

Amendments to the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Bill – Equality Impact Assessment

Introduction

This Equality Impact Assessment (EIA) relates to amendments to the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Bill for the new offences of threatening with article with blade or point or offensive weapon in public or on school premises, and the new offence of causing serious injury by dangerous driving. The new offences are to be tabled as amendments to the LASPO Bill at Commons Committee Stage.

Equality duties

Under the Equality Act 2010, when exercising its functions, the Ministry has an ongoing legal duty to pay 'due regard' to:

- the need to eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

The payment of 'due regard' needs to be considered against the nine protected characteristics – namely race, sex, disability, sexual orientation, religion and belief, age, marriage and civil partnership, gender identity, pregnancy and maternity.

MoJ has a legal duty to investigate how policy proposals are likely to impact on the protected characteristics and take proportionate steps to mitigate the most negative ones and promote the positive ones. MoJ records how 'due regard' has been exercised by completing an Equality Impact Assessment (EIA).

Causing serious injury by dangerous driving

Aims and outcomes for the policy

For the vast majority of dangerous driving cases, the current maximum penalty of 2 years' imprisonment provides the courts with appropriate powers to punish offenders. The new offence will allow the courts to target their powers at the most serious and damaging end of the spectrum of dangerous driving incidents. This will give them access to greater sentencing powers to reflect the more serious consequences of a driver's actions. The new offence would carry a maximum custodial sentence of 5 years on conviction on indictment. It is intended that victims who face life-changing injuries as a result of dangerous driving, their families, and society will feel better served by the level of punishment delivered by the CJS.

Methodology and evidence sources

Data on court disposals are from the Court Proceedings Database. This holds information on defendants proceeded against, found guilty and sentenced for criminal offences in England and Wales. It includes information on the age of the defendant, their gender, ethnicity, the police force area and court where proceedings took place as well as the offence and statute for the offence. Information on gender reassignment, disability, pregnancy and maternity, sexual orientation, religion or belief or marriage and civil partnership for criminal offences may be held by the courts on individual case files. However it has not been possible to collate these data for this Equality Impact Assessment because of practical difficulties.

Stakeholder consultation and engagement

The offence has been created following concerns expressed by victims of dangerous driving, their families, representatives and road safety campaign groups.

Analysis

Impact on victims

There is the potential for positive impacts because the victims of these dangerous driving offences will see the offenders given sentences that reflect the more serious consequences of a driver's actions. As these victims may be disabled as a result of the offence there are likely to be positive outcomes for disabled victims.

Impact on offenders

In order to assess the impact on offenders, we have looked at cases involving s.20 Grievous Bodily Harm (GBH) charges to give an indication of the number and characteristics of cases that may fall under the new offence. Between 2008 and 2010, there were 67 cases where defendants were charged with both dangerous driving and GBH but only successfully convicted of dangerous driving. The fact that GBH charges were brought in these cases suggests that serious injury was caused. However, the difficulty in proving the required intent or recklessness may have prevented a successful GBH conviction, thereby limiting the courts to convicting for the offence of dangerous driving. It may also be that it was not proved in some of these cases that the dangerous driving caused the injury in question. This intent/recklessness would not be required to prove the new offence, so we believe these characteristics of those charged/convicted in these cases are our best estimate

of the characteristics of cases that may be successfully convicted under the new offence, and thus receive a longer custodial sentence. However, as we are not able to identify exactly which cases will be covered by the new offence these estimates are only indicative of the likely impact. The offence will not criminalise any more people than is the case now.

Based on the 67 cases where defendants were charged with both dangerous driving and GBH, but only successfully convicted of the offence of dangerous driving, our estimates of the equality impacts are given below.

Potential Age Impacts

Table 1 (Annex A) shows that those successfully convicted of the offence of dangerous driving, but charged and not convicted of s.20 Grievous Bodily Harm (GBH) charges, are more likely to be aged 18 to 39 compared to the general population.

These data suggest that there are potential impacts in relation to age.

