

# Impact Assessment, The Home Office

**Title:** The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) Order 2024

**Date:** 25 January 2024

**Stage:** FINAL

**IA No:** IAHO0486

**RPC Reference No:** N/A

**Intervention:** Domestic

**Other departments or agencies:** Ministry of Justice (MoJ)

**Measure:** Secondary legislation

**Enquiries:**

knifecrimepolicyteam@homeoffice.gov.uk

**RPC Opinion:** RPC Opinion Status

**Business Impact Target:** Non qualifying provision

## Cost of Preferred (or more likely) Option (in 2024/25 prices)

Net Present Social Value NPSV (£m)	-0.91	Business Net Present Value BNPV (£m)	-0.40	Net cost to business per year EANDCB (£m)	0.05
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### 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 weapon used in homicide and police-recorded knife crime increased by three percent in year ending June 2023. 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 “zombie-style knives and machetes”, which are designed to look intimidating and have no use for legitimate purposes. New secondary legislation will prohibit the possession in private, manufacture, importation, sale, and general supply of these types of knives.

### 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 prohibiting “zombie-style knives and machetes”, limiting their availability to be used in unlawful violence. Ahead of the ban coming into force, a surrender and compensation scheme will be available for those who currently own knives which meet the definition of “zombie-style knives and machetes”.

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

**Option 1:** ‘Do nothing’. Would entail no further government intervention to restrict sales of knives or toughen the criminal justice response to knife crime. This does not meet the policy objectives.

**Option 2:** Implement a targeted ban on “zombie-style knives and machetes”. **This is the government’s preferred option as it meets the strategic and policy objectives.**

### Main assumptions/sensitivities and economic/analytical risks

**Discount rate (%)**

**3.5**

The greatest area of uncertainty is the number of knives which will fall within the scope of the ban. This impacts both the total cost of the surrender and compensation scheme, and the cost to manufacturers, wholesalers, and retailers from no longer being able to sell “zombie-style knives and machetes”.

There is also a high degree of uncertainty around the number of crimes which will be prevented as a result of the ban – in part due to lack of evidence on number of in-scope knives used in crime, but also uncertainty around whether crimes perpetrated using “zombie-style knives and machetes” will continue to be perpetrated using substitute weapons.

**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:

Chris Philp

Date:

25 January 2024

# Summary: Analysis & Evidence

# Policy Option 2

**Description:** Implement a targeted ban on “zombie-style knives and machetes”.

## FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2024/25	PV Base	2024/25	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	-0.39	High:	-2.29	Best:	-0.91	Best BNPV	-0.40	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	0.23	0.16	0.39	0.02	0.07
High	0.41	1.88	2.29	0.22	1.58
Best Estimate	0.32	0.59	0.91	0.07	0.40

### Description and scale of key monetised costs by ‘main affected groups’

The monetised costs include the cost to central government of the surrender and compensation scheme (best estimate of £0.32 million), the ongoing cost to the criminal justice system from increase in possession offences (best estimate of £0.20 million), and the ongoing cost (loss of profit) to wholesalers and retailers from no longer being able to sell “zombie-style knives and machetes” (best estimate of £0.40 million).

### Other key non-monetised costs by ‘main affected groups’

Familiarisation and enforcement costs to Border Force, HM Revenue and Customs, and Police are expected to be negligible, and therefore have not been monetised in the appraisal. Familiarisation costs to the wider Criminal Justice System are also expected to be negligible.

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’

Benefits are not monetised in the appraisal due to a lack of evidence on the impact of the proposal on knife-related crimes. Breakeven analysis has been carried out instead.

### Other key non-monetised benefits by ‘main affected groups’

The government anticipates public safety benefits in the form of reduced incidents of serious violence. Home Office analysts have undertaken breakeven analysis to determine that either 1 homicide, 74 robberies, or 59 violence with injury offences would need to be prevented across the ten-year appraisal period in order for benefits to outweigh costs of the policy under the central estimate. A further public benefit is reduction in fear of crime as a result of the proposal.

## BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:										
Cost, £m	0.05	Benefit, £m	N/A	Net, £m	-0.05					
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 <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> 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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# Evidence Base (for summary sheets)

## A. Strategic objective and overview

### A.1 Strategic Objective

1. The ban on “zombie-style knives and machetes” responds to significant public and parliamentary concern about increases in knife crime, and the sale of knives which appear to have no legitimate purpose. This measure aligns with Home Office priorities to cut crime and the harm it causes. The policy will contribute to the priority outcome to reduce crime in the Home Office Outline Delivery Plan by cutting serious violence.<sup>1</sup>

### A.2 Background

#### Targeted ban of “zombie-style knives and 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.<sup>2</sup> It is an offence to possess in private, manufacture, sell, hire, lend or give a weapon specified in the order. 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”.<sup>3</sup>
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.<sup>4</sup>
4. Annex 1 of this impact assessment (IA) provides an up-to-date list of all controlled / prohibited offensive weapons. In August 2016, “zombie” knives were added to this list as there was concern that such knives had no legitimate use and were designed to look menacing, intimidate, and encourage violence.<sup>5</sup> In 2019, “cyclone” knives were added to the list.<sup>6</sup>
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 “zombie-style knives and machetes” are being increasingly used in crime. It is proposed to include in the list of prohibited offensive weapons which are prohibited under section 141 of the Criminal Justice Act 1988 these types of knives and machetes.
7. The proposed legislation defines a “zombie-style knife or machete” as a bladed article with a plain cutting edge, a sharp pointed end, and a blade of over eight inches in length, which also has one or more features which distinguishes these types of knives and machetes from larger machetes with legitimate use. These features are: a serrated cutting edge (other than a serrated cutting edge of up to two inches next to the handle); more than one hole in the blade; spikes; and more than two sharp points in the blade.
8. As people may legally own such knives currently, there will be a surrender and compensation scheme established ahead of the ban coming into force. The Offensive Weapons Act 2019 (OWA

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<sup>1</sup> Home Office Outcome Delivery Plan: 2021 to 2022:

<https://www.gov.uk/government/publications/home-office-outcome-delivery-plan/home-office-outcome-delivery-plan-2021-to-2022#reduce-crime>

<sup>2</sup> Criminal Justice Act 1988: <https://www.legislation.gov.uk/ukpga/1988/33/section/141>

<sup>3</sup> The Criminal Justice Act 1988 (Offensive Weapons) Order 1988: <https://www.legislation.gov.uk/uksi/1988/2019>

<sup>4</sup> Restriction of Offensive Weapons Act 1959: <https://www.legislation.gov.uk/ukpga/Eliz2/7-8/37/section/1>

<sup>5</sup> The Criminal Justice Act 1988 (Offensive Weapons) (Amendment) Order 2016: <https://www.legislation.gov.uk/uksi/2016/803/made>

<sup>6</sup> Offensive Weapons Act 2019, Section 7: <https://www.legislation.gov.uk/ukpga/2019/17/section/47/enacted>

2019) provides that where the Secretary of State for the Home Department (Home Secretary) makes arrangements for the surrender of weapons prohibited by the Act, the Secretary of State must make regulations to provide for compensation payments.<sup>7</sup> The scheme will be voluntary, however if an individual is still in possession of a “zombie-style knife or machete” after the surrender period ends and the ban is in force, the individual will be committing a criminal offence.

9. Once the ban is in force it will also be an offence to manufacture, import, sell or generally supply a bladed article which falls within scope of the description. And through the Criminal Justice Bill the maximum penalty for these offences is being increased from six months imprisonment to two years.

### **A.3 Groups affected**

10. 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.
  - Criminal Justice System (CJS) agencies:
    - HM Courts and Tribunals Service (HMCTS)
    - HM Prisons and Probation Service (HMPPS)
    - Legal Aid (LA).
  - Law enforcement agencies including:
    - Crown Prosecution Service (CPS)
    - 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**

11. The Home Office has consulted with the following departments over these proposals.:
  - 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

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<sup>7</sup> Offensive Weapons Act 2019: <https://www.legislation.gov.uk/ukpga/2019/17/section/49/enacted>

- Ministry of Justice
- National Crime Agency
- Northern Ireland Executive
- Royal Armouries Museum
- Scottish Government
- Welsh Government

## Public consultation

12. A full public consultation opened on 18 April 2023 to seek views on five legislative proposals to deal with machetes and large knives used in crime.<sup>8</sup> The consultation ran for seven weeks and closed on 6 June 2023. Responses from members of the public were welcomed as well as from directly affected parties. The consultation paper was sent to professional bodies and representative groups listed in Annex 2 of the consultation document. The consultation received a total of 2,544 responses.
13. The government's response to the consultation was published on 30 August 2023 and provides details on all questions asked.<sup>9</sup>
14. Of those who responded to Question 2 (of the consultation) on whether a ban of certain knives and machetes which seem to be designed to look menacing and suitable for combat should be introduced, 37 per cent agreed with the proposal and 63 per cent did not agree with the proposal.
15. The most common reason provided for not supporting the proposal, was that it would affect people's legitimate need to use knives and machetes for work purposes and for leisure. Some respondents were concerned that they would not be able to use machetes in rural environments, where it would not be feasible or desirable to use an alternative, powered tool.
16. Comments from those who responded 'yes' to this question, included the view that there is little to no need for people to own the knives described in the consultation. Others were of the opinion that alternatives could be found and used.

