

*These notes refer to the Criminal Justice and Courts Act
2015 (c.2) which received Royal Assent on 12 February 2015*

CRIMINAL JUSTICE AND COURTS ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – Criminal Justice

Repeat offences involving offensive weapons

Section 28: Minimum sentence for repeat offences involving offensive weapons

275. **Section 28** puts in place a minimum custodial sentence for a second (or further) conviction in England and Wales for possession of a knife or offensive weapon. A previous conviction for threatening with a knife or offensive weapon also counts as a ‘first strike’. The minimum custodial term set out by this section is 6 months imprisonment for those aged 18 or over when convicted of the second offence, and a four month Detention and Training Order for those aged 16 or over but under 18 when convicted of the second offence, unless there are particular circumstances which would make it unjust to impose such a sentence.