

Knife Possession Sentencing Quarterly Brief April to June 2011 England and Wales

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Knife Possession Sentencing Statistics April to June 2011

Introduction

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

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

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

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

Sentencing

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

This publication has been prepared by Justice Statistics Analytical Services.

Key points – April to June (Q2) 2011

Note on all comparisons

Comparisons are presented between the latest quarter (April to June, Q2 2011) and Q2 2010 to provide an indication of changes over the last year. Longer term comparisons comparing Q2 2011 with the same period two years ago are also shown.

Cautioning and sentencing statistics (Tables 1 to 5)

Q2 2011 compared to Q2 2010

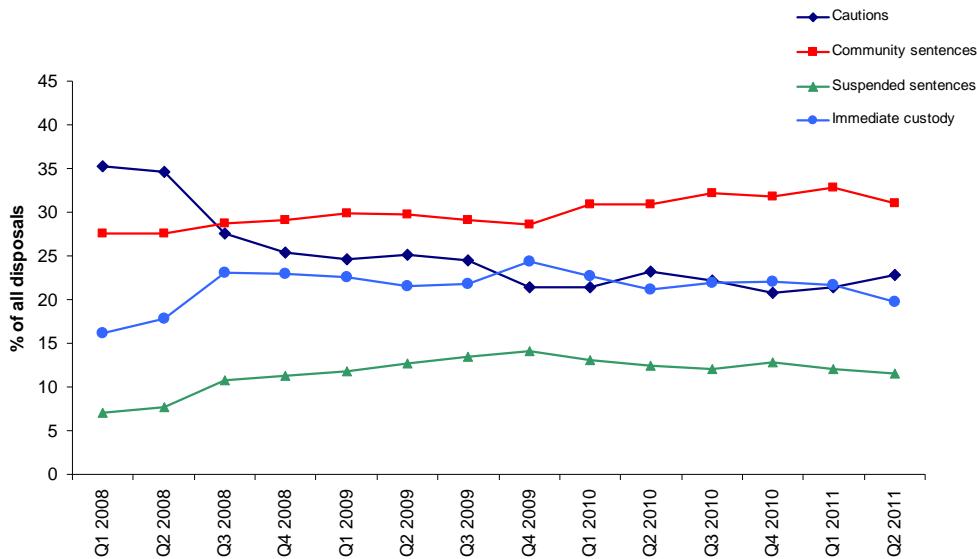
- **Between Q2 2010 and Q2 2011 the total number of disposals given for knife or offensive weapon possession has decreased by 3% from 5,358 to 5,190.** The drop was more marked for juvenile offenders where the decrease was 13% (1,124 to 978), than for adult offenders where the decrease was 1% (4,233 to 4,208).

- **The proportion of offences receiving different disposals has remained stable between Q2 2010 and Q2 2011¹:**
 - In Q2 2011 23 per cent (1,184) of all possession offences resulted in a caution² in England and Wales; the figure in Q2 2010 was also 23 per cent (1,241).
 - In Q2 2011 31 per cent (1,612) of all possession offences resulted in community sentences; the figure in Q2 2010 was also 31 per cent (1,656).
 - In Q2 2011 11 per cent (596) of all possession offences resulted in suspended sentence orders compared to 12 per cent (666) in Q2 2010.
 - In Q2 2011 20 per cent (1,024) of all possession offences resulted in immediate custody compared to 21 per cent (1,136) in Q2 2010. Note – immediate custody figures for the latest quarter are likely to be revised upwards as final decisions regarding deferred sentences are recorded by the police, this typically increases the proportion by 1 to 2 percentage points.

¹ 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.