## B. Rationale for intervention

17. Between 2014/15 and 2018/19, there was a 44 per cent increase in serious violence, measured by the number of NHS hospital admissions for patients aged under 25 for assault with a sharp object.<sup>10</sup> 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 50,833 knife enabled offences in the year ending June 2023. While police recorded knife crime remains seven per cent below pre-pandemic levels, this represents a three per cent increase since year ending June 2022.<sup>11,12</sup>

<sup>8</sup> Consultation on new knife legislation proposals to tackle the use of machetes and other bladed articles in crime: [https://assets.publishing.service.gov.uk/media/64492e6f814c66000c8d0720/CONSULTATION\\_DOCUMENT\\_-\\_LEGISLATIVE\\_PROPOSALS\\_-\\_MACHETES\\_-\\_1804\\_1\\_.pdf](https://assets.publishing.service.gov.uk/media/64492e6f814c66000c8d0720/CONSULTATION_DOCUMENT_-_LEGISLATIVE_PROPOSALS_-_MACHETES_-_1804_1_.pdf)

<sup>9</sup> Government response to consultation on proposals to tackle the use of machetes and other bladed articles in crime: [https://assets.publishing.service.gov.uk/media/64f0b08cfdc5d1000d284951/Government\\_Response\\_to\\_Machetes\\_Consultation\\_-\\_sent\\_to\\_gov.uk\\_31-08-23\\_CLEAN.pdf](https://assets.publishing.service.gov.uk/media/64f0b08cfdc5d1000d284951/Government_Response_to_Machetes_Consultation_-_sent_to_gov.uk_31-08-23_CLEAN.pdf)

<sup>10</sup> Crime in England and Wales, Other related tables. Year ending June 2023, Table F7: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesotherrelatedtables>

<sup>11</sup> Crime in England and Wales, Other related tables. Year ending June 2023, Worksheet F3: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesotherrelatedtables>

<sup>12</sup> Increases in police recorded crime may in part reflect improved police recording practices.

18. Knives and sharp instruments are the most common weapon used in 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 per cent of total homicides), compared to 186 in year ending March 2015 (37 per cent of total homicides).<sup>13</sup> Reducing knife crime will therefore be an important contributor to preventing homicides.
19. The government prohibited “zombie” knives in 2016 through an amendment to the Criminal Justice Act 1988.<sup>14</sup> This ban sought to remove from the market knives with both plain and serrated cutting edges, which also contained images that suggested that the weapon was to be used for violence. However, some manufacturers and retailers sought to remove the images from the weapons and continued to sell the same or similar articles. The government has identified over 10 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.
20. “Zombie-style knives and machetes”, typically have both serrated and cutting edges, as well as other features such as spikes, holes and/or multiple sharp points, which appeal to those who wish to use these weapons in crime. It is proposed to include large knives and machetes over eight inches in length that contain these features in the list of prohibited offensive weapons under section 141 of the Criminal Justice Act 1988<sup>15</sup>. This would mean that the possession in private, manufacture, importation, sale, and general supply of these types of knives will be an offence.
21. This ban will disrupt the availability of these “zombie-style knives and machetes” which appear to have no practical purpose other than for harm.
22. Taking the surrender and compensation scheme from the OWA 2019<sup>16</sup> as a template, a surrender and compensation scheme is to be carried out before the ban is in force meaning that those who legally own knives which fall within scope of the definition are not disadvantaged. The standard level of compensation per weapon will be £10. For claims for individual items worth over £10, individuals will need to provide acceptable evidence of the value of the item (for example, purchase receipt). No compensation will be payable in respect of a claim where the total is less than £30.

## C. Policy objective

23. The main objective of this legislation is to protect public safety by prohibiting the importation, manufacture, sale, private possession and general supply of these “zombie-style knives and machetes” limiting the availability of machetes and large knives to be used in violent offences.

