|  |  |  |  |
| --- | --- | --- | --- |
| MoJ_mono_H_crest | |  |  |
|  |  |  |
|  | **Our Reference:** 582-16 FOI 108280 |  | December 2016 |

**Freedom of Information Request**

You asked for the following information from the Ministry of Justice:

***I would like the information you hold on sentencing for simple cannabis possession ie excluding possess with intent to supply for the most recent year for which data is available.***

1. ***The number of people sentenced to immediate custody.***
2. ***The number of receptions into prison ie excluding those sentenced to periods of imprisonment who were immediately released from court because of time already served.***

***The average sentence length.***

***Average time served.***

1. ***The number who had no previous experience of prison.***

***The number who had no previous convictions***

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

In your request for information you did not specify a timeframe for the data you wanted from the MoJ. Therefore, I have interpreted your request for information as asking for 2015.

I can confirm that the department holds the information that you have asked for.

**Questions 1 & 2**  
Please see attached tables. Please note table 2 excludes those who were immediately released from court and includes time spend on remand. As a result, the number of offenders who were released from determinate sentences during 2015 in table 2 is less than the number sentenced in table 1, and the time served in prison in table 2 is longer than the average sentence shown in table 1.

**Question 3**  
In 2015 of all offenders who were sentenced at court in England and Wales for cannabis possession, as recorded on the police national computer (PNC), 2,378 (14%) had no previous court convictions for any offences, and 9,877 (60%) had no previous immediate custodial sentences. This excludes offences of cannabis possession with intent to supply and sentencing occasions where simple cannabis possession was not the main offence.

Data on criminal history is taken from the MoJ extract of the PNC and the figures are not comparable with the other figures provided using data from the court proceedings and prison service databases. Because the PNC does not routinely record non-recordable offences such as TV licence evasion it is also possible that some offenders without previous convictions have previous convictions for these offences.