

Impact Assessment, The Home Office

Title: Knife Crime Legislation

IA No: HO IA 0441

RPC Reference No: N/A

Other departments or agencies:

Date: 24 February 2023

Stage: Consultation

Intervention: Domestic

Measure: Secondary legislation

Enquiries:

RPC Opinion: N/A

Business Impact Target: Not a regulatory provision

Cost of Preferred (or more likely) Option (in 2019 prices)

Net Present Social Value NPSV (£m)

N/A

Business Net Present Value BNPV (£m)

N/A

Net cost to business per year EANDCB (£m)

N/A

What is the problem under consideration? Why is government intervention necessary?

While serious violence has reduced in recent years, knives are still the most common method of homicide and police-recorded knife crime is increasing. This has economic and social costs both for victims and wider society through health services and criminal justice impacts. The police have raised concerns about the use in crime of “combat”, “fantasy” or “zombie style” knives and machetes, which are designed to look intimidating, but which seem to have no use for legitimate purposes. New legislation will provide the police with the powers required to prevent offences involving these types of knives and machetes.

What is the strategic objective? What are the main policy objectives and intended effects?

The objective of this legislation is to protect public safety by providing the police and the wider criminal justice system with the powers they need to limit the availability of combat knives and machetes that may be used in violent offences, and to help them toughen wider knife crime with a range of legislative measures.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 1: Do Nothing. **Option 2:** Targeted ban of certain types of large knives. **Option 3:** Additional powers for police to seize, retain, and destroy lawfully held bladed articles when found in private property. **Option 4:** Increasing the maximum penalty of s141 and s141a of the Criminal Justice Act 1988, and s1 of the Restriction of Offensive Weapons Act 1959, to 2 years. **Option 5:** Criminal Justice System treating more seriously possession in public of prohibited knives and offensive weapons. **Option 6:** New possession offence of bladed articles with intention to endanger life or cause fear of violence. **Options can be implemented individually or as a package.**

Main assumptions/sensitivities and economic/analytical risks

Discount rate (%)

N/A

Economic appraisal has not yet been undertaken for the shortlisted options, and will be undertaken after the consultation and ahead of the final Impact Assessment. The analysis of costs and benefits will be based on direct consultation with police and Criminal Justice System (CJS) stakeholders, as well as responses to the consultation, particularly wholesalers and retailers. The value for money of each option will be measured through breakeven analysis on how many knife related homicides, robberies, and violence with injury offences would need to be prevented in order for benefits to outweigh costs of proposals.

Will the policy be reviewed? N/A If applicable, set review date: N/A

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:



Date:

24-2-2023

Summary: Analysis & Evidence

Policy Option 2

Description: Targeted ban for certain types of large knives (such as machetes) that seem to be designed to look menacing and have no practical purpose.

FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2022/23	PV Base	2022/23	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	N/A	High:	N/A	Best:	N/A	Best BNPV	N/A	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

Costs will be monetised for the final Impact Assessment.

Other key non-monetised costs by 'main affected groups'

Central government will compensate retailers and individuals who surrender any weapons included in the legislation before they are prohibited. This will involve both administration costs to run and set up the scheme, and to refund individuals. Wholesalers and retailers will face ongoing loss of profit from no longer being able to sell prohibited weapons. Border Force and HMRC will incur enforcement costs where confiscations of imported prohibited weapons occur. All of the above organisations (except government) will incur costs associated with familiarisation with new legislation.

BENEFITS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

None.

Other key non-monetised benefits by 'main affected groups'

Public safety benefits in the form of reduced incidents of serious violence are anticipated. The final Impact Assessment will present breakeven analysis to assess the number of homicides, robberies, and violence with injury offences which will need to be prevented in order for there to be a net benefit to society. A further public benefit may be realised if the measures lead to a reduction in fear of crime.

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:									
Cost, £m	N/A	Benefit, £m	N/A	Net, £m	N/A				
Score for Business Impact Target (qualifying provisions only) £m:					N/A				
Is this measure likely to impact on trade and investment?					N				
Are any of these organisations in scope?		Micro	Y	Small	Y	Medium	Y	Large	Y
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)				Traded:	N/A	Non-Traded:	N/A		

PEOPLE AND SPECIFIC IMPACTS ASSESSMENT (Option 2)

Are all relevant Specific Impacts included?	Y	Are there any impacts on particular groups?	Y
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Summary: Analysis & Evidence

Policy Option 3

Description: Additional powers for police to seize, retain, and destroy lawfully held bladed articles of a certain length if these are found by the police when in private property lawfully, and they have reasonable grounds to believe that the article is likely to be used in a criminal act.

FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2022/23	PV Base	2022/23	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	N/A	High:	N/A	Best:	N/A	Best BNPV	N/A	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

Costs will be monetised for the final Impact Assessment.

Other key non-monetised costs by 'main affected groups'

Police will incur costs associated with familiarisation with new legislation, retaining and destroying seized weapons, and reviewing complains made in relations to seizures. HMCTS will incur costs associated with appeals if the right of appeal to courts is included in the final proposal.

BENEFITS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

None.

Other key non-monetised benefits by 'main affected groups'

Public safety benefits in the form of reduced incidents of serious violence are anticipated. The final Impact Assessment will present breakeven analysis to assess the number of homicides, robberies, and violence with injury offences which will need to be prevented in order for there to be a net benefit to society. A further public benefit may be realised if the measures lead to a reduction in fear of crime.

