

Knife Possession Sentencing Quarterly Brief January to March 2010 England and Wales

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Knife Possession Sentencing Statistics January to March 2010

Introduction

Since May 2008 tougher sentences have been introduced for offences involving the possession of a knife. This was in response to the high prevalence of knife crime including possession of a knife.

This bulletin contains key statistics describing the trends in cautioning and sentencing, probation supervision and the prison population for possession of a knife or offensive weapon in England and Wales. It has been prepared from readily available management information to monitor trends.

The information presented generally combines both offences of possession of an article with a blade or point and offences of possession of an offensive weapon (which could be a knife) – see explanatory notes for fuller explanation. A breakdown for the separate offences is given for disposals in Table 3 but is not available for probation and prison data. The sources of data used do not enable us separately to identify other offences involving a knife, such as wounding offences. Full details on data quality and definitions are given in the notes at the end of the text.

The key events that might be expected to affect the statistics were:

Sentencing

- On 21 May 2008, the Court of Appeal issued the judgment in *Povey* that said that, because of prevalence, magistrates should normally sentence those convicted of knife crime possession offences at the top end of the range.
- The Sentencing Guidelines Council issued an update to the magistrates' courts guidelines, with effect from 4 August 2008, which set out the effect of the Court of Appeal judgment and made it clear that, for the time being, the starting point for the lowest level of knife possession should be 12 weeks' custody. This applies to adults (aged 18 and over).
- This applies in cases where a first time offender pleads not guilty to possession of a knife in non-dangerous circumstances. A guilty plea would attract a discount in the normal way, as would any personal mitigation, and could take the sentence below the custody threshold.

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- Since September 2008 all probation areas are able to provide intensive delivery of 300 hour Community Payback sentences for unemployed offenders convicted of knife crime offences, who are on the brink of custody. In January 2009 this offer of intensive delivery of a minimum of 18 hours per week over three days was extended to Community Payback sentences of any length imposed for an offence of knife crime, when an offender is unemployed.

All statistics quoted in this quarterly brief are provisional and subject to change.

To enable a fuller comparison over time the tables in this bulletin with data from Q4 2007 onwards, are available for download from the Ministry of Justice website www.justice.gov.uk/publications/knife-crime-sentencing.htm

This publication has been prepared by Justice Statistics Analytical Services.

Key points – Q1 2010

Note on all comparisons

Comparisons are presented between the latest quarter (Q1 2010) and Q1 2009 to provide an indication of changes over the last year. Longer term comparisons comparing Q1 2010 with the same period two years ago are also shown to reflect the sizeable changes that occurred between Q1 2008 and Q3 2008, following the change in sentencing guidelines.

Cautioning and sentencing statistics (Tables 1 to 5)

