

Knife Possession Sentencing Quarterly Brief October to December 2011 England and Wales

Ministry of Justice
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Knife Possession Sentencing Statistics October to December 2011

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.

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.
- 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

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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 <http://www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/knife-possession.htm>

This publication has been prepared by Justice Statistics Analytical Services.

Key points – October to December (Q4) 2011

Note on all comparisons

Comparisons are presented between the latest quarter (October to December, Q4 2011) and Q4 2010 to provide an indication of changes over the last year. Longer term comparisons comparing Q4 2011 with the same period two years ago are also shown.

Cautioning and sentencing statistics (Tables 1 to 5)

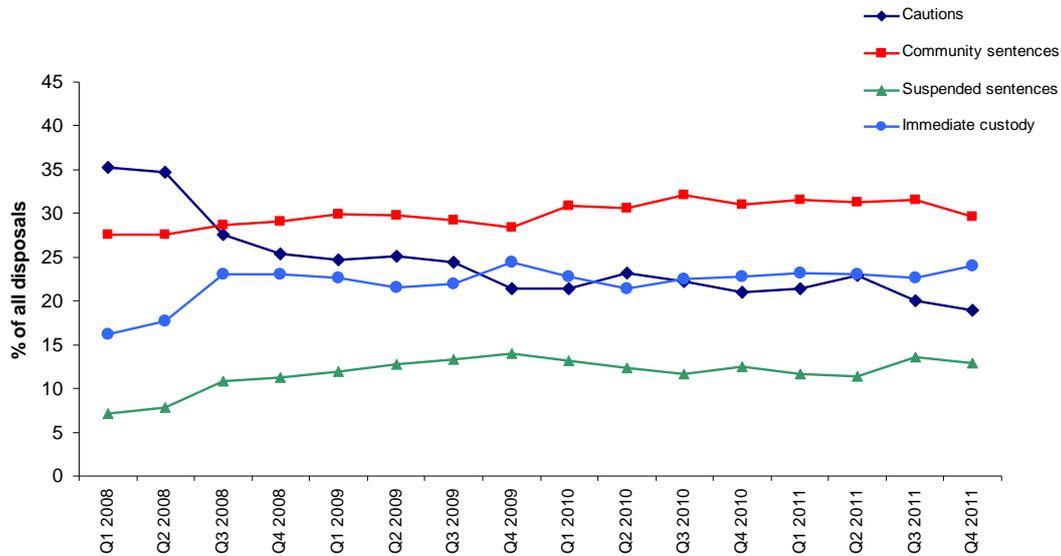
Q4 2011 compared to Q4 2010

- **Between Q4 2010 and Q4 2011 the total number of disposals given for knife or offensive weapon possession has decreased by 7 per cent from 5,149 to 4,781.**
- **The proportion of offences receiving cautions and community sentences for knife or offensive weapon possession decreased, while the proportion of immediate custodial sentences increased and suspended sentences remained stable between Q4 2010 and Q4 2011¹:**
 - In Q4 2011 19 per cent (902) of all possession offences resulted in a caution² in England and Wales; compared to 21 per cent (1,079) in Q4 2010.
 - In Q4 2011 30 per cent (1,420) of all possession offences resulted in community sentences; compared to 31 per cent (1,596) in Q4 2010.
 - In Q4 2011 13 per cent (614) of all possession offences resulted in suspended sentence orders; the figure in Q4 2010 was also 13 per cent (645).
 - In Q4 2011 24 per cent (1,148) of all possession offences resulted in immediate custody compared to 23 per cent (1,173) in Q4 2010.

¹ 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.

² Cautions include juveniles receiving reprimands and warnings.

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



- **Where immediate custodial sentences are given for these offences the proportion receiving longer sentences has increased:**
 - In Q4 2011 38 per cent (440) of sentences were recorded as being over six months compared to 30 per cent (347) in Q4 2010.
 - The average length of a custodial sentence was 231 days (7.7 months) in Q4 2011, compared to 187 days (6.2 months) in Q4 2010.
- **For offences committed by juvenile offenders the proportion of offences receiving reprimands and warnings has decreased from 30 per cent (270) to 24 per cent (202).** This was balanced by an increase in the proportion receiving community sentences (from 55 per cent (501) to 61 per cent (509)).
- **For offences committed by adult offenders the proportion of offences receiving a caution or community sentence has decreased,** for cautions from 19 per cent (809) in Q4 2010 to 18 per cent (699) in Q4 2011 and for community sentences from 26 per cent (1,095) to 23 per cent (910). The proportion of suspended sentence orders or immediate custodial sentences has increased slightly, for suspended sentences from 15 per cent (645) to 16 per cent (614) and for immediate custody from 26 per cent (1,093) to 27 per cent (1,076).

