

Annex D

Table 1: Number of adult offenders sentenced for offences under the Firearms Act 1968, 2007-2017

Guideline group	Legislation	Section	Offence	Number of adult offenders sentenced										
				2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Group 5 (Maximum: Life)	Firearms Act 1968	16	Possess a firearm/ ammunition/ shotgun/ air weapon with intent to endanger life / enable another to do so	47	63	53	48	69	64	70	44	54	53	77
Group 6 (Maximum: 10 years)	Firearms Act 1968	16A	Possess a firearm with intent to cause fear of violence ¹	-	-	-	-	101	81	82	74	77	98	74
			Possess an imitation firearm with intent to cause fear of violence ¹	-	-	-	-	146	139	138	145	162	180	187
			TOTAL SECTION 16A OFFENCES	299	327	257	274	250	230	221	221	241	280	261
Group 7 (Maximum: Life)	Firearms Act 1968	17(1), 17(2), 18(1)	Possess a firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence ¹	-	-	-	-	18	15	13	10	7	11	5
			Possess an imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence ¹	-	-	-	-	34	17	20	28	17	20	27
			TOTAL SECTION 17(1), 17(2), 18(1) OFFENCES	96	81	73	50	52	34	33	38	24	31	33

Source: Court Proceedings Database, Ministry of Justice

Note

1) Data for these specific offences not available prior to 2011.

Table 2: Sentence outcomes for adult offenders sentenced for offences under the Firearms Act 1968, 2017

Guideline group	Section	Offence	Absolute Discharge	Conditional Discharge	Fine	Community Order	Suspended Sentence	Immediate Custody	Otherwise dealt with ¹	Total
Group 5 (Maximum: 16)	16	Possess a firearm/ ammunition/ shotgun/ air weapon with intent to endanger life / enable another to do so	0	0	0	0	0	72	5	77
Group 6 (Maximum: 16A 10 years)	16A	Possess a firearm with intent to cause fear of violence	0	0	0	1	12	59	2	74
		Possess an imitation firearm with intent to cause fear of violence	0	1	0	8	49	125	4	187
		TOTAL SECTION 16A OFFENCES	0	1	0	9	61	184	6	261
Group 7 (Maximum: 17(1), 17(2), 18(1) Life)	17(1), 17(2), 18(1)	Possess a firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence	0	0	0	0	0	4	1	5
		Possess an imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence	0	0	0	1	2	24	0	27
		TOTAL SECTION 17(1), 17(2), 18(1) OFFENCES	0	0	0	1	2	29	1	33

Source: Court Proceedings Database, Ministry of Justice

Guideline group	Section	Offence	Absolute Discharge	Conditional Discharge	Fine	Community Order	Suspended Sentence	Immediate Custody	Otherwise dealt with ¹	Total
Group 5 (Maximum: 16)	16	Possess a firearm/ ammunition/ shotgun/ air weapon with intent to endanger life / enable another to do so	0%	0%	0%	0%	0%	94%	6%	100%
Group 6 (Maximum: 16A 10 years)	16A	Possess a firearm with intent to cause fear of violence	0%	0%	0%	1%	16%	80%	3%	100%
		Possess an imitation firearm with intent to cause fear of violence	0%	1%	0%	4%	26%	67%	2%	100%
		TOTAL SECTION 16A OFFENCES	0%	<0.5%	0%	3%	23%	70%	2%	100%
Group 7 (Maximum: 17(1), 17(2), 18(1) Life)	17(1), 17(2), 18(1)	Possess a firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence	0%	0%	0%	0%	0%	80%	20%	100%
		Possess an imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence	0%	0%	0%	4%	7%	89%	0%	100%
		TOTAL SECTION 17(1), 17(2), 18(1) OFFENCES	0%	0%	0%	3%	6%	88%	3%	100%

Source: Court Proceedings Database, Ministry of Justice

Note

1) Includes a number of orders, for example hospital orders, confiscation orders and compensation orders.

Table 3: Estimated average custodial sentence lengths (pre guilty plea) for adult offenders sentenced to immediate custody, and sentence ranges for offences under the Firearms Act 1968, 2017

Guideline group	Section	Offence	Mean sentence length ^{1,3}	Median sentence length ^{2,3}	Sentence range (using estimated pre GP sentence lengths)
Group 5 (Maximum: Life)	16	Possess a firearm/ ammunition/ shotgun/ air weapon with intent to endanger life / enable another to do so	12 years 5 months	12 years	1 year 8 months - 27 years' custody (and indeterminate)
Group 6 (Maximum: 10 years)	16A	Possess a firearm with intent to cause fear of violence	4 years 10 months	5 years	CO - 10 years' custody
		Possess an imitation firearm with intent to cause fear of violence	2 years 8 months	2 years 3 months	Discharge - 9 years 9 months' custody
		TOTAL SECTION 16A OFFENCES	3 years 4 months	2 years 6 months	Discharge - 10 years' custody
Group 7 (Maximum: Life)	17(1), 17(2), 18(1)	Possess a firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence ⁴	13 years 11 months	12 years	7 years 6 months - 24 years' custody
		Possess an imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence	5 years 11 months	6 years	CO - 12 years' custody
		TOTAL SECTION 17(1), 17(2), 18(1) OFFENCES	7 years 4 months	7 years	CO - 24 years' custody