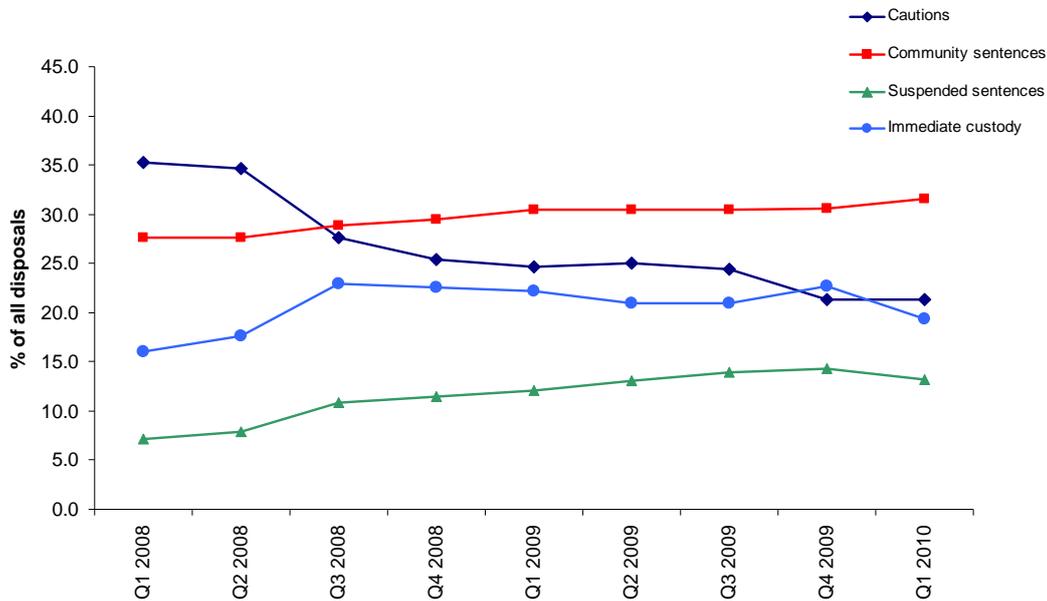
Q1 2010 compared to Q1 2009

- **Between Q1 2009 and Q1 2010 the total number of disposals given for knife or offensive weapon possession has decreased by 22% from 6,800 to 5,300.** This drop was more marked for juvenile offenders where the decrease was 30% (1,400 to 1,000), than for adult offenders where the decrease was 20% (5,400 to 4,300).
- **The proportion of offences receiving cautions¹ and immediate custodial sentences for knife or offensive weapon possession decreased slightly while the proportion of suspended sentences and community sentences remained broadly stable between Q1 2009 and Q1 2010²:**
 - In Q1 2010 21 per cent (1,100) of all possession offences resulted in a caution in England and Wales. This compares with 25 per cent (1,700) in Q1 2009.
 - In Q1 2010 19 per cent (1,000) of all possession offences resulted in immediate custody compared to 22 per cent (1,500) in Q1 2009.
 - In Q1 2010 13 per cent (700) of all possession offences resulted in suspended sentence orders compared to 12 per cent (820) in Q1 2009.
 - In Q1 2010 32 per cent (1,700) of all possession offences resulted in community sentences compared to 30 per cent (2,100) in Q1 2009.

¹ Cautions include juveniles receiving reprimands and final warnings.

² Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police. Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter

Figure 1: Disposals for knife and offensive weapon possession for England and Wales



- Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**

 - In Q1 2010 36 per cent (370) of sentences were recorded as being over six months compared to 27 per cent (410) in Q1 2009.
 - The average length of a custodial sentence was 219 days in Q1 2010. This has increased from 180 days in Q1 2009.
- For offences committed by juvenile offenders the proportion of offences receiving reprimands and final warnings decreased from 37 per cent (520) in Q1 2009 to 30 per cent (300) in Q1 2010. This was balanced by an increase in the proportion receiving community sentences from 50 per cent (710) to 57 per cent (560).**
- For offences committed by adult offenders the proportion of offences receiving cautions decreased slightly from 21 per cent (1,100) in Q1 2009 to 19 per cent (800) in Q1 2010 as did the proportion receiving immediate custodial sentences (26 per cent (1,400) to 22 per cent (960)) The proportion of suspended sentence orders and community sentences remained broadly stable.**

Q1 2010 compared to Q1 2008

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 26% between Q1 2008 and Q1 2010 (7,200 to 5,300).** This drop was more marked for juvenile offenders where the decrease was 39% (1,600 to 1,000), than for adult offenders where the decrease was 23% (5,500 to 4,300).
- **The proportion of offences receiving cautions³ for knife or offensive weapon possession decreased while the proportion of immediate custodial sentences, suspended sentence orders and community sentences rose between Q1 2008 and Q1 2010. This is a reflection of the sizeable changes that occurred between Q1 2008 and Q3 2008:**
 - In Q1 2010 21 per cent (1,100) of all possession offences resulted in a caution in England and Wales. This compares with 35 per cent (2,500) in Q1 2008.
 - In Q1 2010 19 per cent (1,000) of all possession offences resulted in immediate custody compared to 16 per cent (1,200) in Q1 2008.
 - In Q1 2010 13 per cent (700) of all possession offences resulted in suspended sentence orders compared to 7 per cent (510) in Q1 2008.
 - In Q1 2010 32 per cent (1,700) of all possession offences resulted in community sentences compared to 28 per cent (2,000) in Q1 2008.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q1 2010 36 per cent (370) of sentences were recorded as being over six months compared to 15 per cent (170) in Q1 2008.
 - The average length of a custodial sentence was 219 days in Q1 2010. This has increased from 139 days in Q1 2008.
- **For offences committed by juvenile offenders the proportion of offences receiving reprimands and final warnings decreased** from 47 per cent (760) in Q1 2008 to 30 per cent (300) in Q1 2010. This was balanced by an increase in the proportion receiving community sentences (from 42 per cent (690) to 57 per cent (560)).

³ Cautions include juveniles receiving reprimands and final warnings.

- **For offences committed by adult offenders the proportion of offences receiving cautions decreased** from 32 per cent (1,800) in Q1 2008 to 19 per cent (800) in Q1 2010. This was accompanied by an increase in the proportion of suspended sentence orders (9 per cent (510) to 16 per cent (700)), community sentences (23 per cent (1,300) to 26 per cent (1,100)) and immediate custodial sentences (19 per cent (1,100) to 22 per cent (960)) given.