Q4 2011 compared to Q4 2009

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 16 per cent between Q4 2009 and Q4 2011 (5,684 to 4,781).** This drop was slightly higher for juvenile offenders where the decrease was 18 per cent (1,023 to 839), than for adult offenders where the decrease was 15 per cent (4,661 to 3,940).
- **The proportion of offences receiving cautions³ and suspended sentence orders for knife or offensive weapon possession decreased, while the proportion receiving community sentences increased and immediate custodial sentences remained stable between Q4 2009 and Q4 2011:**
 - In Q4 2011 19 per cent (902) of all possession offences resulted in a caution in England and Wales. This compares with 21 per cent (1,215) in Q4 2009.
 - In Q4 2011 30 per cent (1,420) of all possession offences resulted in community sentences compared to 28 per cent (1,618) in Q4 2009.
 - In Q4 2011 13 per cent (614) of all possession offences resulted in suspended sentence orders compared to 14 per cent (798) in Q4 2009.
 - In Q4 2011 24 per cent (1,148) of all possession offences resulted in immediate custody; the figure in Q4 2009 was also 24 per cent (1,389).
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q4 2011 38 per cent (440) of sentences were recorded as being over six months compared to 31 per cent (432) in Q4 2009.
 - The average length of a custodial sentence was 231 days (7.7 months) in Q4 2011. This has increased from 201 days (6.7 months) in Q4 2009.
- **For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 52 per cent (535) to 61 per cent (509).** This was balanced by a decrease in the proportion receiving reprimands and warnings (from 31 per cent (316) to 24 per cent (202)).

³ Cautions include juveniles receiving reprimands and warnings.

- **For offences committed by adult offenders the proportion of offences receiving cautions, suspended sentence orders and immediate custody decreased**, for cautions from 19 per cent (899) in Q4 2009 to 18 per cent (699) in Q4 2011, for suspended sentences from 17 per cent (798) to 16 per cent (614) and for immediate custodial sentences 28 per cent (1,300) to 27 per cent (1,076).