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 Q2 2011 33 per cent (334) of sentences were recorded as being over six months compared to 31 per cent (348) in Q2 2010.
 - The average length of a custodial sentence was 200 days in Q2 2011, compared to 190 days in Q2 2010.
- For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 53 per cent (595) to 56 per cent (552).** This was balanced by a decrease in the proportion receiving reprimands and warnings and immediate custody.
- For offences committed by adult offenders the proportion of offences receiving immediate custody and a suspended sentence decreased,** for immediate custodial sentences from 25 per cent (1,038) in Q2 2010 to 23 per cent (947) and for suspended sentence orders from 16 per cent (665) to 14 per cent (595). The proportion of offences receiving community sentences and cautions remained stable.

Q2 2011 compared to Q2 2009

- **The total number of disposals (cautions and sentences) given for knife or offensive weapon possession has decreased by 19% between Q2 2009 and Q2 2011 (6,376 to 5,190).** This drop was more marked for juvenile offenders where the decrease was 27% (1,348 to 978), than for adult offenders where the decrease was 16% (5,023 to 4,208).
- **The proportion of offences receiving cautions³, suspended sentence orders and immediate custodial sentences for knife or offensive weapon possession decreased, while the proportion of community sentences rose between Q2 2009 and Q2 2011:**
 - In Q2 2011 23 per cent (1,184) of all possession offences resulted in a caution in England and Wales. This compares with 25 per cent (1,601) in Q2 2009.
 - In Q2 2011 31 per cent (1,612) of all possession offences resulted in community sentences compared to 30 per cent (1,899) in Q2 2009.
 - In Q2 2011 11 per cent (596) of all possession offences resulted in suspended sentence orders; compared to 13 per cent (813) in Q2 2009.
 - In Q2 2011 20 per cent (1,024) of all possession offences resulted in immediate custody compared to 22 per cent (1,371) in Q2 2009.
- **Where immediate custodial sentences are given for these offences there has been an increase in the proportion of longer sentences:**
 - In Q2 2011 33 per cent (334) of sentences were recorded as being over six months compared to 29 per cent (395) in Q2 2009.
 - The average length of a custodial sentence was 200 days in Q2 2011. This has increased from 186 days in Q2 2009.
- **For offences committed by juvenile offenders the proportion of offences receiving community sentences rose from 50 per cent (668) to 56 per cent (552).** This was balanced by a decrease in the proportion receiving reprimands and warnings and immediate custody.

³ Cautions include juveniles receiving reprimands and warnings.

- **For offences committed by adult offenders the proportion of offences receiving cautions, suspended sentence orders and immediate custody decreased**, for cautions from 22 per cent (1,114) in Q2 2009 to 21 per cent (900) in Q2 2011, for suspended sentences from 16 per cent (813) to 14 per cent (595) and for immediate custodial sentences 25 per cent (1,253) to 23 per cent (947). The proportion of community sentences remained stable.

