offender is aged 18 or over.

The court has discretion not to impose the minimum sentence if it is of the opinion that there are particular circumstances relating to the offence, the previous offence (if applicable), or to the offender which would make it unjust to do so in all the circumstances.

Detailed guidance on sentencing is set out on the Crown Prosecution Service website (see [Legal guidance: Offensive Weapons, Knives, Bladed and Pointed Articles – Sentencing](#)) and in the Sentencing Council guidance [Bladed articles and offensive weapons: Definitive guideline](#).

⁵ There is no requirement for any previous “relevant conviction” in this case: the minimum sentence applies on the “first strike”

1.2 Offences relating to sale and supply

Flick knives and gravity knives

The sale, manufacture, hire or importation of the following types of weapon is an offence under [section 1 of the Restriction of Offensive Weapons Act 1959](#):

- (a) any knife which has a blade which opens automatically by hand pressure applied to a button, spring or other device in or attached to the handle of the knife, sometimes known as a “flick knife” or “flick gun”; or
- (b) any knife which has a blade which is released from the handle or sheath thereof by the force of gravity or the application of centrifugal force and which, when released, is locked in place by means of a button, spring, lever, or other device, sometimes known as a “gravity knife”.

The maximum penalty for this offence is a six month prison sentence and/or a fine.

Sale to children

[Section 141A of the Criminal Justice Act 1988](#) prohibits the sale to persons under 18 of a knife, knife blade, razor blade, axe, or other article with a blade or sharp point made or adapted for use for causing injury to the person.⁶ This prohibition does not apply to the following:

- a) a folding pocket knife if the cutting edge of its blade does not exceed 7.62cm (3 inches); or
- b) razor blades permanently enclosed in a cartridge or housing where less than 2mm of any blade is exposed beyond the plane which intersects the highest point of the surfaces preceding and following such blades.⁷

The maximum penalty for this offence is a six month prison sentence and/or a fine. It is a defence for the accused to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Marketing restrictions

[Section 1 of the Knives Act 1997](#) prohibits the marketing of knives in a way which suggests that they are suitable for combat, or which would otherwise be likely to stimulate or encourage violent behaviour involving the use of a knife as a weapon.

The offence is punishable by up to six months’ imprisonment and/or a fine following summary conviction, or up to two years’ imprisonment and/or a fine following conviction on indictment.

⁶ The age limit for buying knives as set out in section 141A was originally set at 16, but this was raised to the current age of 18 by section 43 of the Violent Crime Reduction Act 2006

⁷ Criminal Justice Act 1988 (Offensive Weapons) (Exemption) Order 1996, SI 1996/3064

Offensive weapons

The sale, manufacture, hire, loan, importation or donation of the following 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):

- (a) a knuckleduster, that is, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, and any weapon incorporating a knuckleduster;
- (b) a swordstick, that is, a hollow walking-stick or cane containing a blade which may be used as a sword;
- (c) the weapon sometimes known as a "handclaw", being a band of metal or other hard material from which a number of sharp spikes protrude, and worn around the hand;
- (d) the weapon sometimes known as a "belt buckle knife", being a buckle which incorporates or conceals a knife;
- (e) the weapon sometimes known as a "push dagger", being a knife the handle of which fits within a clenched fist and the blade of which protrudes from between two fingers;
- (f) the weapon sometimes known as a "hollow kubotan", being a cylindrical container containing a number of sharp spikes;
- (g) the weapon sometimes known as a "footclaw", being a bar of metal or other hard material from which a number of sharp spikes protrude, and worn strapped to the foot;
- (h) the weapon sometimes known as a "shuriken", "shaken" or "death star", being a hard non-flexible plate having three or more sharp radiating points and designed to be thrown;
- (i) the weapon sometimes known as a "balisong" or "butterfly knife", being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade;
- (j) the weapon sometimes known as a "telescopic truncheon", being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;
- (k) the weapon sometimes known as a "blowpipe" or "blow gun", being a hollow tube out of which had pellets or darts are shot by the use of breath;
- (l) the weapon sometimes known as a "kusari gama", being a length of rope, cord, wire or chain fastened at one end to a sickle;
- (m) the weapon sometimes known as a "kyoketsu shoge", being length of rope, cord, wire or chain fastened at one end to a hooked knife;
- (n) the weapon sometimes known as a "manrikigusari" or "kusari", being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip;
- (o) a disguised knife, that is any knife which has a concealed blade or concealed sharp point and is designed to appear to be an everyday object of a kind commonly carried on the person or in a handbag, briefcase, or other hand luggage (such as a comb, brush, writing instrument, cigarette lighter, key, lipstick or telephone);
- (p) a stealth knife, that is a knife or spike, which has a blade, or sharp point, made from a material that is not readily detectable by apparatus used for detecting metal and which is not

designed for domestic use or for use in the processing, preparation or consumption of food or as a toy;

(q) a straight, side-handled or friction-lock truncheon (sometimes known as a baton);

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

(s) the weapon sometimes known as a “zombie knife”, “zombie killer knife” or “zombie slayer knife”, being a blade with—

(i) a cutting edge;

(ii) a serrated edge; and

(iii) images or words (whether on the blade or handle) that suggest that it is to be used for the purpose of violence.

‘Zombie’ knives were added to this list of offensive weapons in 2016.⁸

Weapons that would otherwise fall within any of the above categories 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.

Enquiries from constituents about whether or not particular knives or other weapons (or advertisements about them) might be illegal under these provisions should be referred to the police.

⁸ [Criminal Justice Act 1988 \(Offensive Weapons\) \(Amendment\) Order 2016/803](#)
Gov.uk, press release, [Zombie knives banned in England and Wales](#), 15 August 2016

2. Guidance: cautioning and charging

The College of Policing, with the National Police Chiefs' Council, has issued the following document which provides current advice to the police in relation to tackling knife crime: [Guidelines on the Investigation, Cautioning and Charging of Knife Crime Offences](#), April 2015. These Guidelines are based on the "fundamental principle" that those who illegally carry and use knives should be prosecuted.

In relation to young people, the guidelines state as follows:

2.1.1 The starting point for police will be an expectation to charge 16 and 17 year olds (unless there are exceptional circumstances) in all cases.

(...)

2.1.3 In the case of any young person aged 15 or under in the cases of simple possession with no aggravating factors, the starting point will be the issuing of a Youth Caution or Youth Conditional Caution. Forces should ensure that, in relation to offences involving a knife, a second caution is not issued to a young person.

(...)

2.1.5 Discretion does exist to deviate from the normal response, as set out above, but only if the circumstances justify this, and the reasons for such action would need to be fully recorded by the decision maker. It is recommended that forces consider delegating this decision to the rank of at least an Inspector.

[Section 17 of the Criminal Justice and Courts Act 2015](#) sets out restrictions on the use of cautions for certain serious offences. For specified either way offences, including all of the possession offences described in section 1.1 of this note, a caution must not be given unless an officer of at least the rank of Inspector has determined that there are exceptional circumstances relating to the offender or the offence.⁹

For further information see Gov.uk, [Simple cautions: guidance for police and prosecutors](#) and Crown Prosecution Service, [Legal Guidance, Offensive Weapons, Knives, Bladed and Pointed Articles](#).

⁹ [Criminal Justice and Courts Act 2015 \(Simple Cautions\) \(Specification of Either-Way Offences\) Order 2015, SI 2015/790](#) and [Criminal Justice and Courts Act 2015 \(Simple Cautions\) \(Specification of Police Ranks\) Order 2015, SI 2015/830](#)

3. Government policy

In 2017 the Government said that its policy on knife crime was centred on the following “four key strands”:

working with the police on operations and enforcement, work on legislative framework, work with retailers on responsible sales, and early intervention and prevention.¹⁰

The Government has issued a number of strategies and policy documents that look at knife crime (alongside other types of violent crime). Further details are set out below.

3.1 Ending gang violence and exploitation

The policy [Ending Gang Violence and Exploitation](#), published in January 2016, sets out 6 priorities of a cross-government approach to ending gang violence and exploitation. One of the priorities is reducing violence, including knife crime.

Reduce violence and knife crime – including improving the way national and local partners use tools and powers

We will continue to prioritise the reduction of gang related violence including tackling knife crime. The Ending Gangs and Youth Violence programme has supported local areas in bringing key partners together and developing an effective local response to gang violence.

Local areas are encouraged to continue to follow this approach, and through undertaking regular local assessments, ensure their actions remain focused on emerging local issues.

The Government implemented the extended and amended gang injunction power in June 2015, including an updated statutory definition of gangs, and this allows the police and local authorities to take pre-emptive action against possible gang violence and drug dealing. In July 2015, we also brought into force the new sentencing provision that anyone caught in possession of a knife for a second time will now face a mandatory minimum sentence in prison or secure youth custody if convicted by the courts.¹¹

3.2 The Modern Crime Prevention Strategy

In March 2016 the Home Office published its [Modern Crime Prevention Strategy](#), one strand of which focused on removing the opportunity to commit crime. Part of this involved “restricting access to tools”, which included the following actions on restricting access to knives and offensive weapons:

- Continuing to work with the police and industry to ensure there are effective controls on the sale of knives and other offensive weapons, both online and offline. We are also challenging retailers to take steps to ensure knives are not displayed in a way that means they can be easily accessed or stolen. Whilst we are committed to working with retailers, we will use legislation if needed – for example, we

¹⁰ [PQ 1282 \[on knives: crime\]](#), 5 July 2017

¹¹ HM Government, [Ending gang violence and exploitation](#), January 2016

will legislate to ban so called 'zombiekiller knives' which glamorise violence and are targeted at young people.

- The Home Office is continuing to work with the police, including identifying and spreading best practice. Thirteen police forces (including the Metropolitan Police Service) and the National Policing Lead for knife crime are working closely to develop the operational response, with coordinated action against knives including test purchase operations, targeted searches of habitual knife carriers, weapons sweeps, and use of knife bins.
- We will continue delivering measures designed to deter young people from carrying knives. The Home Office is working with the Department for Education to deliver prevention messages in schools and is exploring with Crimestoppers and others how existing helplines might be used. We will also encourage and highlight schemes like City Safe Havens to help youngsters concerned about knives.¹²

3.3 Voluntary agreement with retailers

In March 2016, the then Home Secretary Theresa May announced that the Government and a group of major retailers had agreed a number of voluntary principles aimed at preventing the sale of knives to under 18s and ensuring that knives are safely displayed and packaged.¹³

The voluntary principles for retailers, which were last updated in February 2018, are as follows:

1. Retailers will apply their policies for age-restricted sales such as think 21 or challenge 25 to ensure age verification checks take place and knives will only be sold (or supplied) once they are satisfied the customer is 18 or over. This will include proof of age checks for in-store sales, collection or point of delivery situations.
2. Action will be taken in-store and online to remind customers and staff that knives are age-restricted products. This means that knives will only be sold (or supplied) once age verification to think 21 or challenge 25 has taken place. Supervisory support to be provided where appropriate.
3. Retailers will ensure knives are displayed and packaged securely as appropriate to minimise risk. This will include retailers taking practical and proportionate action to restrict accessibility and avoid immediate use, reduce the possibility of injury, and prevent theft.
4. All staff selling or approving sales of knives will be provided with training, with that training being refreshed at least once every year. This includes all staff involved in the sales transaction up to and including delivery. The principles above will be applied as relevant to each retailer's business model in discussion with their Primary Authority.

