



Ministry of
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Knife Possession Sentencing Quarterly Brief July to September 2010 England and Wales

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Statistics Bulletin

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Knife Possession Sentencing Statistics July to September 2010

Introduction

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

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

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

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

Sentencing

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

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

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

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

This publication has been prepared by Justice Statistics Analytical Services.

Key points – Q3 2010

Note on all comparisons

Comparisons are presented between the latest quarter (Q3 2010) and Q3 2009 to provide an indication of changes over the last year. Longer term comparisons comparing Q3 2010 with the same period two years ago are also shown.

Cautioning and sentencing statistics (Tables 1 to 5)

Q3 2010 compared to Q3 2009

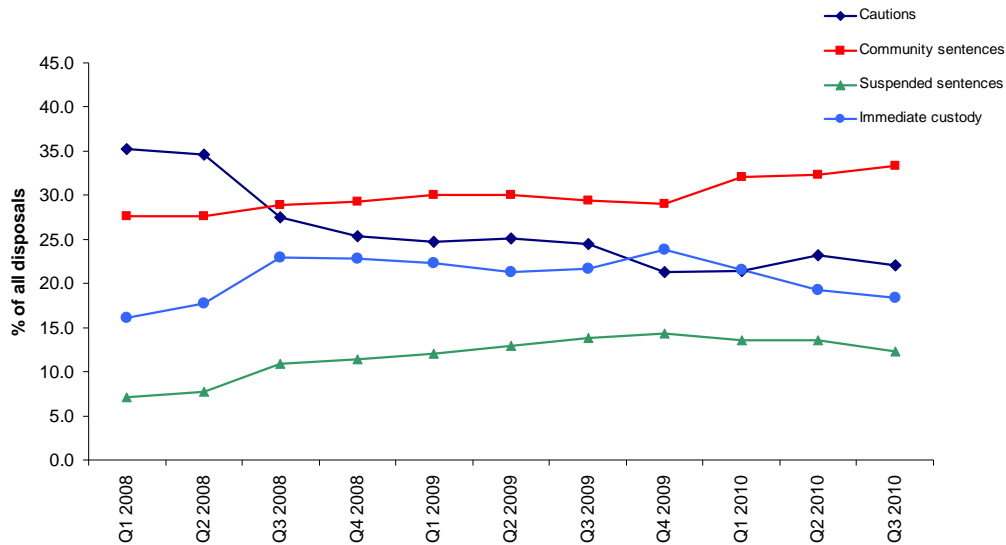
- **Between Q3 2009 and Q3 2010 the total number of disposals given for knife or offensive weapon possession has decreased by 13% from 6,475 to 5,623.** This drop was similar for juvenile and adult offenders, for juvenile offenders the decrease was 15% (1,247 to 1,054), for adults the decrease was 13% (5,228 to 4,569).

- **The proportion of offences receiving cautions¹, suspended sentences and immediate custodial sentences for knife or offensive weapon possession decreased slightly, while the proportion of community sentences rose between Q3 2009 and Q3 2010²:**
 - In Q3 2010 22 per cent (1,237) of all possession offences resulted in a caution in England and Wales. This compares with 24 per cent (1,580) in Q3 2009.
 - In Q3 2010 12 per cent (688) of all possession offences resulted in suspended sentence orders compared to 14 per cent (891) in Q3 2009.
 - In Q3 2010 18 per cent (1,036) of all possession offences resulted in immediate custody compared to 22 per cent (1,400) in Q3 2009.
 - In Q3 2010 33 per cent (1,875) of all possession offences resulted in community sentences compared to 29 per cent (1,902) in Q3 2009.

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 there has been an increase in the proportion of longer sentences:**

 - In Q3 2010 34 per cent (357) of sentences were recorded as being over six months compared to 31 per cent (436) in Q3 2009.
 - The average length of a custodial sentence was 206 days in Q3 2010. This has increased from 189 days in Q3 2009.
- For offences committed by juvenile offenders the proportion of offences receiving reprimands and warnings decreased** from 32 per cent (396) in Q3 2009 to 27 per cent (286) in Q3 2010. This was balanced by an increase in the proportion receiving community sentences from 51 per cent (632) to 59 per cent (625).
- For offences committed by adult offenders the proportion of offences receiving a caution, suspended sentence and immediate custody decreased slightly.** This was accompanied by an increase in the proportion of offences receiving community sentences from 24 per cent (1,270) to 27 per cent (1,250).