Potential Disability Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Gender Reassignment Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Marriage and Civil Partnership Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Pregnancy and Maternity Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Race Impacts

Table 1 (Annex A) shows that those successfully convicted of the offence of dangerous driving, but charged and not convicted of s.20 Grievous Bodily Harm (GBH) charges, are more likely to be from a minority ethnic group compared to the general population.

These data suggest that there are potential impacts in relation to ethnicity.

Potential Religion or Belief Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Sex Impacts

Table 1 (Annex A) shows that those successfully convicted of the offence of dangerous driving, but charged and not convicted of s.20 Grievous Bodily Harm (GBH) charges, are more likely to be male compared to the general population.

This suggests that there are potential impacts in relation to gender.

Potential Sexual Orientation Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Mitigation

We consider the potential impacts to be justified on the basis it is a proportionate means of achieving the legitimate aim of ensuring that the criminal law is fully effective in addressing bad driving and its consequences.

As the proposal is implemented we will monitor the impacts of this reform across all protected characteristics for which we have data and take appropriate mitigating action if necessary.

Offences of threatening with article with blade or point or offensive weapon in public or on school premises

Aims and outcomes for the policy

The clause creates new offences for those who carry a bladed or pointed article or offensive weapon in a public place or school and go on to threaten and cause an immediate risk of serious physical harm to another. The offences carry a maximum penalty of 4 years, with a mandatory minimum sentence of six months custody for adults.

The proposed amendments remove the defences of lawful authority and good reason/reasonable excuse from the new offences as well as making expressly clear that if a defendant is found not guilty of the new offence but it is proved that the defendant committed the basic possession offence, the court can return an alternative verdict of guilty to the basic offence. The effect of this is that lawful authority or good reason/reasonable excuse for possession alone would not be available as defences to the new offences. If however a defendant is convicted of the existing possession offences, the relevant defences will remain available.

As such, those who have lawful authority and good reason/reasonable excuse to be carrying an article with blade or point or offensive weapon (for example for employment or religious reasons) may be more affected by the amendment than those who do not. We believe this may impact on the following protected characteristics: **religion** (Sikh), **race** (those working in the construction industry, who might be lawfully carrying tools that also fall under the category of 'article with blade or point or offensive weapon', are more likely to be from the White ethnic group compared to the general population) **and gender** (those working in the construction industry who might be lawfully carrying tools that also fall under the category of 'article with blade or point or offensive weapon' - are more likely to be men).

However we believe that the potential impact is justified because:

1 Under the offences as drafted we believe that a person who uses a bladed/pointed article or offensive weapon to threaten and cause an immediate risk of serious physical harm would have had real difficulty persuading the court that they were in lawful possession of the item and therefore that any of these defences applied. As such – in practice - removing the defences from the new offence is unlikely to have any impact on people who have one or more of the protected characteristics.

2 The amendments do not target the specific characteristics, but the criminal behaviour of the individual. The unlawful use of the bladed/pointed article or offensive weapon to threaten and endanger goes significantly beyond simple possession which may be justified by reason of an individual's faith, employment or circumstances (for example the individual who has just bought kitchen knives and is on his way home). We believe the criminality that the new offences target, justifies any potential disproportionate impact on protected characteristics, as the individual should not be unlawfully threatening another person with the bladed/pointed article or offensive weapon. It would be perverse if someone relied on a protected characteristic to justify threatening and endangering another with a bladed/pointed article or offensive weapon.

3 The amendments ensure that there is no risk that someone who may have been in lawful possession of a bladed/pointed article or offensive weapon gets acquitted on this basis despite having threatened and endangered; we consider this to be in the interests of justice.

4 Where a person cannot be convicted of the aggravated offence and is instead facing conviction for the simple possession offences, it will remain the case that the defendant can raise the defences of lawful authority and reasonable excuse/good reason in defence of an allegation to the basic possession offence. Therefore the potential impact will only come into play where the level of criminality is such as to justify it.

Methodology and evidence sources

Data on those cautioned or sentenced for knife possession are drawn from an extract of data held by the Ministry of Justice taken from the Police National Computer (PNC). Data are held centrally for ethnicity, gender and age.

Data on the prison population sentenced with possession of an offensive weapon by religion are based on further analysis of Offender Management Caseload Statistics.

