



Ministry of
JUSTICE

Knife Possession Sentencing Quarterly Brief January to March 2011 England and Wales

Ministry of Justice
Statistics Bulletin

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Knife Possession Sentencing Statistics January to March 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. 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/statistics-and-data/courts-and-sentencing/knife-possession.htm

This publication has been prepared by Justice Statistics Analytical Services.

Key points – January to March (Q1) 2011

Note on all comparisons

Comparisons are presented between the latest quarter (January to March, Q1 2011) and Q1 2010 to provide an indication of changes over the last year. Longer term comparisons comparing Q1 2011 with the same period two years ago are also shown.

Cautioning and sentencing statistics (Tables 1 to 5)

Q1 2011 compared to Q1 2010

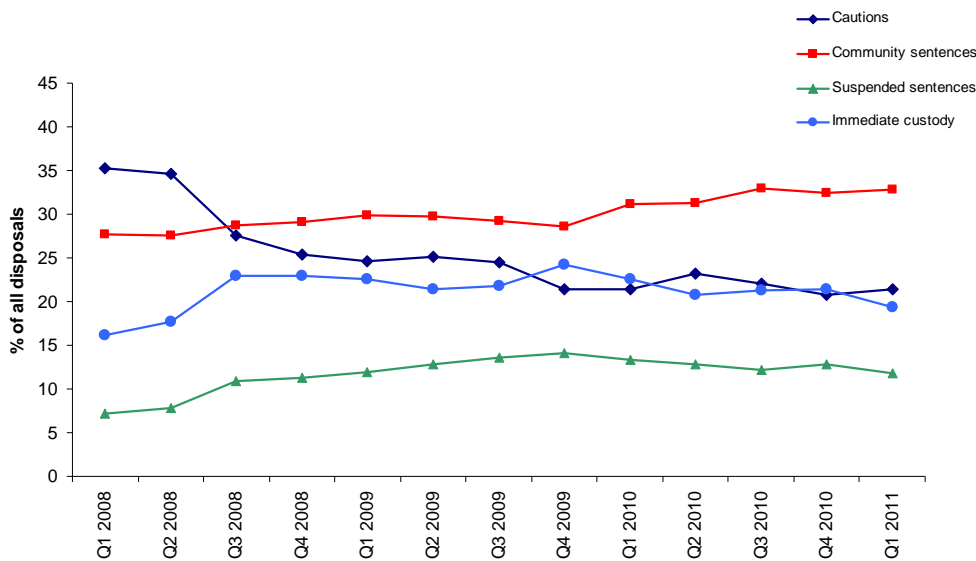
- **Between Q1 2010 and Q1 2011 the total number of disposals given for knife or offensive weapon possession has decreased by 2% from 5,335 to 5,228.** This drop was similar for juvenile and adult offenders, for juvenile offenders the decrease was 1% (998 to 987), for adults the decrease was 2% (4,337 to 4,236).

- **The proportion of offences receiving immediate custodial sentences and suspended sentences for knife or offensive weapon possession decreased, while the proportion of community sentences rose, and the proportion of cautions¹ remained stable between Q1 2010 and Q1 2011²:**
 - In Q1 2011 21 per cent (1,121) of all possession offences resulted in a caution in England and Wales; the figure in Q1 2010 was also 21 per cent (1,142).
 - In Q1 2011 33 per cent (1,716) of all possession offences resulted in community sentences compared to 31 per cent (1,659) in Q1 2010.
 - In Q1 2011 12 per cent (617) of all possession offences resulted in suspended sentence orders compared to 13 per cent (711) in Q1 2010.
 - In Q1 2011 19 per cent (1,014) of all possession offences resulted in immediate custody compared to 23 per cent (1,202) in Q1 2010. Note – immediate custody figures for the latest quarter are likely to be revised upwards as final decisions regarding deferred sentences are recorded by the police, this typically increases the proportion by 1 to 2 percentage points.

