



HMCPSI

HM Crown Prosecution
Service Inspectorate

An inspection of the CPS's approach to handling knife crime

**How effective is the CPS
in consistently applying
policy, guidance and the
law in prosecuting crime
involving knives?**

March 2026

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Who we are

HM Crown Prosecution Service Inspectorate (HMCPPI) inspects prosecution services, providing evidence to make the prosecution process better and more accountable.

We have a statutory duty to inspect the work of the Crown Prosecution Service (CPS) and Serious Fraud Office (SFO). By special arrangement, we also share our expertise with other prosecution services in the UK and overseas.

We are independent of the organisations we inspect, and our methods of gathering evidence and reporting are open and transparent. We do not judge or enforce; we inform prosecution services' strategies and activities by presenting evidence of good practice and issues to address. Independent inspections like these help to maintain trust in the prosecution process.

Our vision

We are part of the solution to improving the Criminal Justice System through high quality inspection.

We have four priorities to enable us to deliver this vision:

- we hold the CPS and SFO to account for what they deliver (we make recommendations that drive improvement)
- victims will be at the heart of inspection (where we can, we will use victim experience in our inspection)
- using our 25 years of experience we will help public prosecutors improve (their legal casework)
- inspection will identify and spread best practice.

Our values

We act with **integrity**, creating a culture of **respect**, drive **innovation**, pursue **ambition**, and commit to **inclusivity** in everything we do.

Contents

1. Chief Inspector's foreword	6
2. Summary.....	9
Recommendations, compliance issues and strengths	13
3. Context and background.....	15
Context and background	16
4. Framework and methodology.....	19
The inspection framework.....	20
Methodology	20
File examination	20
Documentation review	22
Fieldwork interviews.....	22
Inspection Team	22
5. Casework findings	23
Selecting the correct knife-related offences	24
Pre-charge decisions.....	24
Post-charge decisions	27
Consideration of defences and reasonable lines of inquiry.....	29
Service to the victim	31
Youth diversion.....	33
6. Protecting the public	36
Identifying the type of weapon	37
Acceptability of pleas	39
Mandatory minimum sentence - section 312	42
Mandatory minimum sentence – section 315.....	44
Consideration of sentencing guidelines.....	45
Ancillary orders at sentence.....	47
The range of knife offences	49
7. Prosecution guidance and training.....	50
CPS prosecution guidance.....	51
Training.....	53

Annexes

Annex A – Inspection framework	55
Annex B – File examination data	57
Annex C – File examination questions	63
Annex D - Glossary.....	67

1. Chief Inspector's foreword

Instances of knife crime have risen sharply over the past decade, and it remains a significant threat to public safety and public confidence. Effective prosecution is central to supporting the government's Safer Streets Mission, and the Crown Prosecution Service (CPS) has a vital role in ensuring that offences involving knives are dealt with robustly and consistently. Although there are around sixteen separate knife-related offences, CPS data shows that the majority of prosecutions between April 2024 and July 2025 related to simple possession. Other offences, particularly those designed to capture more serious or aggravated conduct, were used far less frequently.

Against this backdrop, we undertook this inspection to assess how well the CPS handles knife crime. Our focus was on the quality of legal decision-making, the service provided to victims, and whether the CPS contributes effectively to public protection.

Overall, we found that the CPS performed well in their handling of cases involving knives. The CPS has clear policy and guidance emphasising the need for prosecutors to charge knife-related offences to protect the public and maintain public confidence.

Charging decisions were generally sound, particularly in dealing with simple possession offences. We found good practice in dealing appropriately with youth cases, including consideration of diversion, and in the use of ancillary orders on sentence, such as forfeiture and deprivation, to remove weapons from circulation. Prosecutors demonstrated a clear understanding of the Code for Crown Prosecutors (the Code) and, in most instances, progressed cases in a timely and appropriate manner.

However, there are some areas where improvement is required, particularly in relation to public protection. We identified inconsistencies in the use of aggravating features. While prosecutors often recognised the presence of factors such as threats, vulnerability, or links to wider criminality, these were not always consistently reflected in charge selection. We also saw some cases where prosecutors did not always identify where a minimum mandatory sentence should be applied, either due to the nature of the offence or due to the defendant's previous offending. In these cases, the advice to the court for sentencing would be based on inaccurate information.

Because most cases relate to simple possession, prosecutors are less frequently required to apply the more complex or serious offences. This has resulted in some uncertainty and, in a small number of instances, lower-level charges being selected where a more appropriate, more serious offence should have been charged. As charging decisions directly influence sentencing powers, this can have a tangible impact on public protection.

An inspection of the CPS's approach to handling knife crime

Although forfeiture and deprivation orders were routinely sought on conviction, in some parts of the country, the use of Serious Violence Reduction Orders (SVROs) was being piloted. We found that SVROs, which are designed to enhance risk management for individuals with a proven history of using offending weapons, were seldom sought. Where they were considered, the rationale and evidential basis were not always clearly articulated. The underuse of SVROs represents a missed opportunity to strengthen safeguards for communities which are disproportionately affected by knife crime and is something the CPS will want to address.

Despite these issues, the public can be assured that the CPS is generally doing a good job. Prosecutors are playing a central role in supporting the Safer Streets Mission and, with some targeted improvements, performance can be strengthened further. We therefore make the recommendations set out in this report to support continued progress.



Anthony Rogers
HM Chief Inspector

2. Summary

2.1. Knife crime has increased sharply over the past decade and continues to present significant challenges for public safety and confidence in the criminal justice system. The Crown Prosecution Service (CPS) plays a vital role in supporting the Safer Streets Mission by applying the law and guidance consistently and by ensuring that knife offending is prosecuted effectively. This inspection examined how well the CPS fulfils that role and assessed performance across the key stages of casework, from charging decisions through to advocacy and sentencing.

2.2. Overall, the inspection found that the CPS demonstrates a strong commitment to tackling knife crime and makes a positive contribution to the government's Safer Streets Mission. Prosecutors mostly apply the Code for Crown Prosecutors (the Code)¹ carefully and proportionately, particularly at the charging stage. Inspectors identified sound decision-making, thoughtful legal analysis and examples of good practice that support public protection and confidence in the justice system. Where weaknesses were identified, they largely reflected issues of consistency and clarity.

2.3. Early decision-making was a notable strength. As set out in Chapter 5, in cases charged by the CPS, prosecutors usually selected appropriate knife-related offences at the point of charge and applied the Code in a structured and disciplined way. We found this to be strong in both CPS Areas and CPS Direct (CPSD) charged cases, ensuring that cases were prosecuted on a proper footing and that courts had access to the relevant sentencing powers at an early stage.

2.4. Most cases we examined involved possession of a knife with no aggravating features. In these cases, charge selection was good. However, in the smaller number of cases where aggravating factors were present, such as behaviour suggesting the more serious offence of threatening with a bladed article, possession on school premises, or other circumstances indicating higher culpability, decision-making was less robust. There was a tendency for prosecutors to rely on possession offences even when behaviour suggested a higher level of culpability. Threatening offences, which carry more serious sentencing implications and reflect increased risk, were not always considered where they might have been appropriate. There were also challenges in distinguishing between bladed article and offensive weapon offences, understanding specific legal classifications, and determining whether the circumstances of the offence took place in a public or private location. These issues reflect gaps in knowledge and experience; greater clarity within prosecution guidance, with more practical detail to support consistent application in day-to-day decisions, may assist.

¹ [The Code for Crown Prosecutors | The Crown Prosecution Service](#)

2.5. Inspectors found some positive practice in the consideration of defences and reasonable lines of inquiry. Prosecutors demonstrated a thoughtful approach, anticipating potential issues and identifying proportionate enquiries. This strengthened case preparation and supported sound decisions to continue or discontinue cases, although the files we examined highlighted that CPSD, the CPS's out-of-hours service, performed better than CPS Areas in this aspect. Conversely, we also found examples where the analysis lacked depth and did not fully address available lines of inquiry, meaning that the extent of offending was not always fully reflected in the charges brought.

2.6. Cases involving youth defendants were a clear area of strength. Prosecutors usually applied youth justice principles appropriately, considered diversion at an early stage and made proportionate decisions that balanced the seriousness of knife offending with the need to prevent escalation and future harm. As described in Chapter 5, inspectors saw good examples of clear reasoning for declining diversion in serious offending, corrective action being taken where necessary in police charged cases, and thoughtful reference to youth-specific guidance.

2.7. The small number of cases where diversion was not considered early enough tended to arise from failure to consider the relevant legal guidance and policy. Diversion was either dismissed as the offence was "too serious" without applying youth-specific policy or not considered at all. Reviews made no reference to the Children as Suspects and Defendants guidance², the joint CPS/National Police Chiefs' Council (NPCC) knife-crime cautioning and charging guidance, the NPCC Child Gravity Matrix³, or the child's age, vulnerabilities, or first-time-entrant status. In one instance, the defendant was not even identified as a youth. In other cases, the evidential assessments often overlooked youth-specific public-interest factors; diversion was only raised later in post-charge reviews, and missed opportunities resulted in avoidable hearings.

2.8. Service to victims was mixed. While inspectors found examples of good practice, including early consideration of victim needs and clear communication in some cases, application was inconsistent. As set out in Chapter 5, we identified weaknesses in dealing effectively with victim personal statements (VPS) and timely communication about changes in charge and the victims' right to review (VRR) processes. Issues with the accuracy and completeness of hearing record sheets – the record the advocate in court makes of what happened in the case hearing – made it difficult to determine whether victims' wishes had been carried out.

² [Children as suspects and defendants | The Crown Prosecution Service](#)

³ [Child Gravity Matrix v2.4](#)

Improving consistency in this area is essential as a means of maintaining victim confidence and trust in the justice process.

2.9. Inspectors also found positive practice in the use of ancillary orders at sentence. Advocates generally sought forfeiture and deprivation orders appropriately and show a clear understanding of their preventative value. As set out in Chapter 6, these orders were often used effectively to support public protection, even where the knife offence itself was not the principal charge. Although opportunities to make greater use of Serious Violence Reduction Orders (SVROs) were sometimes missed in a minimal number of cases (this was being piloted see para 6.45 for details; so not an order that was widely available across England and Wales), however, overall performance in this area was strong.

2.10. The inspection identified areas where greater consistency and clarity would enhance the CPS response to knife crime. Identification of the type of knife used in the offence was often incomplete or inaccurate. Prosecutors did not consistently use available guidance to support knife classification. Although there is guidance, we found evidence to suggest that awareness and use of it was limited.

2.11. We found an inconsistency in the consideration of mandatory minimum sentencing provisions at the review stage. We identified a small number of cases where mandatory minimum sentencing provisions were engaged. Although the sample size was limited, the results indicated a clear need for improvement. In cases where the mandatory minimum sentence was triggered by the offence type (see paragraphs 6.21–6.23), prosecutors did not correctly identify and apply the mandatory minimum provisions in 12 out of 15 cases (80%). In cases where the mandatory minimum sentence was triggered by the defendant committing a second relevant knife offence (see paragraphs 6.27–6.30), prosecutors failed to identify and apply the mandatory minimum provisions in 24 out of 60 cases (40%). Statutory requirements intended to ensure robust sentencing for knife offending were not always identified or applied, particularly in more serious cases. Sentencing guidelines analysis was also variable. Many reviews did not demonstrate structured engagement with the relevant guideline or offence category, which limited the instructions to advocates and consequently the representations made to the court on sentence.

2.12. Our findings show that overall, the CPS performs well in several key aspects of knife crime casework, most notably in early decision-making, youth-related cases and the pursuit of ancillary orders. There are clear guidance and policy emphasising the need for prosecutors to charge knife-related offences to protect the public and maintain public confidence.

2.13. However, there are some aspects that could be improved: identifying the specific type of knife involved in an offence, applying relevant sentencing

frameworks, considering mandatory minimum sentencing provisions and ensuring consistent reference to CPS legal guidance and the Attorney General's Guidelines on Accepting Pleas⁴ where a knife charge is not proceeded with.

2.14. Addressing gaps in guidance, strengthening training and improving the quality of recording would support more consistent decision-making and stronger outcomes for victims and communities. Greater assurance and focus on the issues identified will improve the quality of legal decision-making and outcomes for victims. We make the following recommendations, and highlight compliance issues and strengths:

Recommendations, compliance issues and strengths

Recommendations

By April 2027, the CPS to be able to demonstrate a significant improvement in their compliance with identification of minimum mandatory sentence knife crime cases in pre- and post-charge reviews. (Paragraph 6.33)

By June 2026, the CPS to review, refine and re-publish Knife and Other Weapons Offences guidance to support and highlight the need to identify mandatory minimum sentence cases. (Paragraph 7.17)

Compliance issue

Prosecutors are not consistently identifying and recording the type of knife or weapon involved in the commission of the offence with reference to Annex A of Knife and Other Weapons Offences guidance. This limits assurance around charge selection, sentencing frameworks and public protection. (Paragraph 6.13)

Prosecutors are not consistently recording their rationale for dropping a knife offence as part of plea acceptance to other offences, with reference to the CPS Knife and other weapons offences guidance and the Attorney General's Guidelines on Accepting Pleas. (Paragraph 6.19)

Prosecutors are not consistently addressing the relevant sentencing guidelines and clearly identifying the offence category and sentencing framework in knife and weapon cases in order to provide effective assistance to the court and support public protection. (Paragraph 6.43)

⁴ [The acceptance of pleas and the prosecutor's role in the sentencing exercise - GOV.UK](#)

Strengths

Prosecutors generally selected the correct knife-related offences at the point of charge in simple possession cases, ensuring that early decision-making reflected the seriousness of the offending and provided courts with appropriate sentencing powers. (Paragraph 5.11)

Post-charge review frequently added value. Prosecutors corrected issues with police charged cases, strengthened charge selection and appropriately discontinued cases that did not meet the evidential threshold. (Paragraph 5.21)

Prosecutors demonstrated strong performance in youth cases. Diversion was considered in the majority of applicable cases and decisions were generally proportionate, well-reasoned and aligned with youth justice guidance. (Paragraph 5.42)

Advocates generally sought forfeiture and deprivation orders appropriately, ensuring that available preventative powers were used to remove weapons from circulation and support public protection. (Paragraph 6.51)

3. Context and background

Context and background

3.1. Knife crime has increased significantly over the past decade, posing a major challenge for public safety and confidence in the criminal justice system. The Safer Streets Mission⁵ is the UK government's long-term strategy to reduce serious harm, halve knife crime within a decade, and restore public confidence in policing and the wider criminal justice system. It focuses on prevention, robust enforcement, and system-wide consistency, supported by reforms to policing standards, neighbourhood visibility, and legislative changes targeting violent crime.

3.2. The Crown Prosecution Service (CPS) plays a key role in delivering the Safer Streets Mission and its ambition to make communities feel safer, by prosecuting knife offences robustly in line with their guidance. Accurate and proportionate charging decisions are critical to achieving Safer Streets' goals because:

- correct offence selection ensures courts have appropriate sentencing powers, reinforcing deterrence and public protection
- consistent application of knife crime guidance reduces attrition and strengthens confidence in the ability for a just outcome
- early intervention and youth diversion align with the mission's emphasis on preventing escalation and reducing future harm.

3.3. The volume of serious offences involving knives or sharp objects has risen significantly over the past decade. Office for National Statistics (ONS) data (excluding that from Greater Manchester Police)⁶ shows sharp increases across multiple offence categories where knives were used between April 2013-March 2014 and April 2023-March 2024:

⁵ [Safer Streets - GOV.UK](#)

⁶ [Crime in England and Wales: Other related tables - Office for National Statistics](#)

Offences where a knife or sharp object was used in the commission of the offence	April 13 - Mar 14	April 23 - Mar 24
Attempted Murder	226	401
Threats to Kill	1,295	5,411
Assault with injury and within intent to cause serious harm	12,203	22,167
Robbery	12,451	21,226
Rape	234	751
Sexual assault	92	321
Homicide	193	233
Total	26,694	50,510

3.4. The HM Crown Prosecution Service Inspectorate (HMCPPI) Business Plan for 2025-26 included a commitment to undertake a thematic inspection of the CPS's approach to prosecuting knife offences. This inspection assessed the quality of legal decision-making and compliance with CPS policy and guidance in cases involving knives.

3.5. On 2 April 2025, the CPS updated its prosecution guidance on Knife and other weapons offences⁷. The revised guidance was designed to consolidate and streamline existing material and to assist prosecutors by clarifying key offences and introducing an approach to selecting the appropriate charge. The update aimed to remove duplication and improve accessibility. It did not introduce new content. Our inspection evaluated whether the revised guidance is clear, concise and effective for prosecutors.

3.6. Knife-related offences cover a wide spectrum. Prosecutors must consider all the circumstances and facts of a case to determine the appropriate charge(s), applying the principles set out in the Code for Crown Prosecutors (the Code)⁸, particularly paragraph 6 on selection of charges.

3.7. There are approximately 16 distinct knife offences available for prosecutors when making charging decisions. We saw CPS data which showed that between April 2024 and July 2025, a wide range of these offences were prosecuted, although some specific knife offences were either low in numbers or not used during this period as set out in the table below:

⁷ [Knife and Other Weapons Offences | The Crown Prosecution Service](#)

⁸ [The Code for Crown Prosecutors | The Crown Prosecution Service](#)

Knife offences prosecuted by the CPS (April 2024-July 2025)	Total number of offences
Possession of dangerous knives	86
Possession of prohibited offensive weapons in private	3,817
Sale of knives to under 18	0
Manufacture or sale of dangerous knives	6
Manufacture or sale of offensive weapons	31
Delivery of bladed products to homes	0
Delivery of bladed products to under-18s	0
Possession of an offensive weapon in a public place	13,244
Threatening with an offensive weapon in a public place	255
Possession of a bladed article in a public place	23,376
Possession of bladed articles or weapons on school premises	162
Threatening with a blade or weapon (public or school)	1,824
Unauthorised possession of a weapon in prison	294
Threatening with an offensive weapon in a private place	2,275
Unlawful marketing of knives	36
Knife marketing publications	41

3.8. In selecting the cases for our case file examination, we considered volume of prosecutions, offence type and practicality of case identification on the CPS Case Management System (CMS). We selected our files for examination in July 2025. CMS did not include a monitoring flag identifying all cases involving knife-related offending, making it difficult to locate suitable cases. The CPS subsequently introduced a knife crime flag on CMS to be applied on all cases involving a knife from 21 August 2025.

4. Framework and methodology

The inspection framework

4.1. The framework for this inspection consisted of an overarching inspection question and seven sub-questions. The inspection question was 'How effective is the CPS in consistently applying policy, guidance and the law in prosecuting crime involving knives?'

4.2. The aim of this inspection was to answer the overarching inspection question, which requires assessing the following sub-questions:

- Quality of legal decision-making: Are prosecutors applying the Code, CPS policy, and legal guidance effectively?
- Charge selection: Are prosecutors choosing the most appropriate knife-related offence(s)?
- Second-strike consideration: Is repeat offending accurately identified and addressed in reviews and court instructions?
- Youth cases: Is there a consistent approach to charging or diverting 10- to-17-year-olds, in line with CPS/National Police Chiefs' Council (NPCC) guidelines?⁹
- Victim support: Are special measures assessed and tailored to victims' needs?
- Victim communication: Is communication clear, accessible, and sensitive to individual needs?
- Advocacy at court: Are advocates seeking ancillary orders and respecting victims' wishes regarding Victim Personal Statements?

4.3. The inspection framework is set out in full in annex A.

Methodology

4.4. This inspection focused on the performance of the Crown Prosecution Service (CPS) and comprised a combination of file examination, documentation review and interviews.

File examination

4.5. