



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 2

KNIFE CRIME PREVENTION ORDERS

Knife crime prevention orders made otherwise than on conviction

14 Knife crime prevention order made otherwise than on conviction

- (1) A court may make a knife crime prevention order under this section in respect of a person aged 12 or over (the “defendant”) if the following conditions are met.
- (2) The first condition is that a person has, by complaint to the court, applied for a knife crime prevention order under this section in accordance with section 15.
- (3) The second condition is that the court is satisfied on the balance of probabilities that, on at least two occasions in the relevant period, the defendant had a bladed article with them without good reason or lawful authority—
 - (a) in a public place in England and Wales,
 - (b) on school premises, or
 - (c) on further education premises.
- (4) In subsection (3) “the relevant period” means the period of two years ending with the day on which the order is made; but an event may be taken into account for the purposes of that subsection only if it occurred after the coming into force of this section.
- (5) Without prejudice to the generality of subsection (3), a person has good reason for having a bladed article with them in a place mentioned in that subsection if the person has the article with them in that place—
 - (a) for use at work,
 - (b) for educational purposes,
 - (c) for religious reasons, or
 - (d) as part of any national costume.

Status: This is the original version (as it was originally enacted).

- (6) The third condition is that the court thinks that it is necessary to make the order—
- (a) to protect the public in England and Wales from the risk of harm involving a bladed article,
 - (b) to protect any particular members of the public in England and Wales (including the defendant) from such risk, or
 - (c) to prevent the defendant from committing an offence involving a bladed article.
- (7) A knife crime prevention order under this section is an order which, for a purpose mentioned in subsection (6)—
- (a) requires the defendant to do anything described in the order;
 - (b) prohibits the defendant from doing anything described in the order.
- (8) See also—
- (a) section 21 (which makes further provision about the requirements and prohibitions which may be imposed by a knife crime prevention order under this section),
 - (b) section 22 (which makes further provision about the inclusion of requirements in a knife crime prevention order under this section), and
 - (c) section 23 (which makes provision about the duration of a knife crime prevention order under this section).
- (9) Section 127 of the Magistrates’ Courts Act 1980 (time limits) does not apply to a complaint under this section.
- (10) In this section—
- “court”—
- (a) in the case of a defendant who is under the age of 18, means a magistrates’ court which is a youth court, and
 - (b) in any other case, means a magistrates’ court which is not a youth court;
- “further education premises” means land used solely for the purposes of—
- (a) an institution within the further education sector (within the meaning of section 91 of the Further and Higher Education Act 1992), or
 - (b) a 16 to 19 Academy (within the meaning of section 1B of the Academies Act 2010),
- excluding any land occupied solely as a dwelling by a person employed at the institution or the 16 to 19 Academy;
- “public place” includes any place to which, at the time in question, the public have or are permitted access, whether on payment or otherwise;
- “school premises” means any land used for the purposes of a school, excluding any land occupied solely as a dwelling by a person employed at the school; and “school” has the meaning given by section 4 of the Education Act 1996.