¹ Cautions include juveniles receiving reprimands and 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 the proportion receiving longer sentences has decreased slightly:**

 - In Q1 2011 32 per cent (327) of sentences were recorded as being over six months compared to 34 per cent (407) in Q1 2010.
 - The average length of a custodial sentence was 207 days in Q1 2011, very similar to the figure in Q1 2010 (208 days).
- For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 55 per cent (550) to 59 per cent (578).** This was balanced by a decrease in the proportion receiving reprimands and warnings and immediate custody.
- For offences committed by adult offenders the proportion of offences receiving immediate custody and a suspended sentence decreased,** for immediate custodial sentences from 26 per cent (1,113) in Q1 2010 to 23 per cent (959) and for suspended sentence orders from 16 per cent (709) to 15 per cent (616). This was accompanied by an increase in the proportion of offences receiving community sentences from 26 per cent (1,109) to 27 per cent (1,137) and cautions from 19 per cent (835) to 20 per cent (833).

Q1 2011 compared to Q1 2009

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 23% between Q1 2009 and Q1 2011 (6,784 to 5,228).** This drop was more marked for juvenile offenders where the decrease was 30% (1,418 to 987), than for adult offenders where the decrease was 21% (5,363 to 4,236).
- **The proportion of offences receiving cautions³ and immediate custodial sentences for knife or offensive weapon possession decreased, while the proportion of community sentences rose, and the proportion of suspended sentence orders remained stable between Q1 2009 and Q1 2011:**
 - In Q1 2011 21 per cent (1,121) of all possession offences resulted in a caution in England and Wales. This compares with 25 per cent (1,673) in Q1 2009.
 - In Q1 2011 33 per cent (1,716) of all possession offences resulted in community sentences compared to 30 per cent (2,029) in Q1 2009.
 - In Q1 2011 12 per cent (617) of all possession offences resulted in suspended sentence orders; the figure in Q1 2009 was also 12 per cent (810) in Q1 2009.
 - In Q1 2011 19 per cent (1,014) of all possession offences resulted in immediate custody compared to 23 per cent (1,527) in Q1 2009.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q1 2011 32 per cent (327) of sentences were recorded as being over six months compared to 27 per cent (408) in Q1 2009.
 - The average length of a custodial sentence was 207 days in Q1 2011. This has increased from 178 days in Q1 2009.
- **For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 49 per cent (695) to 59 per cent (578).** This was balanced by a decrease in the proportion receiving reprimands and warnings and immediate custody.

³ Cautions include juveniles receiving reprimands and warnings.

- **For offences committed by adult offenders the proportion of offences receiving cautions and immediate custody decreased**, for cautions from 21 per cent (1,147) in Q1 2009 to 20 per cent (833) in Q1 2011 and for immediate custodial sentences 26 per cent (1,404) to 23 per cent (959). This was accompanied by an increase in the proportion of community sentences given from 25 per cent (1,333) to 27 per cent (1,137).