Data on the demographic characteristics of admissions to NHS hospitals in England involving wounds suffered as the result of assault with a sharp object are from the NHS Information Centre, Hospital Episode Statistics for England. Data is available by age and gender.

Data on the risk of becoming a victim of violent crime by demographic characteristics is from the British Crime Survey (BCS). The BCS includes data on race, disability, gender, age and marital status for victims of crime. There is limited information on religion and sexual orientation. However the BCS does not include data on gender reassignment, civil partnership or pregnancy and maternity. Therefore we do not have data relating to these characteristics for victims of crime.

Analysis

The potential impacts of the new offences for those who carry a bladed or pointed article or offensive weapon in a public place or school and go on to threaten and cause an immediate risk of serious physical harm to another, are provided below.

Impact on victims

There is the potential for positive impacts on victims, because we consider that the introduction of these new offences sends a clear message to those who possess a bladed/pointed article (including knives) or offensive weapon and go on to threaten and endanger another with it, and thus it may discourage knife crime.

Information is not held on the characteristics of those who are victims of knife crime. We have considered two sources of wider information to further understand the potential equality impacts of these proposals.

- Demographic characteristics of admissions to NHS hospitals in England involving wounds suffered as the result of assault with a sharp object. The Hospital Episode Statistics show that there overall were 4,770 admissions for assault by a sharp object in England that ended in 2009/10.

- The risk of becoming a victim of violent crime by demographic characteristics. Whilst information on offences involving a knife can be obtained from the British Crime Survey (BCS), the small number of incidents involving a knife reported (the 2009/10 BCS estimates that knives were used in five per cent of violent incidents) means that information cannot be broken down by the demographic characteristic of the victim. The overall risk of being a victim of violent crime in the 2009/10 BCS was 3.0 per cent, with the proportion of adults who were a victim of violent crime in this period varying by personal characteristics. Many demographic characteristics will be closely associated (for example marital status and age) so caution is needed in the interpretation of the effects of these different characteristics when viewed in isolation.

Potential Age Impacts

Table 2 (Annex A) shows that admissions to NHS hospitals as the result of assault with a sharp object, are more likely to be for those aged 15-59 compared to the general population.

Table 3 (Annex A) shows younger people were at greatest risk of being a victim of violent crime. Adults aged 16 to 24 had a higher risk than older age groups of being a victim of violent crime. Risks for adults aged 65 and over were less than one per cent.

Our current assessment, based on this evidence, is that there is the potential for the new offences to have a differential impact in relation to the age of the victim.

Potential Disability Impacts

Table 3 (Annex A) shows that there is little difference in the risk of being a victim of violent crime by whether the victim is disabled or not.

Potential Gender Reassignment Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Marriage and Civil Partnership Impacts

Table 3 (Annex A) shows that single people had the highest risk by marital status (7.2 per cent). This is likely to reflect the younger age profile of this group.

Our current assessment, based on this evidence, is that there is the potential for the new offences to have a differential impact in relation to the marital status of the victim.

Potential Pregnancy and Maternity Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Race Impacts

Table 3 (Annex A) shows that there are differences in the risk of being a victim of violent crime by ethnic group, with 3.6 per cent of the Mixed ethnic group victims of violence, compared to 3.1 per cent of White people and 2.1 per cent of Asian people.

Our current assessment, based on this evidence, is that there is the potential for the new offences to have a differential impact in relation to race.

Potential Religion or Belief Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Sex Impacts

Table 2 (Annex A) shows that admissions to NHS hospitals as the result of assault with a sharp object, are more likely to be for men compared to the general population.

Table 3 (Annex A) shows that overall, men were more than twice as likely as women (4.2 per cent compared with 1.8 per cent) to have experienced one or more violent crimes.

Our current assessment, based on this evidence, is that there is the potential for a differential impact in relation to gender in introducing the new offences.

Impact on offenders

The Ministry has an ongoing legal duty to pay 'due regard' to the equality duties and we have considered the impact on offenders, described below. The creation of a new offence for adults, with a mandatory minimum prison sentence of 6 months, found guilty of carrying a bladed or pointed article or offensive weapon in a public place or school, and go on to threaten and cause an immediate risk of serious physical harm to another, may have a differential impact on offenders with regard to their ethnicity, gender, religion or age. We consider any such impact to be justified on the basis that it sends a clear message to those who possess a knife to threaten.