## D. Options considered and implementation

24. The 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. Two options were considered:

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<sup>13</sup> Appendix tables: homicides in England and Wales:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandandwales/march2022/relateddata>

<sup>14</sup> The Criminal Justice Act 1988 (Offensive Weapons) (Amendment) Order 2016:  
<https://www.legislation.gov.uk/ukSI/2016/803/made>

<sup>15</sup> Section 141 Criminal Justice Act 1988 – Any person who manufactures, sells or hires or offers for sale or hire, exposes or has in his possession for the purpose of sale or hire, or lends or gives to any other person, a prohibited offensive weapon shall be guilty of an offence.

<sup>16</sup> Offensive Weapons Act surrender and compensation scheme, December 2020:

<https://www.gov.uk/government/publications/offensive-weapons-act-surrender-and-compensation-scheme>

- **Option 1:** ‘Do nothing’. Would entail no further government intervention to restrict sales of knives or toughen the criminal justice response to knife crime. This does not meet the policy objectives.
- **Option 2:** Implement a targeted ban on certain types of large knives (such as "zombie-style knives and machetes" that seem to be designed to look menacing and have no practical purpose. **Option 2 is the government’s preferred option as it meets the strategic and policy objectives.**

### Preferred option and implementation date

25. The preferred option will be delivered through secondary legislation on the Criminal Justice Act 1988. Arrangements relating to the surrender and compensation scheme will come into force between 1 June 2024 (surrender of weapons) and 1 September 2024 (compensation of weapons). Amendment of the Criminal Justice Act 1988 (offensive weapons) will be implemented on 1 December 2024.

## E. Appraisal

### General assumptions and data

26. The appraisal period for measuring the impacts of the proposed new legislation is 10 years.
27. The appraisal period starts in 2024/25.
28. A 3.5 per cent annual social discount rate is used<sup>17</sup>.
29. Annual costs and benefits are in 2024/25 prices.
30. Present Values are in 2024/25 prices.
31. All costs and benefits are relative to the ‘Do nothing’ Option 1.
32. Magistrate’s court costs and probation costs include optimism bias of 20 per cent.
33. From 2025/26 onwards, a consistent annual volume of additional cases is expected to flow through the Criminal Justice System (the steady state). In 2024/25 (the first year of implementation) additional Criminal Justice System volumes are forecasted to be 25 per cent of the steady state.

## COSTS

### Set-up costs

#### Central government

34. Individuals and retailers who currently own “zombie-style knives and machetes”, within the scope of the new offence will be eligible for compensation. The standard level of compensation per weapon will be £10. For claims for individual items worth over £10, individuals will need to provide acceptable evidence of the value of the item (e.g. purchase receipt). No compensation will be payable in respect of a claim where the total is less than £30.
35. Based on the assumptions and calculations set out in Table 1 below, the total set-up cost to central government from the surrender and compensation scheme is estimated to be **between £0.23 million and £0.41 million, with a central estimate of £0.32 million** (present value).

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<sup>17</sup> The Green Book (2022) - GOV.UK: <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government/the-green-book-2020>

**Table 1: Surrender and compensation scheme costs – assumptions and methodology**

<b>Assumption</b>	<b>Value</b>	<b>Methodology</b>
Volume of in-scope knives surrendered	Low: 224 Central: 472 High: 719	Low estimate based on number of “zombie knives” returned under OWA 2019. This is considered a lower estimate as the manufacture, sale, import, and general supply of “zombie knives” was already banned before legislation came into place, limiting existing stock.  High estimate based on number of flick knives returned under OWA 2019. Flick knives are used as a proxy as the definition of flick knives was updated in the Act. This is considered an upper bound estimate as the prevalence of flick knives included under the updated definition (at the time of the OWA 2019 surrender and compensation scheme) is thought to be higher than the number of “zombie-style knives and machetes” today. Flick knives were one of the largest volume knife-types surrendered under the previous scheme.  Central estimate takes mid-point of two estimates.
Average compensation value of in-scope knives	Low: £20 Central: £30 High: £40	Based on the minimum compensation value of “zombie-style knives and machetes” (£10) and observed retail value of some in-scope “zombie-style knives and machetes”. <sup>18</sup>
Total administration costs (2024/25)	Low: £222,000 Central: £301,000 High: £380,000	Based on the admin staff cost of operating the scheme (12 HMRC staff over 3 months), and the IT cost of the casework system from the OWA 2019 surrender and compensation scheme. Adjusted to account for non-wage labour costs (22 per cent for public sector workers <sup>19</sup> ).
Total compensation costs (2024/25)	Low: £4,000 Central: £14,000 High: £29,000	Calculated based on assumptions for volume of in-scope knives surrendered and average compensation value.