BUSINESS ASSESSMENT (Option 3)

Direct impact on business (Equivalent Annual) £m:									
Cost, £m	N/A	Benefit, £m	N/A	Net, £m	N/A				
Score for Business Impact Target (qualifying provisions only) £m:					N/A				
Is this measure likely to impact on trade and investment?					N				
Are any of these organisations in scope?		Micro	Y	Small	Y	Medium	Y	Large	Y
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)				Traded:	N/A	Non-Traded:	N/A		

PEOPLE AND SPECIFIC IMPACTS ASSESSMENT (Option 3)

Are all relevant Specific Impacts included?	Y	Are there any impacts on particular groups?	Y
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Summary: Analysis & Evidence

Policy Option 4

Description: Increase the maximum penalty of importation, manufacture, sale, and supply of prohibited offensive weapons, and the offence of selling bladed articles to persons aged under 18, to 2 years

FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2022/23	PV Base	2022/23	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	N/A	High:	N/A	Best:	N/A	Best BNPV	N/A	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

Costs will be monetised for the final Impact Assessment.

Other key non-monetised costs by 'main affected groups'

The police would incur costs associated with additional time investigating cases (police would have more time to investigate alleged offences, as there will not be a requirement to charge suspects within six months from the alleged offence having been committed). The CJS would face costs associated with greater charging and conviction rates, more cases being heard through the Crown Court (rather than magistrates), and longer custodial sentences. Both groups would face costs associated with legislation familiarisation. Retailers may incur administration costs in relation to keeping details of knife sales (for example, proof of age documentation) for more than six months.

BENEFITS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

None.

Other key non-monetised benefits by 'main affected groups'

Public safety benefits in the form of reduced incidents of serious violence are anticipated. The final Impact Assessment will present breakeven analysis to assess the number of homicides, robberies, and violence with injury offences which will need to be prevented in order for there to be a net benefit to society. A further public benefit may be realised if the measures lead to a reduction in fear of crime.

BUSINESS ASSESSMENT (Option 4)

Direct impact on business (Equivalent Annual) £m:										
Cost, £m	N/A	Benefit, £m	N/A	Net, £m	N/A					
Score for Business Impact Target (qualifying provisions only) £m:					N/A					
Is this measure likely to impact on trade and investment?					N					
Are any of these organisations in scope?			Micro	Y	Small	Y	Medium	Y	Large	Y
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)				Traded:	N/A	Non-Traded:	N/A			

PEOPLE AND SPECIFIC IMPACTS ASSESSMENT (Option 4)

Are all relevant Specific Impacts included?	Y	Are there any impacts on particular groups?	Y
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Summary: Analysis & Evidence

Policy Option 5

Description: Criminal Justice System treating more seriously possession in public of prohibited knives and offensive weapons.

FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2022/23	PV Base	2022/23	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	N/A	High:	N/A	Best:	N/A	Best BNPV	N/A	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

Costs will be monetised for the final Impact Assessment.

Other key non-monetised costs by 'main affected groups'

The police and the CJS will incur costs through time taken to familiarise staff with updates to the legislation, and increase in the number / length of custodial sentences in cases where prohibited knives and offensive weapons are carried in public without good reason.

BENEFITS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

None.

Other key non-monetised benefits by 'main affected groups'

Public safety benefits in the form of reduced incidents of serious violence are anticipated. The final Impact Assessment will present breakeven analysis to assess the number of homicides, robberies, and violence with injury offences which will need to be prevented in order for there to be a net benefit to society. A further public benefit may be realised if the measures lead to a reduction in fear of crime.

BUSINESS ASSESSMENT (Option 5)

Direct impact on business (Equivalent Annual) £m:									
Cost, £m	N/A	Benefit, £m	N/A	Net, £m	N/A				
Score for Business Impact Target (qualifying provisions only) £m:					N/A				
Is this measure likely to impact on trade and investment?					N				
Are any of these organisations in scope?		Micro	Y	Small	Y	Medium	Y	Large	Y
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)				Traded:	N/A	Non-Traded:	N/A		

PEOPLE AND SPECIFIC IMPACTS ASSESSMENT (Option 5)

Are all relevant Specific Impacts included?	Y	Are there any impacts on particular groups?	Y
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Summary: Analysis & Evidence

Policy Option 6

Description: A new possession offence of bladed articles with the intention to endanger life or to cause fear of violence.

FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2019/20	PV Base	2019/20	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	N/A	High:	N/A	Best:	N/A	Best BNPV	N/A	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised costs by 'main affected groups'

Costs will be monetised for the final Impact Assessment.

Other key non-monetised costs by 'main affected groups'

The police and CJS will incur costs through time taken to familiarise staff with the new possession offence. The CJS may also face costs associated with longer custodial sentences (if the maximum penalty is longer than current possession offence) and more cases being heard through the Crown Court (if new offence is categorised as indictment only).

BENEFITS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	N/A	N/A	N/A	N/A	N/A
High	N/A	N/A	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

None.

Other key non-monetised benefits by 'main affected groups'

Public safety benefits in the form of reduced incidents of serious violence are anticipated. The final Impact Assessment will present breakeven analysis to assess the number of homicides, robberies, and violence with injury offences which will need to be prevented in order for there to be a net benefit to society. A further public benefit may be realised if the measures lead to a reduction in fear of crime.

BUSINESS ASSESSMENT (Option 6)

Direct impact on business (Equivalent Annual) £m:										
Cost, £m	N/A	Benefit, £m	N/A	Net, £m	N/A					
Score for Business Impact Target (qualifying provisions only) £m:					N/A					
Is this measure likely to impact on trade and investment?					N					
Are any of these organisations in scope?			Micro	Y	Small	Y	Medium	Y	Large	Y
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)					Traded:	N/A	Non-Traded:	N/A		

PEOPLE AND SPECIFIC IMPACTS ASSESSMENT (Option 6)

Are all relevant Specific Impacts included?	Y	Are there any impacts on particular groups?	Y
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Evidence Base (for summary sheets)

A. Strategic objective and overview

A.1 Strategic Objective

1. The knife legislation proposals discussed respond to significant public and parliamentary concern about increases in knife crime.

