

Firearms – Importation

Version A based on Transfer and Manufacture guideline

Improper importation of goods

Customs and Excise Management Act 1979 (section 50(3), (4) and (5A)(a))

Fraudulent evasion of prohibition / restriction

Customs and Excise Management Act 1979 (section 170(1)(b), (2), (3) and (4A)(a))

Either way

Maximum: 7 years unless committed in Great Britain in connection with a prohibition or restriction on the importation or exportation of any weapon or ammunition that is of a kind mentioned in section 5(1)(a), (ab), (aba), (ac), (ad), (ae), (af) or (c) or (1A)(a) of the Firearms Act 1968 in which case the maximum is life imprisonment

Offence range: x –x years' custody

Guideline users should be aware that the [Equal Treatment Bench Book](#) covers important aspects of fair treatment and disparity of outcomes for different groups in the criminal justice system. It provides guidance which sentencers are encouraged to take into account wherever applicable, to ensure that there is fairness for all involved in court proceedings.

STEP ONE
Determining the offence category

The court should determine the offence category with reference **only** to the factors listed in the tables below. In order to determine the category the court should assess **culpability** and **harm**.

The court should weigh all the factors set out below in determining the offender's culpability.

Where there are characteristics present which fall under different levels of culpability, the court should balance these characteristics to reach a fair assessment of the offender's culpability.

<p>Culpability demonstrated by one or more of the following:</p> <p>A – High culpability:</p> <ul style="list-style-type: none"> • Leading role where offending is part of a group activity • Significant planning, including but not limited to significant steps to evade detection • Abuse of position of trust or responsibility, for example registered firearms dealer <u>customs official</u> • Expectation of substantial financial or other advantage • Involves others through coercion, intimidation or exploitation
<p>B – Medium culpability:</p> <ul style="list-style-type: none"> • Significant role where offending is part of a group activity • Some degree of planning, including but not limited to some steps to evade detection • Expectation of significant financial or other advantage • Other cases falling between culpability A and C because: <ul style="list-style-type: none"> ○ Factors are present in A and C which balance each other out and/or ○ The offender's culpability falls between the factors as described in A and C
<p>C – Lower culpability:</p> <ul style="list-style-type: none"> • Lesser role where offending is part of a group activity, including but not limited to performing a limited function under direction • Involved through coercion, intimidation or exploitation • Little or no planning • Expectation of limited, if any, financial or other advantage

Harm	
The court should consider the steps set out below to determine the level of harm caused.	
This step is assessed by reference to the scale and nature of the enterprise and any actual harm caused, regardless of the offender's role.	
Category 1	<ul style="list-style-type: none"> • Large-scale commercial enterprise – indicators may include: <ul style="list-style-type: none"> ○ Large number of prohibited weapons <u>firearms</u>/ ammunition involved ○ Operation over significant time period ○ Close connection to organised criminal group(s) • Evidence firearm/ammunition <u>intended for use in criminal activity</u> subsequently used to cause serious injury or death
Category 2	<ul style="list-style-type: none"> • Medium-scale enterprise and/or some degree of sophistication, including cases falling between category 1 and category 3 because: <ul style="list-style-type: none"> ○ Factors in both 1 and 3 are present which balance each other out; and/or ○ The harm falls between the factors as described in 1 and 3 • Evidence firearm/ammunition subsequently used in criminal offending (where not at category 1)
Category 3	<ul style="list-style-type: none"> • Smaller-scale and/or unsophisticated enterprise – indicators may include: <ul style="list-style-type: none"> ○ Limited number of prohibited weapons <u>firearms</u>/ ammunition involved ○ Operation over limited time period ○ Operation over limited geographic range ○ Minimal/no connection to organised criminal group(s) • Evidence firearm/ammunition not subsequently <u>intended for use in criminal activity</u> used in criminal offending
Category 4	<ul style="list-style-type: none"> • <u>Very small scale</u> • <u>Firearm / ammunition not designed to be lethal</u>

Where there are characteristics present which fall under different levels of harm, the court should balance these characteristics to reach a fair assessment of the harm.

STEP TWO			
Starting point and category range			
Having determined the category at step one, the court should use the corresponding starting point to reach a sentence within the category range below. The starting point applies to all offenders irrespective of plea or previous convictions.			
Harm	Culpability		
	A	B	C
Category 1	Starting point 20 years' custody Category range 16 – 28 years' custody	Starting point 14 years' custody Category range 12 – 18 years' custody	Starting point 10 years' custody Category range 8 – 14 years' custody
Category 2	Starting point 14 years' custody Category range 12 – 18 years' custody	Starting point 10 years' custody Category range 8 – 14 years' custody	Starting point 8 years' custody Category range 6 – 12 years' custody
Category 3	Starting point 10 years' custody Category range 8 – 14 years' custody	Starting point 8 years' custody Category range 6 – 12 years' custody	Starting point 6 years' custody Category range 3 – 8 years' custody
Category 4	Starting point <u>6 years' custody</u> Category range <u>3 – 8 years' custody</u>	Starting point <u>3 years' custody</u> Category range <u>1 – 4 years' custody</u>	Starting point <u>1 year's custody</u> Category range <u>Community order – 2 years' custody</u>

The table below contains a **non-exhaustive** list of additional factual elements providing the context of the offence and factors relating to the offender. Identify whether any combination of these, or other relevant factors, should result in an upward or downward adjustment from the sentence arrived at so far. In some cases, having considered these factors, it may be appropriate to move outside the identified category range.

Factors increasing seriousness

Statutory aggravating factors:

- A1. Previous convictions, having regard to a) the **nature** of the offence to which the conviction relates and its **relevance** to the current offence; and b) the **time** that has elapsed since the conviction
- A2. Offence committed whilst on bail

Other aggravating factors:

- A3. Firearm under section 5(1)(a) (automatic weapon)
- A4. Steps taken to disguise firearm (where not firearm under section 5(1A)(a))
- A5. Compatible ammunition and/or silencer(s) supplied imported with firearm (See step six on totality when sentencing for more than one offence)

- A6. Others put at risk of harm, ~~including by location or method of manufacture or transfer~~
- A7. Use of business as a cover
- A8. Attempts to conceal or dispose of the firearm or other evidence
- A9. Commission of offence whilst under the influence of alcohol or drugs
- A10. Offender prohibited from possessing weapon or ammunition because of previous conviction (See step six on totality when sentencing for more than one offence)
- A11. Failure to comply with current court orders
- A12. Offence committed on licence or post sentence supervision

Factors reducing seriousness or reflecting personal mitigation

- M1. No previous convictions **or** no relevant/recent convictions
- M2. Good character and/or exemplary conduct
- M3. Firearm/ammunition not ~~subject to minimum term~~ designed to be lethal
- M4. Firearm incomplete or incapable of being discharged (including stun gun that is not charged and not held with a functioning charger)
- M5. Genuine belief that firearm will not be used for criminal purpose
- M6. No knowledge or suspicion that item possessed was firearm/ammunition
- M7. No knowledge or suspicion that firearm/ammunition is prohibited
- ~~M8. Voluntary surrender of firearm/ammunition~~
- M9. Offender co-operated with investigation and/or made early admissions
- M10. Remorse
- M11. Serious medical condition requiring urgent, intensive or long-term treatment
- M12. Age and/or lack of maturity
- M13. Mental disorder or learning disability
- M14. Sole or primary carer for dependent relatives

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Firearms – Importation

Version B based on Possession of a prohibited weapon guideline

Improper importation of goods

Customs and Excise Management Act 1979 (section 50(3), (4) and (5A)(a))

Fraudulent evasion of prohibition / restriction

Customs and Excise Management Act 1979 (section 170(1)(b), (2), (3) and (4A)(a))

Either way

Maximum: 7 years unless committed in Great Britain in connection with a prohibition or restriction on the importation or exportation of any weapon or ammunition that is of a kind mentioned in section 5(1)(a), (ab), (aba), (ac), (ad), (ae), (af) or (c) or (1A)(a) of the Firearms Act 1968 in which case the maximum is life imprisonment

Offence range: x –x years' custody

Guideline users should be aware that the [Equal Treatment Bench Book](#) covers important aspects of fair treatment and disparity of outcomes for different groups in the criminal justice system. It provides guidance which sentencers are encouraged to take into account wherever applicable, to ensure that there is fairness for all involved in court proceedings.

Step 1 – Determining the offence category

The court should determine the offence category with reference **only** to the factors listed in the tables below. In order to determine the category the court should assess **culpability** and **harm**.

Culpability – Type of weapon

Use the table below to identify an initial culpability category based on the **type of weapon** only. This assessment focuses on the nature of the weapon itself only, not whether the weapon was loaded or in working order.

Courts should take care to ensure the categorisation is appropriate for the specific weapon. Where the weapon or ammunition does not fall squarely in one category, the court may need to adjust the starting point in step 2.

References to weapon below include a component part of such a weapon.