Source: Internal analysis of Home Office data from OWA 2019 surrender and compensation scheme, figures rounded to the nearest £1,000.

### **Individuals and wholesalers / retailers**

36. Individuals who own “zombie-style knives and machetes”, will incur a cost equal to the value of the weapon and will be compensated for surrendering these weapons. The amount of compensation is assumed to be equal to the value of the weapon, so these costs will ultimately fall on central government.

<sup>18</sup> The range for average compensation value is above the minimum compensation value of zombie knives in the surrender and compensation scheme in anticipation that more expensive knives (example of which have been found through search of retail markets) will be compensated at a higher value on proof of receipt.

<sup>19</sup> Eurostat, non-wage labour costs (% of total) for whole economy, UK, 2019:  
[https://ec.europa.eu/eurostat/databrowser/view/lc\\_lci\\_lev/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/lc_lci_lev/default/table?lang=en)



37. Wholesalers and retailers who sell “zombie-style knives and machetes”, 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). The current stock is unknown but could be equal to the number sold per year in Table 2 (3,066). Like individuals who own knives, wholesalers and retailers will be able to use the surrender and compensation scheme, with costs falling on central government. Only eight cyclone knives were returned under the surrender and compensation scheme for the Offensive Weapons Act 2019 (which introduced ban on sale at the same time), indicating that many retailers may opt not to take part in the scheme.
38. The net set-up cost for individuals and wholesalers / retailers is therefore negligible, though there may be some administration costs associated with completing surrender and compensation forms as well as costs for individuals who don't meet the £30 minimum threshold for total value of weapons returned and are therefore unable to receive compensation. It has not been possible to calculate these costs.

### **Border Force, HM Revenue and Customs, Police and Criminal Justice System**

39. These organisations are expected to incur a cost through the time taken to familiarise themselves with the prohibition of the specific knife type, and the surrender and compensation scheme. However, given that the knives within the scope of this ban are very similar to the recently prohibited “zombie knife” (with some minor differences in definition), and that previous familiarisation costs for much wider offensive weapon bans have been low, any familiarisation costs incurred are expected to be negligible.

### **Ongoing costs**

#### **Wholesalers and retailers**

40. Wholesalers and retailers will incur costs associated with the loss of future profits which they could have made had they been able to buy and sell “zombie-style knives and machetes”. There is a substantial lack of evidence on the size of the retail market. The public consultation included a series of questions for business and trade organisations, however the responses provided were not of sufficient quantity or completeness to estimate the total size of the market. Larger retailers known to sell “zombie-style knives and machetes”, either did not respond to the consultation or declined to provide market data.
41. Table 2 sets out the approach taken to calculate the ongoing annual cost to retailers and wholesalers from no longer being able to sell “zombie-style knives and machetes”, given the limited evidence available. There is a high degree of uncertainty around individual assumptions, the impact of which is presented in Section G on risk.
42. Based on the assumptions and calculations set out in Table 2, the ongoing cost to central wholesalers and retailers from the preferred option over the ten-year appraisal period is estimated to be **between £0.1 million and £1.6 million, with a central estimate of £0.4 million** (present value).

**Table 2: ongoing cost to wholesalers and retailers – assumptions and methodology**

<b>Assumption</b>	<b>Value</b>	<b>Source/ methodology</b>
Annual volume of offences involving a knife, both violent and possession	78,623	Number of police recorded violent and sexual offences involving a knife <sup>20</sup> and number of possession of article with blade or point offences. <sup>21</sup>
Proportion of knife crime involving machetes	3.9%	Estimate obtained from Home Office Management Information data on the proportion of machetes involved in all knife-related crime, show that machetes are involved in roughly 4% of all knife-related offences (including offences where the knife is unknown/ unrecorded).
Annual volume of crimes involving machetes	3,066	Annual volume of knife crime multiplied by the proportion involving machetes.
Proportion of machetes used in crime which are “zombie-style knives and machetes”	Low: 25% Central: 50% High: 75%	Internal Home Office estimate, large range used to reflect the uncertainty.
Volume of “zombie-style knives and machetes” used in crime per year.	Low: 767 Central: 1,533 High: 2,300	Annual volume of crimes involving machetes multiplied by the proportion involving in-scope knives.
Volume of “zombie-style knives and machetes” sold per year	Low: 383 Central: 1,533 High: 4,599	Internal Home Office estimate, assuming one knife offence equates to one knife purchased (central estimate), one knife purchased equates to two knife offences (low estimate), half of the knives purchased lead to an offence whilst the other half are not purchased for use in crime (high estimate).
Average retail value of “zombie-style knives and machetes”	Low: £20 Central: £30 High: £40	Based on the minimum compensation value of Zombie knives under the OWA 2019 surrender and compensation scheme (£10) and observed retail value of “zombie-style knives and machetes”. <sup>22</sup>
Annual ongoing cost to wholesalers and retailers	Low: £8,000 Central: £46,000 High: £184,000	Annual sales of “zombie-style knives and machetes” multiplied by average retail value.

