

Knife Possession Sentencing Quarterly Brief April to June 2010 England and Wales

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Knife Possession Sentencing Statistics April to June 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 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 – Q2 2010

Note on all comparisons

Comparisons are presented between the latest quarter (Q2 2010) and Q2 2009 to provide an indication of changes over the last year. Longer term comparisons comparing Q2 2010 with the same period two years ago are also shown to reflect the sizeable changes that occurred between Q1 2008 and Q3 2008, following the change in sentencing guidelines.

Cautioning and sentencing statistics (Tables 1 to 5)

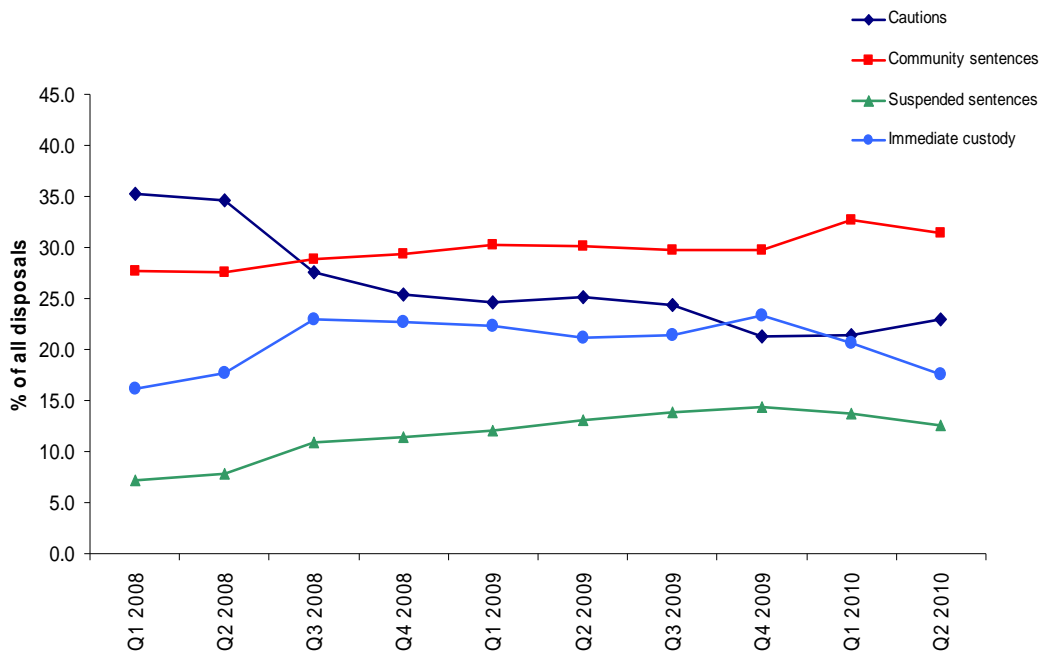
Q2 2010 compared to Q2 2009

- **Between Q2 2009 and Q2 2010 the total number of disposals given for knife or offensive weapon possession has decreased by 15% from 6,400 to 5,400.** This drop was similar for juvenile and adult offenders, for juvenile offenders the decrease was 16% (1,300 to 1,100), for adults the decrease was 15% (5,000 to 4,200).
- **The proportion of offences receiving cautions¹ and immediate custodial sentences for knife or offensive weapon possession decreased slightly, while the proportion of suspended sentences and community sentences remained broadly stable between Q2 2009 and Q2 2010²:**
 - In Q2 2010 23 per cent (1,200) of all possession offences resulted in a caution in England and Wales. This compares with 25 per cent (1,600) in Q2 2009.
 - In Q2 2010 18 per cent (950) of all possession offences resulted in immediate custody compared to 21 per cent (1,300) in Q2 2009.
 - In Q2 2010 13 per cent (680) of all possession offences resulted in suspended sentence orders; the figure in Q2 2009 was also 13 per cent (830).
 - In Q2 2010 31 per cent (1,700) of all possession offences resulted in community sentences compared to 30 per cent (1,900) in Q2 2009.