Probation supervision statistics (Tables 6, 7 and 8; these figures mainly cover offenders aged 18 or over)

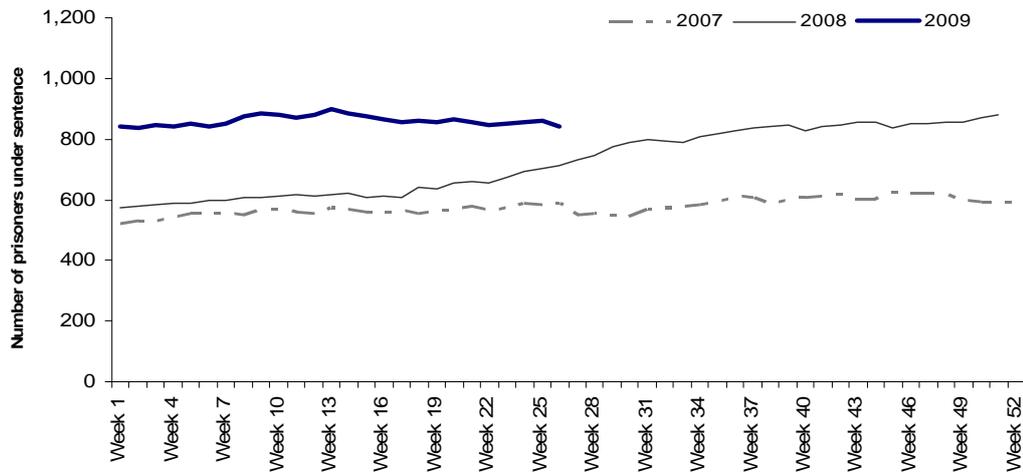
Q1 2010 compared to Q1 2009 and Q1 2008

- **In Q1 2010 there were 1,400 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 17 per cent from Q1 2009 (1,700), but an increase of 4 per cent from Q1 2008 (1,400). The increase was driven by the increase in SSOs, which rose from 340 to 470 (36 per cent increase) over the period.
- **There were changes in the proportion of those given unpaid work for suspended sentence orders** as a percentage of all requirements started. 27 per cent were given unpaid work in Q1 2010 compared to 26 per cent in Q1 2009 and 22 per cent in Q1 2008. The proportion of community orders given unpaid work remained stable at 37 per cent.
- **Where unpaid work requirements were started for these offences, there has been an increase in the proportion of longer requirements since Q1 2008, although the latest quarter shows a decrease compared to the same quarter the previous year:**
 - For community orders, in Q1 2010, 13 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 20 per cent in Q1 2009 and 8 per cent in Q1 2008.
 - For suspended sentence orders, in Q1 2010 17 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 22 per cent in Q1 2009 and 11 per cent in Q1 2008.

Prison population⁴

- Weekly prison population data shows on average, there was a 32 per cent increase (about 210) in the number of prisoners serving a sentence for possession of an offensive weapon between Q2 2008 and Q2 2009.

Figure 2: Prison population under sentence for possession of an offensive weapon⁵ (excludes breaches and recalls)



⁴ There is no updated prison population data beyond the end of June because data collection issues have emerged since the roll-out of a new case management system for prisons (Prison-NOMIS). Data for April to June 2010 should be available in the next bulletin

⁵ Includes having an article with a blade or a point

Appendix A: Statistical Tables

Table 1 (Part 1) : Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence, England and Wales and non-TKAP police forces

Disposal Category	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
England and Wales¹	7,161	6,772	6,346	6,453	5,653	5,272	-22	-26
Caution ²	2,526	1,667	1,589	1,574	1,204	1,124	-33	-56
Absolute/Conditional discharge	461	256	236	238	197	193	-25	-58
Fine	328	267	228	224	206	214	-20	-35
Community sentence	1,980	2,064	1,934	1,963	1,730	1,663	-19	-16
Suspended sentence	513	820	830	898	809	695	-15	35
Immediate custody	1,152	1,499	1,330	1,355	1,282	1,023	-32	-11
Other disposal ³	201	199	199	201	225	360	81	79
Caution ²	35	25	25	24	21	21		
Community sentence	28	30	30	30	31	32		
Suspended sentence	7	12	13	14	14	13		
Immediate custody	16	22	21	21	23	19		
Non-TKAP police forces⁴	2,416	2,344	2,211	2,227	1,977	1,741	-26	-28
Caution ²	898	614	605	557	486	422	-31	-53
Absolute/Conditional discharge	184	89	84	103	83	78	-12	-58
Fine	98	94	87	77	73	87	-7	-11
Community sentence	588	682	606	622	549	470	-31	-20
Suspended sentence	166	261	265	304	251	226	-13	36
Immediate custody	405	516	477	506	461	338	-34	-17
Other disposal ³	77	88	87	58	74	120	36	56
Caution ²	37	26	27	25	25	24		
Community sentence	24	29	27	28	28	27		
Suspended sentence	7	11	12	14	13	13		
Immediate custody	17	22	22	23	23	19		