A.2 Background

Targeted ban of combat knives / machetes

2. There are already strict controls on particular offensive weapons, including certain types of knives, which are listed in the Criminal Justice Act 1988 (Offensive Weapons) Order 1988.¹ It is an offence to sell, manufacture, hire, loan or gift these weapons. This offence is in addition to the general offences of possessing a knife or offensive weapon in public or on school grounds. In England and Wales, there are twenty different weapons listed as offensive weapons and they include items such as the “belt buckle knife”, “butterfly knife” and “push dagger”.
3. There are also similar prohibitions in respect of flick knives and gravity knives in section 1 of the Restriction of Offensive Weapons Act 1959.² Annex 1 provides an up to date list of all controlled / prohibited offensive weapons.
4. In August 2016, “zombie” knives were added to this list (see annex 1) as there was concern that such knives had no legitimate use and were designed to look menacing, intimidate, and encourage violence. In 2019, “cyclone” knives were added to the list.
5. It is understood that machetes are needed for a wide range of legitimate purposes, including in farming, gardening, clearing land and waterways, as well as for outdoor activities. Large outdoor knives are used in bushcraft, hunting and other outdoor activities, like camping.
6. It is not proposed to ban machetes that have legitimate agricultural or other purposes, however there are concerns that certain specific types of large knife / machete are being increasingly used in crime, such as “combat”, “fantasy” or “zombie style machetes”. It is proposed to include in the list of prohibited offensive weapons which are prohibited under s141 of the Criminal Justice Act 1988 (CJA 1988) these types of machetes / knives”

Police power to seize knives held in private

7. It is already illegal, under section 139 of the CJA 1988, to carry an article with a blade or point in public without good reason. The Offensive Weapons Act 1996 amended the CJA 1988 to introduce an offence of having an article with a blade or point or an offensive weapon on school premises. Therefore, the police already have powers to seize bladed articles in public places and on school premises.
8. At present, if the police find a machete or any other legal article with a blade in someone’s home and they have reasonable grounds to believe that the items will be used in serious crime, they cannot take action, unless the item is considered to be evidence in a criminal investigation. It is proposed to introduce a new power that will allow the police to seize and retain or destroy certain bladed articles held in private, if the police are in private property lawfully and they have reasonable grounds to believe the items will be used in serious crime. This power would be subject to the existing police complaints procedure.

¹ Criminal Justice Act 1988 (Offensive Weapons) Order 1988: <https://www.legislation.gov.uk/ukxi/1988/2019/resources>

² Restriction of Offensive Weapons Act 1959: <https://www.legislation.gov.uk/ukpga/Eliz2/7-8/37/section/1>

Increased sentences for importation, manufacture and sales of prohibited offensive weapons and for sale of a knife to a person aged under 18 offences

9. The offences of importation, manufacture, sale and general supply of prohibited offensive and dangerous weapons (section 141 of the CJA 1988 and section 1 of the Restriction of Offensive Weapons Act 1959 respectively) and the offence of selling bladed articles to persons aged under 18 (section 141A of the CJA 1988) have a maximum penalty of six months' imprisonment, a fine or both in England and Wales.
10. In 1997 a new offence of marketing knives as suitable for violence was introduced with a maximum penalty of 2 years in England and Wales. However, the maximum penalty for the offences of selling prohibited weapons and selling knives to persons aged under 18 were not amended, although we would argue that they are as serious as unlawful marketing of knives. That's why the Home Office are seeking views from respondents to the consultation on whether selling knives to persons aged under 18 or selling prohibited knives or offensive weapons should have a maximum penalty of 2 years.
11. At the same time, increasing the maximum penalty to 2 years, would bring the offence within section 17(1)(a) of the Police and Criminal Evidence Act 1984 which confers powers for the police to enter any premises for the purposes of arresting a person for an indictable offence on a police constable which may be needed to investigate suspicious sales. This would provide the police with more time to investigate the alleged offence and to do so when sufficient evidence has been gathered, without the pressure of the current summary offence time limit.

Whether the Criminal Justice System should treat more seriously possession in public of prohibited knives and offensive weapons.

12. Carrying a knife in public without a good reason is a serious offence with a maximum penalty of 4 years imprisonment. Those who persist in carrying knives in public should expect a minimum custodial sentence of imprisonment for a term of at least 6 months in the case of adults, of a detention and training order of at least 4 months in the case of 16-18 years old.
13. At the moment, the legislation relating to possession offences does not distinguish between standard knives which are possessed in public without a lawful good reason or incidental offensive weapons vs the types of knives or offensive weapons which have been specifically prohibited in legislation. The Home Office are seeking views on whether the Criminal Justice System should treat those who carry in public prohibited knives and offensive weapons more seriously.

Whether there is a need for a separate possession offence of bladed articles with the intention to injure or cause fear of violence with a maximum penalty higher than the current offence of possession of an offensive weapon under section 1 of the Prevention of Crime Act 1953 (PCA 1953).

14. Section 139 of the CJA 1988 makes it an offence to have a bladed article in public without lawful authority or good reason. Similarly, section 139A makes it an offence to have a bladed article in education premises.
15. Section 1 of the PCA 1953 makes it an offence to have an offensive weapon in public. "Offensive weapon" means in this context 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.
16. Section 139AA of the CJA 1988 and section 1A of the PCA 1953 make it an offence to be in possession of a bladed article and offensive weapon respectively, and then go on and threaten another person with the article or weapon in such a way that a reasonable person who was exposed to the same threat would think that there was an immediate risk of physical harm.

