EXPLANATORY MEMORANDUM TO

THE CRIMINAL JUSTICE ACT 1988 (OFFENSIVE WEAPONS) (AMENDMENT) (ENGLAND AND WALES) ORDER 2026

2026 No. [XXXX]

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Sarah Jones MP, Minister of State for Policing and Crime at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

2.2 Nick Hunt, Head of Firearms and Weapons Policy Unit, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Esperanza Gomez at the Home Office, can be contacted by email at the following address with any queries regarding the instrument: knifecrimepolicyteam@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument will amend the description of ninja swords in the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 ('the 1988 Order') to make clear that the length of the secondary cutting edge of a ninja sword (the tanto-style/reversed tanto-style tip) can be no more than the width of the primary cutting edge plus 105% of the width. The amendment clarifies the definition of a ninja sword and does not expand the scope of the ban.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 The Government introduced a ban on ninja swords in August 2025 as part of its wider commitment to tackle knife crime and reduce the availability of dangerous weapons. It made it an offence to possess, import, manufacture, sell, or otherwise supply such a weapon. The ban implemented a commitment made in the Government's Labour

General Election manifesto, and forms part of the measures announced under 'Ronan's Law' following campaigns by the family of Ronan Kanda, who was killed with a ninja sword in 2022.

5.2 The legislation introducing this ban defines precisely a ninja sword including its blade length, the number of cutting edges, and the existence of both a blunt spine and a 'tanto style' or 'reverse tanto style' point (which are, in turn, defined by the respective angles between the two cutting edges and the spine). The police have recently identified a difficulty in the way the secondary cutting edge of a ninja sword is defined in this legislation. In particular, the legislation does not accurately describe the maximum length of the secondary cutting edge of the sword at the Tanto/reversed Tanto-style end point.

5.3 Typically, the length of the secondary cutting edge of a ninja sword could be up to double the width of the primary cutting edge plus a small additional margin of up to 5%. However, the current description of the secondary cutting edge states that the secondary cutting edge has a length equivalent to the width of the blade immediately after the handle with a 5% margin of error, potentially excluding ninja swords with longer secondary cutting edges. The police highlighted that ninja swords may have secondary cutting edges up to 105% longer than the width of the main blade, and this defect is therefore being corrected. This instrument amends the 1988 Order to clarify this aspect of the definition in line with subsequent advice from the police about its application. This will ensure that the legal description of ninja swords is accurate and in line with policy set out in the Government's consultation paper issued in November 2024.[1]

What was the previous policy, how is this different?

5.4 This amendment does not implement a new policy; it corrects an error in the original legal description of the maximum length of the secondary cutting edge of the ninja sword. Further advice from the police, based on operational experience, has highlighted that an error was made in one aspect of the legal description. The amendment addresses this. It is challenging translating a technical description of the different elements that make up a ninja sword into an accurate legal description for the purposes of a statutory instrument. Soundings and advice had been taken from the police and Royal Armoury in finalising the legal description, and this was the basis of the description that was the subject of public consultation by the Home Office in November 2024. No adverse comments were received in the consultation about the part of the legal description that is now being amended. Although no other swords will be affected by this change, it is essential for any future cases being prosecuted in the criminal courts that the legal description is accurate in all aspects and that it properly covers all ninja swords.

6. Legislative and Legal Context

How has the law changed?

6.1 The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender & Compensation) (England and Wales) Order 2025 amended the 1988 Order by banning ninja swords in England and Wales. However, the description of ninja swords in the legislation has an error in the way the length of the secondary cutting edge is defined. This instrument therefore amends the 1988 Order to set out clearly that the length of

[1] https://www.gov.uk/government/consultations/ninja-swords-legal-definition-and-defences/prohibiting-ninja-swords-legal-description-and-defences-accessible

this secondary cutting edge could be up to double the width of the primary cutting edge plus 5% of the width.

Why was this approach taken to change the law?

6.2 This is the best approach to correct the error in the description of the secondary cutting edge in the 1988 Order. This is a technical amendment that will not amend the scope of the original policy, nor will it bring within scope of the ban other types of swords.

7. Consultation

Summary of consultation outcome and methodology

7.1 A consultation on the legal description of a ninja sword was undertaken prior to the introduction of the Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender & Compensation) (England and Wales) Order 2025. However, the error relating to the length of the secondary cutting edge was not identified at that time and was not the subject of any comments from respondents to the consultation. The issue was subsequently raised with the Home Office by the police and has since been discussed with the police, the Crown Prosecution Service, and weapons experts at the Royal Armoury, all of whom advised on the proposed change to address the aspect of the legal description that has been found to be incorrect.

8. Applicable Guidance

8.1 The Home Office will amend the description of the secondary cutting edge of a ninja sword in the 'Selling, buying and carrying knives and weapons' guidance on gov.uk.[2] Changes to guidance will be published in support of when the instrument takes effect.

8.2 It is our practice to only publish guidance updates when this instrument take effect to mitigate the high risk of users referring to the wrong version.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared as this amendment makes a minor correction to the legal description of a ninja sword and aligns the legislation with the policy intent. Although the revised legal definition amends the description in the original instrument, it does not change any of the potential impacts beyond those already assessed in the original 2025 Impact Assessment, and therefore assessed impacts remain unchanged.[3]

Impact on businesses, charities and voluntary bodies

9.2 There is no significant impact on business, charities or voluntary bodies because ninja swords have already been banned and this amendment does not bring within scope any other type of sword.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no impact on the public sector because ninja swords have already been banned, and this amendment does not extend the scope to other types of swords.

[2] https://www.gov.uk/buying-carrying-knives
[3] https://www.legislation.gov.uk/uksi/2025/681/pdfs/uksiod_20250681_en_001.pdf

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The impact of the proposed amendment to one aspect of the legal description will be monitored using feedback from the police and Trading Standards, and through statistics relating to offences. The Home Office will also keep under review the impact of the measures on business.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 This Statutory Instrument has been made in consequence of a defect in S.I. 2025/681 and is being issued free of charge to all known recipients of that Statutory Instrument. The Department has complied with the requirement stated in paragraph 4.7.6 of SIP to consult with the SI Registrar.

12. European Convention on Human Rights

12.1 The Minister of State for Policing and Crime, Sarah Jones MP, has made the following statement regarding Human Rights:

"In my view the provisions of the Criminal Justice Act 1988 (Offensive Weapons) (Amendment) (England and Wales) Order 2026 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").