Type 1

Weapon that is designed to be capable of killing two or more people at the same time or in rapid succession

- This would **normally** include a weapon prohibited under the following sections for the Firearms Act 1968:
 - section 5(1)(a)
 - section 5(1)(ab)
 - section 5(1)(aba)
 - section 5(1)(ac)
 - section 5(1)(ad)
 - section 5(1)(ae)
 - section 5(1A)(c)
 - [section 5(1)(ag) – not yet in force]
 - [section 5(1)(ba) – not yet in force]

Type 2

All other weapons falling between Type 1 and Type 3

- This would **normally** include a weapon prohibited under the following sections for the Firearms Act 1968:
 - section 5(1)(af)
 - section 5(1A)(a) (including disguised stun guns when charged under that section)

Ammunition under section 5(1)(c), 5(1A)(b) and (d)-(g) (where not at Type 3)

Type 3

Weapon that is not designed to be lethal

- This would **normally** include a weapon under section 5(1)(b)

Very small quantity of ammunition

<p>Culpability – Other culpability factors</p> <p>The court should weigh all the factors set out below in determining the offender’s culpability.</p> <p>High culpability</p> <ul style="list-style-type: none"> Offender uses firearm/ammunition for a criminal purpose Offender intends firearm/ammunition to be used for a criminal purpose, or is reckless as to whether it would be so used <p>Medium culpability</p> <ul style="list-style-type: none"> Firearm/ammunition produced or used (where not at High culpability) Firearm loaded or held with compatible ammunition or stun gun that is charged (where not at High culpability) Offender intends firearm/ammunition to be used or is reckless as to whether it would be used (where not at High culpability) <p>Lower culpability</p> <ul style="list-style-type: none"> No use or intention to use

Where there are characteristics present which fall under different levels of culpability, the court should balance these characteristics to reach a fair assessment of the offender’s culpability.

Culpability category

Identify the final culpability category in the table below, considering both the **Type of weapon** and **Other culpability factors**.

	Type of weapon		
Other culpability factors	1	2	3
High	Culpability category A	Culpability category A	Culpability category B
Medium	Culpability category B	Culpability category B	Culpability category B
Lower	Culpability category B	Culpability category C	Culpability category C

<p>Harm</p> <p>Harm is assessed by reference to the risk of harm or disorder occurring and/or actual alarm/distress caused.</p> <p>When considering the risk of harm, relevant considerations may include the location of the offence, the number and vulnerability of people exposed, especially children, and the accessibility and visibility of the weapon.</p> <p>Category 1</p> <ul style="list-style-type: none"> Serious alarm/distress caused High risk of death or serious physical or psychological harm High risk of serious disorder
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<p>Category 2</p> <ul style="list-style-type: none"> • All other cases falling between category 1 and category 3 because: <ul style="list-style-type: none"> ○ Factors in both 1 and 3 are present which balance each other out; and/or ○ The harm falls between the factors as described in 1 and 3
<p>Category 3</p> <ul style="list-style-type: none"> • No/minimal alarm/distress caused • No/minimal risk of death or serious physical or psychological harm • No/minimal risk of serious disorder

Where there are characteristics present which fall under different levels of harm, the court should balance these characteristics to reach a fair assessment of the harm.

Step 2 – Starting point and category range

Having determined the category at step 1, the court should use the corresponding starting point to reach a sentence within the category range below. The starting point applies to all offenders irrespective of plea or previous convictions.

Table 1 should be used if the offence is subject to a maximum life sentence statutory minimum sentencing provisions.

Table 2 should be used if the offence is subject to a maximum 7 year sentence for all other cases.

TABLE 1: Offences subject to the statutory maximum of a life sentence minimum sentence (Section 5(1)(a), (ab), (aba), (ac), (ad), (ae), (af), (c), section 5(1A)(a))

Harm	Culpability		
	A	B	C
Category 1	<p>Starting point 18 years' custody</p> <p>Category range 16 – 22 years' custody</p>	<p>Starting point 14 years' custody</p> <p>Category range 11 – 17 years' custody</p>	<p>Starting point 10 years' custody</p> <p>Category range 8 – 12 years' custody</p>
Category 2	<p>Starting point 14 years' custody</p> <p>Category range 11 – 17 years' custody</p>	<p>Starting point 10 years' custody</p> <p>Category range 8 – 12 years' custody</p>	<p>Starting point 7 years' custody</p> <p>Category range 5 – 9 years' custody</p>
Category 3	<p>Starting point 10 years' custody</p> <p>Category range 8 – 12 years' custody</p>	<p>Starting point 7 years' custody</p> <p>Category range 5 – 9 years' custody</p>	<p>Starting point 5 years' custody</p> <p>Category range 4 – 7 years' custody</p>

TABLE 2: Offences not subject to the statutory ~~minimum~~ maximum sentence of 7 years

Harm	Culpability		
	A	B	C
Category 1	Starting point 3 years' custody Category range 2 – 5 years' custody	Starting point 2 years' custody Category range 1 – 3 years' custody	Starting point 1 year's custody Category range High level community order – 2 years' custody
Category 2	Starting point 2 years' custody Category range 1 – 3 years' custody	Starting point 1 year's custody Category range High level community order – 2 years' custody	Starting point Medium level community order Category range Band C fine – High level community order
Category 3	Starting point 1 year's custody Category range High level community order – 2 years' custody	Starting point Medium level community order Category range Band C fine – High level community order	Starting point Band C fine Category range Discharge – Low level community order

The table below contains a **non-exhaustive** list of additional factual elements providing the context of the offence and factors relating to the offender. Identify whether any combination of these, or other relevant factors, should result in an upward or downward adjustment from the sentence arrived at so far. In some cases, having considered these factors, it may be appropriate to move outside the identified category range.

Factors increasing seriousness

Statutory aggravating factors:

- A1. Previous convictions, having regard to a) the **nature** of the offence to which the conviction relates and its **relevance** to the current offence; and b) the **time** that has elapsed since the conviction
- A2. Offence committed whilst on bail

Other aggravating factors:

- A3. Firearm modified to make it more dangerous
- A4. Steps taken to disguise firearm (where not firearm under section 5(1A)(a))
- A5. Firearm/ammunition kept imported with multiple weapons and/or substantial quantity of ammunition (See step 6 on totality when sentencing more than one offence.)
- A6. Offence was committed as part of a group
- A7. Involvement by the offender of others through coercion, intimidation or exploitation
- A8. Abuse of position as registered firearms dealer, certificate holder or other authorised user

- A9. Commission of offence whilst under the influence of alcohol or drugs
- A10. Offender prohibited from possessing weapon or ammunition because of previous conviction (Care should be taken to avoid double counting matters taken into account when considering previous convictions. See step 6 on totality when sentencing more than one offence.)
- A11. Failure to comply with current court orders
- A12. Offence committed on licence or post sentence supervision

Factors reducing seriousness or reflecting personal mitigation

- M1. No previous convictions or no relevant/recent convictions
- M2. Good character and/or exemplary conduct
- M3. Firearm incomplete or incapable of being discharged (including stun gun that is not charged and not held with a functioning charger)
- M4. No knowledge or suspicion that item possessed was firearm/ammunition
- M5. No knowledge or suspicion that firearm/ammunition is prohibited
- M6. Held on behalf of another through coercion, intimidation, or exploitation
- M7. Voluntary surrender of firearm/ammunition
- M8. Offender co-operated with investigation and/or made early admissions
- M9. Remorse
- M10. Serious medical condition requiring urgent, intensive or long-term treatment
- M11. Age and/or lack of maturity
- M12. Mental disorder or learning disability
- M13. Sole or primary carer for dependent relatives



Department for
International Trade

Open General Import Licence granted by the Secretary of State

The Secretary of State, in exercise of powers conferred by Articles 2 and 5 of the Import of Goods (Control) Order 1954, grants the following Open General Import Licence:

Purpose of this Licence

1. Article 1 of the Import of Goods (Control) Order 1954 prohibits the importation of all goods into the United Kingdom. Article 2 of that Order, by way of an exception to this prohibition, permits the importation of goods into the United Kingdom under the authority of a licence. This Licence allows the importation of all goods into the United Kingdom, subject to the exceptions which it sets out.

Interpretation

2. In this Licence:

“ammunition” has the same meaning given to that term in:

- (a) Article 2(2) of the Firearms (Northern Ireland) Order 2004 in relation to Northern Ireland; and
- (b) Section 57(2) of the Firearms Act 1968 in relation to Great Britain.

“the Convention” means the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction, signed at Paris on 13th January 1993;

“the Goods Classification Table” means the table so named in Annex I in Part Three of the Tariff of the United Kingdom;

“the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom”, as revised or re-issued from time to time

“European Firearms Pass” means:

- (a) a document to which the holder of a certificate is entitled under Article 19 of the Firearms (Northern Ireland) Order 2004.
- (b) a document which has been issued in a Member State of the European Union under provisions corresponding to Article 19 of the Firearms (Northern Ireland) Order 2004.

“Firearm” has the same meaning as given to that term in:

- (a) Section 57(1) of the Firearms Act 1968 in relation to Great Britain, and
- (b) Article 2(2) of the Firearms (Northern Ireland) Order 2004 in relation to Northern Ireland.

“commodity code” includes a code denoting a heading or sub-heading and:

- (a) a thing “falls within” a commodity code if it is, or would be, classified under that commodity code, as set out in the Goods Classification Table;

- (b) a thing “falls within” a chapter if it is, or would be, classified under that chapter, as set out in the Goods Classification Table
- (c) where, as regards an entry in Annex 1, any tariff code in column 2 is preceded by the word "ex", that entry comprises all the goods classified under that code which meet the description given in column 3; and
- (d) where, as regards an entry in Annex 1, column 2 is not completed, that entry comprises all goods which meet the description given in column 3.