Potential Age Impacts

Table 4 (Annex A) shows that those cautioned or convicted of offences involving the possession of a knife or offensive weapon, are more likely to be aged 18 to 39 compared to the general population.

Table 5 (Annex A) presents data on the age of the offender for those offences involving possession of a knife or offensive weapon which result in a caution or conviction. An unknown proportion of these offences will fall into the new offences category. There are already some age differences in the proportion of offenders sentenced to custody and the length of sentence given for these offences. These may, however, reflect differences in the aggravating factors taken into account by sentencers.

Our current assessment, based on this evidence, is that there is the potential for the new offences to have a differential impact in relation to age. However we think that the high threshold of the offence – which addresses circumstances where an

individual goes on to threaten and endanger - justifies any potential differential impact of the new offences on the 18 to 39 age group.

We do not think that this age group is more likely to be availing themselves of the defences to the possession offence, therefore we do not believe removing the defences of lawful authority and reasonable excuse/good reason will adversely impact on them on account of their age.

Potential Disability Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Gender Reassignment Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Marriage and Civil Partnership Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Pregnancy and Maternity Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Potential Race Impacts

Table 6 (Annex A) shows that those cautioned or convicted of offences involving the possession of a knife or offensive weapon, are more likely to be Black people compared to the general population.

In Table 7 (Annex A) we present the data on the ethnicity of the offender for those offences involving the possession of a knife or offensive weapon which result in a caution or conviction. As before, an unknown proportion of these offences will fall into the new offence category. There are already differences, with respect to the ethnic background of offenders, in the proportions sentenced to custody and the length of sentence they are given. This may reflect differences in aggravating factors taken into account by sentencers.

Our current assessment, based on this evidence, is that there is the potential for the new offences to have a differential impact in relation to race. There is also a risk that some ethnic groups may – as a result of the correlation between employment and race – be more likely to have lawful authority, reasonable excuse/good reason for carrying an article with blade or point or offensive weapon. As such the amendments to remove these defences from the new proposed offence could have a differential impact on some ethnic groups. However we think the risk is low and where it exists it is justified by the level of criminality that the new offences aim to capture, for which defences of lawful authority, reasonable excuse/good reason would not be appropriate.

Potential Religion or Belief Impacts

Table 8 (Annex A) presents data on the prison population sentenced for possession of an offensive weapon by religion. Muslims and people of no religion are overrepresented in custody compared with the general population.

Our current assessment, based on this evidence, is that there is the potential for a differential impact in relation to religion in introducing new offences.

There is also a risk that the amendments to remove the defences of lawful authority, reasonable excuse/good reason from the new proposed offence could have a differential impact on Sikhs – who can lawfully carry a kirpan. However, we think the risk is low and where it exists it is justified by the level of criminality that the new offences aim to capture, for which defences of lawful authority, reasonable excuse/good reason would not be appropriate.

Potential Sex Impacts

Table 9 (Annex A) shows that those cautioned or convicted of offences involving the possession of a knife or offensive weapon, are more likely to be male compared to the general population.

Table 10 (Annex A) presents data on the gender of the offender for those offences involving possession of a knife or offensive weapon which result in a caution of conviction. As before, an unknown proportion of these offences will fall into the new offence category. There are already gender differences in the proportions sentenced to custody and the length of sentence given for these offences. These may however reflect differences in the aggravating factors taken into account by sentencers.

Our current assessment, based on this evidence, is that there is the potential for a differential impact in relation to gender in introducing new offences.

There is also a risk that this group may be – as a result of the correlation between certain types of employment and gender (male) - more likely to have lawful authority, reasonable excuse/good reason for carrying an article with blade or point or offensive weapon. As such the amendments to remove these defences from the new proposed offence could have a differential impact on this group. However, we think the risk is low and where it exists it is justified by the level of criminality that the new offences aim to capture, for which defences of lawful authority, reasonable excuse/good reason would not be appropriate.

