



# Offensive Weapons Act 2019

## 2019 CHAPTER 17

### PART 2

#### KNIFE CRIME PREVENTION ORDERS

##### *Supplementary provisions*

#### **28 Appeal against knife crime prevention order etc**

- (1) A defendant may appeal to the Crown Court against—
  - (a) the making of a knife crime prevention order under section 14 (order made otherwise than on conviction), or
  - (b) the making of an interim knife crime prevention order.
- (2) A person who applied for a knife crime prevention order under section 14 or an interim knife crime prevention order may appeal to the Crown Court against a refusal to make the order.
- (3) A defendant may appeal against the making of a knife crime prevention order under section 19 (order made on conviction) as if the order were a sentence passed on the defendant for the offence.
- (4) Where an application is made for an order under section 27 (variation, renewal or discharge)—
  - (a) the person who made the application may appeal against a refusal to make an order under that section;
  - (b) the defendant may appeal against the making of an order under that section which was made on the application of a person other than the defendant;
  - (c) a person within subsection (2) of that section other than the defendant may appeal against the making of an order under that section which was made on the application of the defendant.
- (5) An appeal under subsection (4)—

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**Changes to legislation:** There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 28. (See end of Document for details)

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- (a) is to be made to the Court of Appeal if the application for the order under section 27 was made to the Crown Court;
  - (b) is to be made to the Crown Court in any other case.
- (6) On an appeal under subsection (1) or (2), or an appeal under subsection (4) to which subsection (5)(b) applies, the Crown Court may make—
  - (a) such orders as may be necessary to give effect to its determination of the appeal, and
  - (b) such incidental and consequential orders as appear to it to be appropriate.

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**Commencement Information**

- II** S. 28 in force at 5.7.2021 in relation to the metropolitan police district for the specified period by [S.I. 2021/762](#), regs. [1\(2\)](#), [2\(1\)](#) (with [reg. 4](#)) (as amended (16.7.2022) by [The Offensive Weapons Act 2019 \(Commencement No. 2\) \(England and Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/828\)](#), regs. [1\(1\)](#), [2](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 28.