¹ Cautions include juveniles receiving reprimands and final 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 Q2 2010 34 per cent (320) of sentences were recorded as being over six months compared to 29 per cent (400) in Q2 2009.
 - The average length of a custodial sentence was 203 days in Q2 2010. This has increased from 188 days in Q2 2009.
- For offences committed by juvenile offenders the proportion of offences receiving reprimands and final warnings decreased from 36 per cent (480) in Q2 2009 to 31 per cent (350) in Q2 2010. This was balanced by an increase in the proportion receiving community sentences from 50 per cent (670) to 56 per cent (630).**
- For offences committed by adult offenders the proportion of offences receiving immediate custodial sentences decreased slightly from 24 per cent (1,200) in Q2 2009 to 21 per cent (880) in Q2 2010. The proportion of suspended sentence orders, community sentences and cautions remained broadly stable.**

Q2 2010 compared to Q2 2008

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 25% between Q2 2008 and Q2 2010 (7,200 to 5,400).** This drop was more marked for juvenile offenders where the decrease was 35% (1,700 to 1,100), than for adult offenders where the decrease was 22% (5,400 to 4,200).
- **The proportion of offences receiving cautions³ for knife or offensive weapon possession decreased, while the proportion of suspended sentence orders and community sentences rose between Q2 2008 and Q2 2010. The proportion of immediate custodial sentences remained stable. This is a reflection of the sizeable changes that occurred between Q1 2008 and Q3 2008:**
 - In Q2 2010 23 per cent (1,200) of all possession offences resulted in a caution in England and Wales. This compares with 35 per cent (2,500) in Q2 2008.
 - In Q2 2010 18 per cent (950) of all possession offences resulted in immediate custody; in Q2 2008 the figure was also 18 per cent (1,300).
 - In Q2 2010 13 per cent (700) of all possession offences resulted in suspended sentence orders compared to 8 per cent (560) in Q2 2008.
 - In Q2 2010 31 per cent (1,700) of all possession offences resulted in community sentences compared to 28 per cent (2,000) in Q2 2008.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q2 2010 34 per cent (320) of sentences were recorded as being over six months compared to 15 per cent (190) in Q2 2008.
 - The average length of a custodial sentence was 203 days in Q2 2010. This has increased from 136 days in Q2 2008.
- **For offences committed by juvenile offenders the proportion of offences receiving reprimands and final warnings decreased** from 45 per cent (780) in Q2 2008 to 31 per cent (350) in Q2 2010. This was balanced by an increase in the proportion receiving community sentences from 43 per cent (740) to 56 per cent (630).

³ Cautions include juveniles receiving reprimands and final warnings.

- **For offences committed by adult offenders the proportion of offences receiving cautions decreased** from 31 per cent (1,700) in Q2 2008 to 21 per cent (880) in Q2 2010. This was accompanied by an increase in the proportion of suspended sentence orders given from 10 per cent (560) to 16 per cent (680) and community sentences given from 23 per cent (1,200) to 25 per cent (1,100). Immediate custodial sentences remained stable at 21 per cent (1,100) in Q2 2008 and (880) Q2 2010.