17. The maximum penalty for these offences is 4 years' imprisonment. If the person convicted of these offences is 16 years old or over and has at least one previous relevant conviction, the court must impose a minimum custodial sentence of imprisonment for a term of at least 6 months in the case of adults, of a detention and training order of at least 4 months in the case of 16-18 years old.
18. We wish to bridge the gap between possession of a knife (or an offensive weapon) in public or education premises and it being used to threaten or harm anyone. We are looking at whether we should take the same approach as firearms legislation in this area and create a separate offence of having a bladed article of an offensive weapon with the intention to cause injury or fear of injury, with a higher maximum penalty than section 1 of the PCA 1953 or section 139 of the CJA 1988.
19. Section 16 of the Firearms Act 1968 (The Firearms Act) makes it an offence to possess any firearm or ammunition with the intent to endanger life, or cause serious injury to property, or to enable another person to endanger life or cause serious injury to property. S.16a makes it an offence to be in possession of any firearm or imitation firearm with the intent to cause or enable another person to cause fear of violence. These offences are triable on indictment only and carry a maximum of life imprisonment and 10 years respectively. These offences are in addition to simple possession offences under s.1 (possession of a firearm or ammunition without a firearm certificate) and s.5 (possession of prohibited weapons or ammunition) which carry maximum penalties of 7 and 10 years respectively.
20. Firearms legislation has proved effective in tackling a wide range of criminal behaviours involving firearms and we wish to take the same approach.

A.3 Groups affected

21. There will be a number of groups impacted by the set of proposals including:

- The general public who are affected by changes in public safety.
- The police and wider law enforcement agencies.
- Criminal Justice System (CJS) agencies:
 - Crown Prosecution Service (CPS)
 - HM Courts and Tribunals Service (HMCTS)
 - HM Prisons and Probation Service (HMPPS)
 - Legal Aid (LA).
- Trading Standards.
- HM Government.
- Businesses that manufacture, distribute, and sell these items.
- Individuals who own items within scope of the legislation.

A.4 Consultation

Within government

Attorney General's Office
Crown Prosecution Service (CPS)
Department for Business, Energy & Industrial Strategy
Department for Digital, Media, Culture & Sport
Department for Education
Department for Environment, Food & Rural Affairs
Department for International Trade
Department for Health & Social Care
HM Courts & Tribunal Service (HMCTS)

HM Prisons and Probation Service (HMPPS)
Home Office – Border Force (BF)
Judicial Office
Ministry of Defence
Ministry of Justice
National Crime Agency
Northern Ireland Executive
Royal Armouries Museum
Scottish Government
Welsh Government

Public consultation

22. The consultation will be open to the public and targeted to directly affected parties. The consultation paper will be sent to professional bodies and representative groups listed in Annex 3.

B. Rationale for intervention

23. Between 2014/15 and 2018/19, there was a 44% increase in serious violence, measured by the number of NHS hospital admissions for patients aged under 25 for assault with a sharp object. While this has fallen in recent years to levels more comparable to 2014/15. The Home Office want to take action to ensure that the downwards trend in knife crime is maintained given the impact that serious violence has on society. This includes the emotional and physical harms to individuals, and the wider impact on health services and the criminal justice system. Police recorded 50,494 knife enabled offences in the year ending September 2022. While police recorded knife crime remains 8% below pre-pandemic levels, this represents an 11% increase since year ending September 2021.^{3,4}

24. Knives and sharp instruments are the most common method of homicide, and their use in homicides have increased since 2014. There were 282 homicides committed using a knife or sharp instrument in the year ending March 2022 (41% of total homicides), compared to 186 in year ending March 2015 (37% of total homicides).⁵ Reducing knife crime will therefore be an important contributor to preventing homicides.

25. HM Government has identified several types of machetes and large outdoor knives that do not seem to have a practical use, seem to be designed to look menacing, and seem to be favoured by those who want to use these knives as weapons. It is proposed to include them in the list of prohibited offensive weapons set out in the schedule to The Criminal Justice Act 1988 (Offensive Weapons) Order 1988 which are prohibited under s141 of the CJA 1988. This would mean that the manufacture, importation, sale and supply of these items will be an offence. Possession, both in public and in private will also be an offence, unless a defence applies.

26. The Home Office want to ensure that the police have at their disposal the necessary tools to disrupt crime. This is why it is proposed to provide the police with additional powers to enable them to seize, retain and destroy bladed articles, or bladed articles of a certain length, held in private, even if the items themselves are not prohibited. It is considered proportionate that if the

³ Crime in England and Wales: Other related tables:
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2022/relateddata>

⁴ Increases in police recorded crime may in part reflect improved police recording practices.

⁵ Appendix tables: homicides in England and Wales:
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandandwales/march2022/relateddata>

police are in private property lawfully and they find bladed articles that they have good reason to believe will be used in crime, that they are able to seize, retain and eventually destroy the items.

27. The Home Office are also seeking views on whether we should toughen knife legislation to toughen penalties for carrying prohibited knives and offensive weapons in public to dissuade criminals from using these types of weapons.
28. In addition, it is proposed that new offences relating to knives are introduced to mirror firearms legislation to create a new possession offence where a person not only possesses the knife but has intent to cause injury or fear of injury.

C. Policy objective

29. The main objectives of the proposed legislation are to protect public safety by providing the police and the wider criminal justice system with the powers required to prevent knife crime, and to limit the availability of machetes and large knives to be used in violent offences.

D. Options considered and implementation

30. Home Office are proposing to introduce legislative measures to provide the police with more tools to enable them to disrupt knife possession and prevent knife crime.

- **Option 1:** Do nothing. Would entail no further government intervention to restrict sales of knives or toughen the criminal justice response to knife crime.
- **Option 2:** Whether a targeted ban is necessary for certain types of large knives (such as machetes) that seem to be designed to look menacing and have no practical purpose.
- **Option 3:** Whether additional powers should be given to the police to seize, retain and destroy lawfully held bladed articles of a certain length if these are found by the police when in private property lawfully and they have reasonable grounds to believe that the article is likely to be used in a criminal act.
- **Option 4:** Whether there is a need to increase the maximum penalty of importation, manufacture, sale, and supply of prohibited offensive weapons (section 141 of the CJA 1988 and section 1 Restriction of Offensive Weapons Act 1959) and the offence of selling bladed articles to persons aged under 18 (section 141A of the CJA 1988) to 2 years, to reflect the severity of this offence.
- **Option 5:** Whether the Criminal Justice System should treat the possession of prohibited knives and offensive weapons in public more seriously.
- **Option 6:** Whether there is a need for a separate possession offence of bladed articles with the intention to injure or cause fear of violence with a maximum penalty higher than the current offence of possession of an offensive weapon under section 1 of the PCA 1953.