1. England and Wales includes all 43 police force areas and the British Transport Police.

2. Cautions include juveniles receiving reprimands and final warnings

3. Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions

4. Non-TKAP police forces refers to those that have never been part of TKAP, Phase I or Phase II

Data Source and Quality

These figures have been drawn from the police's administrative IT system which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the police.

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Table 1 (Part 2): Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence, TKAP police forces

Disposal Category	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
TKAP Phase II - 16 forces¹	4,745	4,428	4,135	4,226	3,676	3,531	-20	-26
Caution ²	1,628	1,053	984	1,017	718	702	-33	-57
Absolute/Conditional discharge	277	167	152	135	114	115	-31	-58
Fine	230	173	141	147	133	127	-27	-45
Community sentence	1,392	1,382	1,328	1,341	1,181	1,193	-14	-14
Suspended sentence	347	559	565	594	558	469	-16	35
Immediate custody	747	983	853	849	821	685	-30	-8
Other disposal ³	124	111	112	143	151	240	116	94
Caution ²	34	24	24	24	20	20		
Community sentence	29	31	32	32	32	34		
Suspended sentence	7	13	14	14	15	13		
Immediate custody	16	22	21	20	22	19		
TKAP Phase I - 10 forces⁴	3,634	3,414	3,195	3,249	2,841	2,744	-20	-24
Caution ²	1,210	779	735	733	536	513	-34	-58
Absolute/Conditional discharge	189	125	116	111	91	87	-30	-54
Fine	179	125	99	114	103	91	-27	-49
Community sentence	1,088	1,064	1,043	1,054	905	945	-11	-13
Suspended sentence	284	441	458	471	439	370	-16	30
Immediate custody	597	803	653	655	648	547	-32	-8
Other disposal ³	87	77	91	111	119	191	148	120
Caution ²	33	23	23	23	19	19		
Community sentence	30	31	33	32	32	34		
Suspended sentence	8	13	14	14	15	13		
Immediate custody	16	24	20	20	23	20		
TKAP Phase II - 6 forces⁵	1,111	1,014	940	977	835	787	-22	-29
Caution ²	418	274	249	284	182	189	-31	-55
Absolute/Conditional discharge	88	42	36	24	23	28	*	*
Fine	51	48	42	33	30	36	*	*
Community sentence	304	318	285	287	276	248	-22	-18
Suspended sentence	63	118	107	123	119	99	-16	57
Immediate custody	150	180	200	194	173	138	-23	-8
Other disposal ³	37	34	21	32	32	49	*	*
Caution ²	38	27	26	29	22	24		
Community sentence	27	31	30	29	33	32		
Suspended sentence	6	12	11	13	14	13		
Immediate custody	14	18	21	20	21	18		

1. The Tackling Knives Action Programme police forces (Phase 2) are: Bedfordshire, the British Transport Police, Essex, Hampshire, Kent, Lancashire, Manchester, Merseyside, The Metropolitan Police, Northumbria, Nottinghamshire, South Wales, South Yorkshire

2. Cautions include juveniles receiving reprimands and final warnings

3. Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions

4. The Tackling Knives Action Programme police forces (Phase 1, Tier 1) were: Essex, Lancashire, Manchester, Merseyside, Metropolitan Police, Nottinghamshire, South Wales, Thames Valley, West Midlands and West Yorkshire - see explanatory notes for more details

5. The Tackling Knives Action Programme six new police forces introduced in April 2009 (Phase II) were: Bedfordshire, the British Transport Police, Hampshire, Kent, South Yorkshire and Northumbria - see explanatory notes for more details

*Indicates that one or more of the comparative numbers are less than 50. For small numbers this could give misleading percentage changes.