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

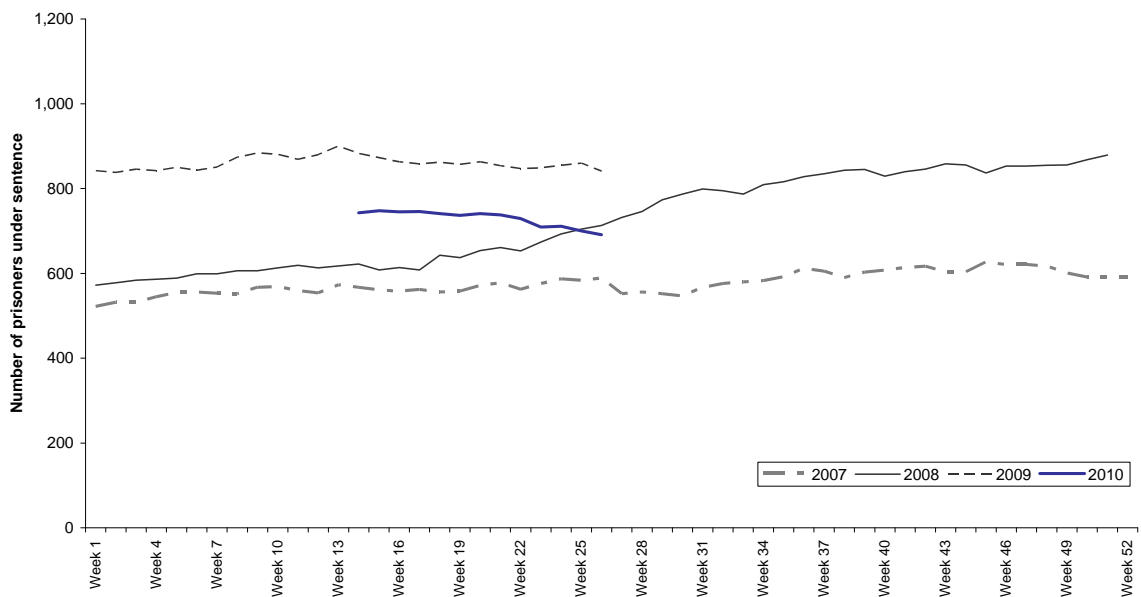
Q2 2010 compared to Q2 2009 and Q2 2008

- **In Q2 2010 there were 1,400 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 17 per cent from Q2 2009 (1,600), but an increase of 1 per cent from Q2 2008 (1,300). The increase was driven by the increase in suspended sentence orders, which rose 47 per cent over the period (from 320 to 470).
- **There were changes in the proportion of those given unpaid work for community orders** as a percentage of all requirements started. 33 per cent were given unpaid work in Q2 2010 compared to 37 per cent in Q2 2009 and 38 per cent in Q2 2008. The proportion of suspended sentence orders given unpaid work remained stable at 27 per cent.
- **Where unpaid work requirements were started for these offences, there has been an increase in the proportion of longer requirements since Q2 2008, although the latest quarter shows a decrease compared to the same quarter the previous year:**
 - For community orders, in Q2 2010, 15 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 20 per cent in Q2 2009 and 11 per cent in Q2 2008.
 - For suspended sentence orders, in Q2 2010 22 per cent of unpaid work requirements were recorded as being 200 hours or longer compared to 23 per cent in Q2 2009 and 15 per cent in Q2 2008.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 690 25th June 2010. On average, there has been a 15 per cent fall (approximately 130) in the numbers of prisoners serving a sentence for possession of an offensive weapon between April and June 2009 and April to June 2010.

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



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.

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	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
England and Wales¹	7,165	6,357	6,469	5,663	5,311	5,373	-15	-25
Caution ²	2,482	1,594	1,576	1,207	1,136	1,232	-23	-50
Absolute/Conditional discharge	426	236	241	202	206	212	-10	-50
Fine	270	228	227	209	217	192	-16	-29
Community sentence	1,979	1,914	1,923	1,686	1,734	1,687	-12	-15
Suspended sentence	561	832	898	815	726	676	-19	20
Immediate custody	1,265	1,344	1,386	1,320	1,095	947	-30	-25
Other disposal ³	182	209	218	224	197	427	104	135
Caution ²	35	25	24	21	21	23		
Community sentence	28	30	30	30	33	31		
Suspended sentence	8	13	14	14	14	13		
Immediate custody	18	21	21	23	21	18		

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

² Cautions include juveniles receiving reprimands and final 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.

