

SL1 FOR CONSIDERATION OF THE JUSTICE COMMITTEE

SL1 – STATUTORY RULES FOR THE COMMENCEMENT OF POWERS RELATING TO PRIVATE OWNERSHIP OF CERTAIN KNIVES AND OFFENSIVE WEAPONS IN NORTHERN IRELAND.

The Department of Justice ('the Department') proposes to make three new Statutory Rules under powers conferred by the Offensive Weapons Act 2019. The Surrender of Offensive Weapons (Compensation) Regulations (Northern Ireland) 2026 and The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) Order (Northern Ireland) 2026 are subject to the draft affirmative procedure; while The Offensive Weapons Act 2019 (Commencement No.2) Order (Northern Ireland) 2026 is not subject to any procedure.

Purpose of the Statutory Rules

Overview

2. The Offensive Weapons Act 2019 ('the Act') makes a range of provisions that are intended to reduce violent crime by tightening controls on the sale and ownership of corrosive substances, knives, offensive weapons and certain firearms. In the absence of a functioning NI Assembly during the period 2018 to 2019, the Head of the Northern Ireland Civil Service and the Northern Ireland Office gave agreement to the provisions in the Act extending to Northern Ireland.

3. The Department now proposes to make three new Statutory Rules for the purpose of commencing those provisions of the Act relating to private possession of certain knives and offensive weapons in Northern Ireland. The three Rules are:

- The Offensive Weapons Act 2019 (Commencement No.2) Order (Northern Ireland) 2026;
- The Surrender of Offensive Weapons (Compensation) Regulations (Northern Ireland) 2026; and,
- The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) Order (Northern Ireland) 2026.

4. Taken together, the introduction of these Statutory Rules will make it an offence to possess in private a range of offensive weapons that have already been outlawed in England and Wales; these include flick knives, zombie knives, zombie-

style knives, machetes, cyclone knives and ninja swords. Possession of these weapons in public is already an offence in Northern Ireland. A list and images of the weapons covered by these Statutory Rules is provided at **Appendix 1**.

5. Currently, where police find an offensive weapon such as zombie knife or zombie-style knife, machete, cyclone knife or a ninja sword in a private place, for example in someone's home, they can only take action and remove the item in question if it is considered to be evidence in a criminal investigation. The commencement of relevant provisions of the Offensive Weapons Act 2019 will render possession alone an offence, thereby empowering police to seize such items and consider referral to the prosecution authorities.

6. The Act also creates 'defences' for a person charged with having an offensive weapon in private, if the person can prove that they had it for good reason or lawful authority, or that the weapon in question is:

- of historical importance;
- to be used for historical re-enactments;
- to be used for sporting activities;
- for use in film and theatre;
- possessed on behalf of a museum or gallery, or lent or hired by a museum or gallery for cultural, artistic or educational purposes; or,
- possessed for religious reasons.

7. It is important to note that while the law provides for a defence, it is different to an exemption. When considering a defence, the burden of proof falls on the person who has the blade, not on the prosecution. The suspect must prove on the balance of probabilities that they had the weapon for good reason or lawful authority, or for one of the reasons listed above, and the police, prosecutors and courts will look at the full picture when assessing this.

8. If a law change bans items that were previously legal to own, owners may be eligible for payment to compensate for their financial loss. Section 48 of the Act makes provision for the Department to make arrangements for those who currently possess legally held weapons which will become prohibited by the commencement of the provisions of the Offensive Weapons Act 2019, to be able to surrender those

weapons at designated police stations. Section 49 of the Act provides for the payment of compensation for surrendered items and requires the Department to make regulations in relation to this. Additional information about the Surrender and Compensation Scheme is provided below at paragraph 18.

9. Together the three Statutory Rules will deliver a range of benefits intended to enhance community safety, including:

- removing dangerous knives and offensive weapons from the community, therefore lowering the risk that they could be used in violent crime;
- strengthening police powers in relation to knife crime by making it illegal to possess certain offensive weapons in private; and,
- ensuring that individuals who acquired items legally are treated fairly when those items become prohibited.