¹² Home Office, [Modern Crime Prevention Strategy](#), March 2016, p15

¹³ Home Office, [Government and major retailers unite to tackle knife crime](#), 23 March 2016

5. Ebay is committed to a safe online marketplace and currently prohibits the sale of all knives on ebay.co.uk, with the exception of cutlery.
6. [Amazon](#) requires that all third-party sellers on its marketplace comply with the law on the sale of knives, including clearly listing products as for over 18s and requiring age verification on delivery. Those who do not are subject to action including potential suspension.¹⁴

Alongside these principles, the Government has committed to do the following:

1. Identify what progress is being made by working with the police, trading standards, the [Better Regulation Delivery Office](#) and relevant codes to carry out test purchases at different retailers, feeding back results to retailers' head offices.
2. Introduce legislation to extend the Primary Authority scheme to knives as soon as Parliamentary time allows.
3. Explore the use of online identity exchange and [Trust Elevate](#) as a secure, reliable age verification tool for knife sales. Home Office officials have attended meetings hosted by the British Retail Consortium and are waiting to see if retailers consider this an effective tool for age verification.¹⁵

3.4 The Serious Violence Strategy

The Home Office published the [Serious Violence Strategy](#) on 9 April 2018. Action in the Strategy is centred on 4 main themes:

- tackling [county lines](#) and misuse of drugs;
- early intervention and prevention;
- supporting communities and local partnerships; and
- law enforcement and the criminal justice response.

The Government has described the Strategy as taking a “public health approach” to serious violence:

The strategy represents a step change in the way we think and respond to serious violence. Our approach is not solely focused on law enforcement, very important as that is, but depends also on multi-partnership working and a ‘public health’ approach across a number of sectors such as education, health, social services, housing, youth services, victim services and others.¹⁶

Brief details of some of the measures that are most relevant to knife crime are set out below.

Early intervention and prevention

The Strategy included plans for a new £11 million Early Intervention Youth Fund to support communities for early intervention and prevention with young people. The Fund was [open for bids](#) over the

¹⁴ Home Office policy paper, [Sale of knives: voluntary agreement by retailers](#), 7 February 2018

¹⁵ Ibid

¹⁶ [PQHL9766, Knives: Crime](#), 23 July 2018

summer of 2018, and successful applicants were announced in November 2018.¹⁷

Other early intervention approaches contained in the Strategy include:

- cross working between various government departments on projects such as developing effective police-school partnership models and tailored support for vulnerable children such as those 'looked after' and excluded from school;
- working with charities and volunteers to provide intervention at 'teachable moments' in hospitals and custody suites;
- encouraging employment by providing early access to the [Work and Health Programme](#) to those identified at Jobcentres as involved in, or at risk of, gang violence;
- trialling preventative policing models centred on understanding childhood trauma in Wales; and
- extending funding for the [anti-knife crime Community Fund](#) of up to £1 million. The fund allows community groups to bid for money to support their work with young people affected by, or at risk of, knife crime.¹⁸

Many stakeholders welcomed the focus on early intervention. However, others expressed concerns that there would not be enough funding.

The Association of Directors of Children's Services (ADCS) said:

Prevention and early action is key, this must involve co-ordination of a wide range of services, including those to support families and young people, but also stimulating housing, employment opportunities and community facilities. The strategy emphasises the importance of local communities and partnerships yet provides little for local authorities to develop local responses.¹⁹

The Early Intervention Foundation said it was "delighted" that early intervention had been placed at the heart of the Strategy, describing it as a "critical part of the solution". However, it said the Government's stated commitment to early intervention was not matched by what was set out in the Strategy, and it called on the Home Office to be "more ambitious" about early intervention.²⁰

Law enforcement and criminal justice

In relation to the theme of law enforcement and criminal justice, the Strategy commented that:

...a multiple strand approach is essential to tackling and reducing serious violence, but a robust response from law enforcement remains an absolutely critical strand within this approach.²¹

The actions set out in this strand included taking action against social media encouraging serious violence, co-ordinated police action against

¹⁷ [Transparency data - Early Intervention Youth Fund: successful bids](#), 10 November 2018

¹⁸ HM Government, [Serious Violence Strategy](#), April 2018

¹⁹ ADCS, [Response to the government's Serious Violence Strategy](#), 9 April 2018

²⁰ Early Intervention Foundation, [Serious Violence Strategy: Government needs to start engaging with the evidence base](#), 10 April 2018

²¹ Home Office, [Serious Violence Strategy](#), April 2018, p79

knife crime, increased involvement for Trading Standards in tackling underage sales of knives, and reducing serious violence in prisons.