“toxic chemical” means a chemical which through its chemical action on life processes can cause death, permanent harm or temporary incapacity to humans or animals; and the origin, method of production and place of production are immaterial.

“precursor” is a chemical reactant which takes part at any stage in the production (by whatever method) of a toxic chemical.

"the European Union" means Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain and Sweden.

"this Licence" means this Open General Import Licence (including its Annexes), as amended from time-to-time; and

"UK Marking Requirement" means a requirement in entry 5 in Annex I of this Licence for specified goods, imported into Great Britain to be marked with relevant information specified in paragraph 2(aa) of Part IV of Schedule 5 to the Firearms Rules 1998, or if imported into Northern Ireland with relevant information specified in Para. 6 (b), of Schedule 3 to the Firearms (Northern Ireland) Order 2004.

Permitted imports

- 3. Except as provided in paragraphs 4 to 9, this Licence permits the importation of all goods into the United Kingdom.

Exceptions

- 4. This Licence does not limit or check any restriction or prohibition upon the importation of any goods into the United Kingdom imposed pursuant to any UK legislation, or any prohibition upon the importation of goods into Northern Ireland under EU legislation that applies to the United Kingdom in respect of Northern Ireland under the Protocol on Ireland/Northern Ireland in the Withdrawal Agreement.
- 5. Goods within an entry in Annex 1 which are described in column 4 of that entry as “Prohibited” may not be imported into the United Kingdom.
- 6. Goods within an entry in Annex 1 which are described in column 4 of that entry as "Controlled", may not be imported into the UK under the authority of this Licence, but, unless they are also goods comprised within an entry referred to in paragraph 5, they may be imported into the United Kingdom under the authority of a specific licence issued by the competent United Kingdom authority.
- 7. This Licence does not authorise the importation into the United Kingdom of:
 - (a) any toxic chemical or precursor (including mixtures thereof) listed in Category A or B of Annex 2 and ricin A chain;
 - (b) chemicals with the same structures, names and toxic properties as chemicals listed in Category A or B of Annex 2 and ricin A chain (including isotopically labelled analogues, stereoisomers (both optical and geometric) and corresponding salts);

unless the importer satisfies the competent United Kingdom authority that an exemption listed in Annex 3 applies and the relevant item originates in a state that is a party to the Convention and is not consigned from a state that is not a party to the Convention.

8. Where an exemption listed in Annex 3 does not apply, toxic chemicals or precursors (including mixtures thereof) listed in Category A or B of Annex 2, chemicals with the same structures, names and toxic properties as chemicals listed in Category A or B of Annex 2 and ricin A chain (including isotopically labelled analogues, stereoisomers (both optical and geometric) and corresponding salts) originating in a state that is a party to the Convention may be imported into the United Kingdom if the importer has been granted a specific licence issued by the competent United Kingdom authority.
9. This Licence does not authorise the importation into the United Kingdom of:
 - (a) any toxic chemical or precursor listed in Annex 2, including chemicals or precursors with the same structures, names and toxic properties as those listed in Category A or B of Annex 2 and ricin A chain (including isotopically labelled analogues, stereoisomers (both optical and geometric) and corresponding salts);
 - (b) any chemical mixture containing any such toxic chemical or precursor;
 - (c) any goods containing any such toxic chemical or precursor; or
 - (d) any goods containing a chemical mixture which contains any such toxic chemical or precursor; originating in or consigned from a state which is not a party to the Convention.

Qualifications to the Paragraph 9 Exceptions

10. Notwithstanding paragraph 9, this Licence permits:
 - (a) the importation into the United Kingdom of chemical mixtures or goods containing toxic chemicals or precursors listed in Category C or Category D of Annex 2 originating in or consigned from a state which is not a party to the Convention where these contain no more than 1% of a chemical listed in Category C and no more than 10% of a chemical listed in Category D; and
 - (b) the importation into the United Kingdom of goods referred to in that paragraph where these are consumer goods that are packaged for retail sale for personal use or packaged for individual use.

Entry into force etc

11. This Licence comes into force on 31 December 2020 at 11:59pm (UK).
12. This Licence revokes and supersedes the previous version of the Open General Import Licence dated 21 April 2020.

I D Shepherd

Ian Shepherd

An official of the Department for International Trade authorised to act on behalf of the Secretary of State.

Date: 22 December 2020

Annex 1

Entry	Tariff code	Description	Status
1	2	3	4
1.	Ex 2612	Uranium ores and concentrates	Controlled
2.	Ex 2844	Plutonium, uranium 233, uranium enriched in the isotopes 233 or 235, natural uranium and mixtures, compounds and alloys containing any of the foregoing, including spent or irradiated nuclear reactor fuel elements (cartridges)	Controlled
3.	-	Anti-personnel mines and their component parts as defined in section 1 of the Landmines Act 1998	Controlled
4.	-	Munitions as defined in section 1(3) of the Cluster Munitions (Prohibitions) Act 2010. (The prohibition in this entry does not purport to limit any defences available under that Act.)	Prohibited
5.	-	<p>Firearms, including any relevant component part (whether part of a firearm or not) , unless those goods are marked so as to comply with UK Marking Requirements specified in Annex 4.</p> <p>EXCLUDING:</p> <p>(i). Air weapons (that is to say, air guns, air rifles or air pistols including air weapons designed for use only when submerged in water and, in the case of Great Britain, air weapons powered by compressed carbon dioxide) and ammunition for air weapons.</p> <p>(ii). All firearms, and relevant component parts, provided that:</p> <p>(aa). a Border Force officer is satisfied that they are imported for the use of the UK armed forces or UK police; or that they were manufactured prior to 1 September 1939,</p> <p>Or</p>	Prohibited

		<p>(bb). the importer has been granted a specific import licence in respect of the firearm and/or relevant component part conditional on the importer complying with the UK Marking Requirements within 28 days from the date of importation into the UK.</p> <p>Or</p> <p>(cc). the importer has been granted a specific import licence in respect of the firearm and/or relevant component part conditional on that firearm and/or relevant component being deactivated within 3 months from the date of importation into the UK.</p> <p>(iii) as regards imports into Northern Ireland, firearms and relevant component parts manufactured anywhere in the European Union before 14 September 2018 or which were imported into the European Union before that date.</p>	
6.	Ex Chapter 93, 9705000030, 9705000090, 9706000090.	<p>Firearms and deactivated firearms manufactured on or after 1 January 1900 and ammunition including, but not limited to:</p> <p>(a) lethal barrelled weapons from which a shot, bullet or any other missile with kinetic energy of more than one joule at the muzzle of the weapon can be discharged, and their component parts;</p> <p>(b) weapons designed or adapted for the discharge of any noxious liquid, gas or other thing, and their component parts;</p> <p>(c) accessories designed or adapted to diminish the noise or flash caused by firing lethal barrelled weapons or weapons designed or adapted for the</p>	Controlled

		<p>discharge of any noxious liquid, gas or other thing;</p> <p>(d) ammunition including grenades, bombs, and other missiles, whether capable of use with a firearm or not, or any ammunition containing or designed or adapted to contain any noxious liquid, gas or other thing;</p> <p>(e) any rifle with a chamber from which empty cartridge cases are extracted using— (i) energy from propellant gas, or (ii) energy imparted to a spring or other energy storage device by propellant gas, other than a rifle which is chambered for .22 rim-fire cartridges;</p> <p>(f) any device (commonly known as a bump stock) referred to in Section 5(1)(ba) of the Firearms Act 1968, or Article 45(1)(fa) of the Firearms (Northern Ireland) Order 2004.</p> <p>EXCLUDING:</p> <p>(i) cartridges for smooth-bore guns containing five or more shots; and each shot having a maximum diameter of 0.36 in (9 mm);</p> <p>(ii) blank cartridges with a maximum diameter of 1 inch measured immediately in front of the rim or cannelure of the base of the cartridge (25 mm);</p> <p>(iii) in relation to Northern Ireland, firearms and ammunition consigned from the European Union whose transfer falls within the provisions of Directive 91/477/EEC and has been authorised by the competent authority of the exporting EU Member State where:</p> <p>(aa) the transferee of the firearms or ammunition is authorised to hold them in Northern Ireland;</p> <p>(bb) the transfer licence issued by the competent authority in the exporting Member State accompanies the</p>	
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		<p>firearms or ammunition to their destination in Northern Ireland; and</p> <p>(cc) the prior consent of the appropriate United Kingdom authority is not required;</p> <p>(iv) as regards imports into Northern Ireland, firearms or ammunition consigned from a European Union Member State by a Northern Ireland resident who holds a firearm certificate issued by the appropriate United Kingdom authority to possess those goods in Northern Ireland, provided that the goods are not being imported into the United Kingdom for the first time and, in the case of firearms, the Northern Ireland resident is in possession of a European Firearms Pass on which details of the firearms being imported appear.</p> <p>(v) firearms or ammunition imported into Northern Ireland by a person who is resident in a European Union Member State and, in the case of firearms, is in possession of a European Firearms Pass on which details of the firearms being imported appear and a visitor's firearm permit or firearm certificate issued by the appropriate United Kingdom authority to possess in the Northern Ireland the firearms or ammunition being imported;</p> <p>(vi) firearms or ammunition imported into Great Britain by any person, or imported into Northern Ireland, by a person not resident in a European Union Member State, where such person is in possession of a visitor's firearm or shotgun permit or firearms certificate issued by the appropriate United Kingdom authority to possess the firearms or ammunition being imported;</p> <p>(vii) as regards imports into Great Britain or the Isle of Man, air weapons (that is to say, air guns, air</p>	
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		<p>rifles or air pistols including air weapons designed for use only when submerged in water and, in the case of Great Britain, air weapons powered by compressed carbon dioxide), but not:</p> <p>(aa) air weapons disguised as other objects;</p> <p>(bb) self-loading or pump action air weapons;</p> <p>(cc) air weapons imported into Great Britain designed or adapted for use with, a self-contained gas cartridge system; or</p> <p>(dd) air weapons capable of discharging missiles whose kinetic energy (on being discharged from the muzzle) is in excess of, in the case of an air pistol, 6ft lb (8.14 joules) or, in the case of an air weapon other than an air pistol, 12ft lb (16.27 joules);</p> <p><i>and</i></p> <p>(viii) ammunition for air weapons falling within paragraph (vii) above.</p>	
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ANNEX 2

CHEMICAL WEAPONS CONVENTION ANNEX ON CHEMICALS

The following chemicals are those listed in Schedule 1 and Schedule 2 to the annex on chemicals to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, signed at Paris on 13th January 1993. Subject to exemptions listed in Annex 3, state parties to this convention may import Schedule 1 chemicals only if an import licence has been granted by the competent United Kingdom authority.