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

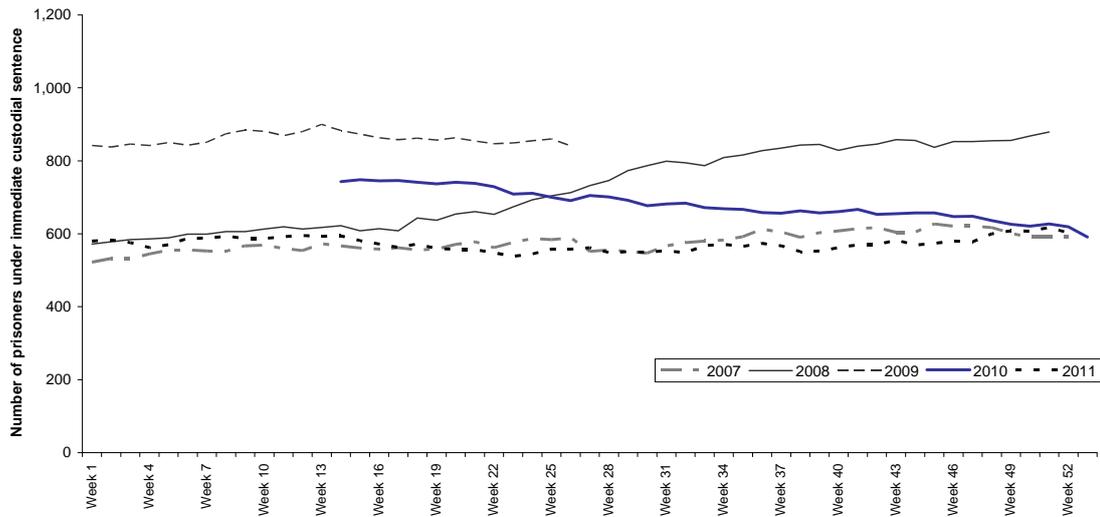
Q4 2011 compared to Q4 2010 and Q4 2009

- **In Q4 2011 there were 1,172 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 8 per cent (1,278) from Q4 2010; the decrease from Q4 2009 was 22 per cent (1,500). Suspended sentence orders increased by 5 per cent over the past year, whereas community orders decreased by 15 per cent.
- **The proportion of those given unpaid work for community orders (32 per cent) as a percentage of all requirements has fallen over the past year (from 35 per cent). For suspended sentence orders this proportion remained unchanged over the past year, at 27 per cent.**
- **Where unpaid work requirements were started under community orders and suspended sentence orders, there has been a decrease in the proportion of longer requirements over the past year:**
 - For community orders, in Q4 2011, 12 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared to 14 per cent in Q4 2010 and 18 per cent in Q4 2009.
 - For suspended sentence orders, in Q4 2011, 16 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared to 26 per cent in Q4 2010 and 23 per cent in Q4 2009.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 602 on 30th December 2011, up 2 per cent from a year ago (591).

Figure 2: Prison population under sentence for possession of an offensive weapon⁴ (excludes recalls)



Due to technical problems relating to the supply of statistical information, it is not possible to provide figures from July 2009 to March 2010

⁴ Includes having an article with a blade or a point.

Appendix A: Statistical Tables

Table 1: Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence

Disposal Category	Number of offences and percentages						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
	number of offences							
England and Wales¹	5,684	5,149	5,259	5,174	5,472	4,781	-7%	-16%
Caution ²	1,215	1,079	1,125	1,188	1,095	902	-16%	-26%
Absolute/Conditional discharge	206	198	213	186	201	142	-28%	-31%
Fine	221	239	212	222	242	186	-22%	-16%
Community sentence	1,618	1,596	1,661	1,618	1,725	1,420	-11%	-12%
Suspended sentence	798	645	611	590	742	614	-5%	-23%
Immediate custody	1,389	1,173	1,222	1,189	1,239	1,148	-2%	-17%
Other disposal ³	237	219	215	181	228	369	68%	56%
	percentage of total offences							
Caution ²	21%	21%	21%	23%	20%	19%		
Community sentence	28%	31%	32%	31%	32%	30%		
Suspended sentence	14%	13%	12%	11%	14%	13%		
Immediate custody	24%	23%	23%	23%	23%	24%		

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

² Cautions include juveniles receiving reprimands and 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 of the bulletin as final decisions regarding deferred sentences are 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 2: Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence by age group

Disposal Category	Number of offences and percentages						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
number of offences								
Aged 10 to 17	1,023	912	992	976	906	839	-8%	-18%
Reprimands & warnings	316	270	287	287	231	202	-25%	-36%
Absolute/conditional discharge	27	13	22	25	24	11	*	*
Fine	5	3	4	2	1	2	*	*
Community sentence	535	501	550	534	523	509	2%	-5%
Immediate custody	89	79	90	104	93	72	-9%	-19%
Other disposal ¹	51	46	39	24	34	43	*	*
percentage of total offences								
Reprimands & warnings	31%	30%	29%	29%	25%	24%		
Community sentence	52%	55%	55%	55%	58%	61%		
Immediate custody	9%	9%	9%	11%	10%	9%		
number of offences								
Aged 18 and over	4,661	4,236	4,262	4,194	4,565	3,940	-7%	-15%
Caution	899	809	836	900	864	699	-14%	-22%
Absolute/Conditional discharge	179	185	190	161	177	131	-29%	-27%
Fine	216	236	208	220	241	184	-22%	-15%
Community sentence	1,083	1,095	1,110	1,083	1,202	910	-17%	-16%
Suspended sentence	798	645	611	589	742	614	-5%	-23%
Immediate custody	1,300	1,093	1,131	1,085	1,145	1,076	-2%	-17%
Other disposal ¹	186	173	176	156	194	326	88%	75%
percentage of total offences								
Caution	19%	19%	20%	21%	19%	18%		
Community sentence	23%	26%	26%	26%	26%	23%		
Suspended sentence	17%	15%	14%	14%	16%	16%		
Immediate custody	28%	26%	27%	26%	25%	27%		

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.