Q3 2010 compared to Q3 2008

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 23% between Q3 2008 and Q3 2010 (7,344 to 5,623).** This drop was more marked for juvenile offenders where the decrease was 40% (1,749 to 1,054), than for adult offenders where the decrease was 18% (5,595 to 4,569).
- **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 Q3 2008 and Q3 2010:**
 - In Q3 2010 22 per cent (1,237) of all possession offences resulted in a caution in England and Wales. This compares with 28 per cent (2,024) in Q3 2008.
 - In Q3 2010 18 per cent (1,036) of all possession offences resulted in immediate custody compared to 23 per cent (1,686) in Q3 2008.
 - In Q3 2010 12 per cent (688) of all possession offences resulted in suspended sentence orders compared to 11 per cent (797) in Q3 2008.
 - In Q3 2010 33 per cent (1,875) of all possession offences resulted in community sentences compared to 29 per cent (2,118) in Q3 2008.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q3 2010 34 per cent (357) of sentences were recorded as being over six months compared to 22 per cent (373) in Q3 2008.
 - The average length of a custodial sentence was 206 days in Q3 2010. This has increased from 169 days in Q3 2008.
- **For offences committed by juvenile offenders the proportion of offences receiving reprimands and warnings decreased** from 37 per cent (644) in Q3 2008 to 27 per cent (286) in Q3 2010. This was balanced by an increase in the proportion receiving community sentences from 50 per cent (878) to 59 per cent (625).

³ Cautions include juveniles receiving reprimands and warnings.

- **For offences committed by adult offenders the proportion of offences receiving cautions decreased** from 25 per cent (1,380) in Q3 2008 to 21 per cent (951) in Q3 2010 as did the proportion receiving an immediate custodial sentence 27 per cent (1,538) to 21 per cent (956). This was accompanied by an increase in the proportion of community sentences given from 22 per cent (1,240) to 27 per cent (1,250) and suspended sentence orders from 14 per cent (793) to 15 per cent (687).

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

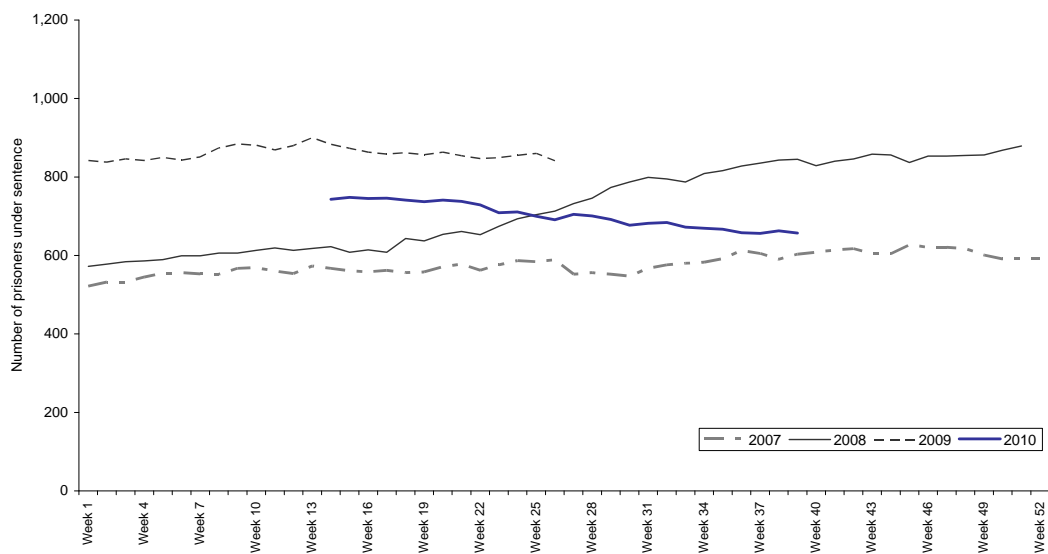
Q3 2010 compared to Q3 2009 and Q3 2008

- **In Q3 2010 there were 1,457 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 10 per cent (1,611) from Q3 2009; the decrease from Q3 2008 was also 10 per cent (1,612). The decrease in suspended sentence orders over the past year was 13 per cent, compared to 4 per cent for community orders.
- **There were changes in the proportion of those given unpaid work for community orders** as a percentage of all requirements started. 38 per cent were given unpaid work in Q3 2010 compared to 35 per cent in Q3 2009 and 37 per cent in Q3 2008. The proportion of suspended sentence orders given unpaid work was 27 per cent in Q3 2010, compared to 29 per cent in Q3 2009 and 27 per cent in Q3 2008.
- **Where unpaid work requirements were started under suspended sentence orders, there has been an increase in the proportion of longer requirements since Q3 2008, although the latest quarter shows a decrease compared to the same quarter the previous year; for community orders there was a decrease compared to each of the previous two years:**
 - For community orders, in Q3 2010, 13 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 17 per cent in both Q3 2009 and Q3 2008.
 - For suspended sentence orders, in Q3 2010, 21 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 23 per cent in Q3 2009 and 18 per cent in Q3 2008.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 657 on 24th September 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 Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010		
number of offences								
England and Wales¹	7,344	6,475	5,673	5,325	5,332	5,623	-13%	-23%
Caution ²	2,024	1,580	1,209	1,139	1,235	1,237	-22%	-39%
Absolute/Conditional discharge	279	243	205	212	218	221	-9%	-21%
Fine	260	228	215	220	194	213	-7%	-18%
Community sentence	2,118	1,902	1,644	1,705	1,725	1,875	-1%	-11%
Suspended sentence	797	891	814	724	721	688	-23%	-14%
Immediate custody	1,686	1,400	1,349	1,146	1,030	1,036	-26%	-39%
Other disposal ³	180	231	237	179	209	353	53%	96%
percentage of total offences								
Caution ²	28%	24%	21%	21%	23%	22%		
Community sentence	29%	29%	29%	32%	32%	33%		
Suspended sentence	11%	14%	14%	14%	14%	12%		
Immediate custody	23%	22%	24%	22%	19%	18%		