The Government also set out its commitment to legislate on offensive and dangerous weapons, following a [Home Office consultation](#) that had run from October to December 2017. It indicated that these proposals were “based on operational concerns about strengthening the current legal framework”. The [Offensive Weapons Bill](#) – described in section 3.5 of this Briefing Paper – is the result of that commitment.

Recent developments

At the Conservative Party Conference in October 2018, the Home Secretary Sajid Javid announced a number of new measures aimed at tackling serious violence:

The rise in serious violence in London and our cities is especially worrying. There’s no time for sitting around when young people are dying on our streets. We need to bring everything – and everyone – to bear on this.

Through our Serious Violence Strategy we have already brought together all the key parts of government, law enforcement and society. And now we will do more. We will take steps to introduce a statutory duty for all agencies to tackle this problem together.

That means those in health, education, social services, local government, housing – the whole lot.

I’m also pleased to announce today a new £200 million endowment fund, that will target young people at risk of starting a life of crime and violence. We know that one of the causes of the rise of serious violence is changes in the market for illegal drugs. We need a much better understanding of who drug users are, what they take, how often they take it, and so much more. So I will launch a major review of the market for illegal drugs.

Armed with this evidence, I will step up our fight against drugs gangs that prey on our children. On my watch, illegal drug use will never be tolerated.²²

Further details were set out in a Home Office press release: [Home Secretary announces new measures to tackle serious violence](#), 2 October 2018.

The bidding process for an organisation to run the £200 million Youth Endowment Fund opened on 10 December 2018: see Home Office press release, [Home Secretary opens bidding process for Youth Endowment Fund](#).

In March 2019 the Chancellor used his Spring Statement to announce new police funding of £100 million, with some of this being used to fund Violence Reduction Units “in worst affected areas”:

...the recent surge in knife crime represents a personal tragedy for the scores of families of victims, and I know I speak for the whole House when I offer my deepest sympathies to them. We must, and we will, stamp out this menace. Police funding is due to rise

²² Sajid Javid’s speech at the Conservative Party Conference, October 2018, as reported in the Spectator at [“Full text: Sajid Javid’s Conservative conference speech”](#), 2 October 2018

by up to £970 million from April. Many police and crime commissioners have already committed to using this extra funding to recruit and train extra police officers, but that takes time and action is needed now. So the Prime Minister and I have decided, exceptionally, to make available immediately to police forces in England an additional £100 million over the course of the next year, ring-fenced to pay for additional overtime targeted specifically on knife crime, and for new violent crime reduction units, to deliver a wider cross-agency response to this epidemic. Ahead of the spending review, my right hon. Friend the Home Secretary will work with the police to consider how best to prioritise resources going forward, including newly funded manpower, to ensure a lasting solution to this problem.²³

Further details were set out in a press release from HM Treasury: see [£100 million funding for police to tackle violent crime](#), 13 March 2019.

3.5 The Offensive Weapons Bill

In July 2017, the then Home Secretary Amber Rudd announced plans for new restrictions on the online sale of knives and the possession of dangerous or offensive weapons on private property.²⁴

In October 2017 the Home Office launched a consultation on a number of new measures relating to offensive weapons.²⁵ The key proposals were as follows:

- new offences to prevent knives sold online being delivered to a private residential address, and to ensure the age and identity of the purchaser are checked;
- new offences of possessing certain offensive weapons in private;
- a new offence of having an article with a blade or point, or an offensive weapon, in education institutions other than schools;
- amending the existing offences of threatening with an article with blade or point or offensive weapon;
- updating the definition of a flick knife;
- a new offence of carrying a corrosive substance in a public place;
- new restrictions on the sale of corrosive substances to under 18s; and
- reclassifying two types of firearm (large calibre (0.50) rifles and rapid firing rifles) as “prohibited weapons” under the Firearms Act 1968.

