



Ministry of
JUSTICE

Knife Possession Sentencing Quarterly Brief July to September 2011 England and Wales

Ministry of Justice
Statistics Bulletin

Published 1 December 2011

Knife Possession Sentencing Statistics July to September 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

Knife Possession Sentencing quarterly brief, July to September 2011, 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 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 – July to September (Q3) 2011

Note on all comparisons

Comparisons are presented between the latest quarter (July to September, Q3 2011) and Q3 2010 to provide an indication of changes over the last year. Longer term comparisons comparing Q3 2011 with the same period two years ago are also shown.

Cautioning and sentencing statistics (Tables 1 to 5)

Q3 2011 compared to Q3 2010

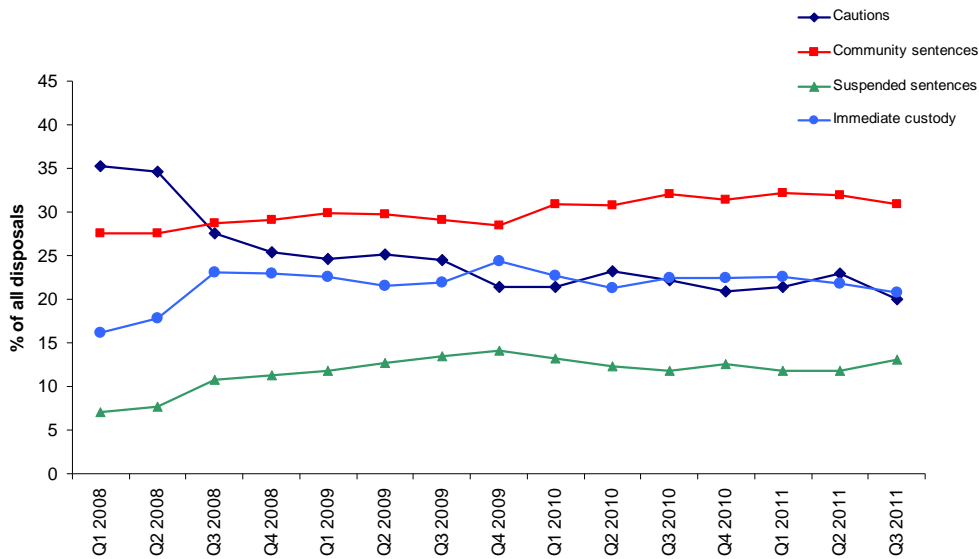
- **Between Q3 2010 and Q3 2011 the total number of disposals given for knife or offensive weapon possession has decreased by 3 per cent from 5,625 to 5,466.** The drop was more marked for juvenile offenders where the decrease was 15 per cent (1,060 to 904), than for adult offenders where the decrease was 0.1 per cent (4,565 to 4,561).
- **The proportion of offences receiving cautions, community sentences and immediate custodial sentences for knife or offensive weapon possession decreased, while the proportion of suspended sentences increased between Q3 2010 and Q3 2011¹:**
 - In Q3 2011 20 per cent (1,090) of all possession offences resulted in a caution² in England and Wales; compared to 22 per cent (1,247) in Q3 2010.
 - In Q3 2011 31 per cent (1,686) of all possession offences resulted in community sentences; compared to 32 per cent (1,801) in Q3 2010.
 - In Q3 2011 13 per cent (718) of all possession offences resulted in suspended sentence orders compared to 12 per cent (663) in Q3 2010.
 - In Q3 2011 21 per cent (1,132) of all possession offences resulted in immediate custody compared to 22 per cent (1,260) in Q3 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 points³.

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.

³ For example in the bulletin published in September 2011, 20 per cent of all possession offences in Q2 2011 resulted in immediate custody, but the equivalent figure in this bulletin is 22 per cent.

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 slightly:**

 - In Q3 2011 34 per cent (387) of sentences were recorded as being over six months compared to 32 per cent (397) in Q3 2010.
 - The average length of a custodial sentence was 206 days in Q3 2011, compared to 196 days in Q3 2010.
- **For offences committed by juvenile offenders the proportion of offences receiving different disposals has remained stable between Q3 2010 and Q3 2011.**
- **For offences committed by adult offenders the proportion of offences receiving a caution or immediate custody has decreased, for cautions from 21 per cent (956) in Q3 2010 to 19 per cent (859) and for immediate custody from 25 per cent (1,151) to 23 per cent (1,046).**