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

Numbers of offences and percentages								
Disposal Category	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Percentage change Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
number of offences								
Aged 10 to 17	1,749	1,247	1,016	997	1,120	1,054	-15%	-40%
Reprimands & warnings	644	396	310	306	353	286	-28%	-56%
Absolute/conditional discharge	28	30	27	21	20	26	*	*
Fine	10	6	5	3	2	1	*	*
Community sentence	878	632	537	565	630	625	-1%	-29%
Immediate custody	148	120	88	78	83	80	-33%	-46%
Other disposal ¹	41	63	49	24	32	36	*	*
percentage of total offences								
Reprimands & warnings	37%	32%	31%	31%	32%	27%		
Community sentence	50%	51%	53%	57%	56%	59%		
Immediate custody	8%	10%	9%	8%	7%	8%		
number of offences								
Aged 18 and over	5,595	5,228	4,657	4,328	4,211	4,569	-13%	-18%
Caution	1,380	1,184	899	833	882	951	-20%	-31%
Absolute/Conditional discharge	251	213	178	191	198	195	-8%	-22%
Fine	250	222	210	217	192	212	-5%	-15%
Community sentence	1,240	1,270	1,107	1,140	1,095	1,250	-2%	1%
Suspended sentence	793	883	813	724	720	687	-22%	-13%
Immediate custody	1,538	1,280	1,261	1,068	947	956	-25%	-38%
Other disposal ¹	143	176	189	155	177	318	81%	122%
percentage of total offences								
Caution	25%	23%	19%	19%	21%	21%		
Community sentence	22%	24%	24%	26%	26%	27%		
Suspended sentence	14%	17%	17%	17%	17%	15%		
Immediate custody	27%	24%	27%	25%	22%	21%		

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

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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 Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010		
Possession of an article with a blade or point	number of offences							
	3,666	3,345	2,890	2,723	2,883	2,913	-13%	-21%
Caution ¹	625	475	399	408	468	423	-11%	-32%
Absolute/Conditional discharge	176	144	128	143	132	137	-5%	-22%
Fine	145	111	102	120	123	122	10%	-16%
Community sentence	1,164	1,105	914	959	995	1,050	-5%	-10%
Suspended sentence	474	539	462	379	427	387	-28%	-18%
Immediate custody	989	831	770	629	614	600	-28%	-39%
Other disposal ²	93	140	115	85	124	194	39%	109%
	percentage of total offences							
Caution ¹	17%	14%	14%	15%	16%	15%		
Community sentence	32%	33%	32%	35%	35%	36%		
Suspended sentence	13%	16%	16%	14%	15%	13%		
Immediate custody	27%	25%	27%	23%	21%	21%		
Possession of an offensive weapon	number of offences							
	3,678	3,130	2,783	2,602	2,449	2,710	-13%	-26%
Caution ¹	1,399	1,105	810	731	767	814	-26%	-42%
Absolute/Conditional discharge	103	99	77	69	86	84	-15%	-18%
Fine	115	117	113	100	71	91	-22%	-21%
Community sentence	954	797	730	746	730	825	4%	-14%
Suspended sentence	323	352	352	345	294	301	-14%	-7%
Immediate custody	697	569	579	517	416	436	-23%	-37%
Other disposal ²	87	91	122	94	85	159	75%	83%
	percentage of total offences							
Caution ¹	38%	35%	29%	28%	31%	30%		
Community sentence	26%	25%	26%	29%	30%	30%		
Suspended sentence	9%	11%	13%	13%	12%	11%		
Immediate custody	19%	18%	21%	20%	17%	16%		