Source: Home Office estimates 2023, figures rounded to the nearest £1,000.

<sup>20</sup> Crime in England and Wales: Other related tables, March 2023, Table F3a:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesotherrelatedtables>

<sup>21</sup> Police recorded crime and outcomes open data tables, 2022/23:

<https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>

<sup>22</sup> The range for average compensation value is above the minimum compensation value of “zombie knives” in the surrender and compensation scheme in anticipation that more expensive knives (example of which have been found through search of retail markets) will be compensated at a higher value on proof of receipt.

## **Border Force and HM Revenue and Customs**

43. There will be an enforcement cost on Border Force and HM Revenue & Customs if confiscations occur. As compliance with the legislation on manufacturing, supplying, and importing offensive weapons (section 141 of the Criminal Justice Act 1988) is high<sup>23</sup>, the marginal cost of adding “zombie-style knives and machetes” to the list of prohibited weapons is expected to be negligible.

## **Police and Criminal Justice System (CJS)**

44. Where retailers choose to violate the ban on sale of “zombie-style knives and machetes”, and where owners continue to possess prohibited weapons, there will be enforcement costs for the police, the Crown Prosecution Service, HM Courts and Tribunals Service, HM Prison and Probation Service, and the Legal Aid system.
45. Given that retail compliance with section 141 of the Criminal Justice Act 1988 is high, it is estimated that the main impact on volume of offences of the legislation will be on the possession of offensive weapons in private. As the volume of searches under section 142 of the CJA 1988<sup>24</sup> are extremely low (offensive weapons are mainly found when searching for other prohibited items<sup>25</sup>), there is expected to be a negligible enforcement cost to the police.
46. However, there are expected to be ongoing costs to the CJS associated with the additional offences of possession of an offensive weapon in private. These assumptions and costs are set out in Table 3.
47. The impact on custodial sentences is not monetised due to the very low volume of custodial sentences for this offence (29 custodial sentences in year ending December 2022), and the small impact on overall number of convictions (between four and thirteen per year). The low probability of receiving a custodial sentence on conviction (6.5 per cent), coupled with the short average custodial sentence length (2.3 months) leads to a negligible impact on annual prison places (0.05 in the central scenario).
48. The CJS is expected to incur costs associated with legal aid, courts, and probationary services. These costs are estimated to be between £98,000 and £294,000, with a central estimate of £196,000 over the 10-year appraisal period (present value)<sup>26</sup>.

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<sup>23</sup> Average of 5 prosecutions per year between 2010 and 2020 under HO offence code 19520.

MoJ outcomes by offence data tool, December 2022:

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2022>

<sup>24</sup> Section 142 Criminal Justice Act 1988 - Power of justice of the peace to authorise entry and search of premises for offensive weapons:

<https://www.legislation.gov.uk/ukpga/1988/33/section/142>

<sup>25</sup> Knowledge obtained from consultation with the National Police Chief's Council (NPCC).

<sup>26</sup> Estimates provided by Ministry of Justice

**Table 3: ongoing cost to the CJS – additional assumptions and methodology**

Assumption	Value	Source/ methodology
Annual court proceedings for possession of prohibited weapons in private under Option 1	617	Ministry of Justice (MoJ) outcomes by offence data tool – Year ending December 2022 data.
Conviction rate for possession of prohibited weapons in private under Option 1	72%	Proportion of proceedings that lead to convictions - MoJ outcomes by offence data tool – Year ending December 2022 data.
Volume of additional annual convictions for possession of prohibited weapons in private under Option 2	Low: 4.3 Central: 8.7 High: 13.0	Additional court proceedings for possession in private of “zombie-style knives and machetes” (617 x 0.04 x 0.25,0.5,0.75) multiplied by the conviction rate.
Likelihood of case going for trial at the magistrate’s court	98%	MoJ magistrate’s court data tool – Year ending December 2022 data. Based on the proportion of prosecutions that go for trial in the crown court (1.6%).
Likelihood of receiving a community sentence upon conviction	21%	MoJ outcomes by offence data tool – Year ending December 2022 data.
Likelihood of receiving a suspended sentence upon conviction	10%	MoJ outcomes by offence data tool – Year ending December 2022 data.
Total estimated volume of additional community sentences under Option 2	Low: 0.9 Central: 1.8 High: 2.7	Volume of additional convictions multiplied by the likelihood of receiving a community sentence upon conviction.
Total estimated volume of additional suspended sentences under Option 2	Low: 0.4 Central: 0.8 High: 1.3	Volume of additional convictions multiplied by the likelihood of receiving a suspended sentence upon conviction.