Q3 2011 compared to Q3 2009

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 16 per cent between Q3 2009 and Q3 2011 (6,490 to 5,466).** This drop was more marked for juvenile offenders where the decrease was 28 per cent (1,253 to 904), than for adult offenders where the decrease was 13 per cent (5,237 to 4,561).
- **The proportion of offences receiving cautions⁴ and immediate custodial sentences for knife or offensive weapon possession decreased, while the proportion of community sentences rose and the proportion of suspended sentences remained stable between Q3 2009 and Q3 2011:**
 - In Q3 2011 20 per cent (1,090) of all possession offences resulted in a caution in England and Wales. This compares with 24 per cent (1,587) in Q3 2009.
 - In Q3 2011 31 per cent (1,686) of all possession offences resulted in community sentences compared to 29 per cent (1,890) in Q3 2009.
 - In Q3 2011 13 per cent (718) of all possession offences resulted in suspended sentence orders; the figure in Q3 2009 was also 13 per cent (874).
 - In Q3 2011 21 per cent (1,132) of all possession offences resulted in immediate custody compared to 22 per cent (1,420) in Q3 2009.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q3 2011 34 per cent (387) of sentences were recorded as being over six months compared to 31 per cent (437) in Q3 2009.
 - The average length of a custodial sentence was 206 days in Q3 2011. This has increased from 187 days in Q3 2009.
- **For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 50 per cent (627) to 57 per cent (514).** This was balanced by a decrease in the proportion receiving reprimands and warnings and immediate custody.

⁴ 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 23 per cent (1,188) in Q3 2009 to 19 per cent (859) in Q3 2011, for suspended sentences from 17 per cent (874) to 16 per cent (718) and for immediate custodial sentences 25 per cent (1,297) to 23 per cent (1,046).

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

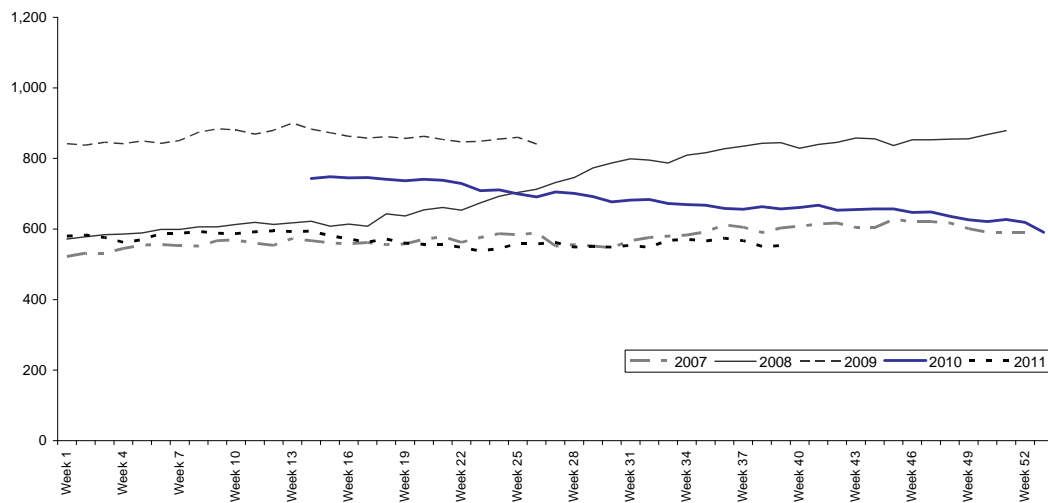
Q3 2011 compared to Q3 2010 and Q3 2009

- **In Q3 2011 there were 1,401 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 4 per cent (1,457) from Q3 2010; the decrease from Q3 2009 was 13 per cent (1,611). Suspended sentence orders increased by 2 per cent over the past year, whereas community orders decreased by 6 per cent.
- **The proportion of those given unpaid work for suspended sentence orders (24 per cent) and community orders (31 per cent) as a percentage of all requirements has decreased over the past year (from 27 per cent and 38 percent respectively).**
- **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 Q3 2009:**
 - For community orders, in Q3 2011, 13 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared 13 per cent in Q3 2010 and 17 per cent in Q3 2009.
 - For suspended sentence orders, in Q3 2011, 20 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared to 21 per cent in Q3 2010 and 23 per cent in Q3 2009.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 553 on 30th September 2011, down 16 per cent from a year ago (657).