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 Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010		
number of offences								
England and Wales ^{1,2}	1,686	1,400	1,349	1,146	1,030	1,036	-26%	-39%
Up to and including 3 months	729	578	506	386	382	362	-37%	-50%
Over 3 months and up to and including 6 months	576	382	416	360	312	314	-18%	-45%
Over 6 months	373	436	423	398	336	357	-18%	-4%
percentage of total offences								
Up to and including 3 months	43%	41%	38%	34%	37%	35%		
Over 3 months and up to and including 6 months	34%	27%	31%	31%	30%	30%		
Over 6 months	22%	31%	31%	35%	33%	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 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010		
average sentence length (days)								
England and Wales ¹	169	189	198	211	197	206	9%	22%

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 Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010		
	number of starts							
Total	1,612	1,611	1,500	1,438	1,350	1,457	-10%	-10%
Community order	1,043	1,024	924	947	867	980	-4%	-6%
SSO	509	536	540	465	466	467	-13%	-8%
Pre CJA orders	60	51	36	26	17	10	*	*
	percentage of total starts							
Community order	65%	64%	62%	66%	64%	67%		
SSO	32%	33%	36%	32%	35%	32%		
Pre CJA orders	4%	3%	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.

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Table 7: Requirement starts for possession of offensive weapon¹

Number of requirements and percentages								
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010	Percentage change Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
number of requirements								
Community Order	1,622	1,585	1,474	1,507	1,393	1,518	-4%	-6%
Unpaid Work	605	560	535	554	466	571	2%	-6%
Supervision	531	547	466	491	473	481	-12%	-9%
Accredited Program	143	119	101	101	95	87	-27%	-39%
Curfew	138	129	147	131	134	147	14%	7%
Drug treatment	71	60	52	52	46	54	-10%	-24%
Specified Activity	63	77	68	84	72	90	17%	43%
Alcohol treatment	36	53	54	48	46	49	*	*
Mental Health	10	18	25	19	27	20	*	*
Exclusion	5	2	4	7	8	3	*	*
Residential	3	6	6	7	13	7	*	*
Attendance Centre	10	8	8	7	7	7	*	*
Prohibited Activity	7	6	8	6	6	2	*	*
percentage of total requirements								
Unpaid work	37%	35%	36%	37%	33%	38%		
Supervision	33%	35%	32%	33%	34%	32%		
Other requirements	30%	30%	32%	31%	33%	31%		
number of requirements								
Suspended Sentence Order	865	963	978	822	817	823	-15%	-5%
Supervision	346	350	373	316	305	297	-15%	-14%
Unpaid Work	236	284	254	223	222	219	-23%	-7%
Accredited Program	114	100	97	81	69	94	-6%	-18%
Curfew	76	96	101	74	72	96	0%	26%
Drug treatment	23	14	33	26	37	21	*	*
Alcohol treatment	25	38	43	35	40	33	*	*
Specified Activity	27	44	46	42	48	43	*	*
Prohibited Activity	7	4	15	5	9	4	*	*
Exclusion	7	8	3	8	3	6	*	*
Mental Health	2	8	3	6	3	4	*	*
Residential	2	13	7	6	5	4	*	*
Attendance Centre	0	4	3	0	4	2	*	*
percentage of total requirements								
Unpaid work	27%	29%	26%	27%	27%	27%		
Supervision	40%	36%	38%	38%	37%	36%		
Other requirements	33%	34%	36%	34%	35%	37%		

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 Q3 2009 to Q3 2010	Percentage change Q3 2008 to Q3 2010
	Q3 2008	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Q3 2010		
	number of requirements							
Community Order	668	616	591	612	545	604	-2%	-10%
0-80 hours	248	216	224	225	211	220	2%	-11%
81-150 hours	274	258	221	274	217	267	3%	-3%
151-199 hours	30	36	42	32	37	39	*	*
200-250 hours	108	92	98	74	75	70	-24%	-35%
251-300 hours	8	14	6	7	5	8	*	*
	percentage of total requirements							
0-80 hours	37%	35%	38%	37%	39%	36%		
81-150 hours	41%	42%	37%	45%	40%	44%		
151-199 hours	4%	6%	7%	5%	7%	6%		
200-250 hours	16%	15%	17%	12%	14%	12%		
251-300 hours	1%	2%	1%	1%	1%	1%		
	number of requirements							
Suspended sentence order	246	304	260	229	238	229	-25%	-7%
0-80 hours	65	75	49	49	60	48	*	*
81-150 hours	124	134	131	127	113	116	-13%	-6%
151-199 hours	13	24	20	15	12	18	*	*
200-250 hours	41	65	57	34	46	42	*	*
251-300 hours	3	6	3	4	7	5	*	*
	percentage of total requirements							
0-80 hours	26%	25%	19%	21%	25%	21%		
81-150 hours	50%	44%	50%	55%	47%	51%		
151-199 hours	5%	8%	8%	7%	5%	8%		
200-250 hours	17%	21%	22%	15%	19%	18%		
251-300 hours	1%	2%	1%	2%	3%	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 www.justice.gov.uk/publications/knife-possession-sentencing.htm.

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