



### What are we going to do?

- The Serious Violence Strategy, published 9 April, set out a number of actions to tackle serious violence. This included proposals on new offences on knives, firearms and corrosive substances.
- The Bill will tighten up existing legislative measures on offensive weapons as well as introduce new offences.
- The Bill will provide new laws to ban the sale of certain harmful corrosive substances to under 18s, prohibiting their delivery, as well as other offensive weapons to a residential address, and ban the possession of a corrosive substance in a public place.

### Key quote

“The fact is we all want this violent crime to stop, and the Bill is a tool with which the Government, and Members across the House, are trying to tackle this serious issue...”

**Victoria Atkins MP,  
Parliamentary Under Secretary  
of State for Crime, Safeguarding  
and Vulnerability**

### How are we going to do this?

- The Bill creates a new criminal offence of selling (both online and offline) a corrosive product to a person under the age of 18. The substances and concentration levels of what constitutes a corrosive product are set out in a Schedule to the Bill. The Bill contains a delegated power to amend the Schedule;
- It creates a new criminal offence of possessing a corrosive substance in a public place. There is a defence of possessing the corrosive substance for good reason. There is a minimum custodial sentence in England and Wales where a person is convicted for a relevant offence a second time;
- Where a corrosive product or bladed article is sold online, the defence of having taken reasonable precautions can only be relied on where the seller meets certain conditions in terms of age verification and packaging and delivery of the items;
- It creates new criminal offences prohibiting the dispatch of bladed products and corrosive products sold online to a residential address. The offence for bladed products is limited to those that can cause serious injury and includes defences for made to order items and those for sporting and re-enactment purposes;
- It creates new criminal offences on delivery companies of delivering a bladed article or a corrosive product on behalf of a seller outside United Kingdom to a person under 18;
- It updates the definition of a flick knife and prohibits the possession of flick knives and gravity knives (their sale etc is already prohibited);
- It amends section 141 of the Criminal Justice Act 1988 to make it a criminal offence to possess certain weapons (such as knuckledusters and death stars) – the sale and importation of these is already prohibited. It provides for compensation of owners;
- It extends the existing offences of possessing a bladed article or offensive weapon on school premises to cover further education premises in England and Wales;
- It amends the legal test for threatening with an offensive weapon in England and Wales to aid prosecution;
- It prohibits high energy and rapid firing rifles and a device known as a “bump stock” which increases the rate of fire of rifles and provides for compensation of owners.



### Background

- Recent police recorded crime in England and Wales has shown an increase in the number of serious violent offences involving knives, corrosives and firearms. In 2017, there was a 22 per cent increase in offences involving knives/sharp instruments and an 11 per cent increase in offences involving firearms, and between 2012/13 and 2016/17 the number of recorded corrosive substance attacks increased from 183 to 504. In London alone, since 1 January 2018 there have been 86 reported homicides (up to and including 16 January) and this number is increasing.
- The Bill forms one of the commitments within the Government's Serious Violence Strategy, published on 9 April 2018. The Strategy aims to take action to address serious violence, in particular the recent increases in knife crime, gun crime and homicide. The strategy stresses the importance of early intervention to tackle the root causes of serious violence and provide young people with the skills and resilience to lead productive lives free from violence. This is a step change in the Governments approach, moving away from a focus solely on law enforcement. However, it does recognise law enforcement has an important role to play, which is why action is included to strengthen legislation and provide police with the powers needed to tackle serious violence.
- Knife crime and acid attacks are issues of considerable public concern and attract significant media and parliamentary interest. These crimes have a devastating impact on communities, not just in our major cities but across the country.
- Although there have been legislative controls in place regarding age restrictions on the sale of knives, both in store and online, it has become clear that additional legislative controls need to be put in place to prevent retailers from selling knives online to under 18s. The legislation on online sale of knives was passed over 20 years ago, however, with the growth of the internet and retailers increasingly selling more online, although a positive development has resulted in a number of challenges. Therefore, the Bill is seeking to rectify this through the assurance that retailers must make sure they have adequate age verification in place to check that the sale is not to a person under the age of 18.

### How much will these measures cost?

As with any new legislation there will be a cost to the criminal justice system. An impact assessment has been [published on GOV.UK](#).

The Bill will also provide compensation to individuals for weapons that under the provisions in the Bill will become prohibited. In total this amounts to £6m, with £2m to business in the first year from compensation for surrendering firearms and £4m in the first year from compensation for surrendering offensive weapons/firearms.

### There is already a lot of legislation on offensive weapons and firearms – do we need more?

The Serious Violence Strategy identified a number of actions to tackle the increase in serious violence. This focused on prevention and early intervention, as well as law enforcement. The proposals were in response to operational concerns to strengthen the current legal framework.

