



CARRYING KNIVES

The use and carrying of knives [Criminal Justice Act 1988, Criminal Law (Consolidation) (Scotland) Act 1995 & Violent Crime Reduction Act 2006]

It is **ILLEGAL** to have any sharply pointed or bladed instrument in your possession, in a public place without good reason or lawful authority. (See below RE: folding pocket knives) This fact sheet covers the laws of England, Scotland and Wales.

A public place is anywhere that the public has, or is permitted to have access to, even if they must pay to do so. This not only covers areas such as roads and highways, shops, and pubs but also less obvious areas. This is important to realise for those working or spending leisure time in the countryside, as public footpaths or other rights of way come under the definition of a public place. Estate land where the public may have access is also a public place even if it is privately owned. Your car or other vehicle is also classed as a public place whilst on the highway, and the police now have search and seize powers without warrant with respect to knives.

'Good reason' for carrying a knife may be shown by occupation as a farmer, estate manager, recreational stalker, gameshooter, angler or anyone else who has reasonable grounds for expecting to need a knife whilst pursuing a lawful activity.

Leaving a knife in the car, or in your pocket for when you next go shooting, or forgetting that it is there, is **NOT** a defence.

Carrying a knife in public must be in connection with the activity for which it is needed; leaving it in your car or going into a shop with a knife in your pocket if you are returning from or going to a place where you farm, fish or shoot etc. would constitute good reason even though you do not have an immediate need to use the knife on the spot.

There is an exemption in law for folding pocket knives. These must have cutting edges of less than three inches and do not lock. Due to a court case¹ it was ruled that a folding pocket knife "must be foldable at all times".

Therefore knives such as Opinel knives, which utilise a manual twist collar to hold the blade in the open position, are termed to be lock knives regardless of length of cutting edge. If you own an Opinel or similar knife that relies on a device to prevent the blade from closing whilst in use you will need a "good reason" to have one with you. It is reasonable to have one for 'work' purposes as described above and to say that you have chosen a knife with a safety mechanism to protect your fingers whilst using it.

There is a further exemption for the carrying of knives as part of either a national costume (such as the Scottish Skean Dhu) or as part of a religious obligation (the Sikh Kirpan).

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¹ R v Deegan 1998 2 Cr App, R 121 CA