Table 2: Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence by age group

Disposal Category	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
Aged 10 to 17	1,732	1,341	1,243	1,013	994	1,126	-16	-35
Reprimands & final warnings	780	481	394	309	306	351	-27	-55
Absolute/conditional discharge	49	28	29	25	18	18	*	*
Fine	15	4	6	3	2	2	*	*
Community sentence	743	674	637	546	573	633	-6	-15
Immediate custody	119	114	119	82	73	71	-38	-40
Other disposal ¹	26	40	58	48	22	51	*	*
Reprimands & final warnings	45	36	32	31	31	31		
Community sentence	43	50	51	54	58	56		
Immediate custody	7	9	10	8	7	6		
Aged 18 and over	5,432	5,011	5,226	4,650	4,317	4,246	-15	-22
Caution	1,701	1,112	1,182	898	830	881	-21	-48
Absolute/Conditional discharge	377	207	212	177	188	194	-6	-49
Fine	255	224	221	206	215	190	-15	-25
Community sentence	1,236	1,240	1,286	1,140	1,161	1,054	-15	-15
Suspended sentence	560	831	891	815	726	675	-19	21
Immediate custody	1,146	1,227	1,267	1,238	1,022	876	-29	-24
Other disposal ¹	157	170	167	176	175	376	121	139
Caution	31	22	23	19	19	21		
Community sentence	23	25	25	25	27	25		
Suspended sentence	10	17	17	18	17	16		
Immediate custody	21	24	24	27	24	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

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

Disposal Category	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
Possession of an article with a blade or point	3,521	3,159	3,346	2,887	2,716	2,905	-8	-17
Caution ¹	875	484	474	398	406	466	-4	-47
Absolute/Conditional discharge	257	140	142	127	140	131	-6	-49
Fine	157	112	110	99	117	122	9	-22
Community sentence	1,100	1,055	1,124	944	974	971	-8	-12
Suspended sentence	298	473	544	462	380	398	-16	34
Immediate custody	740	765	820	751	605	566	-26	-24
Other disposal ²	94	130	132	106	94	251	93	167
Caution ¹	25	15	14	14	15	16		
Community sentence	31	33	34	33	36	33		
Suspended sentence	8	15	16	16	14	14		
Immediate custody	21	24	25	26	22	19		
Possession of an offensive weapon	3,644	3,198	3,123	2,776	2,595	2,468	-23	-32
Caution ¹	1,607	1,110	1,102	809	730	766	-31	-52
Absolute/Conditional discharge	169	96	99	75	66	81	-16	-52
Fine	113	116	117	110	100	70	-40	-38
Community sentence	879	859	799	742	760	716	-17	-19
Suspended sentence	263	359	354	353	346	278	-23	6
Immediate custody	525	579	566	569	490	381	-34	-27
Other disposal ²	88	79	86	118	103	176	123	100
Caution ¹	44	35	35	29	28	31		
Community sentence	24	27	26	27	29	29		
Suspended sentence	7	11	11	13	13	11		
Immediate custody	14	18	18	20	19	15		

¹ Cautions include juveniles receiving reprimands and final 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.

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

Sentence length	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
England and Wales^{1,2}	1,265	1,344	1,386	1,320	1,095	947	-30	-25
Up to and including 3 months	616	539	566	484	361	340	-37	-45
Over 3 months and up to and including 6 months	458	407	382	412	345	284	-30	-38
Over 6 months	189	396	434	420	387	323	-18	71
Up to and including 3 months	49	40	41	37	33	36		
Over 3 months and up to and including 6 months	36	30	28	31	32	30		
Over 6 months	15	29	31	32	35	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

	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
Average sentence length (days)								
England and Wales¹	136	188	190	201	215	203	8	49

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.

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

Court Order starts	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
Total	1,332	1,622	1,611	1,500	1,438	1,350	-17	1
Community order	959	1,059	1,024	924	947	867	-18	-10
SSO	316	524	536	540	465	466	-11	47
Pre CJA orders	57	39	51	36	26	17	*	*
Community order	72	65	64	62	66	64		
SSO	24	32	33	36	32	35		
Pre CJA orders	4	2	3	2	2	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.

Table 7: Requirement starts for possession of offensive weapon¹

	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
Community Order	1,512	1,653	1,585	1,474	1,507	1,393	-16	-8
Unpaid Work	582	616	560	535	554	466	-24	-20
Supervision	501	570	547	466	491	473	-17	-6
Accredited Program	140	112	119	101	101	95	-15	-32
Curfew	115	154	129	147	131	134	-13	17
Drug treatment	47	50	60	52	52	46	*	*
Specified Activity	64	70	77	68	84	72	3	13
Alcohol treatment	35	43	53	54	48	46	*	*
Mental Health	10	17	18	25	19	27	*	*
Exclusion	2	3	2	4	7	8	*	*
Residential	8	8	6	6	7	13	*	*
Attendance Centre	5	5	8	8	7	7	*	*
Prohibited Activity	3	5	6	8	6	6	*	*
Unpaid work	38	37	35	36	37	33		
Supervision	33	34	35	32	33	34		
Other requirements	28	28	30	32	31	33		
Suspended Sentence Order	566	934	963	978	822	817	-13	44
Supervision	225	348	350	373	316	305	-12	36
Unpaid Work	151	259	284	254	223	222	-14	47
Accredited Program	72	127	100	97	81	69	-46	-4
Curfew	52	79	96	101	74	72	-9	38
Drug treatment	18	27	14	33	26	37	*	*
Alcohol treatment	17	32	38	43	35	40	*	*
Specified Activity	17	29	44	46	42	48	*	*
Prohibited Activity	4	10	4	15	5	9	*	*
Exclusion	2	2	8	3	8	3	*	*
Mental Health	2	10	8	3	6	3	*	*
Residential	4	9	13	7	6	5	*	*
Attendance Centre	2	2	4	3	0	4	*	*
Unpaid work	27	28	29	26	27	27		
Supervision	40	37	36	38	38	37		
Other requirements	34	35	34	36	34	35		

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.

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

	Q2 2008	Q2 2009	Q3 2009	Q4 2009	Q1 2010	Q2 2010	Percentage change Q2 2009 to Q2 2010	Percentage change Q2 2008 to Q2 2010
Community Order	576	663	616	591	612	545	-18	-5
0-80 hours	253	238	216	224	225	211	-11	-17
81-150 hours	226	252	258	221	274	217	-14	-4
151-199 hours	35	43	36	42	32	37	*	*
200-250 hours	58	110	92	98	74	75	-32	29
251-300 hours	4	20	14	6	7	5	*	*
0-80 hours	44	36	35	38	37	39		
81-150 hours	39	38	42	37	45	40		
151-199 hours	6	6	6	7	5	7		
200-250 hours	10	17	15	17	12	14		
251-300 hours	1	3	2	1	1	1		
Suspended sentence order	159	256	304	260	229	238	-7	50
0-80 hours	49	54	75	49	49	60	11	*
81-150 hours	80	129	134	131	127	113	-12	41
151-199 hours	6	13	24	20	15	12	*	*
200-250 hours	22	56	65	57	34	46	*	*
251-300 hours	2	4	6	3	4	7	*	*
0-80 hours	31	21	25	19	21	25		
81-150 hours	50	50	44	50	55	47		
151-199 hours	4	5	8	8	7	5		
200-250 hours	14	22	21	22	15	19		
251-300 hours	1	2	2	1	2	3		

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.

Unless otherwise stated, numbers in the text have been rounded for ease of reading using the following rules:

Numbers of 100,000 and over are rounded to the nearest 1,000

Numbers from 1,000 – 99,999 are rounded to the nearest 100

Numbers from 10 – 999 are rounded to the nearest 10

Numbers under 10 are unrounded.

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.

Previous reports have included a breakdown of the data by areas that were part of the Tackling Knives Action Programme (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 have 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 42 probation areas 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 show 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 are 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 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 final warning – available for **juvenile** offenders. Reprimands can be given to first-time offenders for minor offences. Any further offending results in either a final warning or charge. The final warning triggers immediate referral to a local youth offending team. Reprimands and final warnings for juveniles are the equivalent of cautions for adults. Therefore in the tables reprimands and final 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 supervision order (up to 3 years, may have additional requirements) although curfew orders, reparation orders, action plan orders and attendance centre orders are also available. Youth Offending Teams supervise orders for juveniles.

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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