Preferred option and implementation date

31. It is proposed to carry out a public consultation on the proposed measures and the preferred option and implementation date will be based on the feedback from the consultation.

E. Appraisal

General assumptions and data

32. The policy options in this consultation are not quantitatively appraised for the following reasons:

- The policy options are not tightly defined, to allow for an open consultation, limiting the ability to make well evidenced assumptions.
- Lack of evidence on the extent to which the options will impact the knife retail market and the criminal justice system, which will be addressed ahead of the final Impact Assessment with evidence obtained through the public consultation and direct consultation with police, CJS, and government stakeholders.
- The short timeframe in which this Impact Assessment has been developed to consult at the earliest possible stage.

33. The appraisal section therefore qualitatively sets out the impacts which are likely to occur under each policy option, and the evidence that will be gathered ahead of the final Impact Assessment to monetise impacts.

COSTS

Option 1: Do Nothing

34. This is the do-nothing option and so no costs have been monetised. For Option 1, no legislation is undertaken and so there is no impact of the proposals. This is the baseline against which all other options are measured.

Option 2: Targeted ban of certain types of large knives

Set-up costs

Central government

35. Individuals and retailers who legitimately own zombie style knives, and other types of knives and machetes within the scope of the new offence will be eligible for compensation. The amount of compensation that will be provided will be equal to the value of the weapon. No estimates are currently available either for the number of knives which will be returned by individuals and retailers, nor the average value of knives in scope.

36. The Offensive Weapons Act 2019 contained a provision to make the possession in private of prohibited knives and offensive weapons illegal. Prior to the commencement of the provision, the Home Office ran a surrender and compensation scheme for legitimate owners of prohibited weapons from 10 December 2020 to 9 March 2021.

37. Prohibited weapons returned under the compensation scheme included 224 zombie knives (total compensation of £2,300, average compensation of £10 per knife) and 9 cyclone knives (total compensation of £173, average compensation of £19 per knife). If a similar number of zombie style knives are returned under a new surrender and compensation scheme, it is likely that compensation costs will remain below £10,000.

38. Responses to consultation questions will help to identify the average value of zombie style knives and the number retailers sell on an annual basis (broken down by knife type). Average annual sales will be used to estimate the total number of knives that could be returned under the compensation scheme by both retailers and individuals, and multiplied by the estimated value to provide an estimate of compensation costs.
39. Administration costs for running the offensive weapons surrender and compensation scheme (staff and IT) were £0.5 million. The scheme covered the return of almost 50,000 weapons. As zombie knives represented less than 0.5 per cent of weapons surrendered, and were lower value than other weapons included in the scheme, administration costs of the zombie style knife (and other types of knives and machetes within scope) surrender and compensation scheme are expected to be lower. The Home Office will estimate administration costs once the likely number of knives surrendered, and the number of FTE staff / type of IT system required to facilitate the compensation scheme, is known.

Individuals owning weapons

40. Individuals who legitimately own zombie style knives, and other types of knives and machetes within scope, will incur a cost equal to the value of the weapon, and will be compensated for doing so. The amount of compensation is assumed to be equal to the value of the weapon, so these costs will ultimately fall on central government. As set out under central government costs, this has not yet been monetised.

Wholesalers and retailers

41. Wholesalers and retailers who sell zombie style knives, and other types of knives and machetes within scope, will incur costs relating to no longer being able to sell knives that they currently stock (equal to the cost that they paid for those knives). Like individuals who own knives, wholesalers and retailers will be able to use the surrender and compensation scheme, with costs falling on central government. As set out under central government costs, this has not yet been monetised.

Border Force (BF) and HM Revenue and Customs (HMRC)

42. These organisations will incur a cost through the time taken to familiarise themselves with these regulations. The Home Office will engage with these organisations to understand the number and type of staff who will need to read and understand legislation guidance. Familiarisation costs will then be calculated based on the expected length of legislation guidance, the total number of hours that it will take for staff to read guidance, and data from the Annualised Survey of Hours Earning (ASHE) survey.

Police and Criminal Justice System (CJS)

43. These organisations will incur a cost through the time taken to familiarise themselves with these regulations. The Home Office will engage with these organisations to understand the number and type of staff who will need to read and understand legislation guidance. Familiarisation costs will then be calculated based on the expected length of legislation guidance, the total number of hours that it will take for staff to read guidance, and data from the ASHE survey.

Ongoing costs

Wholesalers and retailers

44. Wholesalers and retailers will lose out on future profits which they could have made had they been able to buy and sell zombie style knives. This has not been monetised as no estimates are currently available either for annual sales of zombie style knives (and other types of knives and machetes within scope) nor their average value. Responses to consultation questions will help determine possible future impacts on wholesalers and retailers based on the average profit per unit (at both wholesale and retail stage) and total units sold.
45. Impacts on retailers and wholesalers will be mitigated if buyers purchase alternate knives in lieu of zombie style knives (and other types of knives and machetes within scope). Responses to consultation questions may help provide evidence on the impact of previous bans on weapon sales.

Border Force (BF) and HM Revenue and Customs (HMRC)

46. There will be an enforcement cost on BF and HMRC if confiscations occur. The Home Office will engage with these organisations to understand the number of confiscations of imports which occurred under previous zombie knife and cyclone knife bans, and the costs associated with this.

