

Knife Possession Sentencing Quarterly Brief October to December 2010 England and Wales

Ministry of Justice
Statistics Bulletin

Published 3 March 2011

Knife Possession Sentencing Statistics October to December 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.
- 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

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

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/knife-crime-sentencing.htm>

This publication has been prepared by Justice Statistics Analytical Services.

Key points – October to December (Q4) 2010

Note on all comparisons

Comparisons are presented between the latest quarter (October to December, Q4 2010) and Q4 2009 to provide an indication of changes over the last year. Longer term comparisons comparing Q4 2010 with the same period two years ago are also shown.

Cautioning and sentencing statistics (Tables 1 to 5)

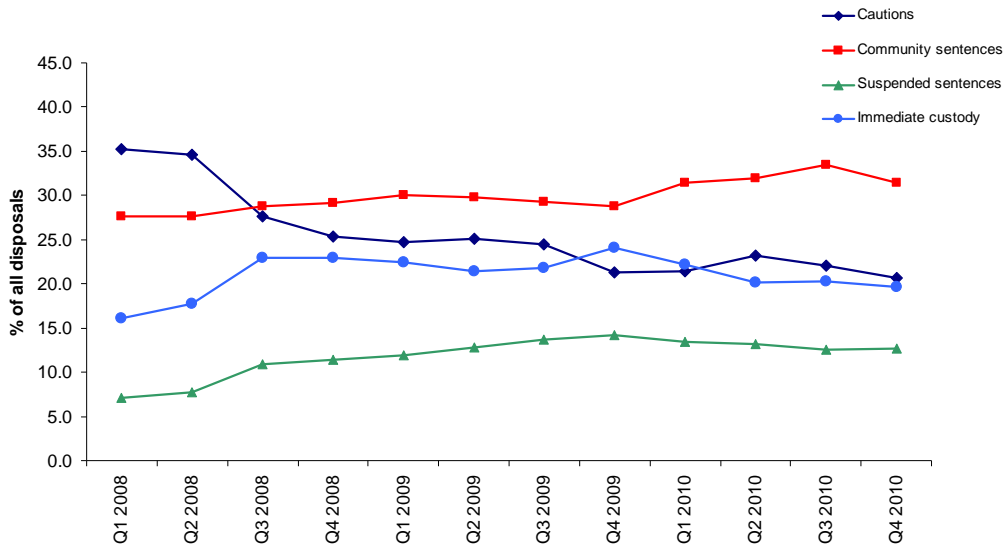
Q4 2010 compared to Q4 2009

- **Between Q4 2009 and Q4 2010 the total number of disposals given for knife or offensive weapon possession has decreased by 9% from 5,675 to 5,151.** This drop was similar for juvenile and adult offenders, for juvenile offenders the decrease was 11% (1,019 to 906), for adults the decrease was 9% (4,656 to 4,244).
- **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 Q4 2009 and Q4 2010²:**
 - In Q4 2010 21 per cent (1,064) of all possession offences resulted in a caution in England and Wales; the figure in Q4 2009 was also 21 per cent (1,211).
 - In Q4 2010 31 per cent (1,622) of all possession offences resulted in community sentences compared to 29 per cent (1,630) in Q4 2009.
 - In Q4 2010 13 per cent (656) of all possession offences resulted in suspended sentence orders compared to 14 per cent (807) in Q4 2009.
 - In Q4 2010 20 per cent (1,012) of all possession offences resulted in immediate custody compared to 24 per cent (1,366) in Q4 2009. Note – the Q4 2009 immediate custody figure was an unusually high figure given the underlying trend (see figure 1).

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 remained stable:**

 - In Q4 2010 32 per cent (324) of sentences were recorded as being over six months compared to 31 per cent (427) in Q4 2009.
 - The average length of a custodial sentence was 199 days in Q4 2010; this figure is the same as in Q4 2009.
- For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 53 per cent (537) to 58 per cent (530).** 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.** This was accompanied by an increase in the proportion of offences receiving community sentences from 23 per cent (1,093) to 26 per cent (1,092).