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

Disposal Category	Number of offences and percentages						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
Possession of an article with a blade or point	number of offences							
	2,896	2,753	2,830	2,849	3,013	2,608	-5%	-10%
Caution ¹	404	397	439	480	407	330	-17%	-18%
Absolute/Conditional discharge	129	125	137	118	124	96	-23%	-26%
Fine	105	131	107	137	133	111	-15%	6%
Community sentence	897	901	943	952	1,024	858	-5%	-4%
Suspended sentence	451	390	364	357	433	352	-10%	-22%
Immediate custody	793	685	718	699	760	640	-7%	-19%
Other disposal ²	117	124	122	106	132	221	78%	89%
	percentage of total offences							
Caution ¹	14%	14%	16%	17%	14%	13%		
Community sentence	31%	33%	33%	33%	34%	33%		
Suspended sentence	16%	14%	13%	13%	14%	13%		
Immediate custody	27%	25%	25%	25%	25%	25%		
Possession of an offensive weapon	number of offences							
	2,788	2,396	2,429	2,325	2,459	2,173	-9%	-22%
Caution ¹	811	682	686	708	688	572	-16%	-29%
Absolute/Conditional discharge	77	73	76	68	77	46	*	*
Fine	116	108	105	85	109	75	-31%	-35%
Community sentence	721	695	718	666	701	562	-19%	-22%
Suspended sentence	347	255	247	233	309	262	3%	-24%
Immediate custody	596	488	504	490	479	508	4%	-15%
Other disposal ²	120	95	93	75	96	148	56%	23%
	percentage of total offences							
Caution ¹	29%	28%	28%	30%	28%	26%		
Community sentence	26%	29%	30%	29%	29%	26%		
Suspended sentence	12%	11%	10%	10%	13%	12%		
Immediate custody	21%	20%	21%	21%	19%	23%		

¹ Cautions include juveniles receiving reprimands and 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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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 4: Custodial sentence for knife and offensive weapon possession offences, by sentence length

Sentence length	Number of offences and percentages						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
number of offences								
England and Wales ^{1,2}	1,389	1,173	1,222	1,189	1,239	1,148	-2%	-17%
Up to and including 3 months	528	479	485	491	487	368	-23%	-30%
Over 3 months and up to and including 6 months	424	342	390	331	344	339	-1%	-20%
Over 6 months	432	347	346	364	406	440	27%	2%
percentage of total offences								
Up to and including 3 months	38%	41%	40%	41%	39%	32%		
Over 3 months and up to and including 6 months	31%	29%	32%	28%	28%	30%		
Over 6 months	31%	30%	28%	31%	33%	38%		

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

² 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.

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

Sentence length	Average sentence length						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
average sentence length (days)								
England and Wales ¹	201	187	188	190	201	231	23%	15%

¹ England and Wales includes all 43 police force areas and the British Transport 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 6: Court order starts for possession of an offensive weapon¹

Court Order starts	Number of starts and percentages						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
	number of starts							
Total	1,500	1,278	1,343	1,168	1,401	1,172	-8%	-22%
Community order	924	853	906	781	924	727	-15%	-21%
SSO	540	423	435	385	475	445	5%	-18%
Pre CJA orders	36	2	2	2	2	0	*	*
	percentage of total starts							
Community order	62%	67%	67%	67%	66%	62%		
SSO	36%	33%	32%	33%	34%	38%		
Pre CJA orders	2%	0%	0%	0%	0%	0%		

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 Source 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

Number of requirements and percentages								
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011	Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
number of requirements								
Community Order	1,474	1,346	1,512	1,248	1,515	1,246	-7%	-15%
Unpaid Work	535	472	514	413	474	399	-15%	-25%
Supervision	466	450	470	405	509	415	-8%	-11%
Accredited Program	101	92	91	74	80	69	-25%	-32%
Curfew	147	62	156	117	129	132	113%	-10%
Drug treatment	52	92	49	42	46	38	*	*
Specified Activity	68	92	143	115	151	103	12%	51%
Alcohol treatment	54	39	42	39	57	51	*	-6%
Mental Health	25	19	14	17	28	11	*	*
Exclusion	4	3	4	1	6	7	*	*
Residential	6	6	4	4	6	7	*	*
Attendance Centre	8	16	20	18	22	8	*	*
Prohibited Activity	8	3	5	3	7	6	*	*
percentage of total requirements								
Unpaid work	36%	35%	34%	33%	31%	32%		
Supervision	32%	33%	31%	32%	34%	33%		
Other requirements	32%	32%	35%	34%	35%	35%		
number of requirements								
Suspended Sentence Order	978	781	788	682	898	770	-1%	-21%
Supervision	373	289	288	242	315	269	-7%	-28%
Unpaid Work	254	211	213	187	220	205	-3%	-19%
Accredited Program	97	76	71	51	86	61	-20%	-37%
Curfew	101	76	74	72	99	89	17%	-12%
Drug treatment	33	22	28	16	27	21	*	*
Alcohol treatment	43	33	32	32	38	25	*	*
Specified Activity	46	49	58	49	88	73	*	*
Prohibited Activity	15	8	2	6	6	5	*	*
Exclusion	3	6	6	7	5	2	*	*
Mental Health	3	6	2	8	3	3	*	*
Residential	7	3	10	5	6	12	*	*
Attendance Centre	3	2	4	7	5	5	*	*
percentage of total requirements								
Unpaid work	26%	27%	27%	27%	24%	27%		
Supervision	38%	37%	37%	35%	35%	35%		
Other requirements	36%	36%	36%	37%	40%	38%		