Potential Sexual Orientation Impacts

Due to limitations in the available evidence we are unable to rule out the potential for any differential impact.

Mitigation

We consider the potential impacts to be justified on the basis it is a proportionate means of achieving the legitimate aim of creating new offences so that those who carry a knife or offensive weapon in a public place or school and go on to threaten and endanger another, can expect to face a custodial sentence of at least six months. We also think this may be beneficial to victims.

As the proposals are implemented we will monitor the impacts of this reform across all protected characteristics for which we have data and take appropriate mitigating action if necessary.

Monitoring

We will be monitoring the implementation of these reforms for positive, negative and mixed equality impacts. We anticipate that the earliest these changes will be implemented is towards the end of 2012. Subject to passage of the Bill through Parliament and commencement, we would anticipate therefore to have a first full year's data on which to base a review commencing in Spring 2014.

Annex A – Evidence

Table 1: Offenders sentenced for dangerous driving who were also proceeded against, but not convicted of, inflicting grievous bodily harm, 2008-2010, England and Wales

	Offenders sentenced (p)	General population, E&W (aged 10+)
<u>Sex</u>		
Female	4%	51%
Male	96%	49%
Total	100%	100%
<u>Age group</u>		
Under 18	1%	11%
18-20	19%	5%
21-24	24%	6%
25-29	10%	8%
30-39	25%	15%
40-49	13%	17%
50-59	4%	14%
60+	1%	26%
Total	100%	100%
<u>Ethnicity⁽¹⁾</u>		
White	69%	89%
Mixed	n/a	1%
Black	6%	3%
Asian	9%	6%
Other	n/a	2%
Unknown	16%	n/a
Total	100%	100%

(p) Provisional data

(1) Officer observed ethnicity

Source:

Further analysis of Criminal Justice Statistics 2010.

General population figures are 2010 mid-year population estimates (age and gender), and 2009 mid-year population estimates (ethnicity), Office for National Statistics.

Table 2: Admissions to NHS hospitals as the result of assault with a sharp object episodes of admitted patient care that ended during 2009-10, England

	Hospital admissions	General population, E&W (all ages)
<u>Sex</u>		
Female	11%	51%
Male	89%	49%
Total	100%	100%
<u>Age group</u>		
Age 0-14	2%	17%
Age 15-59	96%	60%
Age 60-74	1%	15%
Age 75+	1%	8%
Total	100%	100%

Source:

NHS Information Centre Hospital Episode Statistics.

General population figures are 2010 mid-year population estimates (age and gender), Office for National Statistics.

Table 3: Proportion of adults who were victims of violence by offence type and personal characteristics

