

CHAPTER 43

Preventive justice

Having article with blade or point (or other offensive weapon) on school premises p 1111

The Violent Crime Reduction Act 2006, s 45 inserts a new s 550A into the Education Act 1996 to provide a power for a member of staff of a school, who has reasonable grounds for suspecting that a pupil at the school may have with him or in his possession an article to which the CJA 1988, s 139 (knives and blades etc) or an offensive weapon within the meaning of the Prevention of Crime Act 1953 (a weapon made, adapted or intended to be used for causing injury), to search that pupil or his possessions for such articles or weapons. Section 46 makes similar provisions in relation to further education establishments, by amending the Higher Education Act 1992 by the addition of s 85B. Such searches must be carried out by the head teacher (or principal in the case of a further education institution) or a person authorised by him. **[Not yet in force in Wales]**

Section 47 provides similar powers in respect of attendance centres. **[Not yet in force]**

CJA 1988, s 139B has been amended by VCRA 2006, s 48 to replace 'if he has reasonable grounds for believing' with 'if he has reasonable grounds for *suspecting*'.

Sale of knives etc to persons under 16 p 1113

The Violent Crime Reduction Act 2006 (VCRA 2006), s 43 amends the CJA 1988, s 141A (prohibition of sale of knives etc to persons under 16) by substituting '18' for '16'. **[Not yet in force]**

Section 43 adds a s 141A which provides a defence where the sale was for the purposes of a theatrical performance or rehearsal, the production of a film or the production of a television programme. **[Not yet in force]**

Using someone to mind a weapon p 1114

*This heading and material should appear above the heading **GOING EQUIPPED TO STEAL***

The Violent Crime Reduction Act 2006, s 28 provides that a person is guilty of an offence if –

(a) he uses another to look after, hide or transport a dangerous weapon for him; and

(b) he does so under arrangements or in circumstances that facilitate, or are intended to facilitate, the weapon being available to him for an unlawful purpose.

For this purpose, the cases where a dangerous weapon is to be regarded as available to a person for an unlawful purpose include any case where it is available for him to take possession of it at a time and place at which his possession of the weapon would constitute, or be likely to involve or to lead to, the commission by him of an offence. A 'dangerous weapon' is a firearm other than an air weapon or a component part of, or accessory to, an air weapon, or a weapon to which s 141 or 141A of the CJA 1988 applies (specified offensive weapons, knives and bladed weapons - see pp 111-112 of text).

[Not yet in force]