Forest School Association guidance notes

Guidance note – UK Knife Law

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According to the range of laws that govern the carrying of blades, most Forest School Practitioners could be at risk of contravening UK Knife Law. The only blades someone can legally carry in public in the UK are folding, non-locking pocket knives, like Swiss Army knives, with a blade that is less than 3 inches long. You may have a range of bladed tools that do not fit this description.

Which laws apply?

The laws which cover this area are:

Section 139 (A) of the Criminal Justice Act 1988

The Knives Act 1997

The Offensive Weapons Act 1996

The Violent Crime Reduction Act 2006

What does the law say exactly?

Legislation states that 'It is illegal to carry any sharp or bladed instrument in a public place (with the exception of a folding pocket knife, which has a blade that is less than 7.62 cm (3 inches)). Without lawful authority or reasonable excuse.'

It should be remembered that the legislation is part of what is referred to as 'Statutory Preventative Measures' in that it is trying to prevent a more serious offence should a knife/weapon be used against a person. Therefore, the spirit of the law is such that those who are carrying 'tools' sit outside of the remit of this offence. It is aimed at those who believe it is acceptable to carry knives in public as weapons.

What does the law mean in relation to Forest School practice?

'Blades of more than 3 inches long' pretty much includes everything in the average Forest School toolbox: fixed blade carving knives, billhooks, and any other tools like axes, froes, draw knives etc. The legislation includes any straight (non-folding) knife, of any length and any locking knife (like an Opinel or Leatherman which has a locking function) of any length. All class as being illegal if a person does not have a good reason.

'In a public place' means anywhere that the public has access to, even if they have to pay for access. Even privately owned land that the public have access to is classed as a public place. If your vehicle is parked on a public road it is classed as a public place.

Educational establishments don't class as public places but are mentioned under other parts of the law as places where it is illegal to have a blade without good reason.

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The **'lawful authority or reasonable excuse'** clause is open to interpretation by a police officer or magistrate, however the reasons outlined in legislation include the use of tools for educational purposes or a 'job of work' (this covers people who are paid, are volunteers or who do things for a hobby). Remember 'just in case' is not a reasonable excuse.

In the event that you are challenged for carrying your Forest School tools it will be up to you to prove that your 'job of work' is a reason for carrying them. We have provided a template (attached) that helps Forest School practitioners with this 'burden of proof'.

Sensible steps to take

Even with your 'reasonable excuse' it's still your responsibility to make sure you have complied with the law and taken necessary steps to act in a way that is 'non-threatening' and 'ensures the safety of those you come into contact with'. If you have a range of tools in a public place there are some sensible steps you can take:

- Choose tools that are suitable for the 'job of work'.
- Avoid totally illegal implements. A list of knives banned in the UK can be found here: https://www.gov.uk/buying-carrying-knives.
- Choose tools that are brightly coloured or high vis, these are less likely to be treated as a concealed weapon.
- Put covers on tools or keep them wrapped up to cover the blades.
- Store in a tool bag or box.
- Store tools together – this demonstrates that they are for use with groups rather than as a personal item.
- When travelling in a vehicle put tools in the boot or an area that isn't easily accessible by the driver or passengers
- When travelling on foot put tools in the bottom of your bag or rucksack make them as inaccessible as possible.
- Ensure you only carry your tools when going directly to or from your 'reasonable excuse'. Having used them the day before or earlier in the day, or planning to use them later may not be interpreted as 'reasonable excuse'.
- Ensure anyone carrying tools is over the age of 18.
- Carry a copy of our 'FSA Forest School tool statement' in your tool box or tool bag (see below).

Making, selling or hiring knives

It's illegal to sell a knife of any kind to someone under the age of 18 (16 to 18 year olds in Scotland can buy cutlery and kitchen knives. Manufacturing, selling or hiring knives are covered by a specific set of legislation which you will need to familiarise yourself with if relevant to your activities.

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Forest School tool transport statement

To whom it may concern.

This person (insert your name and address)

uses the following tools: sheath knife, bill hook (insert tools) for carving and green woodworking, conservation work and for teaching these skills to children and young people. This work is carried out in the following places (insert locations). This person has been trained and is qualified in the safe use of tools.

More about Forest School can be found at www.forestschoolassociation.org.

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