Details of the draft Statutory Rules

A. The Offensive Weapons Act 2019 (Commencement No.2) Order (Northern Ireland) 2026

10. The Commencement Order will bring into operation in Northern Ireland, on specified dates, the following provisions of the Offensive Weapons Act 2019:

- Section 43(2) makes amendment to the definition of a flick knife;
- Sections 44(5) to (7) amend Article 53 of the Criminal Justice (Northern Ireland) Order 1996 to insert the new possession offence, the penalties for the offence and new defences to enable museums and galleries to possess, lend and hire such knives;
- Section 46 creates an offence of possession in private of a weapon to which section 141 of the Criminal Justice Act 1988 applies. In private is defined in Northern Ireland as any place other than a public place, school premises, or further education premises. Defences for private possession of items of historical importance, for possession by museums or galleries and for educational purposes are created;
- Section 47 makes amendments to the Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988. “Zombie knives” and “cyclone knives” are added to make their manufacture, sale or hire, importation, and

possession in private, an offence in Northern Ireland. Subsections (4) to (7) amend the operation of the defence in the 1988 Order so that they apply to the new offence of private possession of a weapon created by section 46. They also amend the use for “religious ceremonies” defence to permit use for “religious reasons”;

- Subsection 47(8) sets out a new defence for a person of Sikh faith to possess a weapon for religious ceremony or other ceremonial event or for the purposes of presenting them to others at a ceremony and for the recipients (whether a Sikh or non-Sikh) to possess swords that have been presented to them;
- Section 48 provides the Department with the power to make appropriate arrangements to secure the surrender of weapons which will become unlawful to possess due to the operation of sections 44 and 46 (by themselves or in combination with sections 43 and 47 respectively). Subsection (5) makes provision for the Chief Constable to designate any police station in Northern Ireland as being suitable for the receipt of surrendered weapons of a particular description;
- Section 49 applies if the Department makes arrangements for the surrender of weapons in accordance with section 48. The Department must, by regulations, provide for payments to be made in respect of weapons which are surrendered in accordance with such arrangements. Payments may only be made when a claim for compensation meets specific criteria. Subsection (11) sets out the provision that may be made by regulations under subsections (2) or (6), which includes restricting eligibility to receive compensation payments and the procedure to be followed to determine claims.

11. If approved, it is our plan to commence sections 48 and 49 first to allow people to legally surrender items before they become prohibited. After 3 months (the period allowed for the surrender schemes) we will commence the other provisions to make private possession an offence.

B. The Surrender of Offensive Weapons (Compensation) Regulations (Northern Ireland) 2026

12. These regulations provide for a scheme of compensation, to be payable to persons surrendering items with a total value of £30 or more. Part 1 provides

definitions and requires the Department to create a 'Values List' setting out the weapons that fall under the Surrender and Compensation Scheme. This list is attached at **Appendix 1**.

13. Part 2 sets out the eligibility criteria for compensation under the Surrender and Compensation Scheme (*note the dates of ownership at section 3 are dependent on the commencement date of the Regulations and will be added later*). It also requires police to provide a receipt for surrendered weapons; requires the Department to create a claim form; and sets out the process for a claimant who believes the value of their surrendered items is greater than that published on the Department's Value List. It also provides authority for the Department to determine claims and make payments under the Surrender and Compensation Scheme. More detail on the operation of the Surrender and Compensation Scheme is included commencing at paragraph 18.

C. The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) Order (Northern Ireland) 2026

14. Part 1 of this Order sets out the citation and commencement dates; these dates will be in line with paragraph 11 above (i.e. the surrender schemes will be commenced first, followed by the provisions to make private possession an offence).

15. Part 2 amends the Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 to include a "zombie-style knife" or "zombie-style machete" and "ninja sword" and provides a detailed definition of what constitutes each of these items. In essence, it adds these weapons to the 'banned' list. Part 2 also creates defences for possession of these weapons including:

- If the weapon in question is one of historical importance;
- If the weapon is blunt and is incapable of cutting or piercing;
- if it is made by hand (including construction, finish and decoration) of the weapon is accomplished predominantly by one of more of the following methods:
 - (a) hand labour;
 - (b) manually-controlled methods which permit the maker to control and vary the construction, shape, design and finish of each part of each weapon (including the use of hand-controlled power tools).