Figure 2: Prison population under sentence for possession of an offensive weapon⁵ (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

⁵ 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	Q3 2009	Number of offences and percentages					Percentage change Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
		Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
number of offences								
England and Wales¹	6,490	5,625	5,145	5,254	5,169	5,466	-3%	-16%
Caution ²	1,587	1,247	1,074	1,125	1,188	1,090	-13%	-31%
Absolute/Conditional discharge	249	235	200	213	184	196	-17%	-21%
Fine	229	224	237	210	220	233	4%	2%
Community sentence	1,890	1,801	1,614	1,692	1,652	1,686	-6%	-11%
Suspended sentence	874	663	648	617	608	718	8%	-18%
Immediate custody	1,420	1,260	1,157	1,185	1,129	1,132	-10%	-20%
Other disposal ³	241	195	215	212	188	411	111%	71%
percentage of total offences								
Caution ²	24%	22%	21%	21%	23%	20%		
Community sentence	29%	32%	31%	32%	32%	31%		
Suspended sentence	13%	12%	13%	12%	12%	13%		
Immediate custody	22%	22%	22%	23%	22%	21%		

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, July to September 2011, 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 Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
number of offences								
Aged 10 to 17	1,253	1,060	909	991	975	904	-15%	-28%
Reprimands & warnings	399	291	267	287	287	231	-21%	-42%
Absolute/conditional discharge	31	29	12	21	25	23	*	*
Fine	6	2	3	4	2	1	*	*
Community sentence	627	599	506	560	549	514	-14%	-18%
Immediate custody	123	109	76	80	91	85	-22%	-31%
Other disposal ¹	67	30	45	39	21	50	*	-25%
percentage of total offences								
Reprimands & warnings	32%	27%	29%	29%	29%	26%		
Community sentence	50%	57%	56%	57%	56%	57%		
Immediate custody	10%	10%	8%	8%	9%	9%		
number of offences								
Aged 18 and over	5,237	4,565	4,235	4,258	4,190	4,561	0%	-13%
Caution	1,188	956	807	836	900	859	-10%	-28%
Absolute/Conditional discharge	218	206	188	191	159	173	-16%	-21%
Fine	223	222	234	206	218	232	5%	4%
Community sentence	1,263	1,202	1,108	1,131	1,102	1,172	-2%	-7%
Suspended sentence	874	663	648	617	607	718	8%	-18%
Immediate custody	1,297	1,151	1,080	1,104	1,038	1,046	-9%	-19%
Other disposal ¹	174	165	170	173	166	361	119%	107%
percentage of total offences								
Caution	23%	21%	19%	20%	21%	19%		
Community sentence	24%	26%	26%	27%	26%	26%		
Suspended sentence	17%	15%	15%	14%	14%	16%		
Immediate custody	25%	25%	26%	26%	25%	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, July to September 2011, 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 Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
Possession of an article with a blade or point	number of offences							
	3,352	2,913	2,752	2,827	2,849	3,019	4%	-10%
Caution ¹	478	428	395	439	480	403	-6%	-16%
Absolute/Conditional discharge	148	143	125	137	117	124	-13%	-16%
Fine	112	125	129	107	136	129	3%	15%
Community sentence	1,101	1,009	918	958	967	996	-1%	-10%
Suspended sentence	529	378	390	367	370	423	12%	-20%
Immediate custody	838	723	676	698	670	690	-5%	-18%
Other disposal ²	146	107	119	121	109	254	137%	74%
	percentage of total offences							
Caution ¹	14%	15%	14%	16%	17%	13%		
Community sentence	33%	35%	33%	34%	34%	33%		
Suspended sentence	16%	13%	14%	13%	13%	14%		
Immediate custody	25%	25%	25%	25%	24%	23%		
Possession of an offensive weapon	number of offences							
	3,138	2,712	2,393	2,427	2,320	2,447	-10%	-22%
Caution ¹	1,109	819	679	686	708	687	-16%	-38%
Absolute/Conditional discharge	101	92	75	76	67	72	-22%	-29%
Fine	117	99	108	103	84	104	5%	-11%
Community sentence	789	792	696	734	685	690	-13%	-13%
Suspended sentence	345	285	258	250	238	295	4%	-14%
Immediate custody	582	537	481	487	459	442	-18%	-24%
Other disposal ²	95	88	96	91	79	157	78%	65%
	percentage of total offences							
Caution ¹	35%	30%	28%	28%	31%	28%		
Community sentence	25%	29%	29%	30%	30%	28%		
Suspended sentence	11%	11%	11%	10%	10%	12%		
Immediate custody	19%	20%	20%	20%	20%	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, July to September 2011, 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 Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
number of offences								
England and Wales ^{1,2}	1,420	1,260	1,157	1,185	1,129	1,132	-10%	-20%
Up to and including 3 months	589	472	468	464	458	432	-8%	-27%
Over 3 months and up to and including 6 months	389	389	336	377	314	311	-20%	-20%
Over 6 months	437	397	348	343	354	387	-3%	-11%
percentage of total offences								
Up to and including 3 months	41%	37%	40%	39%	41%	38%		
Over 3 months and up to and including 6 months	27%	31%	29%	32%	28%	27%		
Over 6 months	31%	32%	30%	29%	31%	34%		