Source: MoJ 2022 data<sup>27</sup>, internal Home Office estimates 2023

## BENEFITS

### Public

49. Reduction in knife crime: The intention of policy Option 2 is to reduce the possession and use of "zombie-style knives and machetes" 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 the individual proposal. However, breakeven analysis has been undertaken to determine the number of homicides, robberies, and violence with injury offences which would need to be prevented in order for benefits

<sup>27</sup> MoJ outcomes by offence data tool, December 2022:

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2022>

to outweigh net costs of the policy. The unit cost to society (excluding cost in anticipation<sup>28</sup>) of a homicide is £4.13 million (2024/25 prices), robbery is £0.01 million (2024/25 prices), and violence with injury is £0.02 million (2024/25 prices).<sup>29</sup>

- 50. Option 2 would only need to prevent one homicide across the 10-year appraisal period, to have a net benefit to society. Alternatively, preventing 59 incidents of violence with injury or 74 incidents of robbery across the 10-year appraisal period (in the central scenario) would also mean benefits would outweigh costs. There were approximately 2,000 homicides, 190,000 assaults with injury, and 160,000 robberies, recorded by the police where a knife or sharp instrument was used, in the last 10 years.<sup>30</sup>
- 51. The proposal may also 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. This benefit has not been monetised in due to a lack of evidence on the specific drivers of fear of knife crime, and the extent to the proposal will affect this.

**NPSV, BNPV, EANDCB**

- 52. NPSV is estimated to be between -£0.39 million and -£2.29 million, with a central estimate of -£0.91 million over the appraisal period (2024/25 prices, present value). This is summarised in Table 4 below.

**Table 4: Summary CBA, NPSV, BNPV and EANDCB, £ million (PV) over 10 years.**

<b>Costs</b>	<b>Low</b>	<b>Central</b>	<b>High</b>
<b>Total set up costs</b>	0.23	0.32	0.41
<b>Total ongoing costs</b>	0.16	0.59	1.88
<b>Total costs</b>	<b>0.39</b>	<b>0.91</b>	<b>2.29</b>
<b>Benefits</b>			
<b>Total benefits</b>	Not monetised	Not monetised	Not monetised
<b>NPSV</b>	<b>-0.39</b>	<b>-0.91</b>	<b>-2.29</b>
<b>BNPV</b>	-0.07	-0.40	-1.58
<b>EANDCB</b>	0.01	0.05	0.18

Note: NPSV = Net Present Social Value, BNPV = Business Net Present Value and EANDCB = Equivalent Annual Net Direct Cost to Business

Source: Internal Home Office estimates 2023

**Value for money (VfM)**

- 53. It is not possible to assess the value for money of the preferred option, as benefits are not monetised due to the uncertainty around the prevalence of “zombie-style knives and machetes”, and limited evidence on the impact of weapon bans on crime. Breakeven analysis indicates that only a small percentage of knife related crimes (for instance 0.05 per cent of robberies involving a knife or sharp instrument) will need to be prevented in order for the measures to have a net gain to society over the appraisal period.

**Place-based analysis**

<sup>28</sup> Reduction in costs in anticipation are excluded from breakeven analysis, as the marginal impact on crime reduction is unlikely to have a notable impact on defensive expenditure or insurance administration costs.

<sup>29</sup> Home Office Economic and Social Costs of Crime, second edition (2018): [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf)

<sup>30</sup> Crime in England and Wales: other related tables, Table F3a (excluding Greater Manchester Police), March 2023: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesotherrelatedtables>

54. The benefits associated with Option 2 are likely to be more concentrated in areas where knife crime is more geographically concentrated, such as the West Midlands and London.<sup>31</sup>

### **Impact on small and micro-businesses**

55. Option 2 will impact small and micro-businesses. It has not been possible to estimate this impact due to lack of data on the size of the market for in-scope knives and the composition of retailers. The consultation document sought views and information on impact to wholesalers and retailers, but the responses received to this section were not of sufficient quantity or completeness to be able to undertake a full assessment.