Police and Criminal Justice System (CJS)

47. Where retailers choose to violate the ban on sale of zombie style knives (and other types of knives and machetes within scope), and where owners continue to possess prohibited weapons, there will be enforcement costs for the police, the CPS, HMCTS, HMPPS and the Legal Aid system.
48. The Home Office will engage with these organisations to understand the level of compliance amongst retailers under previous knife bans (expected to be high), the number of prohibited weapons removed from private property as a consequence of the ban on private possession of prohibited weapons (after the end of the surrender and compensation scheme), and the legal costs associated with each of these offences. This will be used to develop an estimate of annual enforcement costs.

Option 3: Police power to seize blades legally held in private

Set-up costs

Police

49. The police will incur costs through the time taken to familiarise themselves with changes in guidance brought about by new legislation. The Home Office will engage with the National Police Chiefs' Council (NPCC) to ascertain the number and type of staff who will need to read and understand legislation guidance. Familiarisation costs will then be calculated based on the expected length of legislation guidance, the total number of hours that it will take for staff to read guidance, and data from the ASHE survey.

Ongoing costs

Police and Criminal Justice System (CJS)

50. Estimates of ongoing costs will be developed through direct consultation with stakeholders such as the NPCC and the college of policing ahead of the final Impact Assessment. These costs will primarily be determined by the number of instances in which police seize and destroy legally held weapons found in private property. This estimate can be developed through data provided on the number of warrants issued per year for crime types where the new powers are likely to be

commonly used (for example, drug and domestic abuse related offences) and the percentage of these cases where police expect to use these powers.

51. The police will already be attending the property with a warrant, therefore any additional cost / activity associated with seizing weapons is likely to be negligible. Police forces will incur costs associated with retaining and destroying seized weapons. Estimates of associated cost per seizure will be developed in consultation with police stakeholders ahead of the final Impact Assessment.
52. Further costs will be incurred by police forces and the Independent Office for Police Conduct (IOPC) where complaints are made in relation to seizures. The complaint rate could be high given that the additional weapons seized as a result of this policy will be legally owned. Depending on whether there is also a right of appeal to the courts included in the final proposal, HMCTS may also incur costs associated with appeals. The total cost of appeals and complaints will be calculated based on estimates of the complaint / appeal rate, total number of seizures, and the average cost of appeal. These estimates will be developed in consultation with police stakeholders ahead of the final Impact Assessment.

Option 4: Increase the maximum penalty for the offences of sale, importation, manufacture and supply of prohibited and dangerous weapons and sale of knives to persons aged under 18 to 2 years

Set-up costs

Police and Criminal Justice System (CJS)

53. These organisations will incur a cost through the time taken to familiarise themselves with these regulations. The Home Office will engage with these organisations to understand the number and type of staff who will need to read and understand legislation guidance. Familiarisation costs will then be calculated based on the expected length of legislation guidance, the total number of hours that it will take for staff to read guidance, and data from the ASHE survey.

Ongoing costs

Police and Criminal Justice System (CJS)

54. The new penalty will upgrade the offence from summary to either way. This means that offences can be triable in either the Crown Court or magistrates' court, rather than only in the magistrates. It will also provide police with more time to investigate alleged offences as there will no longer be a requirement to bring a charge within six months from the alleged offence having been committed. This should mean that more resource is dedicated to investigating offences, as police will have time to request, access, and review evidence that they otherwise might not have received within the six-month timeframe (for example, in cases where police need to request data from social media networks). The Home Office will consult directly with police stakeholders to identify the proportion of offences that they expect would take more than six months to investigate, and how much additional resource would be required beyond this period on average.
55. Providing police with more time to investigate offences could lead to an increase in both charging and conviction rates. This means that the CJS could face a higher volume of cases, and will incur costs associated with this (for example, more cases heard in court, greater number of prison sentences). The CJS will incur further additional costs resulting from the upgrade in offence to either way, as cases heard through the Crown Court cost more than cases heard in the magistrates' court. The CJS will also face higher prison costs as a result of perpetrators facing up to two years in prison for the offence rather than six months. The Home Office will consult directly with police and CJS stakeholders to understand the number and total cost of additional cases being charged, and the additional cost of cases that would have otherwise been heard in the magistrates' court and / or subject to shorter sentences.

Retailers

56. As the new 'either way' offence category will mean that police will have more time to investigate a suspected offence, knife retailers will need to ensure that they keep any relevant documentation (for example, copy of proof of age) for a longer time period following point of sale. This means they may face additional administration costs in relation to record keeping and GDPR. The consultation asks retailers to provide details of what documentation they currently keep in relation to knife sales, how long they keep it for, and to provide costs (if any) associated with keeping records for a longer time period.

Option 5: Criminal Justice System treating more seriously possession in public of prohibited knives and offensive weapons

Set-up costs

Police and Criminal Justice System (CJS)

57. These organisations will incur a cost through the time taken to familiarise themselves with updates to legislation distinguishing between standard knives and prohibited knives. The Home Office will engage with these organisations to understand the number and type of staff who will need to read and understand legislation guidance. Familiarisation costs will then be calculated based on the expected length of legislation guidance, the total number of hours that it will take for staff to read guidance, and data from the ASHE survey.

Ongoing costs

Police and Criminal Justice System (CJS)

58. The CJS will face higher prison costs if there are a greater number of custodial sentences, or the length of custodial sentences increases in cases where prohibited knives and offensive weapons are carried in public without good reason. The Home Office will consult directly with CJS stakeholders to understand the likely impacts of this option once it has been further refined.

Option 6: A new possession offence of bladed articles with the intention to endanger life or to cause fear of violence.

Set-up costs

Police and Criminal Justice System (CJS)

59. These organisations will incur a cost through the time taken to familiarise themselves with the new possession offence. The Home Office will engage with these organisations to understand the number and type of staff who will need to read and understand legislation guidance. Familiarisation costs will then be calculated based on the expected length of legislation guidance, the total number of hours that it will take for staff to read guidance, and data from the ASHE survey.