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

	Number of requirements and percentages						Percentage change Q4 2010 to Q4 2011	Percentage change Q4 2009 to Q4 2011
	Q4 2009	Q4 2010	Q1 2011	Q2 2011	Q3 2011	Q4 2011		
	number of requirements							
Community Order	591	503	624	446	512	440	-13%	-26%
0-80 hours	224	208	230	190	204	174	-16%	-22%
81-150 hours	221	188	273	164	213	191	2%	-14%
151-199 hours	42	37	39	28	30	21	*	*
200-250 hours	98	64	75	62	63	48	*	*
251-300 hours	6	6	7	2	2	6	*	*
	percentage of total requirements							
0-80 hours	38%	41%	37%	43%	40%	40%		
81-150 hours	37%	37%	44%	37%	42%	43%		
151-199 hours	7%	7%	6%	6%	6%	5%		
200-250 hours	17%	13%	12%	14%	12%	11%		
251-300 hours	1%	1%	1%	0%	0%	1%		
	number of requirements							
Suspended sentence order	260	223	237	205	219	224	0%	-14%
0-80 hours	49	53	53	51	42	49	*	*
81-150 hours	131	100	128	95	117	122	22%	-7%
151-199 hours	20	12	16	17	17	17	*	*
200-250 hours	57	53	36	40	41	31	*	*
251-300 hours	3	5	4	2	2	5	*	*
	percentage of total requirements							
0-80 hours	19%	24%	22%	25%	19%	22%		
81-150 hours	50%	45%	54%	46%	53%	54%		
151-199 hours	8%	5%	7%	8%	8%	8%		
200-250 hours	22%	24%	15%	20%	19%	14%		
251-300 hours	1%	2%	2%	1%	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 Source 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.

Tackling Knives Action Programme (TKAP) Phase II finished in March 2010. An assessment of TKAP Phase II was published by the Home Office on 24th May 2011 and can be accessed from:

<http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/horr53/>

Reports up to the period January to March 2010 have included a breakdown of the data by areas that were part of TKAP. However, due to the completion of TKAP Phase 1 and 2 in March 2010, a breakdown for these areas is not given in this bulletin but statistics up to the end of Phase 2 can be found in [‘Knife Possession Sentencing quarterly brief, January to March 2010’](#).

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 2

The probation data has 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 35 probation trusts 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 are likely to be greater than the number of offenders. Also, the probation data only shows 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 is 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).

Due to technical problems relating to the supply of data for statistical purposes it has not been possible to provide data relating to the prison population for specific offence types from July 2009 to March 2010.

Definitions

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 the 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 warning – available for **juvenile** offenders. Reprimands can be given to first-time offenders for minor offences. Any further offending results in either a warning or charge. The warning triggers immediate referral to a local youth offending team. Reprimands and warnings for juveniles are the equivalent of cautions for adults. Therefore in the tables reprimands and 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 Youth Rehabilitation Order (YRO) which was introduced in November 2009. The YRO has replaced nine previous orders including the curfew order, action plan order, attendance centre order, supervision order, community rehabilitation order, community rehabilitation and punishment order, exclusion order, community punishment order and the drug treatment and testing order. The YRO is only available as a sentence if the offence was committed on or after 30 November 2009; for offences committed prior to this date the previous orders will be applicable.

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 <http://www.justice.gov.uk/publications/knife-possession-sentencing.htm>.

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Other enquiries about these statistics should be directed to:

Ministry of Justice
Justice Statistics Analytical Services
7th floor
102 Petty France
London SW1H 9AJ
Tel: 020 3334 6037

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: statistics.enquiries@justice.gsi.gov.uk

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