Whenever reference is made to groups of dialkylated chemicals, followed by a list of alkyl groups in parentheses, all chemicals possible by all possible combinations of alkyl groups listed in the parentheses are considered as listed in the respective Schedule as long as they are not explicitly exempted.

Schedule 1 to the annex on chemicals to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction signed at Paris on 13th January 1993.

		CAS Registry Number
Category A.	Toxic chemicals:	
(1)	O-Alkyl (<C10, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates	
	e.g. Sarin: O-Isopropyl methylphosphonofluoridate	(107-44-8)
	Soman: O-Pinacolyl methylphosphonofluoridate	(96-64-0)
(2)	O-Alkyl (<C10, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
	e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate	(77-81-6)
(3)	O-Alkyl (H or <C10, incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts	
	e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	(50782-69-9)
(4)	Sulfur mustards:	
	2-Chloroethylchloromethylsulfide	(2625-76-5)
	Mustard gas: Bis(2-chloroethyl)sulphide	(505-60-2)
	Bis(2-chloroethylthio)methane	(63869-13-6)

	Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane	(3563-36-8)
	1,3-Bis(2-chloroethylthio)-n-propane	(63905-10-2)
	1,4-Bis(2-chloroethylthio)-n-butane	(142868-93-7)
	1,5-Bis(2-chloroethylthio)-n-pentane	(142868-94-8)
	Bis(2-chloroethylthiomethyl)ether	(63918-90-1)
	O-Mustard: Bis(2-chloroethylthioethyl)ether	(63918-89-8)
(5)	Lewisites:	
	Lewisite 1: 2-Chlorovinylchloroarsine	(541-25-3)
	Lewisite 2: Bis(2-chlorovinyl)chloroarsine	(40334-69-8)
	Lewisite 3: Tris(2-chlorovinyl)arsine	(40334-70-1)
(6)	Nitrogen mustards:	
	HN1: Bis(2-chloroethyl)ethylamine	(538-07-8)
	HN2: Bis(2-chloroethyl)methylamine	(51-75-2)
	HN3: Tris(2-chloroethyl)amine	(555-77-1)
(a) Cm 2331		
(7)	Saxitoxin	(35523-89-8)
(8)	Ricin	(9009-86-3)
(13)	P-alkyl (H or $\leq C_{10}$, incl. cycloalkyl) N-(1-(dialkyl($\leq C_{10}$, incl. cycloalkyl)amino))alkylidene(H or $\leq C_{10}$, incl. cycloalkyl) phosphonamidic fluorides and corresponding alkylated or protonated salts.	
	e.g. N-(1-(di-n-decylamino)-n-decylidene)-P-decylphosphonamidic fluoride	(2387495-99-8)
	Methyl-(1-(diethylamino)ethylidene)phosphonamidofluoridate	(2387496-12-8)
(14)	O-alkyl (H or $\leq C_{10}$, incl. cycloalkyl) N-(1-(dialkyl($\leq C_{10}$, incl. cycloalkyl)amino))alkylidene(H or $\leq C_{10}$, incl. cycloalkyl) phosphoramidofluoridates and corresponding alkylated or protonated salts	
	e.g.	

	O-n-Decyl N-(1-(di-n-decylamino)-n-decylidene)phosphoramidofluoridate	(2387496-00-4)
	Methyl (1-(diethylamino)ethylidene)phosphoramidofluoridate	(2387496-04-8)
	Ethyl (1-(diethylamino)ethylidene)phosphoramidofluoridate	(2387496-06-0)
(15)	Methyl-(bis(diethylamino)methylene)phosphonamidofluoridate	(2387496-14-0)
(16)	Carbamates (quaternaries and bisquaternaries of dimethylcarbamoyloxy pyridines)	
	Quaternaries of dimethylcarbamoyloxy pyridines:	
	1-[N,N-dialkyl(\leq C10)-N-(n-(hydroxyl, cyano, acetoxy)alkyl(\leq C10)) ammonio]-n-[N-(3-dimethylcarbamoxy- α -picolinyl)-N,N-dialkyl(\leq C10) ammonio]decane dibromide (n=1-8)	
	e.g. 1-[N,N-dimethyl-N-(2-hydroxy)ethylammonio]-10-[N-(3-dimethylcarbamoxy- α -picolinyl)-N,N-dimethylammonio]decane dibromide	(77104-62-2)
	Bisquaternaries of dimethylcarbamoyloxy pyridines:	
	1,n-Bis[N-(3-dimethylcarbamoxy- α -picolyl)-N,N-dialkyl(\leq C10) ammonio]-alkane-(2,(n-1)-dione) dibromide (n=2-12)	
	e.g. 1,10-Bis[N-(3-dimethylcarbamoxy- α -picolyl)-N-ethyl-N-methylammonio]decane-2,9-dione dibromide	(77104-00-8)

Category B	Precursors:	
(9)	Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides	
	e.g. DF: Methylphosphonyldifluoride	(676-99-3)
(10)	O-Alkyl (H or $<$ C10, incl. cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts	
	e.g. QL: O-Ethyl O-2-diisopropylaminoethyl	
	Methylphosphonite	(57856-11-8)

(11)	Chlorosarin: O-Isopropyl methylphosphonochloridate	(1445-76-7)
(12)	Chlorosoman: O-Pinacolyl methylphosphonochloridate	(7040-57-5)

Schedule 2 to the annex on chemicals to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction signed at Paris on 13th January 1993

		CAS Registry Number
Category C	Toxic chemicals:	
(1)	Amiton: O,O-Diethyl S-[2-(diethylamino)ethyl]	
	Phosphorothiolate and corresponding alkylated or protonated salts	(78-53-5)
(2)	PFIB:1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene	(382-21-8)
(3)	BZ: 3-Quinuclidinyl benzilate	(6581-06-2)
Category D	Precursors:	
(4)	Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms	
	e.g. Methylphosphonyl dichloride	(676-97-1)
	Dimethyl methylphosphonate	(756-79-6)
	Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphonothiolothionate	(944-22-9)
(5)	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides	
(6)	Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates	
(7)	Arsenic trichloride	(7784-34-1)

(8)	2,2-Diphenyl-2-hydroxyacetic acid	(76-93-7)
(9)	Quinuclidin-3-ol	(1619-34-7)
(10)	N,N-Dialkyl (Me, Et, n-Pr or i-Pr)	
	aminoethyl-2-chlorides and corresponding protonated salts	
(11)	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts	
	Exemptions: N,N-Dimethylaminoethanol and corresponding protonated salts N,N-Diethylaminoethanol and corresponding protonated salts	(108-01-0)
(12)	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts	
(13)	Thiodiglycol: Bis(2-hydroxyethyl)sulphide	(111-48-8)
(14)	Pinacolyl alcohol: 3,3-Dimethylbutan-2-ol	(464-07-3)

ANNEX 3

UK EXEMPTIONS TO THE LICENSING REGIME APPLICABLE TO SCHEDULE 1 OF THE CONVENTION

HN2 Salts

Salts of bis(2-chloroethyl)methylamine (CAS 51-75-2) may be exempted if their product forms meet all of the following criteria:

- are pharmaceutical formulations designed for human or animal administration in the treatment of medical or veterinary conditions, or in authorised clinical trials for such treatment; and
- are authorised by the relevant regulatory authority to be marketed as clinical, medical or veterinary products, used in authorised clinical trials, or prescribed by a physician or veterinarian.

This specific exemption will only apply when the named chemicals are held in quantities consistent with the end-use described.

Saxitoxin

Saxitoxin free base (CAS 35523-89-8) and its corresponding salts, in addition to their isotopically-labelled analogues and stereoisomers, may be exempted if one or all of the following criteria are met:

- it is an essential component (standard solution) of commercial antibody-based rapid test kits, or is a stand-alone certified calibration solution/solid;
- it is to be used specifically for purposes related to paralytic shellfish poisoning testing, including related research and international proficiency testing activities.

This specific exemption will only apply when the named chemicals are held in quantities consistent with the end-use described.