16. Parts 3, 4 and 5 make provision for the inclusion of these weapons in the Surrender and Compensation Scheme under the same terms already noted, including defining the eligibility for compensation, the requirement for the Department to produce claim forms and authorisation for the Department to determine and pay compensation. *(Note the dates of ownership at section 6 are dependent on the commencement date of the Regulations and will be added later).*

17. It may be useful to point under that the Department intends to run a single Surrender and Compensation scheme with a single set of terms and conditions for all weapons listed in the three pieces of legislation and associated Schedules.

How will the surrender and compensation scheme operate in practice?

18. Pending Committee and Assembly approval, we intend to launch the Surrender and Compensation Scheme provided for by the draft legislation in autumn 2026; we intend that it should then run for a period of three months, before the new offences are subsequently commenced.

19. Subject to Committee and Assembly approval our provisional, anticipated timeframe is:

- late August and throughout September - commence public awareness communications;
- launch the surrender schemes circa mid-late autumn; and,
- commence the offence provisions in early 2027.

20. Raising public awareness of both the impact of the legislation and the surrender schemes is essential. A Communication Plan, developed in partnership between the Department and the PSNI, will set out specific detail of a targeted social media campaign and awareness raising through local media (radio, press and television), such as interviews with the Justice Minister and senior police officers highlighting the impact of knife crime, the purpose of the new legislation and the surrender schemes. Policing and Community Safety Partnerships (PCSPs) will work with community leaders and influencers to build trust and encourage participation, including engagement with marginalised, hard to reach communities.

21. The Department will also provide clear, detailed and easy-to-follow guidance which will be made available in various formats and languages as required. This will include guidance on procedural requirements and eligibility as well as other FAQs. Claim forms will be available online through NI Direct; we also intend that hard copies will be available on request and can be posted to potential claimants by the Department. Claim forms will also be available in different formats and languages. The various stages of the scheme are:

- *Completion of the claim form*

22. Individuals who wish to surrender items will be required to complete a claim form and bring it and the article(s) to be handed over to one of 17 designated police stations situated across Northern Ireland. The list of stations is attached at **Appendix 2**.

23. The following information will be required as part of the claim form:

- a) the claimant's full name, date of birth and address;
- b) a description of the item(s) being surrendered;
- c) the total amount of compensation sought;
- d) evidence of the item's value (*if the claimant believes it is over the standard compensation offered by the Department*); and,
- e) details of the bank account into which any compensation is to be paid or the address they wish a cheque to be sent (claimants will be asked to state their preference).

- *Transportation of items to the designated station*

24. Claimants will be provided with detailed guidance in relation to the transportation of items to the designated stations. This guidance will advise claimants to:

- ✓ make sure the weapon is securely packaged / wrapped and placed inside a sealed bag, box or case;
- ✓ keep it concealed during transit - ensuring the weapon remains safely stored in its sealed box or bag at all times while traveling. It must not be held in their hands, put in a waistband, or left visible inside any vehicle;

- ✓ once they arrive at the designated police station, claimants will be required to keep the weapon sealed and wrapped until a police officer or staff member explicitly asks them to remove it from its packaging;
- ✓ where claimants are surrendering a large quantity of weapons (typically more than 10), they will be required to contact their local police station in advance to arrange a specific appointment.

25. Guidance will also clarify that possessing bladed articles in public without a good reason or lawful authority is an offence, but that transporting items to a designated station for surrender, in compliance with the requirements of the surrender scheme is likely to be considered a 'good reason'. The guidance will advise claimants that, if stopped by police, they should explain that they are about to surrender the articles at their nearest station and show the officer their completed claim form.

- *Police actions at the station*

26. The Department will provide additional packaging at designated police stations should it be required. Protective gloves etc. will also be supplied for handling purposes. The legislation has been written to allow either police officers or police support staff (such as G4S officers who often man police counters) to inspect surrendered weapons and process claim forms.

27. Once the officer is content the item(s) being surrendered is in line with the details on the claim form, and the claim form is fully complete, they will:

- (a) Sign and date the claim form and add a unique reference number;
- (b) Make a copy of the completed claim form and give it to the claimant as their receipt;
- (c) Scan the original claim form and email it to the Department (a secure email address will be provided);
- (d) File the original claim form in an appropriate place in the designated station; and,
- (e) Place the surrendered item(s) in the appropriate place in the designated station pending collection and disposal.