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

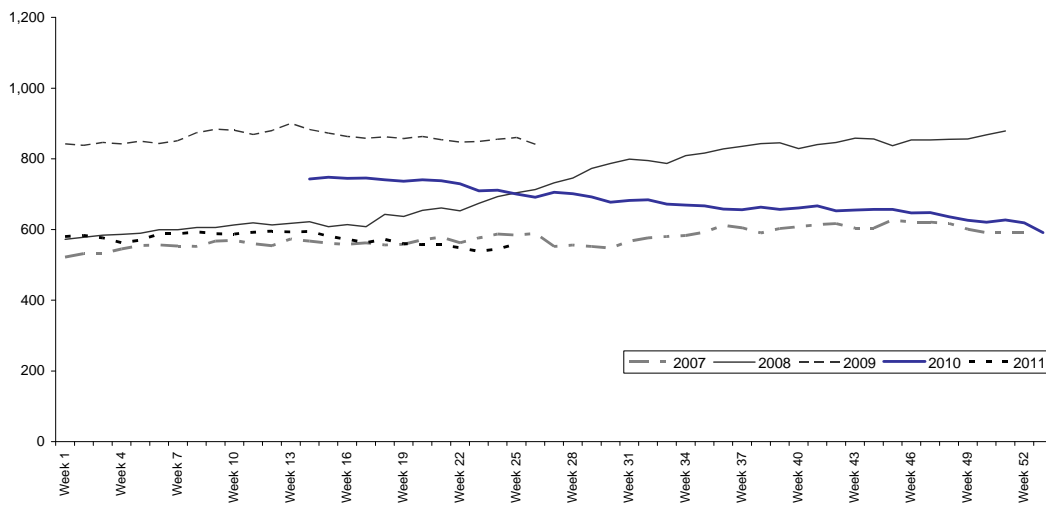
Q2 2011 compared to Q2 2010 and Q2 2009

- **In Q2 2011 there were 1,168 court order starts under probation supervision** for possession of an offensive weapon, this represents a decrease of 13 per cent (1,350) from Q2 2010; the decrease from Q2 2009 was 28 per cent (1,622). The decrease in suspended sentence orders over the past year was 17 per cent, compared to 10 per cent for community orders.
- **The proportion of those given unpaid work for suspended sentence orders (27 per cent) and community orders (33 per cent) as a percentage of all requirements has remained stable over the past year.**
- **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 Q2 2009:**
 - For community orders, in Q2 2011, 14 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared 15 per cent in Q2 2010 and 20 per cent in Q2 2009.
 - For suspended sentence orders, in Q2 2011, 20 per cent of unpaid work requirements were recorded as being 200 hours or longer, compared to 22 per cent in Q2 2010 and 23 per cent in Q2 2009.

Prison population

- The population in prison serving a sentence for possession of an offensive weapon was 558 on 24th June 2011, down 19% from a year ago (691).

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



Due to technical problems relating to the supply of statistical information, it is not possible to provide figures from July 2009 to March 2010

⁴ Includes having an article with a blade or a point

Appendix A: Statistical Tables

Table 1: Offences involving the possession of a knife or offensive weapon resulting in a caution or sentence

Disposal Category	Number of offences and percentages						Percentage change Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
	number of offences							
England and Wales¹	6,376	5,358	5,624	5,142	5,245	5,190	-3%	-19%
Caution ²	1,601	1,241	1,246	1,071	1,124	1,184	-5%	-26%
Absolute/Conditional discharge	240	231	236	203	220	178	-23%	-26%
Fine	230	205	225	233	208	214	4%	-7%
Community sentence	1,899	1,656	1,809	1,633	1,724	1,612	-3%	-15%
Suspended sentence	813	666	680	659	629	596	-11%	-27%
Immediate custody	1,371	1,136	1,236	1,136	1,138	1,024	-10%	-25%
Other disposal ³	222	223	192	207	202	382	71%	72%
	percentage of total offences							
Caution ²	25%	23%	22%	21%	21%	23%		
Community sentence	30%	31%	32%	32%	33%	31%		
Suspended sentence	13%	12%	12%	13%	12%	11%		
Immediate custody	22%	21%	22%	22%	22%	20%		

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

² Cautions include juveniles receiving reprimands and warnings.

³ Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police.

Data Source and Quality

These figures have been drawn from the police's administrative IT system which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the police.