Ricin

Ricin (CAS 9009-86-3), ricin A chain (CAS 96638-28-7) and their isotopically labelled analogues may be exempted if they are toxoids.

Samples

Transfer, possession and use of clinical and veterinary samples (such as blood, urine, saliva and tissue) and environmental samples (such as clothing, equipment or soil) may be exempted if they meet all of the following criteria:

- have no visible contamination; and
- are to be used for legitimate medical, analytical or research purposes, or are to be destroyed.

It is a breach of the Chemical Weapons Act 1996 to acquire, produce, possess or use a CWC Schedule 1 chemical without an appropriate licence issued by the UK National Authority. If you are in any doubt as to whether your activities require a CWC Schedule 1 licence, please contact the UK National Authority immediately for further guidance and advice.

The exemptions are current as of December 2019, will be kept under review and may be subject to change in the future.

ANNEX 4

UK MARKING REQUIREMENTS

A. Marking requirements that apply on the importation of firearms and any relevant component parts into the United Kingdom

1. Entry 5 of Annex 1 prohibits, subject to specified exclusions, the importation or transfer into the United Kingdom of firearms and any relevant component parts (whether part of a firearm or not), unless each such firearm, and any relevant component parts, have clearly and permanently been marked with the relevant information specified below, and set out for Great Britain, in paragraph 2(aa) of Part IV to Schedule 5 of the Firearms Rules 1998, or for Northern Ireland, in Para. 6 (b), of Schedule 3 to the Firearms (Northern Ireland) Order 2004.
2. This prohibition does not apply to:
 - (a) firearms and any relevant component parts imported or transferred into the United Kingdom, pursuant to a specific import licence on condition that they are so marked within 28 days of their importation.
 - (b) firearms imported for deactivation provided the importer has been granted a specific import licence in respect of the firearm and/or relevant component part conditional on that firearm and/or relevant component being deactivated within 3 months from the date of importation into the UK.
 - (c) as regards imports into Northern Ireland, firearms and relevant component parts manufactured anywhere in the European Union before 14 September 2018 or which were imported into the European Union before that date.
3. The unique marking referred to in paragraph 1, applicable on importation:
 - (a) into Great Britain in the case of firearms and relevant component parts (other than air weapons and firearms of historical importance); and
 - (b) into Northern Ireland in the case of firearms and relevant component parts (other than firearms of historical importance) manufactured anywhere in the European Union or imported from outside the European Union on or after 14 September 2018 shall include-
 - (i) the calibre;
 - (ii) the name of the manufacturer or brand;
 - (iii) the country or place of manufacture;
 - (iv) the serial number and year of manufacture (if not part of the serial number)
 - (v) the model (where feasible)
 - (vi) where a relevant component part, other than the frame and the receiver, is too small to have a unique marking including all of the information set out in paragraph (i) to (v) above, the serial number or alphanumeric or digital code instead of that information.

B. Implementation of technical specifications for the marking of firearms and their essential components:

1. The font size to be used in the marking shall be at least 1,6 mm unless the relevant component parts that are too small to be marked to this size, in which case a smaller font size may be used.
2. For frames or receivers made from a non-metallic material, the marking should be applied to a metal plate that is permanently embedded in the material of the frame or receiver in such a way that the plate cannot be easily or readily removed; and removing the plate would destroy a portion of the frame or receiver. Other techniques for marking such frames or receivers are permitted, provided that importers can demonstrate that those techniques ensure an equivalent level of clarity and permanence for the marking.
3. The alphabet used in the marking of imported firearms or relevant component parts shall be Latin, Cyrillic or Greek and the numeral system used in the marking shall be Arabic or Roman. Where an import licence requires firearms or relevant component parts to be marked within 28 days after importation into the UK, or within 3 months if imported to be permanently deactivated such goods shall be marked in the Latin alphabet and the Arabic numeral system.

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Summary of main incident/offence	Additional offence	Sentence before GP discount	Final sentence combining all offences
<p>3 handguns and ammunition were discovered in a van hidden in a TV and speaker which was due to be delivered to offender. In a search of his home police seized class B drugs with a street value of over £1,000, £600 in cash, a gas canister, two stun guns, pepper spray, six brass bullets, a cannabis grinder and a laptop. The guns had been adapted to fire live ammunition and the bullets found in his bedroom were identical to those seized from the delivery van. Offender arranged for an innocent driver to travel to Czech Republic and drive back to UK in van in which semi-automatic firearm and ammo had been professionally concealed. Sophisticated importation of very dangerous weapon and he was the principal.</p>	<p>Possession guns and ammunition. Drugs offences</p>	<p>14 years</p>	<p>14 years 4 months</p> <p>Various concurrent sentences including 15 months for drug offences. 4 months consecutive for FTS</p>
<p>Stopped driving vehicle with 60 handguns concealed inside. Acted as courier for money - knew what he was carrying</p>	<p>-</p>	<p>9 years</p>	<p>9 years</p>
<p>Importation of 34kg class A drugs and firearms (10 handguns, ammunition and silencers). Drove a vehicle and transferred guns and drugs into a co-conspirator's van. Significant role and expected significant financial gain</p> <p>Importation of 34kg class A drugs and firearms (10 handgun, ammunition and silencers). Transferred guns and drugs from co-conspirator's car into his van. Offender was border force officer and had significant role and expected significant financial gain</p>	<p>Drugs</p> <p>Drugs Misconduct in public office</p>	<p>12 years</p> <p>12 years</p>	<p>20 years</p> <p>23 years</p>
<p>Played leading role in importation and supply of 46 live 9mm calibre cartridges, fully functioning firearm and other ammunition. Imported from Spain via UPS</p>	<p>-</p>	<p>14 years</p>	<p>12 years (5 counts in total including one to which min term applies)</p>
<p>Ordered components of a Glock pistol from US on dark web for £900 in bit coins</p>	<p>-</p>	<p>15 months</p>	<p>10 months</p>

Summary of main incident/offence	Additional offence	Sentence before GP discount	Final sentence combining all offences
<p>Imported automatic pistol and 50 rounds of ammunition concealed in speaker cabinet. Package was intercepted and a dummy parcel sent in its place which he took delivery of. Was in possn of stun gun, cartridges and equipment for cloning credit cards, Had also enquired about buying machine pistol, ammo and sawn off shotgun</p> <p>Police raided a flat in London and found 11 Soviet era hand guns, with serial numbers removed which had been re-barrelled, and silencers and ammo for them. Also Kalashnikov machine gun and large amount of cash. Co-accused convicted of sale or transfer offences. This offender had brought the weapons in from Lithuania in a minivan but not part of main conspiracy</p>		10 years	6 years 8 months
<p>Knowingly concerned of the importation of 3 semi-automatic and one fully automatic pistols through the post from Slovenia. He sourced and paid for the weapons, and had them sent to him and also obtained a package of 100 improvised projectiles which could have been used in these weapons. Played an essential part in a wider enterprise.</p>	-	10 years	10 years (co-accused sentenced to 18 years)
<p>Used dark web to source Glock 19 handgun and ammunition from US to be delivered to a former address hidden inside a music speaker. Police intercepted delivery and substituted dummy items. C took delivery and went to partner's home where there were young children. He unpacked the items and put the 'gun' in his waistband, left and then returned.</p>	4 counts	10 years	10 years
<p>Imported gun and 250 rounds of ammunition by post, stated intention was to use it for target practice and for interest. Was a collector of weapons (knives and air weapons held legally). Used false name to buy gun. Was intercepted by FBI</p>	Ammunition	14 years	10.5 years
		4 years	30 months

Summary of main incident/offence	Additional offence	Sentence before GP discount	Final sentence combining all offences
Tried to import a Glock 19 handgun through dark web using crypto currency	-	4.5 years	3 years
Brought a blank unloaded hand gun into UK from Poland	Not clear - judge mentions pepper gas, blanks and fireworks	18 months	SSO 12 months
Driver of a van that came into UK stuffed with ammunition - plainly so that they could be sold, at great profit for use in criminal enterprises. Role was to drive the van. Included 100 prohibited cartridges which would expand on impact , with 270 further cartridges for use in rifles and/or hand guns. His fingerprints were on packaging of the prohibited ammunition. Assessed as between lesser and significant role	-	4.5 years	3 years
Royal Mail intercepted a parcel containing a stun gun disguised as a torch which the def had ordered online. Police went to his home and he showed them 2 other disguised stun guns. He said he had purchased all online as part of a collection of otherwise legally held weapons.	Possn of prohibited weapon x2	3 years	SSO 2 years 300 hours unpaid work Min term applies - exceptional circumstances found
2 disguised stun guns intercepted on way to offender having been ordered on line		18 months	SSO 12 months 180 hours unpaid work and RAR SSO 18 months suspended for 18 months with requirements
Ordered stun guns disguised as torches on internet		27 months?	
Possession and importation of (more than 1?) stun gun disguised as a torch - bought over the internet for a few pounds.	Possession of cannabis	2 years	16 months

