

Report to the Tyne and Wear Trading Standards Joint Committee

27 June 2019

Offensive Weapons Act 2019

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Purpose of the report

To update the Committee on recent legislative changes which affect the sale of knives and corrosive substances.

1. The Offensive Weapons Act received Royal Assent on Thursday 16 May 2019, bringing in tough new measures that strengthen law enforcement's response to violent crime.
2. The Act will make it illegal to possess dangerous weapons in private, including knuckledusters, zombie knives and death star knives, and will make it a criminal offence to dispatch bladed products sold online without verifying the buyer is over 18.
3. The Act includes a number of other measures to tackle serious violence, including:
 - a ban on the possession, manufacture and sale of rapid firing rifles and bump stocks, which increase a rifle's rate of fire. The ban on the manufacture and sale of these weapons has now come into force with immediate effect
 - a ban on selling bladed products to a residential address without age verification
 - updating the definition of flick knives to reflect changing weapon designs and banning private possession of flick knives and gravity knives
 - changing the legal definition for threatening someone with an offensive weapon to make prosecutions easier
 - banning the sale of corrosive products to under 18s
 - making it an offence to possess a corrosive substance in a public place.
4. The Act includes a list of corrosive substances that are subject to the ban.
5. The act requires if a bladed product is sold at a distance e.g. via a website then the seller:
 - Must have procedures in place to ensure, if it is delivered to a residential premise, that it is delivered into the hands of a person aged 18 or over; and
 - Have taken all reasonable precautions and exercised all due diligence to ensure it would be delivered into the hands of a person aged 18 or over.

- Ultimately it would be up to a court of law, if necessary, to decide what reasonable steps should have been adopted if an offence were to be committed.

Recommendation

6. The Committee is asked to note the information.

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