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

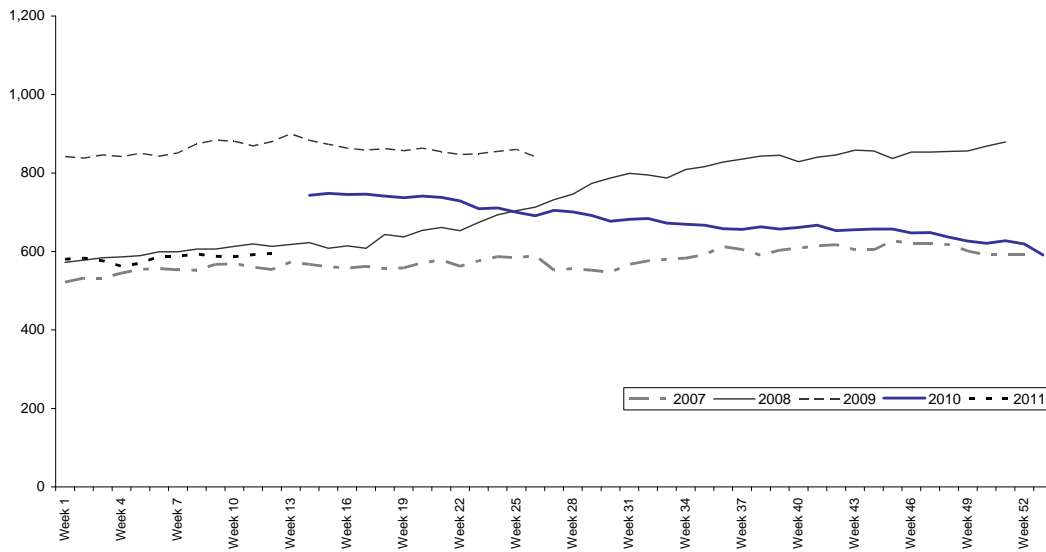
Q1 2011 compared to Q1 2010 and Q1 2009

- **In Q1 2011 there were 1,343 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 7 per cent (1,438) from Q1 2010; the decrease from Q1 2009 was 22 per cent (1,728). The decrease in suspended sentence orders over the past year was 6 per cent, compared to 4 per cent for community orders.
- **There was a decrease in the proportion of those given unpaid work for community orders** as a percentage of all requirements started. 34 per cent were given unpaid work in Q1 2011 compared to 37 per cent in Q1 2010 and 35 per cent in Q1 2009. The proportion of suspended sentence orders given unpaid work was 27 per cent in Q1 2011, compared to 27 per cent in Q1 2010 and 26 per cent in Q1 2009.
- **Where unpaid work requirements were started under community orders and suspended sentence orders, there has been a decrease in the proportion of longer requirements since Q1 2009; but no change since Q1 2010:**
 - For community orders, in Q1 2011, 13 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared to the same figure in Q1 2010 and 20 per cent in Q1 2009.
 - For suspended sentence orders, in Q1 2011, 17 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared to the same figure in Q1 2010 and 21 per cent in Q1 2009.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 595 on 25th March 2011. It is not possible to make comparisons with a year ago as technical problems relating to the supply of data for statistical purposes means it has not been possible to provide data relating to the prison population for specific offence types from July 2009 to March 2010.

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
	number of offences							
England and Wales¹	6,784	5,335	5,353	5,625	5,139	5,228	-2%	-23%
Caution ²	1,673	1,142	1,239	1,242	1,067	1,121	-2%	-33%
Absolute/Conditional discharge	263	215	227	236	201	209	-3%	-21%
Fine	269	221	203	221	226	198	-10%	-26%
Community sentence	2,029	1,659	1,677	1,851	1,664	1,716	3%	-15%
Suspended sentence	810	711	686	688	661	617	-13%	-24%
Immediate custody	1,527	1,202	1,115	1,200	1,101	1,014	-16%	-34%
Other disposal ³	213	185	206	187	219	353	91%	66%
	percentage of total offences							
Caution ²	25%	21%	23%	22%	21%	21%		
Community sentence	30%	31%	31%	33%	32%	33%		
Suspended sentence	12%	13%	13%	12%	13%	12%		
Immediate custody	23%	23%	21%	21%	21%	19%		