Q4 2010 compared to Q4 2008

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 26% between Q4 2008 and Q4 2010 (6,956 to 5,151).** This drop was more marked for juvenile offenders where the decrease was 41% (1,528 to 906), than for adult offenders where the decrease was 22% (5,423 to 4,244).
- **The proportion of offences receiving cautions³ and immediate custodial sentences for knife or offensive weapon possession decreased, while the proportion of community sentences and suspended sentence orders rose between Q4 2008 and Q4 2010:**
 - In Q4 2010 21 per cent (1,064) of all possession offences resulted in a caution in England and Wales. This compares with 25 per cent (1,763) in Q4 2008.
 - In Q4 2010 31 per cent (1,622) of all possession offences resulted in community sentences compared to 29 per cent (2,027) in Q4 2008.
 - In Q4 2010 13 per cent (656) of all possession offences resulted in suspended sentence orders compared to 11 per cent (790) in Q4 2008.
 - In Q4 2010 20 per cent (1,012) of all possession offences resulted in immediate custody compared to 23 per cent (1,595) in Q4 2008.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q4 2010 32 per cent (324) of sentences were recorded as being over six months compared to 27 per cent (426) in Q4 2008.
 - The average length of a custodial sentence was 199 days in Q4 2010. This has increased from 175 days in Q4 2008.
- **For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 51 per cent (779) to 58 per cent (530).** 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 23 per cent (1,241) in Q4 2008 to 19 per cent (802) in Q4 2010 and for immediate custodial sentences 27 per cent (1,448) to 23 per cent (956). This was accompanied by an increase in the proportion of community sentences given from 23 per cent (1,248) to 26 per cent (1,092) and suspended sentence orders from 14 per cent (784) to 15 per cent (656).

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

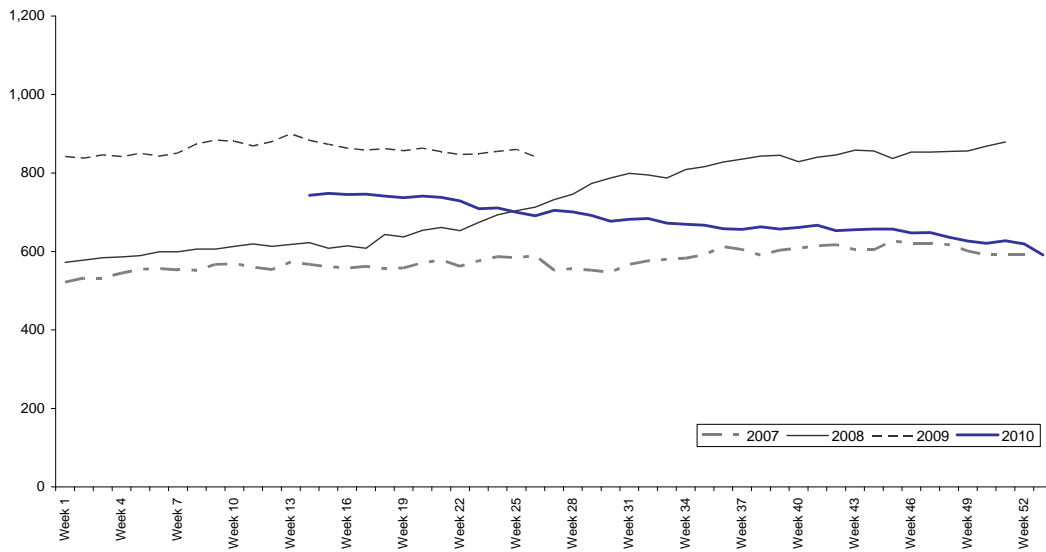
Q4 2010 compared to Q4 2009 and Q4 2008

- **In Q4 2010 there were 1,278 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 15 per cent (1,500) from Q4 2009; the decrease from Q4 2008 was 18 per cent (1,562). The decrease in suspended sentence orders over the past year was 22 per cent, compared to 8 per cent for community orders.
- **There was little change in the proportion of those given unpaid work for community orders** as a percentage of all requirements started. 35 per cent were given unpaid work in Q4 2010 compared to 36 per cent in Q4 2009 and 35 per cent in Q4 2008. The proportion of suspended sentence orders given unpaid work was 27 per cent in Q4 2010, compared to 26 per cent in both Q4 2009 and Q4 2008.
- **Where unpaid work requirements were started under suspended sentence orders, there has been an increase in the proportion of longer requirements since Q4 2008; for community orders there was a decrease compared to each of the previous two years:**
 - For community orders, in Q4 2010, 14 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 18 per cent in both Q4 2009 and Q4 2008.
 - For suspended sentence orders, in Q4 2010, 26 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 23 per cent in Q4 2009 and 18 per cent in Q4 2008.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 591 on 31st December 2010. 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)



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 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
	number of offences							
England and Wales¹	6,956	5,675	5,327	5,344	5,626	5,151	-9%	-26%
Caution ²	1,763	1,211	1,139	1,237	1,238	1,064	-12%	-40%
Absolute/Conditional discharge	239	203	214	222	236	193	-5%	-19%
Fine	297	220	221	202	220	221	0%	-26%
Community sentence	2,027	1,630	1,672	1,707	1,885	1,622	0%	-20%
Suspended sentence	790	807	716	704	705	656	-19%	-17%
Immediate custody	1,595	1,366	1,179	1,078	1,140	1,012	-26%	-37%
Other disposal ³	245	238	186	194	202	383	61%	56%
	percentage of total offences							
Caution ²	25%	21%	21%	23%	22%	21%		
Community sentence	29%	29%	31%	32%	34%	31%		
Suspended sentence	11%	14%	13%	13%	13%	13%		
Immediate custody	23%	24%	22%	20%	20%	20%		

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.