Source: Court Proceedings Database, Ministry of Justice

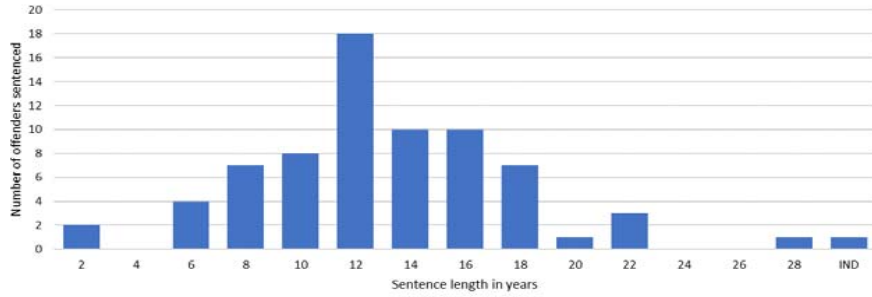
Notes

- 1) The mean is calculated by taking the sum of all values and then dividing by the number of values.
- 2) The median is the value which lies in the middle of a set of numbers when those numbers are placed in ascending or descending order.
- 3) Excludes life and indeterminate sentences.
- 4) These figures should be treated with caution, due to the low number of offenders sentenced for this offence involving a firearm.

Figure 1: Estimated distribution of custodial sentence lengths for adult offenders sentenced to immediate custody for offences under the Firearms Act 1968, before any reduction for guilty plea, 2017

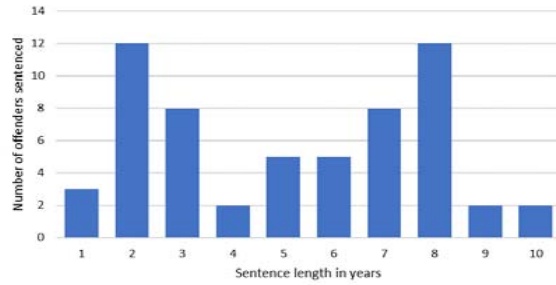
Group 5 (Maximum: Life)

Section 16 (total) - Possess a firearm/ ammunition/ shotgun/ air weapon with intent to endanger life / enable another to do so

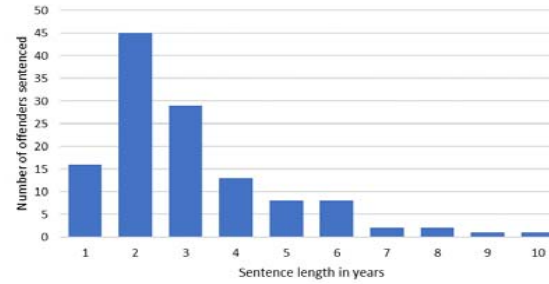


Group 6 (Maximum: 10 years)

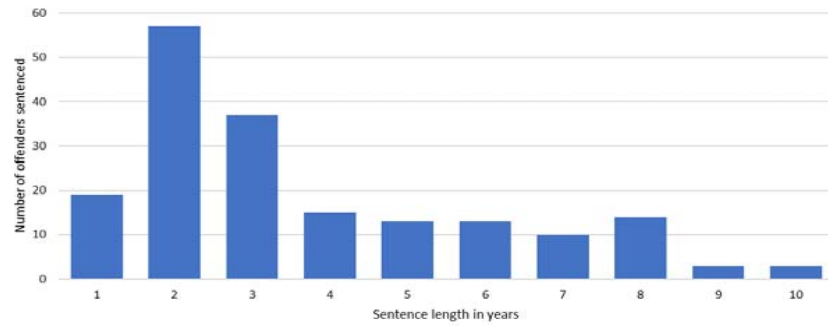
Section 16A - Possess a firearm with intent to cause fear of violence



Section 16A - Possess an imitation firearm with intent to cause fear of violence

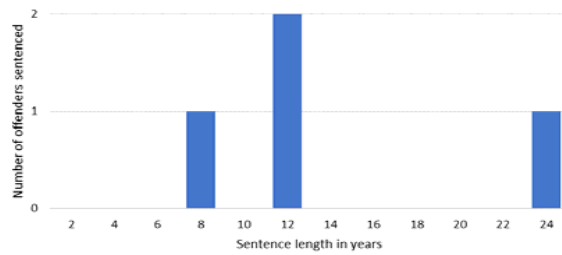


Section 16A (total) - Possess a firearm/ imitation firearm with intent to cause fear of violence