Ongoing costs

Police and Criminal Justice System (CJS)

60. The new possession offence will create additional ongoing costs the CJS if the maximum penalty for the new offence is greater than four years (current penalty for possession offences), as offenders will be subject to longer custodial sentences. If the offence is categorised as indictment only, meaning that it will only be heard in the Crown Court (current penalty for possession offences is either way), the CJS will incur additional costs as cases heard through the Crown Court cost more than cases heard in the magistrates' court. The Home Office will consult directly with CJS stakeholders to understand the likely impacts of this option once it has been further refined.

BENEFITS

Public

61. Reduction in knife crime: The intention of each of the policy options is to reduce their possession and use in offences. This cannot be quantified as there is not sufficient evidence available to determine how many offences will be avoided as a result of individual proposals. However, breakeven analysis will be undertaken for each of the policy options to determine the number of homicides, robberies, and violence with injury offences which would need to be prevented in order for benefits to outweigh net costs of the policy. This will be based on one estimated cost to society per homicide (£3.2 million in 2015/16 prices).⁶
62. Fear of crime: Some of the proposals may lead to a reduction in fear of crime, particularly where there are public concerns in relation to specific types of weapons designed to look menacing (for example, in relation to Option 2). This benefit will not be monetised for the final Impact Assessment due to lack of evidence on the specific drivers of fear of knife crime, and the extent to which the proposals will affect this.

NPSV, BNPV, EANDCB

63. It is not currently possible to assess the value for money of each option using the current evidence base. The Home Office are seeking evidence on the economic costs and benefits of the measures proposed above to quantitatively appraise, and monetise, each of the measures to a proportionate degree

Value for money (VfM)

64. It is not currently possible to assess the value for money of each option due to the lack of quantified costs associated with each of the options. This analysis will be undertaken for the final Impact Assessment.

Place-based analysis

65. The benefits associated with each of the options will be more concentrated in areas where knife crime is more geographically concentrated. Further place-based analysis will be undertaken ahead of the final Impact Assessment based on the geographic distribution of knife crime, and discussions with police stakeholders to understand where knives that will be banned are likely to be

Impact on small and micro-businesses

66. For Option 2, the consultation will seek to identify the types of retailers that sell in-scope knives to understand whether smaller businesses will be disproportionately affected. No exemption to the legislation will be applied for small and micro-businesses because the policy intent would be lost. To exempt some businesses because of their status would leave a gap through which prohibited weapons could be obtained.

⁶ The economic and social costs of crime, second edition:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf

F. Proportionality

67. The policy options in this consultation are not quantitatively appraised for the following reasons:
- The policy options are not tightly defined, to allow for open consultation, limiting the ability to make robust assumptions (particularly for Options 5 and 6).
 - Lack of evidence on the extent to which the options will impact the knife retail market and the criminal justice system, which will be addressed ahead of final Impact Assessment through evidence obtained through the public consultation and direct consultation with police, CJS, and government stakeholders.
 - The short timeframe in which the Impact Assessment has been developed to consult at the earliest possible stage.
68. There will be a proportionate effort to consult, seek expert advice and develop robust estimates where possible to monetise the costs set out in the appraisal section ahead of the final Impact Assessment.
69. It is unlikely that the overall impact on knife crime and homicides can be monetised for the final Impact Assessment. The most proportionate approach to assessing benefits and value for money will be to undertake breakeven analysis on the number of homicides, robberies, and violence with injury offences that would need to be prevented in order for benefits to exceed costs.

G. Risks

70. As impacts have not yet been monetised, this section sets out the areas where assumptions underpinning the appraisal in the final Impact Assessment are likely to be more uncertain and have greater bearing on assessment of value for money.
71. Across all options, the cost of familiarisation with the new legislation for all groups is dependent on the length of guidance produced, and the number of staff required to familiarise themselves with the guidance. To reflect the uncertainty associated with the length of guidance and volume of staff required to familiarise, sensitivity analysis will be adopted, covering a range of costs for low, central and high scenarios.
72. The cost of the surrender and compensation scheme under Option 2 will be dependent on the number and value of prohibited knives, both owned by the public and stocked by retailers, as well as the rate of compliance with the scheme. While the consultation, and evidence from previous surrender schemes, will inform this assumption, it is unlikely that every knife retailer will respond to the consultation and private owners of knives in England and Wales may be less informed. Sensitivity analysis will be adopted, offering a range of costs for low, central, and high scenarios.
73. The extent to which benefits are realised will depend on whether there is a displacement effect. For example, the overall level of knife crime could remain the same if non-prohibited knives are purchased and used in place of prohibited knives, which may or may not lead to less severe injuries. A similar unintended consequence of the knife ban could be that manufacturers of zombie style knives make minimal changes to knife design to barely meet legislation requirements, with no effect on overall use of these knife types in crime. Conversely, if the ban has a wider scope, then more legitimate knife owners and retailers will be adversely impacted, and the cost of the surrender and compensation scheme will be greater.
74. Under Option 3, critical areas of uncertainty will include the number of weapons which will be seized and destroyed (i.e. the extent to which the new powers will be used) and the appeal rate against seizures (which may have a feedback effect on use of powers). This will affect both police and CJS costs associated with the proposal. This will be tested in the final Impact Assessment using low, central, and high scenarios.

75. Under Options 4, 5, and 6, the cost to the criminal justice system of charges and convictions will depend on the number of additional charges and convictions that can be attributed to the new and upgraded offences. To address the uncertainty associated with the expected number of additional charges and convictions, sensitivity analysis will be adopted, covering a range of costs for low, central, and high scenarios.
76. It will not be possible to quantify the impacts on knife-related injuries, hospital admissions, and homicides resulting from the proposals in the final Impact Assessment. Benefits will therefore be appraised using breakeven analysis, demonstrating the number of homicides, robberies, and violence with injury offences which would need to be prevented in order for proposals to have an overall net benefit to society. Critical areas of uncertainty under Options 2 and 3 include the extent to which bans on certain knife types and weapons seizures lead to a displacement effect (i.e. knife offences still take place using non prohibited knives, which may not necessarily be less severe). Reductions in harms under Options 4, 5, and 6, will depend on the extent to which more severe penalties act as a deterrent against knife crime.