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
number of offences								
Aged 10 to 17	1,418	998	1,122	1,059	903	987	-1%	-30%
Reprimands & warnings	525	307	355	289	264	286	-7%	-46%
Absolute/conditional discharge	26	21	23	29	14	19	*	*
Fine	9	3	4	2	2	4	*	*
Community sentence	695	550	601	611	521	578	5%	-17%
Immediate custody	123	89	97	100	65	54	-39%	-56%
Other disposal ¹	40	28	42	28	37	46	*	*
percentage of total offences								
Reprimands & warnings	37%	31%	32%	27%	29%	29%		
Community sentence	49%	55%	54%	58%	58%	59%		
Immediate custody	9%	9%	9%	9%	7%	5%		
number of offences								
Aged 18 and over	5,363	4,337	4,230	4,566	4,235	4,236	-2%	-21%
Caution	1,147	835	884	953	803	833	0%	-27%
Absolute/Conditional discharge	237	194	204	207	187	189	-3%	-20%
Fine	260	218	199	219	224	194	-11%	-25%
Community sentence	1,333	1,109	1,076	1,240	1,143	1,137	3%	-15%
Suspended sentence	804	709	685	687	661	616	-13%	-23%
Immediate custody	1,404	1,113	1,018	1,100	1,035	959	-14%	-32%
Other disposal ¹	178	159	164	160	182	308	94%	73%
percentage of total offences								
Caution	21%	19%	21%	21%	19%	20%		
Community sentence	25%	26%	25%	27%	27%	27%		
Suspended sentence	15%	16%	16%	15%	16%	15%		
Immediate custody	26%	26%	24%	24%	24%	23%		

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
Possession of an article with a blade or point	number of offences							
	3,537	2,726	2,893	2,914	2,749	2,810	3%	-21%
Caution ¹	525	408	469	425	389	437	7%	-17%
Absolute/Conditional discharge	162	145	140	146	125	134	-8%	-17%
Fine	142	120	130	125	124	100	-17%	-30%
Community sentence	1,202	932	958	1,034	956	970	4%	-19%
Suspended sentence	496	378	403	391	392	362	-4%	-27%
Immediate custody	891	658	670	692	641	584	-11%	-34%
Other disposal ²	119	85	123	101	122	223	162%	87%
	percentage of total offences							
Caution ¹	15%	15%	16%	15%	14%	16%		
Community sentence	34%	34%	33%	35%	35%	35%		
Suspended sentence	14%	14%	14%	13%	14%	13%		
Immediate custody	25%	24%	23%	24%	23%	21%		
Possession of an offensive weapon	number of offences							
	3,247	2,609	2,460	2,711	2,390	2,418	-7%	-26%
Caution ¹	1,148	734	770	817	678	684	-7%	-40%
Absolute/Conditional discharge	101	70	87	90	76	75	7%	-26%
Fine	127	101	73	96	102	98	-3%	-23%
Community sentence	827	727	719	817	708	746	3%	-10%
Suspended sentence	314	333	283	297	269	255	-23%	-19%
Immediate custody	636	544	445	508	460	430	-21%	-32%
Other disposal ²	94	100	83	86	97	130	30%	38%
	percentage of total offences							
Caution ¹	35%	28%	31%	30%	28%	28%		
Community sentence	25%	28%	29%	30%	30%	31%		
Suspended sentence	10%	13%	12%	11%	11%	11%		
Immediate custody	20%	21%	18%	19%	19%	18%		

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.

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
number of offences								
England and Wales ^{1,2}	1,527	1,202	1,115	1,200	1,101	1,014	-16%	-34%
Up to and including 3 months	654	413	428	438	438	367	-11%	-44%
Over 3 months and up to and including 6 months	463	380	338	369	315	320	-16%	-31%
Over 6 months	408	407	348	391	343	327	-20%	-20%
percentage of total offences								
Up to and including 3 months	43%	34%	38%	37%	40%	36%		
Over 3 months and up to and including 6 months	30%	32%	30%	31%	29%	32%		
Over 6 months	27%	34%	31%	33%	31%	32%		

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
average sentence length (days)								
England and Wales ¹	178	208	192	201	193	207	0%	16%