28. The PSNI will be responsible for the collection and safe destruction of all surrendered items from all stations at the end of the scheme (duration 3 months).

- *Consideration of forensic risk and potential loss of evidence*

29. The primary purpose of the Surrender and Compensation Scheme is as a violence-prevention measure, designed to reduce knife crime by allowing people to safely dispose of illegal weapons without fear of immediate arrest.

30. The Department has consulted with PSNI which has indicated its position that any perception that police were routinely checking surrendered items could deter participation significantly and undermine the primary public safety purpose of the scheme. PSNI has indicated therefore that it will **not** ordinarily check or forensically test any weapon handed in. However, should police believe a surrendered item has been used in a crime, they can use powers conferred in [Section 21 of The Police and Criminal Evidence \(NI\) Order 1989](#) to conduct the required testing.

31. This approach mirrors that in operation across England and Wales under equivalent Home Office surrender schemes and the Department has concluded that it offers the most appropriate balance of delivering the scheme's public protection objectives whilst retaining operational discretion to conduct forensic testing where that is deemed to be necessary.

- *Role of the Department*

32. The Department of Justice will examine claim forms and supporting evidence and will decide the amount of compensation to be paid. The Department's decision will be final, and we have not provided for a right of appeal. The Department will then inform the claimant of the amount to be paid and make payment, by bank transfer or cheque (the claimant will be asked to express their preference). If for any reason it is determined that compensation should not be paid, they will also be notified of this together with the reasons for the decision. These procedures follow the requirements of the legislation and have been informed by, and reflect the methodology that was successfully used in previous schemes in neighbouring jurisdictions.

33. The legislation also states that only claims totalling £30 and over will be processed by the Department. Many of the items on the Value List are of extremely low value (£3 - £5) and it is considered as an unnecessary administrative burden to process a potentially high number of low values claims. Again, this follows the

legislation and model used in England and Wales. For those who do not wish to claim compensation, or have items below the threshold, we intend to provide Community Surrender Bins for the disposal of weapons. Additional detail on this aspect of the scheme is provided in the covering paper to this SL1.

34. Once an item(s) has been surrendered at the police station, it cannot be returned to the claimant or any other person.

What happens after the Schemes end?

35. Once the Surrender and Compensation Scheme and the Community Surrender Bin Scheme end, the new offences will come into effect and it will be illegal to possess in public and in private the weapons set out in the legislation. Anyone found in possession of an item will be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 51 weeks, to a fine or both or on conviction on indictment, to imprisonment for a term not exceeding 4 years, or to a fine, or to both.

36. At the end of the Surrender and Compensation Scheme, the Department will produce an evaluation report setting out the compensation paid and the items surrendered.

Previous Engagement with the Committee

37. There has been no previous engagement with the Committee specifically on this matter.

Financial Implications

38. The Department has set aside £25K to cover the costs of the surrender and compensation scheme. This includes the budget allocated to fund compensation claims.

Consultation

39. There was a UK wide public consultation to inform The Offensive Weapons Act 2019. The Department is bringing the relevant provisions of the Act into operation in this jurisdiction to ensure that Northern Ireland is in line with the rest of the UK. As such, the Department has not conducted any further consultation, apart from sharing with the NI Human Rights Commission and NI Equality Commission (see below).

Compliance with Section 24 of the Northern Ireland Act 1998

40. The **NI Human Rights Commission** (NIHRC) has had sight of this SL1 and has responded to say it has not identified any major conflicts with human rights standards. It has asked the Department to ensure guidance is clear; that the period permitted for surrender is reasonable; and that the application process is accessible so that owners have ample opportunity to comply before any changes to the law come into force. It has also requested that public awareness of the scheme includes consideration of older persons, rural communities, people who do not speak English as a first language, and other potentially marginalised individuals or groups.

41. NIHRC has also asked that the Department take account of NI's post-conflict status. The Department has provided assurance to NIHRC on all of these points, advising that:

- the Surrender and Compensation Scheme and the Community Surrender Bin Scheme will run concurrently for a period of three months, which is in line with England and Wales and which provides a sufficient period for those who wish to avail of the scheme;
- detailed guidance will be available in different formats and languages. In developing the guidance, the Department has endeavoured to make it as easy to follow as possible. Contact information for the Department will be provided if anyone has any questions;
- a Communications Plan will be created to ensure that public messaging is consistent and that individuals are alerted to the schemes well in advance of the launch. This will include plans for engagement with marginalised communities; and,
- in relation to the post-conflict issues, we will discuss issues around community sensitivities with the police and will also engage with TEO and with the Executive Programme on Paramilitarism and Organised Crime.