Setting out the background to the consultation, the Government said it had “identified the need for new primary legislation to respond to public concerns and provide the police with the powers they need”, in the context of increases in police recorded violent crime.²⁶

The consultation closed on 9 December 2017, and a summary of responses was published in June 2018.²⁷ The Government said that the

²³ [HC Deb 13 March 2019 c352](#)

²⁴ Home Office, [Home Secretary takes further action to tackle knife crime](#), 18 July 2017

²⁵ Home Office/Gov.uk, [Offensive and dangerous weapons: new legislation](#) [accessed 21 March 2019]

²⁶ Home Office, [Consultation on new legislation on offensive and dangerous weapons: Government consultation](#), October 2017, p3

²⁷ Home Office, [Consultation on new legislation on offensive and dangerous weapons: Summary of Consultation Responses](#), 20 June 2018

consultation had received 10,712 responses, of which 9,482 were received online. Of the responses received, 60 percent related to the firearms proposals and 30 percent to the online knife sales proposal.²⁸

The [Offensive Weapons Bill 2017-19](#) was introduced on 20 June 2018. For full details of the Bill, and reaction to it, please see [Library Briefing Paper 8349 The Offensive Weapons Bill 2017-19](#) (sections 1.4, 2.2 and 3).

The Bill is currently awaiting Commons consideration of Lords amendments. The most significant development in the Lords was that new Government clauses introducing “knife crime prevention orders” were added to the Bill.

The proposed new orders were announced by the Home Office on 31 January: see Home Office press release, [Home Secretary announces new police powers to deal with knife crime](#), 31 January 2019. The press release gave a brief overview of how the Home Office intends the orders to operate:

This new deterrent can be imposed on any person aged 12 or over to prevent vulnerable young people from becoming involved in knife possession and knife crime.

It can be imposed on anyone who police believe is carrying a knife, are habitual knife carriers or people previously convicted of a knife related offence.

This fills a gap which is not covered by existing preventative orders such as gang injunctions and criminal behaviour orders.

(...)

The new civil orders will also restrict behaviour by placing curfews and geographical restrictions on individuals as well as limiting their social media use – preventing the rapid escalation of rival disputes.

To ensure compliance with these restrictions, breach of the order will be a criminal offence and the holder can be sent to prison for two years if convicted.

On 4 February, Vernon Coaker asked an urgent question about the proposed new orders. He set out his view that the orders would “merely paper over the cracks”, and called on the Government to support the police in enforcing existing laws and to look at areas such as youth services and school exclusions.²⁹

The Government initially attempted to introduce the new orders by tabling amendments during the Bill’s committee stage in the Lords: see [HL Deb 6 February 2019 c372GC](#) onwards. However, the Government withdrew the amendments rather than pressing them to a vote, after Lord Paddick indicated that the Liberal Democrats would not be supporting them. Baroness Williams acknowledged that support for the orders was “qualified” but said (at [c394GC](#)) that the Government would be returning to the issue at Lords Report Stage.

²⁸ Home Office/Gov.uk, [Offensive and dangerous weapons: new legislation](#) [accessed 21 March 2019]

²⁹ [HC Deb 4 February 2019 cc27-44](#)

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Baroness Williams moved the amendments at the first Report sitting on 26 February 2019, with new provision for the orders to be introduced on a pilot basis to begin with. The lead amendment was approved on division by 145 votes to 84. See [HL Deb 26 February 2019 c189](#) onwards.

The Bill as amended in the Lords is due to be considered by the Commons on 26 March 2019.

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