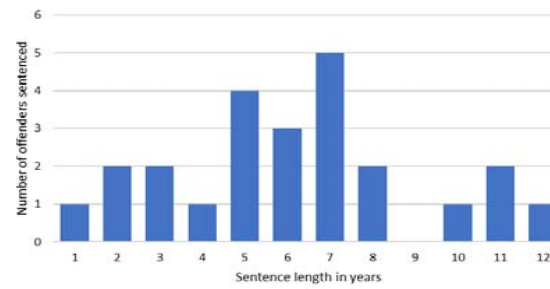


Group 7 (Maximum: Life)

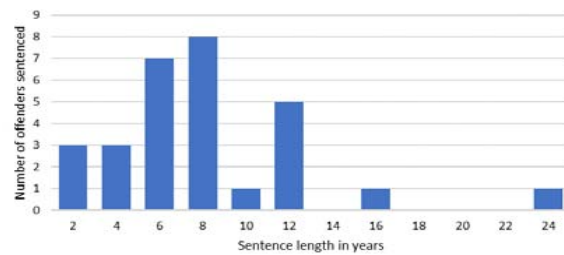
Sections 17(1), 17(2), 18(1) - Possess a firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence



Sections 17(1), 17(2), 18(1) - Possess an imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence



Sections 17(1), 17(2), 18(1) (total) - Possess a firearm/ imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence



Source: Court Proceedings Database, Ministry of Justice

Note

Sentence length intervals include the upper bound sentence length. For example, the category '2' includes sentence lengths less than and equal to 2 years, and '4' includes sentence lengths over 2 years, and up to and including 4 years.

Table 4: Distribution of estimated custodial sentence lengths for adult offenders sentenced to immediate custody for offences under the Firearms Act 1968, before any reduction for guilty plea, 2017**Group 5 (Maximum: Life)**

Section 16 (total) - Possess a firearm/ ammunition/ shotgun/ air weapon with intent to endanger life / enable another to do so

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
2	2	3%
4	0	0%
6	4	6%
8	7	10%
10	8	11%
12	18	25%
14	10	14%
16	10	14%
18	7	10%
20	1	1%
22	3	4%
24	0	0%
26	0	0%
28	1	1%
Indeterminate	1	1%
Total	72	100%

Group 6 (Maximum: 10 years)

Section 16A - Possess a firearm with intent to cause fear of violence

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
1	3	5%
2	12	20%
3	8	14%
4	2	3%
5	5	8%
6	5	8%
7	8	14%
8	12	20%
9	2	3%
10	2	3%
Total	59	100%

Section 16A - Possess an imitation firearm with intent to cause fear of violence

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
1	16	13%
2	45	36%
3	29	23%
4	13	10%
5	8	6%
6	8	6%
7	2	2%
8	2	2%
9	1	1%
10	1	1%
Total	125	100%

Section 16A (total) - Possess a firearm/ imitation firearm with intent to cause fear of violence

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
1	19	10%
2	57	31%
3	37	20%
4	15	8%
5	13	7%
6	13	7%
7	10	5%
8	14	8%
9	3	2%
10	3	2%
Total	184	100%

Group 7 (Maximum: Life)

Sections 17(1), 17(2), 18(1) - Possess a firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
2	0	0%
4	0	0%
6	0	0%
8	1	25%
10	0	0%
12	2	50%
14	0	0%
16	0	0%
18	0	0%
20	0	0%
22	0	0%
24	1	25%
Total	4	100%

Sections 17(1), 17(2), 18(1) - Possess an imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
1	1	4%
2	2	8%
3	2	8%
4	1	4%
5	4	17%
6	3	13%
7	5	21%
8	2	8%
9	0	0%
10	1	4%
11	2	8%
12	1	4%
Total	24	100%

Sections 17(1), 17(2), 18(1) (total) - Possess a firearm/ imitation firearm with intent to resist arrest/ commit a Schedule 1 offence/ commit an indictable offence

Sentence length in years	Number of offenders sentenced	Proportion of offenders sentenced
2	3	10%
4	3	10%
6	7	24%
8	8	28%
10	1	3%
12	5	17%
14	0	0%
16	1	3%
18	0	0%
20	0	0%
22	0	0%
24	1	3%
Total	29	100%

Source: Court Proceedings Database, Ministry of Justice

Note

Sentence length intervals include the upper bound sentence length. For example, the category '2' includes sentence lengths less than and equal to 2 years, and '4' includes sentence lengths over 2 years, and up to and including 4 years.

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