



# Prevention of Crime Act 1953

## 1953 CHAPTER 14 1 and 2 Eliz 2

### [<sup>F1</sup>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 [<sup>F2</sup>(“A”)] with the weapon, and
  - (c) does so in such a way that [<sup>F3</sup>a reasonable person (“B”) who was exposed to the same threat as A would think that there was an immediate risk of physical harm to B.]

<sup>F4</sup>(2) .....

(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 [<sup>F5</sup>the general limit in a magistrates’ court] 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 <sup>F6</sup>(4A) person aged 16 or over is convicted of an offence under this section, see section 312 of the Sentencing Code.]

<sup>F7</sup>(5) .....

<sup>F7</sup>(6) .....

<sup>F7</sup>(7) .....

- (8) In relation to an offence committed before [<sup>F8</sup>2 May 2022], the reference in subsection (4)(a) to [<sup>F9</sup>the general limit in a magistrates’ court] is to be read as a reference to 6 months.

**Status:** Point in time view as at 07/02/2023.

**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 28 October 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)

<sup>F10</sup>(9) .....

- (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** Word in s. 1A(1)(b) inserted (6.4.2022) by Offensive Weapons Act 2019 (c. 17), ss. **50(2)(a)**, 70(1); S.I. 2022/418, reg. 2(b) (with reg. 3)
- F3** Words in s. 1A(1)(c) substituted (6.4.2022) by Offensive Weapons Act 2019 (c. 17), ss. **50(2)(b)**, 70(1); S.I. 2022/418, reg. 2(b) (with reg. 3)
- F4** S. 1A(2) omitted (6.4.2022) by virtue of Offensive Weapons Act 2019 (c. 17), ss. **50(3)**, 70(1); S.I. 2022/418, reg. 2(b) (with reg. 3)
- F5** Words in s. 1A(4)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table
- F6** 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
- F7** 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
- F8** Words in s. 1A(8) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**
- F9** Words in s. 1A(8) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table
- F10** 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

**Status:**

Point in time view as at 07/02/2023.

**Changes to legislation:**

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