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

Disposal Category	Number of offences and percentages						Percentage change Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
number of offences								
Aged 10 to 17	1,348	1,124	1,059	907	991	978	-13%	-27%
Reprimands & warnings	486	357	290	265	287	283	-21%	-42%
Absolute/conditional discharge	30	22	29	13	22	24	*	*
Fine	4	4	3	2	4	1	*	*
Community sentence	668	595	603	514	569	552	-7%	-17%
Immediate custody	115	98	104	72	77	77	-21%	-33%
Other disposal ¹	45	48	30	41	32	41	*	*
percentage of total offences								
Reprimands & warnings	36%	32%	27%	29%	29%	29%		
Community sentence	50%	53%	57%	57%	57%	56%		
Immediate custody	9%	9%	10%	8%	8%	8%		
number of offences								
Aged 18 and over	5,023	4,233	4,565	4,234	4,249	4,208	-1%	-16%
Caution	1,114	884	956	806	835	900	2%	-19%
Absolute/Conditional discharge	209	209	207	190	197	154	-26%	-26%
Fine	226	201	222	231	204	213	6%	-6%
Community sentence	1,231	1,061	1,206	1,119	1,154	1,059	0%	-14%
Suspended sentence	813	665	680	659	629	595	-11%	-27%
Immediate custody	1,253	1,038	1,132	1,063	1,060	947	-9%	-24%
Other disposal ¹	177	175	162	166	170	340	94%	92%
percentage of total offences								
Caution	22%	21%	21%	19%	20%	21%		
Community sentence	25%	25%	26%	26%	27%	25%		
Suspended sentence	16%	16%	15%	16%	15%	14%		
Immediate custody	25%	25%	25%	25%	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.

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 Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
Possession of an article with a blade or point	number of offences							
	3,167	2,896	2,911	2,750	2,824	2,870	-1%	-9%
Caution ¹	485	470	427	392	439	477	1%	-2%
Absolute/Conditional discharge	145	142	145	125	140	109	-23%	-25%
Fine	114	131	126	128	105	132	1%	16%
Community sentence	1,046	946	1,011	930	983	951	1%	-9%
Suspended sentence	461	392	387	397	370	356	-9%	-23%
Immediate custody	780	682	710	664	669	601	-12%	-23%
Other disposal ²	136	133	105	114	118	244	83%	79%
	percentage of total offences							
Caution ¹	15%	16%	15%	14%	16%	17%		
Community sentence	33%	33%	35%	34%	35%	33%		
Suspended sentence	15%	14%	13%	14%	13%	12%		
Immediate custody	25%	24%	24%	24%	24%	21%		
Possession of an offensive weapon	number of offences							
	3,209	2,462	2,713	2,392	2,421	2,320	-6%	-28%
Caution ¹	1,116	771	819	679	685	707	-8%	-37%
Absolute/Conditional discharge	95	89	91	78	80	69	-22%	-27%
Fine	116	74	99	105	103	82	11%	-29%
Community sentence	853	710	798	703	741	661	-7%	-23%
Suspended sentence	352	274	293	262	259	240	-12%	-32%
Immediate custody	591	454	526	472	469	423	-7%	-28%
Other disposal ²	86	90	87	93	84	138	53%	60%
	percentage of total offences							
Caution ¹	35%	31%	30%	28%	28%	30%		
Community sentence	27%	29%	29%	29%	31%	28%		
Suspended sentence	11%	11%	11%	11%	11%	10%		
Immediate custody	18%	18%	19%	20%	19%	18%		

¹ Cautions include juveniles receiving reprimands and warnings.

² Other disposals include 'deferred sentences' and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police.

Data Source and Quality

These figures have been drawn from the police's administrative IT system which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the police.

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

Sentence length	Number of offences and percentages						Percentage change Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
number of offences								
England and Wales ^{1,2}	1,371	1,136	1,236	1,136	1,138	1,024	-10%	-25%
Up to and including 3 months	558	445	461	459	432	396	-11%	-29%
Over 3 months and up to and including 6 months	416	342	377	326	368	290	-15%	-30%
Over 6 months	395	348	396	346	338	334	-4%	-15%
percentage of total offences								
Up to and including 3 months	41%	39%	37%	40%	38%	39%		
Over 3 months and up to and including 6 months	30%	30%	31%	29%	32%	28%		
Over 6 months	29%	31%	32%	30%	30%	33%		

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 Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
average sentence length (days)								
England and Wales ¹	186	190	198	190	196	200	5%	8%

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	Number of starts and percentages						Percentage change Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
	number of starts							
Total	1,622	1,350	1,457	1,278	1,343	1,168	-13%	-28%
Community order	1,059	867	980	853	906	781	-10%	-26%
SSO	524	466	467	423	435	385	-17%	-27%
Pre CJA orders	39	17	10	2	2	2	*	*
	percentage of total starts							
Community order	65%	64%	67%	67%	67%	67%		
SSO	32%	35%	32%	33%	32%	33%		
Pre CJA orders	2%	1%	1%	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.