42. This SL1 has also been shared with the **NI Equality Commission** which confirmed that it had no specific comments or concerns to convey to the Department or the Committee. However, it did recognise the rising numbers of knife crimes in England and the recent events here, and noted that while this particular legislation will

not affect all instances where a knife is used as a weapon, it is important as one of many measures needed.

Consideration by the Executive

43. This SL1 has not been considered by the Executive.

Equality Impact

44. The Department has concluded that the proposals do not have significant adverse effects for any group under section 75 of the Northern Ireland Act 1998 and, therefore, an equality impact assessment is not considered necessary.

Regulatory Impact

45. A screening assessment has been completed which found a Regulatory Impact Screening Assessment was not required as there is minimal compliance or administrative burdens placed on businesses, charities, or charities or voluntary groups. For these reasons, a full Regulatory Impact Assessment was screened out.

Rural Needs Impact

46. A Rural Needs Assessment determined that no specific design features are required to address rural issues.

Data Protection Impact

47. The Department carried out an extensive Data Protection Impact Assessment as individuals who surrender items must complete a claim form that includes:

- (a) the claimant's full name, date of birth and address; and
- (b) details of the bank account into which any compensation is to be paid.

48. The Department has also engaged with the Information Commissioner's Office in this regard and no concerns were raised. The Department will ensure that arrangements are in place for the secure handling and processing of data in line with requirements under Departmental policy and GDPR. Personal information provided under the Surrender and Compensation Scheme will be used for the purpose of processing claims only and will be destroyed in line with policy.

Child Rights Impact

49. The Department did not consider it necessary to carry out a specific Child Rights Assessment as it is already illegal for anyone under the age of 18 to possess any of the items set out in the 2019 Act.

Position in Great Britain

50. The provisions of the 2019 Act are already operational in England and Wales and in Scotland.

51. The Home Office has run a number of separate surrender and compensation schemes covering flick knives, gravity knives, zombie knives, knuckledusters, hand claws and sword sticks, 'zombie style knives and machetes' and ninja swords. These draft statutory rules will bring Northern Ireland into line with the rest of the UK in relation to criminalising the private possession of these weapons. The legislation has been drafted in such a way that we will only need to run **one** surrender and compensation scheme in this jurisdiction, which will be clearer and simpler for users, as well as saving time and resources.

Proposed timing of consideration of the SL1

52. Consideration of this SL1 and the legislation is on the Justice Committee's agenda for the 2 July 2026.

Proposed Operational Date

53. Subject to Committee and Assembly approval are anticipated timeframe is:
- late August and throughout September - commence public awareness communications;
 - launch the surrender schemes circa mid-late autumn, they will run for 3 months; and,
 - commence the offence provisions in early 2027.




54. Drafts of the three proposed pieces of legislation are attached.






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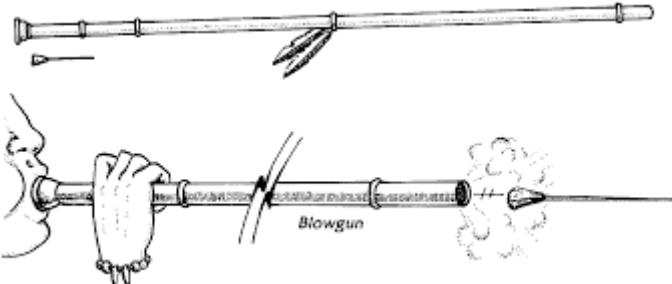
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APPENDIX 1 - OFFENSIVE WEAPONS ACT VALUE LIST