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 Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
average sentence length (days)								
England and Wales ¹	187	196	188	191	194	206	5%	10%

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, July to September 2011, England and Wales

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

Court Order starts	Number of starts and percentages						Percentage change Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
number of starts								
Total	1,611	1,457	1,278	1,343	1,168	1,401	-4%	-13%
Community order	1,024	980	853	906	781	924	-6%	-10%
SSO	536	467	423	435	385	475	2%	-11%
Pre CJA orders	51	10	2	2	2	2	*	*
percentage of total starts								
Community order	64%	67%	67%	67%	67%	66%		
SSO	33%	32%	33%	32%	33%	34%		
Pre CJA orders	3%	1%	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.

Knife Possession Sentencing quarterly brief, July to September 2011, England and Wales

Table 7: Requirement starts for possession of offensive weapon¹

	Number of requirements and percentages						Percentage change Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
number of requirements								
Community Order	1,585	1,518	1,346	1,512	1,248	1,515	0%	-4%
Unpaid Work	560	571	472	514	413	474	-17%	-15%
Supervision	547	481	450	470	405	509	6%	-7%
Accredited Program	119	87	92	91	74	80	-8%	-33%
Curfew	129	147	62	156	117	129	-12%	0%
Drug treatment	60	54	92	49	42	46	*	*
Specified Activity	77	90	92	143	115	151	68%	96%
Alcohol treatment	53	49	39	42	39	57	*	8%
Mental Health	18	20	19	14	17	28	*	*
Exclusion	2	3	3	4	1	6	*	*
Residential	6	7	6	4	4	6	*	*
Attendance Centre	8	7	16	20	18	22	*	*
Prohibited Activity	6	2	3	5	3	7	*	*
percentage of total requirements								
Unpaid work	35%	38%	35%	34%	33%	31%		
Supervision	35%	32%	33%	31%	32%	34%		
Other requirements	30%	31%	32%	35%	34%	35%		
number of requirements								
Suspended Sentence Order	963	823	781	788	682	898	9%	-7%
Supervision	350	297	289	288	242	315	6%	-10%
Unpaid Work	284	219	211	213	187	220	0%	-23%
Accredited Program	100	94	76	71	51	86	-9%	-14%
Curfew	96	96	76	74	72	99	3%	3%
Drug treatment	14	21	22	28	16	27	*	*
Alcohol treatment	38	33	33	32	32	38	*	*
Specified Activity	44	43	49	58	49	88	*	*
Prohibited Activity	4	4	8	2	6	6	*	*
Exclusion	8	6	6	6	7	5	*	*
Mental Health	8	4	6	2	8	3	*	*
Residential	13	4	3	10	5	6	*	*
Attendance Centre	4	2	2	4	7	5	*	*
percentage of total requirements								
Unpaid work	29%	27%	27%	27%	27%	24%		
Supervision	36%	36%	37%	37%	35%	35%		
Other requirements	34%	37%	36%	36%	37%	40%		

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, July to September 2011, 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 Q3 2010 to Q3 2011	Percentage change Q3 2009 to Q3 2011
	Q3 2009	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011		
	number of requirements							
Community Order	616	604	503	624	446	512	-15%	-17%
0-80 hours	216	220	208	230	190	204	-7%	-6%
81-150 hours	250	267	188	273	164	213	-20%	-17%
151-199 hours	36	39	37	39	28	30	*	*
200-250 hours	92	70	64	75	62	63	-10%	-32%
251-300 hours	14	8	6	7	2	2	*	*
	percentage of total requirements							
0-80 hours	35%	36%	41%	37%	43%	40%		
81-150 hours	42%	44%	37%	44%	37%	42%		
151-199 hours	6%	6%	7%	6%	6%	6%		
200-250 hours	15%	12%	13%	12%	14%	12%		
251-300 hours	2%	1%	1%	1%	0%	0%		
	number of requirements							
Suspended sentence order	304	229	223	237	205	219	-4%	-28%
0-80 hours	75	48	53	53	51	42	*	*
81-150 hours	134	116	100	128	95	117	1%	-13%
151-199 hours	24	18	12	16	17	17	*	*
200-250 hours	65	42	53	36	40	41	*	*
251-300 hours	6	5	5	4	2	2	*	*
	percentage of total requirements							
0-80 hours	25%	21%	24%	22%	25%	19%		
81-150 hours	44%	51%	45%	54%	46%	53%		
151-199 hours	8%	8%	5%	7%	8%	8%		
200-250 hours	21%	18%	24%	15%	20%	19%		
251-300 hours	2%	2%	2%	2%	1%	1%		

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:

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 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