Table 7: Requirement starts for possession of offensive weapon¹

Number of requirements and percentages								
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Percentage change Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
number of requirements								
Community Order	1,653	1,393	1,518	1,346	1,512	1,248	-10%	-25%
Unpaid Work	616	466	571	472	514	413	-11%	-33%
Supervision	570	473	481	450	470	405	-14%	-29%
Accredited Program	112	95	87	92	91	74	-22%	-34%
Curfew	154	134	147	62	156	117	-13%	-24%
Drug treatment	50	46	54	92	49	42	*	*
Specified Activity	70	72	90	92	143	115	60%	64%
Alcohol treatment	43	46	49	39	42	39	*	*
Mental Health	17	27	20	19	14	17	*	*
Exclusion	3	8	3	3	4	1	*	*
Residential	8	13	7	6	4	4	*	*
Attendance Centre	5	7	7	16	20	18	*	*
Prohibited Activity	5	6	2	3	5	3	*	*
percentage of total requirements								
Unpaid work	37%	33%	38%	35%	34%	33%		
Supervision	34%	34%	32%	33%	31%	32%		
Other requirements	28%	33%	31%	32%	35%	34%		
number of requirements								
Suspended Sentence Order	934	817	823	781	788	682	-17%	-27%
Supervision	348	305	297	289	288	242	-21%	-30%
Unpaid Work	259	222	219	211	213	187	-16%	-28%
Accredited Program	127	69	94	76	71	51	-26%	-60%
Curfew	79	72	96	76	74	72	0%	-9%
Drug treatment	27	37	21	22	28	16	*	*
Alcohol treatment	32	40	33	33	32	32	*	*
Specified Activity	29	48	43	49	58	49	*	*
Prohibited Activity	10	9	4	8	2	6	*	*
Exclusion	2	3	6	6	6	7	*	*
Mental Health	10	3	4	6	2	8	*	*
Residential	9	5	4	3	10	5	*	*
Attendance Centre	2	4	2	2	4	7	*	*
percentage of total requirements								
Unpaid work	28%	27%	27%	27%	27%	27%		
Supervision	37%	37%	36%	37%	37%	35%		
Other requirements	35%	35%	37%	36%	36%	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.

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

	Number of requirements and percentages						Percentage change Q2 2010 to Q2 2011	Percentage change Q2 2009 to Q2 2011
	Q2 2009	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011		
	number of requirements							
Community Order	663	545	604	503	624	446	-18%	-33%
0-80 hours	238	211	220	208	230	190	-10%	-20%
81-150 hours	252	217	267	188	273	164	-24%	-35%
151-199 hours	43	37	39	37	39	28	*	*
200-250 hours	110	75	70	64	75	62	-17%	-44%
251-300 hours	20	5	8	6	7	2	*	*
	percentage of total requirements							
0-80 hours	36%	39%	36%	41%	37%	43%		
81-150 hours	38%	40%	44%	37%	44%	37%		
151-199 hours	6%	7%	6%	7%	6%	6%		
200-250 hours	17%	14%	12%	13%	12%	14%		
251-300 hours	3%	1%	1%	1%	1%	0%		
	number of requirements							
Suspended sentence order	256	238	229	223	237	205	-14%	-20%
0-80 hours	54	60	48	53	53	51	-15%	-6%
81-150 hours	129	113	116	100	128	95	-16%	-26%
151-199 hours	13	12	18	12	16	17	*	*
200-250 hours	56	46	42	53	36	40	*	*
251-300 hours	4	7	5	5	4	2	*	*
	percentage of total requirements							
0-80 hours	21%	25%	21%	24%	22%	25%		
81-150 hours	50%	47%	51%	45%	54%	46%		
151-199 hours	5%	5%	8%	5%	7%	8%		
200-250 hours	22%	19%	18%	24%	15%	20%		
251-300 hours	2%	3%	2%	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.