H. Direct costs and benefits to business calculations

77. There is expected to be a net cost to business under Option 2 (familiarisation with legislation and loss of future profits from no longer being able to sell newly prohibited knives) and Option 4 (administration and record keeping costs). These impacts will be quantified for the final Impact Assessment using evidence gathered from the consultation.

I. Wider impacts

78. The targeted ban of certain knife types is expected to have wider impacts on both knife owners and retailers. Collectors who own zombie style knives, and other types of knives and machetes within scope, will no longer be able to own or purchase these knives, and will lose out on the satisfaction of being able to do so. Retailers will lose out on future profits they would have otherwise gained from being able to buy and sell in-scope knives.
79. Upgrading the category of selling knives to those aged under 18 to either way will mean that retailers will need to ensure that they keep any relevant documentation (for example, copy of proof of age) for two years following point of sale. Retailers who currently do not keep knife sale records for this length may incur further administration costs from doing so.

J. Trade Impact

80. We are unable to quantify the impact on trade at the moment as we will need to evaluate evidence from retailers which we hope to gain via the public consultation.

K. Monitoring and evaluation plan

81. The impact of the proposed measures will be monitored using feedback from the police and Trading Standards, and through statistics relating to the prosecution of the new offences. The Home Office will also keep under review the impact of the measures on business. Legislation is normally subject to post legislative scrutiny within 5 years of receiving Royal Assent.

L. Annexes

Annex 1: Prohibited weapons

Criminal Justice Act 1998

Section 141 of the Criminal Justice Act 1988 provides that it is an offence for any person to manufacture, sell or hire, offer for sale or hire, expose or have in his possession for the purpose of sale or hire of or lending or giving to any other person certain specified weapons.

The Criminal Justice Act (Offensive Weapons) Order 1988 (S.I 1988/2019) (as amended) provides that the following are specified weapons for the purpose of section 141:

- (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 hard 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 a 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—
 - 1. a cutting edge;
 - 2. a serrated edge; and
 - 3. images or words (whether on the blade or handle) that suggest that it is to be used for the purpose of violence.
- (t) the weapon sometimes known as a “cyclone knife” or “spiral knife” being a weapon with—
 - 1. a handle,
 - 2. a blade with two or more cutting edges, each of which forms a helix, and
 - 3. a sharp point at the end of the blade.

Restriction of Offensive Weapons Act 1959

The Restriction of Offensive Weapons Act 1959 prohibits the supply of flick knives and gravity knives but does not have the exemptions or defences that can apply to the offensive weapons prohibited by the 1988 Act. It also prohibits the possession of flick knives and gravity knives in private.

Flick knives and gravity knives are defined in section 1 of the Restriction of Offensive Weapons Act 1959 (as amended) as:

- (a) any knife which has a blade which opens automatically—
 - 1. from the closed position to the fully opened position, or
 - 2. from a partially opened position to the fully opened position, by manual pressure applied to a button, spring or other device in or attached to the knife, and which is 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”,

Annex 2: Consultation groups

Association of Convenience Stores
Association of Police and Crime Commissioners
Ben Kinsella Trust
British Association for Shooting & Conservation
British Horticultural Society
British Shooting Sports Council
British Independent Retailers Association
British Retail Consortium
College of Policing
Confederation of British Industry
Countryside Alliance
County Land and Business Association
Crown Office and Procurator Fiscal Service

Crown Prosecution Service
 Gun Control Network
 Gun Trade Association
 Health and Safety Executive His Majesty's Courts and Tribunals Service
 His Majesty's Revenue & Customs
 His Majesty's Inspectorate of Constabulary
 Heritage Arms Study Group
 Historical Breechloading Small Arms Association
 Magistrates Association
 Museums Association
 National Association of Valuers and Auctioneers
 National Auctioneers Association
 National Crime Agency
 National Farmers' Union
 National Museum Directors' Council
 National Police Chiefs' Council
 National Police Chief's Council - Lead
 National Rifle Association of GB and NI
 Royal Armouries
 Sentencing Council for England and Wales
 Victims' Commissioner for England and Wales
 Youth Justice Board

Annex 3: Impact Assessment Checklist

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>Statutory Equalities Duties</p> <p>Our overall assessment is that the policy and proposed legislation is not inherently discriminatory. The proposed legislation will be applied to people who have committed an offence involving existing or new definitions of a knife or offensive weapon, regardless of the individual's protected characteristics.</p> <p>The most likely potential negative impact is on black adult men (who are disproportionately represented in the criminal justice system) if the legislation is applied incorrectly. However, police powers must be used fairly, responsibly, with respect for people and without unlawful discrimination. The Equality Act 2010 makes it unlawful for police officers to discriminate against, harass or victimise any person on the grounds of the 'protected characteristics' of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation, marriage and civil partnership, pregnancy and maternity when using their powers. When police forces are carrying out their functions they also have a duty to have regard to the need to eliminate unlawful discrimination, harassment and victimisation and to take steps to encourage good relations.</p> <p>In principle, if any disproportionate impact on the basis of race or sex occurs from the proper operationalisation of the policy, such impact is expected to be objectively justified.</p> <p>In addition, statistics suggest that there may be significant disproportionality in the rate of hospital admissions for assault by sharp object amongst the black population therefore, if it is applied correctly, our proposals have the potential</p>	<p>Yes</p>

to have a positive impact by protecting communities from harm and saving lives.

The SRO has agreed these summary findings.