Percentages						
	All violence¹	Wounding	Assault with minor injury	Assault without injury	Robbery	<i>Unweighted base</i>
<i>% victims once or more</i>						
ALL ADULTS	3.0	0.8	0.7	1.2	0.6	44,559
16-24	8.9	2.5	2.3	3.1	1.9	3,666
25-34	4.0	0.8	0.9	1.8	0.7	5,998
35-44	2.5	0.7	0.6	0.9	0.4	8,007
45-54	1.9	0.5	0.4	0.9	0.2	7,312
55-64	1.3	0.2	0.2	0.7	0.2	7,627
65-74	0.6	0.1	0.1	0.3	0.2	6,321
75+	0.2	0.0	0.0	0.0	0.1	5,628
Men	4.2	1.1	0.9	1.8	0.8	20,079
16-24	13.3	3.7	3.2	4.8	3.2	1,708
25-34	5.6	1.2	1.1	2.8	0.8	2,572
35-44	2.9	1.0	0.6	1.1	0.5	3,539
45-54	2.2	0.4	0.4	1.1	0.3	3,468
55-64	1.7	0.4	0.3	0.9	0.2	3,654
65-74	0.7	0.0	0.1	0.3	0.2	2,921
75+	0.2	0.0	0.0	0.1	0.2	2,217
Women	1.8	0.4	0.5	0.6	0.3	24,480
16-24	4.3	1.3	1.4	1.3	0.7	1,958
25-34	2.3	0.4	0.7	0.7	0.6	3,426
35-44	2.0	0.4	0.6	0.8	0.4	4,468
45-54	1.5	0.5	0.3	0.7	0.2	3,844
55-64	0.9	0.1	0.1	0.6	0.2	3,973
65-74	0.6	0.1	0.1	0.2	0.2	3,400
75+	0.1	0.0	0.0	0.0	0.1	3,411
Ethnic group						
White	3.1	0.8	0.7	1.3	0.5	41,226
Non-White	2.4	0.4	0.4	0.7	1.0	3,255
<i>Mixed</i>	3.6	0.4	0.4	1.7	1.0	316
<i>Asian or Asian British</i>	2.1	0.4	0.4	0.5	1.0	1,482
<i>Black or Black British</i>	2.5	0.7	0.2	0.5	1.0	877
<i>Chinese or other</i>	2.6	0.3	0.5	1.3	0.8	580
Marital status						
Married	1.3	0.3	0.3	0.6	0.2	20,956
Cohabiting	3.0	0.8	0.7	1.3	0.5	3,957
Single	7.2	1.9	1.7	2.6	1.5	9,072
Separated	4.7	1.6	1.3	1.9	0.3	1,415
Divorced	2.9	0.8	0.8	1.1	0.5	4,061
Widowed	0.7	0.1	0.2	0.3	0.2	5,087
Long-standing illness or disability						
Long-standing illness or disability	2.8	0.7	0.6	1.1	0.6	12,715
<i>Limits activities</i>	2.6	0.7	0.5	1.1	0.6	9,052
<i>Does not limit activities</i>	3.0	0.8	0.7	1.3	0.5	3,657
No long-standing illness or disability	3.1	0.8	0.7	1.2	0.6	31,761

1. 'All violence' includes wounding, assault with minor injury, assault without injury and robbery. See Section 5.1 of User Guide for more information.

Source

Crime in England and Wales 2009/10

**Table 4: Offences by persons aged 18 and over involving the possession of a knife or offensive weapon resulting in a caution or conviction, by age group
England and Wales**

	Cautioned or convicted	General population - E&W (aged 18+)
18 to 20	20%	5%
21 to 24	20%	7%
25 to 29	16%	9%
30 to 39	22%	17%
40 to 49	15%	19%
50 to 59	5%	15%
60+	2%	29%
All	100%	100%

Offences involving the possession of a knife or offensive weapon resulting in a caution or conviction are for 2010 for persons aged 18 and over.

Figures include 43 police force areas and the British Transport Police.

Offences relate to possession offences rather than offences where a knife was used.

Source:

PNC data extract

General population figures are from the mid-2010 population estimates, Office for National Statistics

Table 5: Offences by persons aged 18 and over involving the possession of a knife or offensive weapon resulting in a caution or conviction by age group, 2010

	18 to 20	21 to 24	25 to 29	30 to 39	40 to 49	50 to 59	60+	Total
Caution	23%	19%	18%	16%	18%	30%	45%	20%
Absolute Discharge	0%	0%	0%	0%	0%	0%	0%	0%
Conditional Discharge	4%	4%	4%	4%	6%	5%	14%	4%
Fine	4%	5%	5%	5%	6%	5%	5%	5%
Community Sentence	28%	28%	26%	26%	26%	21%	10%	26%
Suspended Sentence	14%	15%	16%	17%	18%	15%	13%	16%
Immediate Custody - less than or equal to 6 months	15%	17%	18%	19%	15%	13%	7%	17%
Immediate Custody - greater than 6 months	9%	8%	10%	8%	6%	5%	2%	8%
Other	4%	4%	3%	4%	5%	4%	5%	4%
Total	100%							

Further breakdown of statistics published in Knife Possession sentencing quarterly brief, January to March 2011

Figures are for England and Wales, and include all 43 police force areas and the British Transport Police

Figures are counts of number of offences

Offences relate to possession offences rather than offences where a knife was used

**Table 6: Offences by persons aged 18 and over involving the possession of a knife or offensive weapon resulting in a caution or conviction, by ethnic group
England and Wales**

	Cautioned or convicted	General population - E&W (aged 18+)
White	82%	89%
Mixed	n/a	1%
Black	11%	3%
Asian	5%	6%
Other	1%	2%
Unknown	1%	n/a
All	100%	100%

Offences involving the possession of a knife or offensive weapon resulting in a caution or conviction are for 2010 for persons aged 18 and over.