Summary of main incident/offence	Additional offence	Sentence before GP discount	Final sentence combining all offences
Tried to import a stun gun/ torch by ordering it online. It was intercepted by Customs before it was delivered		18 months?	SSO 1 year susp for 1 year 150 hours unpaid work
Ordered a torch which was also a stun gun online		18 months	SSO 18 months susp 2 years
Very few details - ordered a disguised stun gun not realising that it was unlawful Took delivery of 2 weapons one of which was a disguised stun gun . Had 5 CS cannisters - not clear if this is separate to the above		?	CO 12 months with 120 hours unpaid work
Brought 3 stun guns disguised as torches into UK from Slovakia where they are legal Offender purchased a stun gun over the internet which was intercepted by customs. When his home was searched indecent images of children were discovered on his computers	Possn of cannabis	3 years 6 months SSO 18 months suspended 2 years	2 years 4 months SSO 12 months susp for 2 years with unpaid work
Bought a baton, a butterfly knife and CS gas on holiday in Bulgaria and brought them back to UK	Indecent images	SSO 9 months	SSO 12 months SSO 6 months
Ordered CS spray cannisters online for delivery to his home. Claims he had been the subject of threats and needed them for protection	3 counts	9 months	SSO 6 months
Very few facts - importation of non-lethal weapons as collector, no ammunition, no risk of harm. Failed to check whether they were legal		CO	CO
Imported stun gun and knives for his collection via internet over a period of a year unaware that it was illegal. No criminal intent. Kept weapons secure. Cooperated with police	Possession and importation of knives	18 months	SSO 12 months

Summary of main incident/offence	Additional offence	Sentence before GP discount	Final sentence combining all offences
Ordered a stun gun capable of administering 9,500 volts online at the request of a friend, not realising it was illegal. Dangerous weapon but intercepted before it reached him	-	18 months	SSO 12 months
Very few details given - Importation of 2 CS cannisters , possession of a third and possession w/o cert of air weapon	Possession of air pistol w/o cert	SSO 9 months	SSO 6 months
Ordered 2 stun guns on internet. Took delivery of one and the other was intercepted by customs. Also ordered knuckle dusters		3 years 9 months (assumed)	2 years 6 months
Importing prohibited Walther PKK hand gun designed to fire blanks , a pyrotechnic device and 50 blank rounds while on bail for other offences. Importation intercepted	Possession of Taser, baton, knuckle duster and cannabis		CO

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Sentencing Guidelines Council

Robbery

Definitive Guideline

FOREWORD

In accordance with section 170(9) of the Criminal Justice Act 2003, the Sentencing Guidelines Council issues this guideline as a definitive guideline. By virtue of section 172 of the Act, every court must have regard to a relevant guideline. This guideline applies to the sentencing of offenders convicted of robbery who are sentenced on or after 1st August 2006.

Part 1 of this guideline provides starting points and sentencing ranges that are applicable to three types of robbery; street robbery or ‘mugging’, robberies of small businesses and less sophisticated commercial robberies. For other types of robbery, relevant guidance from the Court of Appeal should be applied; this is summarised in Part 2 of this guideline.

The guideline makes clear that robbery will usually merit a custodial sentence but that exceptional circumstances may justify a non-custodial penalty for an adult and, more frequently, for a young offender. In this way it is not intended to make a significant change to current practice. Over the past ten years the majority of young offenders sentenced for robbery have been given a non-custodial sentence. This contrasts with adult offenders where the majority sentenced for robbery have been given a custodial sentence.¹

The Council Guideline *New Sentences: Criminal Justice Act 2003* recognised the potentially more demanding nature of custodial sentences of 12 months or longer imposed under the new framework introduced by the Criminal Justice Act 2003. Consequently the sentencing ranges and starting points in this guideline take that principle into account.

The Council has appreciated greatly the work of the Sentencing Advisory Panel in preparing the advice on which this guideline has been based and for those who have responded so thoughtfully to the consultation of both the Panel and the Council. The advice and this guideline are available on www.sentencing-guidelines.gov.uk or from the Sentencing Guidelines Secretariat at 85 Buckingham Gate, London SW1E 6PD. A summary of the responses to the Council’s consultation also appears on the website.

Chairman of the Council
July 2006

¹ In 2004 37% of youths and 87% of adults sentenced for robbery were given custodial sentences.

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ROBBERY

A. Statutory Provision

Section 8(1) Theft Act 1968 provides:

'A person is guilty of robbery if he steals, and immediately before or at the time of doing so, and in order to do so, he uses force on any person or puts or seeks to put any person in fear of being then and there subjected to force.'

B. Forms of Robbery and Structure of the Guideline

For the purposes of this guideline, five categories of robbery have been identified and established from sentencing ranges and previous guidance. They are:

- 1. Street robbery or 'mugging'**
- 2. Robberies of small businesses**
- 3. Less sophisticated commercial robberies**
- 4. Violent personal robberies in the home**
- 5. Professionally planned commercial robberies**

The guideline is divided into two parts.

Part 1 – This part covers categories 1-3 above.

For each of the three categories, three levels of seriousness have been identified based on the extent of force used or threatened.

For each level of seriousness a sentencing range and a starting point within that range have been identified.

Adult and youth offenders are distinguished and the guideline provides for them as separate groups.

Part 2 – No guideline is provided for categories 4 and 5. Violent personal robberies are often accompanied by other serious offences which affect sentencing decisions. For professionally planned commercial robberies, existing case authority is still valid and this is summarised in Part 2.

C. Part 1

Street robbery or 'mugging'

Street robberies will usually involve some physical force (or threat) to steal modest sums, although in some cases there is significant intimidation or violence. The victim may or may not be physically injured.

Robberies of small businesses

This category covers robberies of businesses such as a small shop or post office, petrol station or public transport/taxi facility which may well lack the physical and electronic security devices available to banks or building societies and larger businesses.

Less sophisticated commercial robberies

This category covers a wide range of locations, extent of planning and degree of violence including less sophisticated bank robberies or where larger commercial establishments are the target but without detailed planning or high levels of organisation.

D. Assessing Seriousness

The offence of robbery will usually merit a custodial sentence but exceptional circumstances may justify a non-custodial penalty for an adult and, more frequently, for a young offender.

The factors to be taken into account in assessing seriousness are:

- It is the element of violence that is the most serious part of the offence of robbery, but it is not the only determinative factor.
- The relative seriousness of each offence depends on factors such as the degree of injury to the victim or the nature and duration of threats.
- The degree of force used is important in determining the seriousness of the offence but the degree of fear which was experienced by the victim is a relevant consideration.
- Use of a weapon or presence of a weapon even if not used.

(i) Levels of Seriousness

Three levels of seriousness are identified by reference to the features or type of activity that characterise an offence at each level and the degree of force or threat present. **The levels apply to all three categories of robbery but it will be very rare for robberies of small businesses or less sophisticated commercial robberies to have the features of the lowest level of seriousness.**

Level 1 – Threat and/or use of minimal force

The offence includes the threat or use of force and removal of property such as snatching from a person's grasp causing bruising/pain and discomfort.

The relative seriousness of a level 1 offence depends on:

- a) the nature and duration of any force, threat or intimidation
- b) the extent of injury (if any) to the victim
- c) the value of the property taken
- d) the number and degree of aggravating factors

Level 2 – Use of weapon to threaten and/or use of significant force

A weapon is produced and used to threaten, and/or force is used which results in injury to the victim.

The relative seriousness of a level 2 offence depends on:

- a) the nature and duration of the threat or intimidation
- b) the extent of injury (if any) to the victim
- c) the nature of the weapon used, whether it was real and, if it was a real firearm, whether it was loaded
- d) the value of the property taken
- e) the number and degree of aggravating factors

Level 3 – Use of weapon and/or significant force and serious injury caused

The victim is caused serious physical injury, such as a broken limb, stab wound or internal injury, by the use of significant force and/or use of a weapon. Offences at this level are often accompanied by the presence of additional aggravating factors such as a degree of planning or the targeting of large sums of money or valuable goods.

The relative seriousness of a level 3 offence depends on:

- a) the extent of the injury to the victim
- b) the nature of the weapon used
- c) the value of the property taken
- d) the number and degree of aggravating factors

(ii) Aggravating & Mitigating Factors

The presence of one or more aggravating features will indicate a more severe sentence within the suggested range. If the aggravating feature(s) are exceptionally serious, the case may move to the next level of seriousness.

Aggravating factors particularly relevant to robbery

(a) Degree of force or violence

- Use of a particular degree of force is more serious than the threat (which is not carried into effect) to use that same degree of force.
- Depending on the facts, however, a threat to use a high degree of force might properly be regarded as more serious than actual use of a lesser degree of force.

(b) Use of a weapon

- Possession of a weapon during the course of an offence will be an aggravating factor, even if it is not used, because it indicates planning.
- Possession of a firearm which is loaded is more serious than possession of a firearm which is unloaded.
- Whether the weapon is real or imitation is not a major factor in determining sentence because the amount of fear created in the victim is likely to be the same.
- In cases of robbery in which a firearm is carried by the offender, a separate offence of possession of a firearm may be charged. In such circumstances, sentencers should consider, where appropriate, the use of consecutive sentences which properly reflect the totality of the offending.

(c) Vulnerability of the victim

- Targeting the elderly, the young, those with disabilities and persons performing a service to the public, especially outside normal working hours, will aggravate an offence.

(d) Number involved in the offence and roles of offenders

- Group offending will aggravate an offence because the level of intimidation and fear caused to the victim is likely to be greater.
- It may also indicate planning or 'gang' activity.
- The precise role of each offender will be important. Being the ringleader in a group is an aggravating factor. However, an offender may have played a peripheral role in the offence and, rather than having planned to take part, may have become involved spontaneously through the influence of others (see Mitigating Factors below).

