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OFFENSIVE WEAPONS BILL: FURTHER GOVERNMENT AMENDMENTS FOR LORDS COMMITTEE STAGE - KNIFE CRIME PREVENTION ORDERS

I am writing to let you have details of the attached further Government amendments for Committee stage which I have tabled today to provide for Knife Crime Prevention Orders.

We continue to face significant levels of knife crime, and we are determined to do all we can to tackle this scourge which has a devastating effect on communities. These new preventative civil orders are directed to this end. The scheme set out in the attached new clauses is modelled on existing legislation providing for similar preventative orders, such as sexual harm prevention orders, adapted to the particular circumstances of knife crime. The new order has been requested by the Commissioner of the Metropolitan Police Service, the Mayor of London and is supported by the National Police Chiefs' Council.

These orders will help divert those who are at risk of carrying a knife away from the criminal justice system. Existing orders (such as gang injunctions and criminal behaviour orders) cannot be used in all the circumstances where action needs to be taken.

The new clauses providing for Knife Crime Prevention Orders will have the following key features:

- i) They will be available on conviction for a relevant violent or knife-related offence or on application by the police to a magistrates' court.
- ii) An order may be made in respect of a person aged 12 and above; in the case of a person under 18, the police / CPS will be required to consult the relevant youth offending team.

- iii) The orders will last for a period of up to 2 years with regular reviews. If an order is applied to a person under the age of 18, it is expected to be subject to more frequent review by the court.
- iv) An order may contain such prohibitions and requirements as specified in the order, these may include requirements to address the causes of the offending behaviour.
- v) Breach of an order will be a criminal offence punishable by up to two years' imprisonment.
- vi) The police and CPS will be required to have regard to statutory guidance on the exercise of their functions relating to these orders. We will consult on the draft guidance before these provisions are implemented.

The scheme for these new orders is set out in 19 new clauses which, subject to the approval of the Committee, will form Part 5 of the Bill when it is reprinted. The amendments to clauses 39 and 42 are consequential on this restructuring of the Bill into Parts. The amendment to clause 42 provides for the new Part 5 to apply to England and Wales only.

I attach a supplementary Delegated Powers Memorandum and supplementary ECHR Memorandum in respect of these amendments.

These Government amendments are very much in keeping with Lord Tunnicliffe's amendment 77 on the marshalled list. It is the Government view, however, that we should use the opportunity afforded by this Bill to legislate now for Knife Crime Prevention Orders so as not to delay their introduction.

I am copying this letter to all Peers who spoke at Second Reading, Lord Rosser, Yvette Cooper (Chair, Home Affairs Select Committee), Harriet Harman (Chair, Joint Committee on Human Rights), Lord Blencathra (Chair, Delegated Powers and Regulatory Reform Committee), Louise Haigh MP and Stuart McDonald MP; I am also placing a copy of the letter, amendments and the two memorandums in the library of the House.



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