



# Offensive Weapons

## Criminal Laws (Amendment) Bill 2024

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### Weapons

When a weapon is carried about, even if concealed from sight and unlikely to be used, it represents a threat to public safety. It only takes a moment of irritation, drunkenness, anger or perceived insult for the weapon to be produced and used. Where a weapon is used the consequences can be devastating and include serious injury and loss of life.

The Crimes Ordinance 2014 contains a number of criminal offences which apply to producing, selling, marketing, importing and carrying weapons. A Government review has identified that the current law needs to be updated.

### What does the Bill aim to do?

#### Maximum Sentences

Offences involving weapons are serious and the maximum sentences available on conviction should reflect this fact. The Bill increases the current maximum sentences for a number of weapon offences to reflect the serious harm that this type of offending can cause.

#### Knives

The Bill aims to clarify and update the law in relation to flick knives. Flick knives use a spring, or other device, to release a blade at speed into a lockable position. They are a particularly dangerous form of knife and the current law prohibits their manufacture, sale and supply.

The Bill updates the relevant definition to ensure that all types of flick knives are covered by the law and creates a new criminal offence which prohibits the possession of a flick knife, in addition to the existing offences which prohibit the manufacture, sale or supply of flick knives. The Bill also prohibits the importation of flick knives.

The Bill does not make changes to the age at which people can purchase knives, which is currently set at 16 years old, and people under the age of 16 can purchase folding knives with short blades, such as swiss army knives and fishing line knives, as well as modern razors for shaving.

#### Education Premises

The current law includes offences relating to having weapons on school premises. Since the law was last reviewed the College has opened and the Bill amends the law so that it applies equally to all educational premises.





The Bill also clarifies police powers to search for weapons on educational premises and makes clear that weapons include corrosive substances.

### Threatening with weapons

The Bill creates a new criminal offence of threatening another person with a weapon in private. The offence is committed where an article with a blade or point, an offensive weapon or a corrosive substance is used to threaten a person and the threat is made in such a way as to create an immediate risk of serious physical injury.

The purpose of the offence is to reflect the seriousness of this type of criminal behaviour and it is particularly relevant to domestic abuse situations where abusers threaten their victims with weapons without necessarily causing them physical harm. The maximum sentence for this offence is 4 years imprisonment and this reflects the significant emotional harm which this type of offending can cause.

### Listed Weapons

The current law imposes prohibitions in relation to a number of listed weapons which are considered to be particularly dangerous. The list of weapons includes items such as shuriken (throwing death stars), footclaws and concealed sword sticks. The Bill adds zombie knives (decorated knives, often serrated) and cyclone knives (a knife with a helix blade) to the prohibited list.

The listed weapons are designed solely to inflict injury and their design is such that they are capable of inflicting very severe injury. There is no justification for having a listed weapon and the Bill prohibits their possession in public or in private, as well as their importation.

### Exceptions

There are a number of exceptions which apply offensive weapon provisions and the Bill aims to clarify and update the exceptions.

The Bill contains exceptions for people acting on behalf of the Crown, visiting armed forces, museums, galleries, items of historical importance, theatre, film, television, items made using traditional methods and religious and ceremonial items.

### Surrender of prohibited weapons

The Bill gives the Royal Falkland Islands Police the power to run a prohibited weapon surrender scheme to allow for people to surrender prohibited items in a safe manner without having to worry that action may be taken against them. A person who surrenders a prohibited item in accordance with a surrender scheme cannot be prosecuted for an offence.

The Bill also allows for compensation to be paid for the surrender of items in appropriate cases.

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