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Table 2: Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence by age group

Disposal Category	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
Aged 10 to 17	1,631	1,416	1,338	1,237	1,011	991	-30	-39
Reprimands & final warnings	760	523	478	393	307	296	-43	-61
Absolute/conditional discharge	40	23	28	28	23	16	*	*
Fine	15	9	4	5	3	2	*	*
Community sentence	686	705	679	655	561	562	-20	-18
Immediate custody	96	120	112	112	77	62	-48	-35
Other disposal ¹	34	36	37	44	40	53	*	*
Reprimands & final warnings	47	37	36	32	30	30		
Community sentence	42	50	51	53	55	57		
Immediate custody	6	8	8	9	8	6		
Aged 18 and over	5,530	5,353	5,003	5,216	4,642	4,281	-20	-23
Caution	1,766	1,143	1,110	1,181	897	828	-28	-53
Absolute/Conditional discharge	421	233	207	210	174	177	-24	-58
Fine	313	258	224	219	203	212	-18	-32
Community sentence	1,294	1,359	1,255	1,308	1,169	1,101	-19	-15
Suspended sentence	511	814	829	893	809	695	-15	36
Immediate custody	1,056	1,379	1,215	1,243	1,205	961	-30	-9
Other disposal ¹	169	167	163	162	185	307	84	82
Caution	32	21	22	23	19	19		
Community sentence	23	25	25	25	25	26		
Suspended sentence	9	15	17	17	17	16		
Immediate custody	19	26	24	24	26	22		

1. Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police.

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Table 3: Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence by offence code

Disposal Category	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
Possession of an article with a blade or point								
	3,404	3,533	3,155	3,338	2,877	2,695	-24	-21
Caution ¹	937	524	482	474	397	402	-23	-57
Absolute/Conditional discharge	259	158	141	139	122	134	-15	-48
Fine	163	142	112	108	98	115	-19	-29
Community sentence	1,017	1,222	1,068	1,150	975	941	-23	-7
Suspended sentence	263	502	471	541	455	367	-27	40
Immediate custody	650	874	757	805	724	562	-36	-14
Other disposal ²	115	111	124	121	106	174	57	51
Caution ¹	28	15	15	14	14	15		
Community sentence	30	35	34	34	34	35		
Suspended sentence	8	14	15	16	16	14		
Immediate custody	19	25	24	24	25	21		
Possession of an offensive weapon								
	3,757	3,239	3,191	3,115	2,776	2,577	-20	-31
Caution ¹	1,589	1,143	1,107	1,100	807	722	-37	-55
Absolute/Conditional discharge	202	98	95	99	75	59	-40	-71
Fine	165	125	116	116	108	99	-21	-40
Community sentence	963	842	866	813	755	722	-14	-25
Suspended sentence	250	318	359	357	354	328	3	31
Immediate custody	502	625	573	550	558	461	-26	-8
Other disposal ²	86	88	75	80	119	186	111	116
Caution ¹	42	35	35	35	29	28		
Community sentence	26	26	27	26	27	28		
Suspended sentence	7	10	11	11	13	13		
Immediate custody	13	19	18	18	20	18		

1. Cautions include juveniles receiving reprimands and final warnings

2. Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police.

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Table 4: Custodial sentences for knife and offensive weapon possession offences, by sentence length

Sentence length	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
England and Wales¹	1,152	1,499	1,330	1,355	1,282	1,023	-32	-11
Up to and including 3 months	587	634	532	550	456	336	-47	-43
Over 3 months and up to and including 6 months	389	454	402	373	408	321	-29	-17
Over 6 months	168	409	394	428	414	365	-11	117
Up to and including 3 months	51	42	40	41	36	33		
Over 3 months and up to and including 6 months	34	30	30	28	32	31		
Over 6 months	15	27	30	32	32	36		

1. Total figures include offences where sentence length was not recorded by the police

Data Source and Quality

These figures have been drawn from the police's administrative IT system which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the police.

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Table 5: Average sentence length of immediate custodial sentences for knife and offensive weapon possession offences

	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
Average sentence length (days)								
England and Wales¹	139	180	189	191	203	219	21	58
TKAP Phase II - 16 forces²	143	185	180	190	200	213	15	49
Phase I - 10 forces ³	144	189	181	195	197	210	11	45
Phase II - 6 forces ⁴	137	167	176	172	211	228	37	67
Other police forces⁵	132	172	204	192	208	230	34	75

1. England and Wales includes all 43 police force areas and the British Transport Police.

2. The Tackling Knives Action Programme police forces (Phase 2) are: Bedfordshire, the British Transport Police, Essex, Hampshire, Kent, Lancashire, Manchester, Merseyside, The Metropolitan Police, Northumbria, Nottinghamshire, South Wales, South Yorkshire