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
number of starts								
Total	1,728	1,438	1,350	1,457	1,278	1,343	-7%	-22%
Community order	1,132	947	867	980	853	906	-4%	-20%
SSO	551	465	466	467	423	435	-6%	-21%
Pre CJA orders	45	26	17	10	2	2	*	*
percentage of total starts								
Community order	66%	66%	64%	67%	67%	67%		
SSO	32%	32%	35%	32%	33%	32%		
Pre CJA orders	3%	2%	1%	1%	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								
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Percentage change Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
number of requirements								
Community Order	1,836	1,507	1,393	1,518	1,346	1,512	0%	-18%
Unpaid Work	646	554	466	571	472	514	-7%	-20%
Supervision	612	491	473	481	450	470	-4%	-23%
Accredited Program	151	101	95	87	92	91	-10%	-40%
Curfew	168	131	134	147	62	156	19%	-7%
Drug treatment	67	52	46	54	92	49	*	*
Specified Activity	93	84	72	90	92	143	70%	54%
Alcohol treatment	47	48	46	49	39	42	*	*
Mental Health	27	19	27	20	19	14	*	*
Exclusion	4	7	8	3	3	4	*	*
Residential	5	7	13	7	6	4	*	*
Attendance Centre	10	7	7	7	16	20	*	*
Prohibited Activity	6	6	6	2	3	5	*	*
percentage of total requirements								
Unpaid work	35%	37%	33%	38%	35%	34%		
Supervision	33%	33%	34%	32%	33%	31%		
Other requirements	31%	31%	33%	31%	32%	35%		
number of requirements								
Suspended Sentence Order	972	822	817	823	781	788	-4%	-19%
Supervision	374	316	305	297	289	288	-9%	-23%
Unpaid Work	256	223	222	219	211	213	-4%	-17%
Accredited Program	125	81	69	94	76	71	-12%	-43%
Curfew	90	74	72	96	76	74	0%	-18%
Drug treatment	31	26	37	21	22	28	*	*
Alcohol treatment	34	35	40	33	33	32	*	*
Specified Activity	33	42	48	43	49	58	*	*
Prohibited Activity	9	5	9	4	8	2	*	*
Exclusion	6	8	3	6	6	6	*	*
Mental Health	4	6	3	4	6	2	*	*
Residential	6	6	5	4	3	10	*	*
Attendance Centre	4	0	4	2	2	4	*	*
percentage of total requirements								
Unpaid work	26%	27%	27%	27%	27%	27%		
Supervision	38%	38%	37%	36%	37%	37%		
Other requirements	35%	34%	35%	37%	36%	36%		

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 Q1 2010 to Q1 2011	Percentage change Q1 2009 to Q1 2011
	Q1 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Q1 2011		
	number of requirements							
Community Order	679	612	545	604	503	624	2%	-8%
0-80 hours	241	225	211	220	208	230	2%	-5%
81-150 hours	257	274	217	267	188	273	0%	6%
151-199 hours	47	32	37	39	37	39	*	*
200-250 hours	113	74	75	70	64	75	1%	-34%
251-300 hours	21	7	5	8	6	7	*	*
	percentage of total requirements							
0-80 hours	35%	37%	39%	36%	41%	37%		
81-150 hours	38%	45%	40%	44%	37%	44%		
151-199 hours	7%	5%	7%	6%	7%	6%		
200-250 hours	17%	12%	14%	12%	13%	12%		
251-300 hours	3%	1%	1%	1%	1%	1%		
	number of requirements							
Suspended sentence order	254	229	238	229	223	237	3%	-7%
0-80 hours	59	49	60	48	53	53	*	-10%
81-150 hours	124	127	113	116	100	128	1%	3%
151-199 hours	17	15	12	18	12	16	*	*
200-250 hours	47	34	46	42	53	36	*	*
251-300 hours	7	4	7	5	5	4	*	*
	percentage of total requirements							
0-80 hours	23%	21%	25%	21%	24%	22%		
81-150 hours	49%	55%	47%	51%	45%	54%		
151-199 hours	7%	7%	5%	8%	5%	7%		
200-250 hours	19%	15%	19%	18%	24%	15%		
251-300 hours	3%	2%	3%	2%	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 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 will naturally 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>.

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