

## SAFETY ALERT

Contact: [safety@britishcanoeing.org.uk](mailto:safety@britishcanoeing.org.uk)

SUBJECT	<b>The Carrying of Knives</b>
Date Issued	November 2018

### Introduction

The carrying of knives is a topic that has attracted considerable scrutiny in recent years given the alarming increase in knife crime. As a result, we have prepared this note to give paddlers some basic information about the current position and how this may impact on their paddling activities.

### The Legal Position

Paddlers have long since carried knives as part of their safety equipment and many will have done so without any consideration or knowledge of the potential legal implications in this regard. However, there are in fact a number of legal offences relating to the carrying of knives in public. The most pertinent in this regard is s.139 of the Criminal Justice Act 1988, which states that it is an offence for a person to have in a public place a knife (other than a folding pocket knife with a blade of less than 3 inches) or other bladed or pointed article. The penalty for an offence in this regard is a maximum of 4 years in prison or an unlimited fine.

The Government have also issued the following guidance:

It is illegal to:

- Sell a knife to anyone under 18, unless it has a folding blade 3 inches long (7.62 cm) or less
- Carry a knife in public without good reason, unless it has a folding blade with a cutting edge 3 inches long or less
- Carry, buy or sell any type of banned knife
- Use any knife in a threatening way (even a legal knife)

It is important to note that Lock knives are not classified as folding knives and are also illegal to carry in public without a good reason.

### How does this affect me as a paddler?

As detailed above, the law makes it clear that carrying a knife in public without good reason is an offence. Fortunately, for paddlers who utilise knives as part of their safety equipment, the law provides it is a defence if an individual has a “good reason” or “lawful authority” to have the knife in a public.

One such example of a “good reason” for carrying a knife in public is detailed as:

- a) for use at work;

In the context of paddling, it is likely that carrying a knife as part of your safety equipment for paddling would fall within this “good reason” defence. It is however highly recommended that paddlers do not carry safety knives separately but instead keep them with the rest of their equipment, particularly when travelling. This will help to demonstrate that you have a “good reason” for carrying a knife and therefore make it less likely that there can be any dispute as to the purpose of carrying the knife. Furthermore, it is recommended any knives are kept in a suitable holder and are not accessible by anyone when not in use.

It should be noted that what will constitute a “good reason” will vary according to the circumstances and the knife involved. Ultimately it would for a court of decide whether or not an individual had a “good reason” to carry a knife in particular circumstances.

### **Conclusion**

Carrying a small knife safely and securely when travelling to and from paddling activities, is highly likely to be classified as a “good reason” for the purposes of the relevant legislation. However, paddlers should be aware of the legal position in this regard and ensure they act sensibly and appropriately when carrying and storing knives.

Further information can be found by visiting: <https://www.gov.uk/buying-carrying-knives>

By submitting incident reports to British Canoeing you can help us to identify and address issues within the sport. To report an incident go to <https://www.britishcanoeing.org.uk/go-canoeing/incident-reporting>