3. The Tackling Knives Action Programme police forces (Phase 1, Tier 1) were: Essex, Lancashire, Manchester, Merseyside, Metropolitan Police, Nottinghamshire, South Wales, Thames Valley, West Midlands and West Yorkshire - see explanatory notes for more details

4. The Tackling Knives Action Programme six new police forces introduced in April 2009 (Phase II) were: Bedfordshire, the British Transport Police, Hampshire, Kent, South Yorkshire and Northumbria - see explanatory notes for more details

5. Other police forces refers to those that have never been part of TKAP, Phase I or Phase II

Data Source and Quality

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Table 6: Court order starts for possession of an offensive weapon¹

Court Order starts	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
Total	1,381	1,728	1,622	1,611	1,500	1,438	-17	4
Community order	992	1,132	1,059	1,024	924	947	-16	-5
SSO	342	551	524	536	540	465	-16	36
Pre CJA orders	47	45	39	51	36	26	*	*
Community order	72	66	65	64	62	66		
SSO	25	32	32	33	36	32		
Pre CJA orders	3	3	2	3	2	2		

1. Includes having an article with a blade or a point

*Indicates that one or more of the comparative numbers are less than 50. For small numbers this could give misleading percentage changes.

Data Sources and Quality

These figures have been drawn from administrative IT systems, which, as with any large scale recording system, are subject to possible errors with data entry and processing. All data is provisional.

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Table 7: Requirement starts for possession of offensive weapon¹

	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
Community Order	1,579	1,836	1,653	1,585	1,474	1,507	-18	-5
Unpaid Work	589	646	616	560	535	554	-14	-6
Supervision	531	612	570	547	466	491	-20	-8
Accredited Program	141	151	112	119	101	101	-33	-28
Curfew	125	168	154	129	147	131	-22	5
Drug treatment	55	67	50	60	52	52	-22	-5
Specified Activity	73	93	70	77	68	84	-10	15
Alcohol treatment	24	47	43	53	54	48	*	*
Mental Health	19	27	17	18	25	19	*	*
Exclusion	4	4	3	2	4	7	*	*
Residential	5	5	8	6	6	7	*	*
Attendance Centre	7	10	5	8	8	7	*	*
Prohibited Activity	6	6	5	6	8	6	*	*
Unpaid work	37	35	37	35	36	37		
Supervision	34	33	34	35	32	33		
Other requirements	29	31	28	30	32	31		
Suspended Sentence Order	635	972	934	963	978	822	-15	29
Supervision	255	374	348	350	373	316	-16	24
Unpaid Work	142	256	259	284	254	223	-13	57
Accredited Program	100	125	127	100	97	81	-35	-19
Curfew	54	90	79	96	101	74	-18	37
Drug treatment	28	31	27	14	33	26	*	*
Alcohol treatment	21	34	32	38	43	35	*	*
Specified Activity	17	33	29	44	46	42	*	*
Prohibited Activity	3	9	10	4	15	5	*	*
Exclusion	2	6	2	8	3	8	*	*
Mental Health	2	4	10	8	3	6	*	*
Residential	10	6	9	13	7	6	*	*
Attendance Centre	1	4	2	4	3	0	*	*
Unpaid work	22	26	28	29	26	27		
Supervision	40	38	37	36	38	38		
Other requirements	37	35	35	34	36	34		

1. Includes having an article with a blade or a point

*Indicates that one or more of the comparative numbers are less than 50. For small numbers this could give misleading percentage changes.

Data Sources and Quality

These figures have been drawn from administrative IT systems, which, as with any large scale recording system, are subject to possible errors with data entry and processing. All data is provisional.

Knife Possession Sentencing quarterly brief, January to March 2010, England and Wales

Table 8: Unpaid work requirements started by length of requirement given for possession of offensive weapon¹