## **F. Proportionality**

56. There has been a proportionate effort to consult, seek expert advice and develop robust estimates where possible to monetise the costs set out in the appraisal section where data is available, and highlight the risks in section G.
57. The most proportionate approach to assessing benefits and value for money is 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. This is broken down in paragraph 50.

## **G. Risks**

58. 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.
59. While the evidence from previous surrender and compensation schemes has helped inform this assumption, an insufficient number of knife retailers responded to the consultation, and private owners of knives in England and Wales may be less informed. Sensitivity analysis has been adopted, offering a range of costs for low, central, and high scenarios.
60. There is a lack of quality data surrounding the prevalence of “zombie-style knives and machetes”, both in the retail market for knives and knife-related crimes. Due to this uncertainty, sensitivity analysis has been carried out to produce a range of estimates.
61. 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.
62. A similar unintended consequence of the knife ban could be that manufacturers of “zombie-style knives and machetes” 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 may be greater. However, any risk of unintentionally banning knives or machetes which have been used lawfully, such as in the agricultural industry, is mitigated by the availability of alternative items which are not in scope of the ban.

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<sup>31</sup> ONS police force area data tables (June 2023):

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/policeforceareadatatables>

63. If a displacement effect occurs, there is a risk that costs to retailers in the impact assessment may be overestimated, as retailers will offset their losses by selling greater volumes of other non-prohibited substitute knives.
64. It has not been possible to quantify the impacts on knife-related injuries, hospital admissions, and homicides resulting from this specific proposal. Benefits are therefore 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.
65. It has been assumed that the number of in-scope knives estimated to be used in crime is equal to the number of in-scope knives sold per year. This will overestimate the number of knives sold per year if the same knife is used for multiple crimes. This may also underestimate the volume of knives sold per year if there are in-scope knives that have been purchased but not used in knife crime.

## **H. Direct costs and benefits to business calculations**

66. There is expected to be a net cost to business under Option 2, due to the loss of future profits from no longer being able to sell newly prohibited knives. The costs incurred are expected to be between £66,000 and £1,584,000, with a central estimate of £396,000 over the 10-year appraisal period (present value, discounted).

## **I. Wider impacts**

67. 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 machetes", will no longer be able to own or purchase these knives.

## **J. Trade Impact**

68. The Home Office are unable to quantify the impact on trade, due to a lack of evidence on the prevalence of "zombie-style knives and machetes" in global knife sales. However, this policy is expected to have a negative impact on imports, as it is likely that a proportion of the "zombie-style knives and machetes" sold are purchased from non-UK based sellers. Given the overall societal harm caused by "zombie-style knives and machetes", any negative trade impact is expected to be offset by the reduced harm to UK society.

## **K. Monitoring and evaluation plan**

69. The impact of the policy will be monitored using feedback from the police and Trading Standards, and through recorded crime statistics relating to police reports of knife-related homicide, violence with injury, and robbery. The Home Office will also keep under review the impact of the measures on business. Legislation is normally subject to post legislative scrutiny within five 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—
- (u)
  - 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 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
- Heritage Arms Study Group
- HM Courts and Tribunals Service
- HM Inspectorate of Constabulary
- HM Revenue & Customs
- Historical Breechloading Small Arms Association
- Magistrates Association
- Museums Association
- National Association of Valuers and Auctioneers
- National Auctioneers Association
- National Ballistics Intelligence Service
- National Crime Agency
- National Museum Directors' Council
- National Police Chiefs' Council
- National Police Chief's Council - Lead
- National Rifle Association of GB and NI
- Royal Armouries
- Royal Courts of Justice
- Sentencing Council for England and Wales
- Victim Support
- Victims' Commissioner for England and Wales
- West London Bench
- Youth Justice Board

**Annex 3: Impact Assessment Checklist**

<b>Mandatory specific impact test - Statutory Equalities Duties</b>	<b>Complete</b>
<p><b>Statutory Equalities Duties</b></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 gender occurs from the proper operationalisation of the policy, such impact is expected to be objectively justified.</p> <p>In addition, if it is applied correctly, our proposals have the potential to have a positive impact by protecting communities from harm and saving lives.</p> <p><b>The SRO has agreed these summary findings.</b></p>	<p><b>Yes</b></p>