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

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 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
number of offences								
Aged 10 to 17	1,528	1,019	997	1,120	1,055	906	-11%	-41%
Reprimands & warnings	519	312	306	354	286	262	-16%	-50%
Absolute/conditional discharge	32	26	21	22	28	13	*	*
Fine	12	5	3	4	2	2	*	*
Community sentence	779	537	552	614	623	530	-1%	-32%
Immediate custody	147	89	86	91	88	55	-38%	-63%
Other disposal ¹	39	50	29	35	28	44	*	*
percentage of total offences								
Reprimands & warnings	34%	31%	31%	32%	27%	29%		
Community sentence	51%	53%	55%	55%	59%	58%		
Immediate custody	10%	9%	9%	8%	8%	6%		
number of offences								
Aged 18 and over	5,423	4,656	4,330	4,223	4,571	4,244	-9%	-22%
Caution	1,241	899	833	883	952	802	-11%	-35%
Absolute/Conditional discharge	207	177	193	200	208	180	2%	-13%
Fine	285	215	218	198	218	219	2%	-23%
Community sentence	1,248	1,093	1,120	1,093	1,262	1,092	0%	-13%
Suspended sentence	784	806	714	703	704	656	-19%	-16%
Immediate custody	1,448	1,277	1,093	987	1,052	956	-25%	-34%
Other disposal ¹	210	189	159	159	175	339	79%	61%
percentage of total offences								
Caution	23%	19%	19%	21%	21%	19%		
Community sentence	23%	23%	26%	26%	28%	26%		
Suspended sentence	14%	17%	16%	17%	15%	15%		
Immediate custody	27%	27%	25%	23%	23%	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.

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.

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

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 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
number of offences								
Possession of an article with a blade or point	3,471	2,890	2,723	2,889	2,912	2,756	-5%	-21%
Caution ¹	541	401	408	469	424	389	-3%	-28%
Absolute/Conditional discharge	154	127	146	138	146	119	-6%	-23%
Fine	161	104	120	129	125	122	17%	-24%
Community sentence	1,083	905	941	976	1,055	936	3%	-14%
Suspended sentence	459	456	375	409	397	398	-13%	-13%
Immediate custody	950	781	644	652	655	586	-25%	-38%
Other disposal ²	123	116	89	116	110	206	78%	67%
percentage of total offences								
Caution ¹	16%	14%	15%	16%	15%	14%		
Community sentence	31%	31%	35%	34%	36%	34%		
Suspended sentence	13%	16%	14%	14%	14%	14%		
Immediate custody	27%	27%	24%	23%	22%	21%		
number of offences								
Possession of an offensive weapon	3,485	2,785	2,604	2,455	2,714	2,395	-14%	-31%
Caution ¹	1,222	810	731	768	814	675	-17%	-45%
Absolute/Conditional discharge	85	76	68	84	90	74	-3%	-13%
Fine	136	116	101	73	95	99	-15%	-27%
Community sentence	944	725	731	731	830	686	-5%	-27%
Suspended sentence	331	351	341	295	308	258	-26%	-22%
Immediate custody	645	585	535	426	485	426	-27%	-34%
Other disposal ²	122	122	97	78	92	177	45%	45%
percentage of total offences								
Caution ¹	35%	29%	28%	31%	30%	28%		
Community sentence	27%	26%	28%	30%	31%	29%		
Suspended sentence	9%	13%	13%	12%	11%	11%		
Immediate custody	19%	21%	21%	17%	18%	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.

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

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

Sentence length	Number of offences and percentages						Percentage change Q4 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
number of offences								
England and Wales ^{1,2}	1,595	1,366	1,179	1,078	1,140	1,012	-26%	-37%
Up to and including 3 months	695	515	403	410	408	396	-23%	-43%
Over 3 months and up to and including 6 months	466	420	369	325	348	290	-31%	-38%
Over 6 months	426	427	405	342	382	324	-24%	-24%
percentage of total offences								
Up to and including 3 months	44%	38%	34%	38%	36%	39%		
Over 3 months and up to and including 6 months	29%	31%	31%	30%	31%	29%		
Over 6 months	27%	31%	34%	32%	34%	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 Q4 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
average sentence length (days)								
England and Wales ¹	175	199	210	193	205	199	0%	13%

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.