	Q1 2008	Q1 2009	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Percentage change Q1 2009 to Q1 2010	Percentage change Q1 2008 to Q1 2010
Community Order	622	679	663	616	591	612	-10	-2
0-80 hours	300	241	238	216	224	225	-7	-25
81-150 hours	246	257	252	258	221	274	7	11
151-199 hours	24	47	43	36	42	32	*	*
200-250 hours	51	113	110	92	98	74	-35	45
251-300 hours	1	21	20	14	6	7	*	*
0-80 hours	48	35	36	35	38	37		
81-150 hours	40	38	38	42	37	45		
151-199 hours	4	7	6	6	7	5		
200-250 hours	8	17	17	15	17	12		
251-300 hours	0	3	3	2	1	1		
Suspended sentence order	139	254	256	304	260	229	-10	65
0-80 hours	50	59	54	75	49	49	*	*
81-150 hours	61	124	129	134	131	127	2	108
151-199 hours	12	17	13	24	20	15	*	*
200-250 hours	14	47	56	65	57	34	*	*
251-300 hours	2	7	4	6	3	4	*	*
0-80 hours	36	23	21	25	19	21		
81-150 hours	44	49	50	44	50	55		
151-199 hours	9	7	5	8	8	7		
200-250 hours	10	19	22	21	22	15		
251-300 hours	1	3	2	2	1	2		

1. Includes having an article with a blade or a point

*Indicates that one or more of the comparative numbers are less than 50. For small numbers this could give misleading percentage changes.

Data Sources and Quality

These figures have been drawn from administrative IT systems, which, as with any large scale recording system, are subject to possible errors with data entry and processing. All data is provisional.

Explanatory notes

Data quality and sources

All the data are drawn from administrative sources. Although care is taken when processing and analysing the data, the detail is subject to the inaccuracies inherent in any large-scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. They are fit to be used for purposes of looking at trends and for comparing the relative magnitude of components.

Unless otherwise stated, numbers in the text have been rounded for ease of reading using the following rules:

Numbers of 100,000 and over are rounded to the nearest 1,000

Numbers from 1,000 – 99,999 are rounded to the nearest 100

Numbers from 10 – 999 are rounded to the nearest 10

Numbers under 10 are unrounded.

Tables 1-5

The data presented in tables 1-5 in this Bulletin are drawn from an extract of data held by the Ministry of Justice taken from the Police National Computer (PNC).

The figures are provisional and subject to change as more information is recorded by the police. Police forces tend to record cautions more promptly on the PNC than court sentences, so that the cautions figures for the latest quarter shown in the tables will tend to be more complete than the sentencing figures. In addition, in some areas, the police may record a 'deferred sentence' which will be updated at a later date when the final outcome is known. 'Deferred sentences' appear in the tables as 'other disposals' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police. Figures for all quarters and all sentences may be revised in later editions of this Bulletin.

Tables 6-8 and figure 3

The probation data have been processed from data collected and held centrally by the Ministry of Justice. The data are drawn from the local probation administrative IT systems from each of the 42 probation areas in England and Wales. The figures showing the numbers starting court orders relate to the number of *offenders* starting probation supervision in a given period. The numbers drawn from the PNC data in tables 1-5 relate to the total number of *offences* committed by offenders given particular disposals, which will naturally be greater than the number of offenders. Also, the probation data only show offenders convicted of the more general offence of

'possession of an offensive weapon'. This will include possession of knives, as well the particular offence of 'possession of an article with a blade or point', but these cannot be separately distinguished in the probation data.

Prison population data presented in this brief are drawn from the prison administrative IT systems. The figures showing the numbers under sentence refer to the number of *offenders* serving a custodial sentence. Figures drawn from PNC data refer to the number of *offences* committed by offenders given particular disposals. Prison establishments routinely provide records of the numbers of persons held in custody at the end of each month, broadly subdivided according to age, sex, custody type and sentence length. The records are collated and processed centrally. However, data recorded by prisons only show the numbers serving a sentence for the general offence of "possession of an offensive weapon". This offence includes the possession of a knife but can also include possession of other dangerous weapons (excluding firearms).

There is no updated prison population data beyond the end of June because data collection issues have emerged since the roll-out of a new case management system for prisons (Prison-NOMIS). We are working to resolve these as soon as possible. Data for April to June 2010 should be available in the next bulletin.

Definitions

TKAP Phase 1, Tier 1 – The Tackling Knives Action Programme (TKAP) focused resources on rapid, intensive work in specific areas of the country to tackle knife crime primarily among teenagers. TKAP Phase 1 started in June 2008 and 10 areas were selected (known as Tier 1), these are Essex, Lancashire, Manchester, Merseyside, Metropolitan Police, Nottinghamshire, South Wales, Thames Valley, West Midlands and West Yorkshire. An additional four areas, Bedfordshire, Northumbria, South Yorkshire and the British Transport Police, were selected later in 2008 and these were known as TKAP Tier 2 areas. These areas were not included in the TKAP monitoring programme.