(e) Value of items taken

- Property value may be more important in planned/sophisticated robberies.
- The value of the property capable of being taken should be taken into account as well as the amount/value of the property actually taken.

(f) Offence committed at night/in hours of darkness

- A victim is more vulnerable while in darkness than during daylight, all other things being equal.
- The degree of fear experienced by the victim is likely to be greater if an offence is committed at night or during hours of darkness.

(g) Wearing of a disguise

- The wearing of a disguise in order to commit an offence of robbery usually indicates a degree of planning on the part of the offender.
- The deliberate selection of a particular type of disguise in advance of the offence, for example, a balaclava or a mask, will be more serious than the improvised use of items of clothing such as a hat or hood.

Mitigating factors particularly relevant to robbery:

(a) Unplanned/opportunistic

- Many street robberies are unplanned or opportunistic by their nature so the extent of the mitigation in such cases may be limited.

(b) Peripheral Involvement

- Where, as part of a group robbery, the offender has played a peripheral role in the offence this should be treated as a mitigating factor although it should be borne in mind that by participating as part of a group, even in a minor role, the offender is likely to have increased the degree of fear caused to the victim (see Aggravating Factors above).

(c) Voluntary return of property taken

- The point at which the property is returned will be important and, in general, the earlier the property is returned the greater the degree of mitigation the offender should receive.

The court will also take account of the presence or absence of other factors including:

- **Personal mitigation**
- **First offence of violence**
- **Clear evidence of remorse**
- **Ready co-operation with the police**
- **Response to previous sentences**

A list of the most important general aggravating and mitigating factors can be found in the *Guideline Overarching Principles: Seriousness*.² These factors are reproduced at **Annex A** for ease of reference.

Young Offenders

❑ Young offenders may have characteristics relevant to their offending behaviour which are different from adult offenders. Also, by statute, the youth justice system has the principal aim of preventing offending by children and young persons.³ Because of this, there may be factors which are of greater significance in cases involving young offenders including:

- **Age of the offender**
- **Immaturity of the offender**
- **Group Pressure**

Sentencers should recognise the varying significance of these factors for different ages.

(iii) Reduction in Sentence for Guilty Plea

Having taking account of aggravating and mitigating factors the court should consider whether the sentence should be reduced to take account of a guilty plea and by how much, in accordance with the *Guideline: Reduction in Sentence for a Guilty Plea*.

E. Public Protection Sentences – Dangerous Offenders

Robbery is a serious offence for the purposes of section 225 of the Criminal Justice Act 2003 and sentencers should consider whether a life sentence or sentence for public protection should be imposed.

F. Ancillary Orders

In **all** cases, courts should consider making the following orders:

- ❑ **Restitution Order**⁴ – requiring the return of property
- ❑ **Compensation Order**⁵ – for injury, loss or damage suffered.

Where a non-custodial sentence is imposed, courts may also consider making:

- ❑ **Anti-social behaviour order**⁶ – to protect the public from behaviour causing harassment, alarm or distress. This order may be particularly appropriate where the offence of robbery forms part of a pattern of behaviour but such an order may be unnecessary if it will simply prohibit what is already criminal conduct. It may be used to prevent some offenders associating with other offenders with whom offences of robbery have been committed.

² Paragraphs 1.22-1.25

³ Crime and Disorder Act 1998, s.37

⁴ Powers of Criminal Courts (Sentencing) Act 2000, ss.148-149

⁵ *ibid.* s.130

⁶ Crime & Disorder Act 1998, s.1 as amended

G. Factors to take into consideration – Adult Offenders

1. Robbery is a serious offence for the purposes of section 225 of the Criminal Justice Act 2003 and sentencers should consider whether a life sentence or sentence for public protection should be imposed. **The following guidelines apply to offenders who have not been assessed as dangerous.**
2. The sentencing ranges and presumptive starting points apply to all three categories of robbery detailed above:
 - **Street robbery or ‘mugging’**
 - **Robberies of small businesses**
 - **Less sophisticated commercial robberies**
3. **The ‘starting points’ are based upon a first time offender who pleaded not guilty.**
4. A reduction to the appropriate sentence, taking account of seriousness and aggravating and mitigating factors, will need to be made if an offender has pleaded guilty. The effect of applying the reduction may be that the sentence imposed for an offence at one level of seriousness may fall within the range suggested for the next lowest level of seriousness.
5. The relative seriousness of each offence will be determined by the following factors:
 - **Degree of force and/or nature and duration of threats**
 - **Degree of injury to the victim**
 - **Degree of fear experienced by the victim**
 - **Value of property taken**
6. Use of a particular degree of force is more serious than the threat (which is not carried into effect) to use that same degree of force. Depending on the facts, however, a threat to use a high degree of force might properly be regarded as more serious than actual use of a lesser degree of force.
7. If a weapon is involved in the use or threat of force, the offence will be more serious. Possession of a weapon during the course of an offence will be an aggravating factor, even if it is not used, because it indicates planning. If the offence involves a real firearm it will be more serious if that firearm is loaded. Whether the weapon is real or imitation is not a major factor in determining sentence because the amount of fear created in the victim is likely to be the same.
8. The value of the property capable of being taken as well as the actual amount taken is important.
9. The presence of one or more aggravating features will indicate a more severe sentence within the suggested range and, if the aggravating feature(s) are exceptionally serious, the case will move up to the next level.
10. In all cases, courts should consider making a restitution order and/or a compensation order. Where a non-custodial sentence is imposed, the court may also consider making an anti-social behaviour order.
11. Passing the custody threshold does not mean that a custodial sentence should be deemed inevitable.⁷

⁷ Guideline *Overarching Principles: Seriousness*, Para 1.32

**Street robbery or ‘mugging’
Robberies of small businesses
Less sophisticated commercial robberies**

**Robbery is a serious offence for the purposes of sections 225 and 227
Criminal Justice Act 2003**

Maximum Penalty: **Life imprisonment**

ADULT OFFENDERS

Type/nature of activity	Starting point	Sentencing Range
The offence includes the threat or use of minimal force and removal of property.	12 months custody	Up to 3 years custody
A weapon is produced and used to threaten, and/or force is used which results in injury to the victim.	4 years custody	2-7 years custody
The victim is caused serious physical injury by the use of significant force and/or use of a weapon.	8 years custody	7-12 years custody

Additional aggravating factors	Additional mitigating factors
<ol style="list-style-type: none"> 1. More than one offender involved. 2. Being the ringleader of a group of offenders. 3. Restraint, detention or additional degradation, of the victim. 4. Offence was pre-planned. 5. Wearing a disguise. 6. Offence committed at night. 7. Vulnerable victim targeted. 8. Targeting of large sums of money or valuable goods. 9. Possession of a weapon that was not used. 	<ol style="list-style-type: none"> 1. Unplanned/opportunistic. 2. Peripheral involvement. 3. Voluntary return of property taken. 4. Clear evidence of remorse. 5. Ready co-operation with the police.

H. Factors to take into consideration – Young Offenders

1. A youth court cannot impose a custodial sentence on an offender aged 10 or 11. If the offender is aged 12, 13 or 14, a detention and training order can only be imposed by a youth court in the case of persistent young offenders. In the Crown Court, however, long-term detention in accordance with the Powers of Criminal Courts (Sentencing) Act 2000 can be ordered on any young offender without the requirement of persistence. The Crown Court may also impose an extended sentence, detention for public protection or detention for life where the young offender meets the criteria for being a “dangerous offender.” **The following guidelines apply to offenders who have not been assessed as dangerous.**

2. If a youth court is considering sending a case to the Crown Court, the court must be of the view that it is such a serious case that detention above two years is required, or that the appropriate sentence is a custodial sentence approaching the two year limit which is normally applicable to older offenders.⁸

3. The sentencing ranges and presumptive starting points apply to all three categories of robbery detailed above:

- **Street robbery or ‘mugging’**
- **Robberies of small businesses**
- **Less sophisticated commercial robberies**

4. **The ‘starting points’ are based upon a first-time offender, aged 17 years old, who pleaded not guilty. For younger offenders sentencers should consider whether a lower starting point is justified in recognition of the offender’s age or immaturity.**

5. Young offenders may have characteristics relevant to their offending behaviour which are different from adult offenders. Also, by statute, the youth justice system has the principal aim of preventing offending by children and young persons.⁹ Because of this, there may be factors which are of greater significance in cases involving young offenders. Sentencers should recognise the varying significance of such factors for different ages.

6. A reduction to the appropriate sentence, taking account of seriousness, and aggravating and mitigating factors, will need to be made if an offender has pleaded guilty. The effect of applying the reduction may be that the sentence imposed for an offence at one level of seriousness may fall within the range suggested for the next lowest level of seriousness.

