



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 2

KNIFE CRIME PREVENTION ORDERS

Knife crime prevention orders made on conviction

19 Knife crime prevention order made on conviction

- (1) This section applies where—
 - (a) a person aged 12 or over (the “defendant”) is convicted of an offence which was committed after the coming into force of this section, and
 - (b) a court dealing with the defendant in respect of the offence is satisfied on the balance of probabilities that the offence is a relevant offence.
- (2) The court may make a knife crime prevention order under this section in respect of the defendant if the following conditions are met.
- (3) The first condition is that the prosecution applies for a knife crime prevention order to be made under this section.
- (4) The second 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.
- (5) A knife crime prevention order under this section is an order which, for a purpose mentioned in subsection (4)—
 - (a) requires the defendant to do anything described in the order;
 - (b) prohibits the defendant from doing anything described in the order.

Status: This is the original version (as it was originally enacted).

- (6) See also—
- (a) section 21 (which makes further provision about the requirements and prohibitions that 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).
- (7) The court may make a knife crime prevention order under this section in respect of the defendant only if it is made in addition to—
- (a) a sentence imposed in respect of the offence, or
 - (b) an order discharging the offender conditionally.
- (8) For the purposes of deciding whether to make a knife crime prevention order under this section the court may consider evidence led by the prosecution and evidence led by the defendant.
- (9) It does not matter whether the evidence would have been admissible in the proceedings in which the defendant was convicted.
- (10) For the purposes of this section an offence is a relevant offence if—
- (a) the offence involved violence,
 - (b) a bladed article was used, by the defendant or any other person, in the commission of the offence, or
 - (c) the defendant or another person who committed the offence had a bladed article with them when the offence was committed.
- (11) In subsection (10) “violence” includes a threat of violence.