TKAP Phase 1 finished in March 2009 and a report which provides an overview of key findings can be found online on the Home Office research publication website at: www.homeoffice.gov.uk/rds/pdfs09/horr18c.pdf

TKAP Phase 2 - In April 2009, TKAP Phase 2 was launched and although there is still a focus on reducing the carrying of knives and knife related violence the primary aim is to reduce all serious youth violence, specifically among 13 to 24 years olds. The initiative was implemented in the TKAP Tier 1 and 2 areas with an additional two areas, Kent and Hampshire, making a total of 16 police force areas.

England and Wales – Total figures for England and Wales now include all police forces in England and Wales and the British Transport Police. The Home Office is responsible for policing the 43 police forces in England and Wales. There are also other authorities who prosecute offenders such as

DWP, HMRC, MOD and BTP. Previously only the 43 police forces governed by the Home Office were reported on, but now, as the British Transport Police is part of TKAP, they are included in the total figures for England and Wales.

Offences included: The PNC data (tables 1-5) produced in this brief are the number of offences committed not number of offenders. The offences relate to possession offences rather than offences where a knife was used. The offence codes included in the dataset are as follows:

00811 – Possession of offensive weapons without lawful authority or reasonable excuse. Prevention of Crime Act 1953 Section 1.

00828 – Possession of offensive weapons without lawful authority or reasonable excuse on school premises. Criminal Justice Act 1988 Section 139 A (2) as amended by Offensive Weapons Act 1996 Section 4 (1).

00826 – Having an article with a blade or a point in a public place. Criminal Justice Act 1988 Section 139 (1) as amended by Offensive Weapons Act 1996 Section 3 (1).

00827 – Having an article with a blade or a point on school premises. Criminal Justice Act 1988 Section 139 (2) as amended by Offensive Weapons Act 1996 Section 4 (1).

Juvenile – A juvenile offender is aged between 10 and 17.

Adult – An adult offender is aged 18 and over.

Offensive weapon – there are three classes of offensive weapons. Those made for causing injury; those adapted for such a purpose; and those not so made or adapted, but carried with the intention of causing injury. These consist of all listed on the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 as amended, some examples include: a swordstick, that is, a hollow walking-stick or cane containing a blade which may be used as a sword; the weapon sometimes known as a "belt buckle knife", being a buckle which incorporates or conceals a knife.

Caution – given by, or on the instructions of, a senior police officer where there is sufficient evidence for a conviction and it is not considered to be in the public interest to institute criminal proceedings. For **adult** offenders, who must admit guilt and consent to a caution.

Reprimand and final warning – available for **juvenile** offenders. Reprimands can be given to first-time offenders for minor offences. Any further offending results in either a final warning or charge. The final warning triggers immediate referral to a local youth offending team. Reprimands and final warnings for juveniles are the equivalent of cautions for adults. Therefore in the tables reprimands and final warnings are counted under the 'cautions' disposal category.

Community sentence – for **adults** the main community sentence, which is supervised by the Probation Service, is the community order introduced by the Criminal Justice Act 2003 for offences committed on or after 4 April 2005. The court must add at least one (but could potentially add all 12) of the following requirements: supervision, unpaid work, specified activities, prohibited activities, accredited programmes, curfew, exclusion, residence, mental health treatment, drug rehabilitation, alcohol treatment and attendance centre requirement for under 25s. For **juveniles** the main community sentences used are the referral order, for first-time offenders who plead guilty on their first court appearance and do not merit a discharge or custodial sentence, and the supervision order (up to 3 years, may have additional requirements) although curfew orders, reparation orders, action plan orders and attendance centre orders are also available. Youth Offending Teams supervise orders for juveniles.

Suspended Sentence – available for **adults** only. It is a sentence of custody of under 12 months, suspended for a period ranging from six months to two years. During the suspension period the court sets a number of requirements, from the same options as are available for the community order, and these are supervised by the Probation Service.

Immediate custody – **adults** aged 21 or over may receive sentences of unsuspended imprisonment and those aged 18 to 20 may be sentenced to detention in a young offender institution. The maximum sentence available is 4 years for possession of a bladed article in a public place or an offensive weapon. **Juveniles** aged 12-17 may receive a detention and training order of 4, 6, 8, 10, 12, 18 or 24 months. The order is served partly in custody (in local authority children's homes, secure training centres or prison service young offender institutions) and partly in the community under the supervision of a probation officer, social worker or member of a youth offending team.

Contact points for further information

Current and previous editions of this publication are available for download at www.justice.gov.uk/publications/knife-crime-sentencing.htm.

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