Explanatory notes

Data quality and sources

All the data are drawn from administrative sources. Although care is taken when processing and analysing the data, the detail is subject to the inaccuracies inherent in any large-scale recording system. While the figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables. They are fit to be used for purposes of looking at trends and for comparing the relative magnitude of components.

Tackling Knives Action Programme (TKAP) Phase II finished in March 2010. An assessment of TKAP Phase II was published by the Home Office on 24th May 2011 and can be accessed from:

<http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/horr53/>

Reports up to the period January to March 2010 have included a breakdown of the data by areas that were part of TKAP. However, due to the completion of TKAP Phase 1 and 2 in March 2010, a breakdown for these areas is not given in this bulletin but statistics up to the end of Phase 2 can be found in [‘Knife Possession Sentencing quarterly brief, January to March 2010’](#).

Tables 1-5

The data presented in tables 1-5 in this Bulletin are drawn from an extract of data held by the Ministry of Justice taken from the Police National Computer (PNC).

The figures are provisional and subject to change as more information is recorded by the police. Police forces tend to record cautions more promptly on the PNC than court sentences, so that the cautions figures for the latest quarter shown in the tables will tend to be more complete than the sentencing figures. In addition, in some areas, the police may record a ‘deferred sentence’ which will be updated at a later date when the final outcome is known. ‘Deferred sentences’ appear in the tables as ‘other disposals’ and this means that the figures for this category will be higher for the latest quarter. Immediate custody, suspended sentence and community sentence figures are likely to be revised upwards in later editions of the bulletin as final decisions regarding deferred sentences are recorded by the police. Figures for all quarters and all sentences may be revised in later editions of this Bulletin.

Tables 6-8 and figure 2

The probation data has been processed from data collected and held centrally by the Ministry of Justice. The data are drawn from the local probation administrative IT systems from each of the 35 probation trusts in

England and Wales. The figures showing the numbers starting court orders relate to the number of *offenders* starting probation supervision in a given period. The numbers drawn from the PNC data in tables 1-5 relate to the total number of *offences* committed by offenders given particular disposals, which will naturally be greater than the number of offenders. Also, the probation data only shows offenders convicted of the more general offence of 'possession of an offensive weapon'. This will include possession of knives, as well the particular offence of 'possession of an article with a blade or point', but these cannot be separately distinguished in the probation data.

Prison population data presented in this brief is drawn from the prison administrative IT systems. The figures showing the numbers under sentence refer to the number of *offenders* serving a custodial sentence. Figures drawn from PNC data refer to the number of *offences* committed by offenders given particular disposals. Prison establishments routinely provide records of the numbers of persons held in custody at the end of each month, broadly subdivided according to age, sex, custody type and sentence length. The records are collated and processed centrally. However, data recorded by prisons only show the numbers serving a sentence for the general offence of "possession of an offensive weapon". This offence includes the possession of a knife but can also include possession of other dangerous weapons (excluding firearms).

Due to technical problems relating to the supply of data for statistical purposes it has not been possible to provide data relating to the prison population for specific offence types from July 2009 to March 2010.

Definitions

England and Wales – Total figures for England and Wales now include all police forces in England and Wales and the British Transport Police. The Home Office is responsible for policing the 43 police forces in England and Wales. There are also other authorities who prosecute offenders such as DWP, HMRC, MOD and BTP. Previously only the 43 police forces governed by the Home Office were reported on, but now, as the British Transport Police is part of TKAP, they are included in the total figures for England and Wales.