Figures include 43 police force areas and the British Transport Police.

Offences relate to possession offences rather than offences where a knife was used.

Ethnicity is based on the police officer's judgement of the offender's ethnicity

Source:

PNC data extract

General population figures are from the mid-2009 population estimates, Office for National Statistics

Table 7: Offences by persons aged 18 and over involving the possession of a knife or offensive weapon resulting in a caution or conviction by ethnic group, 2010

	White	Black	Asian	Other	Unknown	Total
Caution	20%	12%	24%	27%	39%	20%
Absolute Discharge	0%	0%	0%	0%	0%	0%
Conditional Discharge	4%	5%	3%	8%	4%	4%
Fine	5%	4%	4%	5%	3%	5%
Community Sentence	27%	27%	24%	17%	26%	26%
Suspended Sentence	15%	19%	14%	18%	11%	16%
Immediate Custody - less than or equal to 6 months	16%	20%	15%	16%	11%	17%
Immediate Custody - greater than 6 months	8%	10%	11%	4%	2%	8%
Other	4%	4%	4%	4%	3%	4%
Total	100%	100%	100%	100%	100%	100%

Further breakdown of statistics published in Knife Possession sentencing quarterly brief, January to March 2011

Figures are for England and Wales, and include all 43 police force areas and the British Transport Police

Figures are counts of number of offences

Offences relate to possession offences rather than offences where a knife was used

Ethnicity is based on the police officer's judgement of the offender's ethnicity

Table 8: Prison population sentenced with possession of an offensive weapon by religion, 30 June 2011, England and Wales

Religion	Sentenced prison population	General population	
		England	Wales
Christian	45.2%	68.5%	66.1%
Buddhist	2.2%	0.4%	0.3%
Hindu	0.4%	1.5%	0.5%
Jewish	0.4%	0.5%	0.1%
Muslim	11.5%	4.9%	1.2%
Sikh	0.7%	0.8%	0.1%
Other religious groups	0.4%	1.1%	1.2%
Non-recognised	1.6%	n/a	n/a
Missing	1.4%	n/a	n/a
No religion	36.3%	22.4%	30.6%
Total	100.0%	100.0%	100.0%

Note: Excludes recalls

Source: Further analysis of Offender Management Statistics

General population figures are for all ages and are from the Integrated Household Survey, Office for National Statistics.

Respondents were asked the question 'What is your religion, even if you are not currently practising?'

Table 9: Offences by persons aged 18 and over involving the possession of a knife or offensive weapon resulting in a caution or conviction, by gender England and Wales

	Cautioned or convicted	General population - E&W (aged 18+)
Male	92%	49%
Female	8%	51%
All	100%	100%

Offences involving the possession of a knife or offensive weapon resulting in a caution or conviction are for 2010 for persons aged 18 and over.

Figures include 43 police force areas and the British Transport Police.

Offences relate to possession offences rather than offences where a knife was used.

Source:

PNC data extract

General population figures are from the mid-2010 population estimates, Office for National Statistics

Table 10: Offences by persons aged 18 and over involving the possession of a knife or offensive weapon resulting in a caution or conviction by gender, 2010

	Male	Female	Total
Caution	19%	31%	20%
Absolute Discharge	0%	0%	0%
Conditional Discharge	4%	8%	4%
Fine	5%	2%	5%
Community Sentence	26%	28%	26%
Suspended Sentence	16%	12%	16%
Immediate Custody - less than or equal to 6 months	17%	12%	17%
Immediate Custody - greater than 6 months	8%	4%	8%
Other	4%	4%	4%
Total	100%	100%	100%

Further breakdown of statistics published in Knife Possession sentencing quarterly brief, January to March 2011

Figures are for England and Wales, and include all 43 police force areas and the British Transport Police

Figures are counts of number of offences

Offences relate to possession offences rather than offences where a knife was used

The total is not the sum of males and females due to unrecorded gender