



Disclosure ref: 29 Sent: 30th May 2019

Freedom of Information Act 2000 Request

The offences that can be prosecuted in relation to the carrying of an offensive weapons; and statistics regarding youths

Request

- 1. Please disclose the offences which can be prosecuted in relation to the carrying of offensive weapons;***
- 2. Please disclose the number of youths prosecuted in 2016, 2017 and 2018 where the principle offence was one of those identified in the first part of this request;***
- 3. Please provide a breakdown showing the CPS area which prosecuted the offences and a breakdown showing the type of offence;***
- 4. Please disclose the ages of those prosecuted.***

Response

The Crown Prosecution Service (CPS) publishes legal guidance relating to violent crime on its website titled 'Offensive Weapons, Knives, Bladed and Pointed Articles' wherein reference is made to the circumstances described in Question one of your request. As the information is readily available on our website we are not obliged to respond to Question one under section 22 of the FOI Act (Information available by other means). Please see the attached section 17 notice which explains this exemption in detail.

For ease of reference, please click on the link below which will take you to this guidance:

<https://www.cps.gov.uk/legal-guidance/offensive-weapons-knives-bladed-and-pointed-articles>

The CPS does not hold records relating to 'offensive weapons' as a principle offence category. A central record of the number of youths (defendants aged under 17), prosecuted with offences involving 'offensive weapons' is therefore not held.



To firstly ascertain the number of youths prosecuted during the years specified with offences involving 'offensive weapons' and to further ascertain the CPS Area involved and age of the youth, a manual search of all cases in which a youth was prosecuted would be required.

As an indication of the work this would involve prosecutions were completed against a total of 30,239 youth defendants in 2018 alone.

Section 12(1) of the FOI Act means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government it is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

We believe that the cost of reviewing cases relating to in excess of 30,239 defendants would exceed the appropriate limit. Consequently, we are not obliged to comply with parts two to four of your request.

Under Section 16 of the FOI Act we have an obligation to advise what, if any information may assist you with your request. Data held by the Ministry of Justice (MoJ) may be able to assist you as data is held relating to the relevant Police Force and can also be filtered in relation to a defendant's age. The MoJ's Criminal Justice Statistics can be accessed via the following link:

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2017>

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