**The Bill is going to penalise those who manufacture, sell or require knives to undertake their business.**



The intention of the Bill is not to stop people purchasing knives online or to stop manufactures of knives from selling their products online. Although already illegal, there is great concern about the sale of knives online to under 18s. The Bill will place more stringent controls on online sellers of knives. This will mean that for a seller to rely on a defence of having taken reasonable precautions and exercised due diligence they will need to meet certain conditions to verify a person's age to prevent a person under the age of 18 from buying such articles.

### **The Government is planning a complete ban on all knives to residential addresses.**

The delivery of 'bladed products' is limited to those items that can cause serious injury which involves the cutting of skin and is a product which is or has a blade. If ordered online bladed products or knives will need to be collected from a place where age verification can take place, either by the purchaser or their representative.

Items that **can** be delivered to a residential premise include:

- Encased razor blades;
- Folding knives with a blade of less than 3 inches;
- Knives that cannot cause serious injury e.g. table knives;
- Screwdrivers;
- Bladed products designed or manufactured to specifications from the buyer (bespoke knives for example);
- Bladed products required for sporting purposes;
- Bladed products for re-enactment activities.

### **This Bill will do nothing to tackle those delivering knives from overseas to residential addresses and will result in more people using overseas sellers than UK based businesses.**

The Bill is creating an offence so that where delivery companies, who have entered into a contract with a seller of bladed articles outside of the UK, deliver a bladed article

defined in the Bill to an individual under 18 then they will be committing an offence.

### **Those who can not leave their house will not be able to get access to knives – this is against their human rights.**

If ordered online any knives that fall under the definition of an item that causes serious injury then it will need to be collected from a place where age verification can take place. If the purchaser is unable to do this, then someone can collect on their behalf, as long as they are over the age of 18. The Bill provides for a number of defences in which items can be delivered, this includes bladed products designed or manufactured to specifications from the buyer such as bespoke knives or bladed products that are used for sporting purposes and bladed products that would be used for re-enactment activities

### **It is not clear what is meant by residential premises.**

A 'residential premise' means a place used solely for residential purposes, therefore does not include those residential premises where a business is conducted from.

### **The possession of offensive weapons in private will criminalise law abiding citizens, such as collectors of knives.**

The proposals in the Bill does not propose to capture any item that could be used as an offensive weapon, but is limited to include possession in private of any of the weapons covered by section 141 of the Criminal Justice Act 1988. It is already an offence to supply (sell, manufacture, import or loan) these weapons.

### **Does this Bill mean that museums won't be able to hold collection of knives for the public to see?**

The Bill will provide a defence for museums and galleries and items of historical importance, which will allow for collections to be held as part of their collection. It will also retain the exemption for antique weapons and swords



covered by the prohibition that were made before 1954.

### **I am a member of a re-enactment society; does this mean I can't continue?**

The Bill includes certain defences, which includes those already in place under the legislation on supply. Defences include possession for the following reasons:

- Museums and galleries
- weapons of historical importance
- Educational purposes
- Theatrical, film and television purposes
- Sporting purposes
- Re-enactment purposes
- Religious ceremonies

### **What type of knives will now be classed as flick knives in the Bill?**

The current definition of a "flick knife" in the Restriction of Offensive Weapons Act 1959 is outdated and refers to the mechanism that activates the blade being in, or attached to, the handle of the knife. The Bill amends the 1959 Act so that the definition of a "flick knife" includes any knife that opens automatically from a closed position, or partially opened position to a fully opened position, through manual pressure applied to a button, spring or other device which is contained either within the knife or is attached to the knife.

### **I will no longer be able to possess antique weapons, in particular flick knives.**

Currently there are no defences for the supply of antique flick knives and gravity knives and under the Offensive Weapons Bill we will not be making any defences for them.

Under section 141 of the Criminal Justice Act 1988 there is currently a defence for antique weapons of over 100 years old and for curved swords made before 1954 or at anytime using traditional methods of making a sword by hand. This defence will apply to the offence of possessing of such weapons under the Bill. In addition we are adding a new defence for items of historical importance and for educational purposes.

### **It will be illegal to have a corrosive substance in a public place; does this mean I can't buy my drain cleaner?**

Under the Bill, a corrosive substance means a substance capable of burning human skin by corrosion. The Bill is replicating the offence for bladed articles in a public place. However, the Bill will have a 'good reason' defence for why the individual may have the corrosive substance with them in a public place.

### **There is no evidence the firearms being prohibited under the Bill have ever been used to commit a crime – you will be criminalising law-abiding citizens.**

The Bill is seeking to address the risk that these rifles pose if they were to be acquired by criminals or terrorists, given they are significantly more powerful and dangerous than other firearms permitted for civilian ownership under section 1 of the Firearms Act 1968.