7. The relative seriousness of each offence will be determined by the following factors:

- **Degree of force and/or nature and duration of threats**
- **Degree of injury to the victim**
- **Degree of fear experienced by the victim**
- **Value of property taken**

⁸ *W v Southampton Youth Court, K v Wirral Borough Magistrates’ Court* [2003] 1 Cr App R (S) 87

⁹ Crime and Disorder Act 1998, s.37

8. Use of a particular degree of force is more serious than the threat (which is not carried into effect) to use that same degree of force. Depending on the facts, however, a threat to use a high degree of force might properly be regarded as more serious than actual use of a lesser degree of force.
9. If a weapon is involved in the use or threat of force, the offence will be more serious. Possession of a weapon during the course of an offence will be an aggravating factor, even if it is not used, because it indicates planning. If the offence involves a real firearm it will be more serious if that firearm is loaded. Whether the weapon is real or imitation is not a major factor in determining sentence because the amount of fear created in the victim is likely to be the same.
10. The value of the property capable of being taken as well as the actual amount taken is important.
11. The presence of one or more aggravating features will indicate a more severe sentence within the suggested range and, if the aggravating feature(s) are exceptionally serious, the case will move up to the next level.
12. In all cases, courts should consider making a restitution order and/or a compensation order. Where a non-custodial sentence is imposed, the court may also consider making an anti-social behaviour order.
13. Courts are required by section 44(1) of the Children and Young Persons Act 1933 to have regard to the welfare of the child, and under section 37 of the Crime and Disorder Act 1998 to have regard to the overall aim of the youth justice system of preventing re-offending.
14. Passing the custody threshold does not mean that a custodial sentence should be deemed inevitable.¹⁰
15. Where there is evidence that the offence has been committed to fund a drug habit and that treatment for this could help tackle the offender's offending behaviour, sentencers should consider a drug treatment requirement as part of a supervision order or action plan order.

¹⁰ Guideline *Overarching Principles: Seriousness*, Para 1.32

**Street robbery or ‘mugging’
Robberies of small businesses
Less sophisticated commercial robberies**

**Robbery is a serious offence for the purposes of sections 226 and 228
Criminal Justice Act 2003**

Maximum Penalty: **Life imprisonment**

YOUNG OFFENDERS*

Type/nature of activity	Starting point	Sentencing Range
The offence includes the threat or use of minimal force and removal of property.	Community Order	Community Order – 12 months detention and training order
A weapon is produced and used to threaten, and/or force is used which results in injury to the victim.	3 years detention	1-6 years detention
The victim is caused serious physical injury by the use of significant force and/or use of a weapon.	7 years detention	6-10 years detention

Additional aggravating factors	Additional mitigating factors
<ol style="list-style-type: none"> 1. More than one offender involved. 2. Being the ringleader of a group of offenders. 3. Restraint, detention or additional degradation, of the victim. 4. Offence was pre-planned. 5. Wearing a disguise. 6. Offence committed at night. 7. Vulnerable victim targeted. 8. Targeting of large sums of money or valuable goods. 9. Possession of a weapon that was not used. 	<ol style="list-style-type: none"> 1. Unplanned/opportunistic. 2. Peripheral involvement 3. Voluntary return of property taken. 4. Clear evidence of remorse. 5. Ready co-operation with the police. 6. Age of the offender. 7. Immaturity of the offender. 8. Peer group pressure.

* The ‘starting points’ are based upon a first-time offender aged 17 years old who pleaded not guilty. For younger offenders, sentencers should consider whether a lower starting point is justified in recognition of the offender’s age or immaturity.

I. Part 2

Relevant guidance from the Court of Appeal (which is summarised below for ease of reference) should apply to cases falling within the final two categories of robbery.

Violent personal robberies in the home

The sentencing range for robbery in the home involving physical violence is 13-16 years for a first time offender pleading not guilty. In this type of case, the starting point reflects the high level of violence, although it is clear that longer terms will be appropriate where extreme violence is used.¹¹

This category overlaps with some cases of aggravated burglary (an offence which also carries a maximum of life imprisonment) where comparable sentences are passed.

Consideration will need to be given as to whether the offender is a “dangerous offender” for the purposes of the Criminal Justice Act 2003.

Professionally planned commercial robberies

The leading Court of Appeal decision on sentencing for robbery is the 1975 case of *Turner*.¹² This focuses on serious commercial robberies at the upper end of the sentencing range but just below the top level – planned professional robberies of banks and security vehicles, involving firearms and high value theft, but without the additional elements that characterise the most serious cases. The Court of Appeal said it had ‘come to the conclusion that the normal sentence for anyone taking part in a bank robbery or in the hold-up of a security or a Post Office van should be 15 years if firearms were carried and no serious injury done.’

The Court also said that 18 years should be about the maximum for crimes which are not ‘wholly abnormal’ (such as the Great Train Robbery).¹³

In cases involving the most serious commercial robberies the Court has imposed 20-30 years (15-20 years after a plea of guilty).

Consideration will need to be given as to whether the offender is a “dangerous offender” for the purposes of the Criminal Justice Act 2003.

11 *O’Driscoll* (1986) 8 Cr App R (S) 121

12 (1975) 61 Cr App R 67

13 *Wilson and others* (1964) 48 Cr App R 329

Extracts from Guideline Overarching Principles: Seriousness

This is a general list which is included here for ease of reference. Not every factor will apply to an offence of robbery.

(i) Aggravating factors

1.22 Factors indicating higher culpability:

- Offence committed whilst on bail for other offences
- Failure to respond to previous sentences
- Offence was racially or religiously aggravated
- Offence motivated by, or demonstrating, hostility to the victim based on his or her sexual orientation (or presumed sexual orientation)
- Offence motivated by, or demonstrating, hostility based on the victim's disability (or presumed disability)
- Previous conviction(s), particularly where a pattern of repeat offending is disclosed
- Planning of an offence
- An intention to commit more serious harm than actually resulted from the offence
- Offenders operating in groups or gangs
- 'Professional' offending
- Commission of the offence for financial gain (where this is not inherent in the offence itself)
- High level of profit from the offence
- An attempt to conceal or dispose of evidence
- Failure to respond to warnings or concerns expressed by others about the offender's behaviour
- Offence committed whilst on licence
- Offence motivated by hostility towards a minority group, or a member or members of it
- Deliberate targeting of vulnerable victim(s)

- Commission of an offence while under the influence of alcohol or drugs
- Use of a weapon to frighten or injure victim
- Deliberate and gratuitous violence or damage to property, over and above what is needed to carry out the offence
- Abuse of power
- Abuse of a position of trust

1.23 Factors indicating a more than usually serious degree of harm:

- Multiple victims
- An especially serious physical or psychological effect on the victim, even if unintended
- A sustained assault or repeated assaults on the same victim
- Victim is particularly vulnerable
- Location of the offence (for example, in an isolated place)
- Offence is committed against those working in the public sector or providing a service to the public
- Presence of others e.g. relatives, especially children or partner of the victim
- Additional degradation of the victim (e.g. taking photographs of a victim as part of a sexual offence)
- In property offences, high value (including sentimental value) of property to the victim, or substantial consequential loss (e.g. where the theft of equipment causes serious disruption to a victim's life or business).

(ii) Mitigating factors

1.24 Some factors may indicate that an offender's culpability is **unusually** low, or that the harm caused by an offence is less than usually serious.

1.25 Factors indicating significantly lower culpability:

- A greater degree of provocation than normally expected
- Mental illness or disability
- Youth or age, where it affects the responsibility of the individual defendant
- The fact that the offender played only a minor role in the offence

(iii) Personal mitigation

1.26 Section 166(1) Criminal Justice Act 2003 makes provision for a sentencer to take account of any matters that 'in the opinion of the court, are relevant in mitigation of sentence'.

1.27 When the court has formed an initial assessment of the seriousness of the offence, then it should consider any offender mitigation. The issue of remorse should be taken into account at this point along with other mitigating features such as admissions to the police in interview.

Extracted from Guideline, Overarching Principles: Seriousness, Sentencing Guidelines Council, December 2004

ANNEX B

Number and proportion of adult offenders sentenced in the Crown Court for robbery, by sentencing outcome, 2009 to 2019

Volumes	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Discharge	9	4	4	3	0	4	3	2	1	2	1
Fine	4	2	0	4	7	1	3	0	1	0	0
Community sentence	246	297	253	202	111	79	48	42	25	50	55
Suspended sentence	463	489	532	547	492	429	362	255	214	184	177
Immediate custody	4,139	4,119	4,593	4,209	3,714	3,232	2,862	2,542	2,459	2,199	2,326
Otherwise dealt with	44	41	45	46	35	73	79	77	71	68	74
Total	4,905	4,952	5,427	5,011	4,359	3,818	3,357	2,918	2,771	2,503	2,633

Proportions	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Discharge	<0.5%	<0.5%	<0.5%	<0.5%	0%	<0.5%	<0.5%	<0.5%	<0.5%	<0.5%	<0.5%
Fine	<0.5%	<0.5%	0%	<0.5%	<0.5%	<0.5%	<0.5%	0%	<0.5%	0%	0%
Community sentence	5%	6%	5%	4%	3%	2%	1%	1%	1%	2%	2%
Suspended sentence	9%	10%	10%	11%	11%	11%	11%	9%	8%	7%	7%
Immediate custody	84%	83%	85%	84%	85%	85%	85%	87%	89%	88%	88%
Otherwise dealt with	1%	1%	1%	1%	1%	2%	2%	3%	3%	3%	3%

Average custodial sentence lengths (ACSL) received by adult offenders sentenced for robbery, 2009 to 2019

ACSL (years)	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Mean	3.1	3.2	3.3	3.3	3.6	3.6	3.8	4.0	4.2	4.4	4.8
Median	2.7	2.7	2.8	2.7	3.0	3.0	3.0	3.3	3.5	3.8	4.0
Proportion of indeterminate sentences	5%	4%	3%	3%	<0.5%	1%	<0.5%	<0.5%	<0.5%	<0.5%	<0.5%

ANNEX B

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