



Prevention of Crime Act 1953

1953 CHAPTER 14 1 and 2 Eliz 2

[^{F1}1A Offence of threatening with offensive weapon in public

- (1) A person is guilty of an offence if that person—
 - (a) has an offensive weapon with him or her in a public place,
 - (b) unlawfully and intentionally threatens another person with the weapon, and
 - (c) does so in such a way that there is an immediate risk of serious physical harm to that other person.
- (2) For the purposes of this section physical harm is serious if it amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861.
- (3) In this section “ public place ” and “ offensive weapon ” have the same meaning as in section 1.
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 4 years or to a fine, or to both.

[For provision about the sentence which the court may be required to impose where a ^{F2}(4A) person aged 16 or over is convicted of an offence under this section, see section 312 of the Sentencing Code.]

^{F3}(5)

^{F3}(6)

^{F3}(7)

- (8) In relation to an offence committed before the commencement of [^{F4}paragraph 24(2) of Schedule 22 to the Sentencing Act 2020], the reference in subsection (4)(a) to 12 months is to be read as a reference to 6 months.

^{F5}(9)

Status: Point in time view as at 01/12/2020. This version of this provision has been superseded.

Changes to legislation: Prevention of Crime Act 1953, Section 1A is up to date with all changes known to be in force on or before 04 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (10) If on a person's trial for an offence under this section (whether on indictment or not) the person is found not guilty of that offence but it is proved that the person committed an offence under section 1, the person may be convicted of the offence under that section.]

Textual Amendments

- F1** S. 1A inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), [ss. 142\(1\)](#), [151\(1\)](#); [S.I. 2012/2770](#), art. 2(a)
- F2** S. 1A(4A) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 7](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F3** S. 1A(5)-(7) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\)](#), [416\(7\)](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F4** Words in s. 1A(8) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 443\(1\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F5** S. 1A(9) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\)](#), [416\(7\)](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

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