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

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

Court Order starts	Number of starts and percentages						Percentage change Q4 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
	number of starts							
Total	1,562	1,500	1,438	1,350	1,457	1,278	-15%	-18%
Community order	1,003	924	947	867	980	853	-8%	-15%
SSO	500	540	465	466	467	423	-22%	-15%
Pre CJA orders	59	36	26	17	10	2	*	*
	percentage of total starts							
Community order	64%	62%	66%	64%	67%	67%		
SSO	32%	36%	32%	35%	32%	33%		
Pre CJA orders	4%	2%	2%	1%	1%	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.

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

Table 7: Requirement starts for possession of offensive weapon¹

Number of requirements and percentages								
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010	Percentage change Q4 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
number of requirements								
Community Order	1,569	1,474	1,507	1,393	1,518	1,346	-9%	-14%
Unpaid Work	549	535	554	466	571	472	-12%	-14%
Supervision	538	466	491	473	481	450	-3%	-16%
Accredited Program	144	101	101	95	87	92	-9%	-36%
Curfew	124	147	131	134	147	62	-58%	-50%
Drug treatment	63	52	52	46	54	92	77%	46%
Specified Activity	65	68	84	72	90	92	35%	42%
Alcohol treatment	45	54	48	46	49	39	*	*
Mental Health	19	25	19	27	20	19	*	*
Exclusion	6	4	7	8	3	3	*	*
Residential	5	6	7	13	7	6	*	*
Attendance Centre	6	8	7	7	7	16	*	*
Prohibited Activity	5	8	6	6	2	3	*	*
percentage of total requirements								
Unpaid work	35%	36%	37%	33%	38%	35%		
Supervision	34%	32%	33%	34%	32%	33%		
Other requirements	31%	32%	31%	33%	31%	32%		
number of requirements								
Suspended Sentence Order	900	978	822	817	823	781	-20%	-13%
Supervision	357	373	316	305	297	289	-23%	-19%
Unpaid Work	232	254	223	222	219	211	-17%	-9%
Accredited Program	124	97	81	69	94	76	-22%	-39%
Curfew	72	101	74	72	96	76	-25%	6%
Drug treatment	25	33	26	37	21	22	*	*
Alcohol treatment	26	43	35	40	33	33	*	*
Specified Activity	34	46	42	48	43	49	*	*
Prohibited Activity	12	15	5	9	4	8	*	*
Exclusion	8	3	8	3	6	6	*	*
Mental Health	7	3	6	3	4	6	*	*
Residential	2	7	6	5	4	3	*	*
Attendance Centre	1	3	0	4	2	2	*	*
percentage of total requirements								
Unpaid work	26%	26%	27%	27%	27%	27%		
Supervision	40%	38%	38%	37%	36%	37%		
Other requirements	35%	36%	34%	35%	37%	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.

Knife Possession Sentencing quarterly brief, October to December 2010, England and Wales

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

	Number of requirements and percentages						Percentage change Q4 2009 to Q4 2010	Percentage change Q4 2008 to Q4 2010
	Q4 2008	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Q4 2010		
	number of requirements							
Community Order	598	591	612	545	604	503	-15%	-16%
0-80 hours	219	224	225	211	220	208	-7%	-5%
81-150 hours	239	221	274	217	267	188	-15%	-21%
151-199 hours	33	42	32	37	39	37	*	*
200-250 hours	96	98	74	75	70	64	-35%	-33%
251-300 hours	11	6	7	5	8	6	*	*
	percentage of total requirements							
0-80 hours	37%	38%	37%	39%	36%	41%		
81-150 hours	40%	37%	45%	40%	44%	37%		
151-199 hours	6%	7%	5%	7%	6%	7%		
200-250 hours	16%	17%	12%	14%	12%	13%		
251-300 hours	2%	1%	1%	1%	1%	1%		
	number of requirements							
Suspended sentence order	228	260	229	238	229	223	-14%	-2%
0-80 hours	62	49	49	60	48	53	*	-15%
81-150 hours	111	131	127	113	116	100	-24%	-10%
151-199 hours	14	20	15	12	18	12	*	*
200-250 hours	40	57	34	46	42	53	-7%	*
251-300 hours	1	3	4	7	5	5	*	*
	percentage of total requirements							
0-80 hours	27%	19%	21%	25%	21%	24%		
81-150 hours	49%	50%	55%	47%	51%	45%		
151-199 hours	6%	8%	7%	5%	8%	5%		
200-250 hours	18%	22%	15%	19%	18%	24%		
251-300 hours	0%	1%	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 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 2 finished in March 2010 and a report which will provide an overview of key findings is due to be published by the Home Office.

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>.

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

General information about the official statistics system of the UK is available from www.statistics.gov.uk

©Crown copyright
Produced by the Ministry of Justice

Alternative formats are available on request from
statistics.enquiries@justice.gsi.gov.uk