LIST OF WEAPONS COVERED UNDER THE SURRENDER AND COMPENSATION SCHEME & STANDARD VALUE

| DESCRIPTION OF ITEM | PICTURE OF ITEM | VALUE OF EACH ITEM |
|---|--|--------------------|
| <p>Flick Knives: Knives with blades that spring open automatically by pressing a button, spring, or device on the handle.</p> |  | £20 |
| <p>Gravity Knives: Knives where the blade is released from the handle by gravity or centrifugal force and locks into place.</p> |  | £40 |
| <p>A knuckleduster, that is, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, and any weapon incorporating a knuckleduster</p> |  | £2 |
| <p>A swordstick, that is, a hollow walking stick or cane containing a blade which may be used as a sword.</p> |  | £12 |

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| <p>The weapon sometimes known as a “hand claw”, being a band of metal or other hard material from which a number of sharp spikes protrude, and worn around the hand</p> |  | <p>£9</p> |
| <p>The weapon sometimes known as a “belt buckle knife”, being a buckle which incorporates or conceals a knife</p> |  | <p>£5</p> |
| <p>The weapon sometimes known as a “push dagger”, being a knife the handle of which fits within a clenched fist and the blade of which protrudes from between two fingers;</p> |  | <p>£2</p> |
| <p>The weapon sometimes known as a “hollow kubotan”, being a cylindrical container containing a number of sharp spikes;</p> |  | <p>£3</p> |
| <p>The weapon sometimes known as a “footclaw”, being a bar of metal or other hard material from which a number of sharp spikes protrude, and worn strapped to the foot;</p> |  | <p>£7</p> |

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| <p>The weapon sometimes known as a “shuriken”, “shaken” or “death star”, being a hard non flexible plate having three or more sharp radiating points and designed to be thrown;</p> |  | <p>£5</p> |
| <p>The weapon sometimes known as a “balisong” or “butterfly knife”, being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade</p> |  | <p>£9</p> |
| <p>The weapon sometimes known as a “telescopic truncheon”, being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;</p> |  | <p>£20</p> |
| <p>The weapon sometimes known as a “blowpipe” or “blow gun”, being a hollow tube out of which hard pellets or darts are shot by the use of breath;</p> |  | <p>£14</p> |

| | | |
|--|--|------------|
| <p>The weapon sometimes known as a “kusari gama”, being a length of rope, cord, wire or chain fastened at one end to a sickle;</p> |  | <p>£35</p> |
| <p>The weapon sometimes known as a “kyoketsu shoge”, being a length of rope, cord, wire or chain fastened at one end to a hooked knife;</p> |  | <p>£20</p> |
| <p>The weapon sometimes known as a Manrikigusari “or “kusari”, being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip</p> |  | <p>£10</p> |
| <p>A disguised knife, that is any knife which has a concealed blade or concealed sharp point and is designed to appear to be an everyday object of a kind commonly carried on the person or in a handbag, briefcase, or other hand luggage (such as a comb, brush, writing instrument, cigarette lighter, key, lipstick or telephone);</p> |  | <p>£5</p> |

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|---|--|------------|
| <p>A stealth knife, that is a knife or spike, which has a blade, or sharp point, made from a material that is not readily detectable by apparatus used for detecting metal and which is not designed for domestic use or for use in the processing, preparation or consumption of food or as a toy;</p> |  | <p>£3</p> |
| <p>A straight, side handled or friction lock truncheon (sometimes known as a baton).</p> |  | <p>£10</p> |
| <p>Cyclone knives Section 47 of the 2019 Act amends includes cyclone/spiral knives and zombie knives, zombie killer knives, or zombie slayer knives.</p> |  | <p>£10</p> |
| <p>A “cyclone knife” or “spiral knife” - being a weapon with a handle, a blade with two or more cutting edges, each of which forms a helix, and a sharp point at the end of the blade.</p> |  | <p>£30</p> |

Zombie knives, Zombie-style' knives 'Zombie-style' machetes a blade with a cutting edge; a serrated edge; and images or words (whether on the blade or handle) that suggest that it is to be used for the purpose of violence.



£10

Ninja swords



£5

APPENDIX 2

DESIGNATED POLICE STATIONS FOR THE SURRENDER & COMPENSATION SCHEME

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|--|
| Newtownards |
| Downpatrick |
| Lisburn |
| Armagh |
| Lurgan |
| Newry |
| Cookstown |
| Enniskillen |
| Omagh |
| Limavady |
| Strabane |
| Strand Road (Derry~Londonderry) |
| Ballymena |
| Coleraine |
| Larne |
| Antrim |
| Musgrave (Belfast) |