

POTENTIAL COST IMPACT OF A MINIMUM SENTENCE FOR THE OFFENCES OF THREATENING WITH AN ARTICLE WITH A BLADE OR POINT OR OFFENSIVE WEAPON IN PUBLIC OR ON SCHOOL PREMISES FOR 16 & 17 YEAR OLDS

The amendment included in the Legal Aid, Sentencing and Punishment of Offenders Bill would introduce, for 16 and 17 year olds, a minimum sentence requirement of a 4 month Detention and Training Order (DTO) for those convicted of offences of threatening with an article with a blade or point or offensive weapon in public or on school premises.

This paper briefly summarises the estimated impact of this amendment on the criminal justice system.

Current sentencing practice

Statistics on current sentencing practice for possession of a knife or offensive weapon in 2010 for 16 and 17 year olds are given in the table below.

	Aged 16-17	% of all cautioned and sentenced
Caution	486	21%
Absolute/conditional discharge	60	3%
Fine	10	0%
Community Sentence	1,400	60%
Immediate Custody	276	12%
Other	110	5%
Cautions or sentenced	2,342	

Source: further breakdown of the Knife Possession Quarterly Brief for England and Wales.
<http://www.justice.gov.uk/publications/statistics-and-data/courts-and-sentencing/knife-possession.htm>

In 2010, 12% of offences for possession of a knife or offensive weapon resulted in a custodial sentence for 16 and 17 year olds. As the proposed amendment introduces new offences, data does not exist on the number of incidents of carrying an article with a blade or point or offensive weapon in a public place or school and threatening another person with the article or offensive weapon in such a way that there is an immediate risk of serious physical harm to that person.

Potential Costs

The additional impact of imposing a minimum sentence for 16 and 17 year olds is estimated at **between £2m and £4m per year**. This is based on an estimated additional 200 to 400 custodial sentences per year for these offences (over and above those for whom custody is already the sentence given), resulting in an additional requirement for 30 to 60 beds in the secure estate for young people.

This is an initial assessment of the potential cost impact of this policy, based on the current available evidence. As it is based on strong assumptions, around which there is some uncertainty, it should be treated as illustrative.