Offences included: The PNC data (tables 1-5) produced in this brief are the number of offences committed not the number of offenders. The offences relate to possession offences rather than offences where a knife was used. The offence codes included in the dataset are as follows:

00811 – Possession of offensive weapons without lawful authority or reasonable excuse. Prevention of Crime Act 1953 Section 1.

00828 – Possession of offensive weapons without lawful authority or reasonable excuse on school premises. Criminal Justice Act 1988 Section 139 A (2) as amended by Offensive Weapons Act 1996 Section 4 (1).

00826 – Having an article with a blade or a point in a public place. Criminal Justice Act 1988 Section 139 (1) as amended by Offensive Weapons Act 1996 Section 3 (1).

00827 – Having an article with a blade or a point on school premises. Criminal Justice Act 1988 Section 139 (2) as amended by Offensive Weapons Act 1996 Section 4 (1).

Juvenile – A juvenile offender is aged between 10 and 17.

Adult – An adult offender is aged 18 and over.

Offensive weapon – there are three classes of offensive weapons. Those made for causing injury; those adapted for such a purpose; and those not so made or adapted, but carried with the intention of causing injury. These consist of all listed on the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 as amended, some examples include: a swordstick, that is, a hollow walking-stick or cane containing a blade which may be used as a sword; the weapon sometimes known as a "belt buckle knife", being a buckle which incorporates or conceals a knife.

Caution – given by, or on the instructions of, a senior police officer where there is sufficient evidence for a conviction and it is not considered to be in the public interest to institute criminal proceedings. For **adult** offenders, who must admit guilt and consent to a caution.

Reprimand and warning – available for **juvenile** offenders. Reprimands can be given to first-time offenders for minor offences. Any further offending results in either a warning or charge. The warning triggers immediate referral to a local youth offending team. Reprimands and warnings for juveniles are the equivalent of cautions for adults. Therefore in the tables reprimands and warnings are counted under the 'cautions' disposal category.

Community sentence – for **adults** the main community sentence, which is supervised by the Probation Service, is the community order introduced by the Criminal Justice Act 2003 for offences committed on or after 4 April 2005. The court must add at least one (but could potentially add all 12) of the following requirements: supervision, unpaid work, specified activities, prohibited activities, accredited programmes, curfew, exclusion, residence, mental health treatment, drug rehabilitation, alcohol treatment and attendance centre requirement for under 25s. For **juveniles** the main community sentences used are the referral order, for first-time offenders who plead guilty on their first court appearance and do not merit a discharge or custodial sentence, and the Youth Rehabilitation Order (YRO) which was introduced in November 2009. The YRO has replaced nine previous orders including the curfew order, action plan order, attendance centre order, supervision order, community rehabilitation order, community rehabilitation and punishment order, exclusion order, community punishment order and the drug treatment and testing order. The YRO is only available as a sentence if the offence was committed on or after 30 November 2009; for offences committed prior to this date the previous orders will be applicable.

Suspended Sentence – available for **adults** only. It is a sentence of custody of under 12 months, suspended for a period ranging from six months to two years. During the suspension period the court sets a number of requirements, from the same options as are available for the community order, and these are supervised by the Probation Service.

Immediate custody – **adults** aged 21 or over may receive sentences of unsuspended imprisonment and those aged 18 to 20 may be sentenced to detention in a young offender institution. The maximum sentence available is 4 years for possession of a bladed article in a public place or an offensive weapon. **Juveniles** aged 12-17 may receive a detention and training order of 4, 6, 8, 10, 12, 18 or 24 months. The order is served partly in custody (in local authority children's homes, secure training centres or prison service young offender institutions) and partly in the community under the supervision of a probation officer, social worker or member of a youth offending team.

Contact points for further information

Current and previous editions of this publication are available for download at <http://www.justice.gov.uk/publications/knife-possession-sentencing.htm>.

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

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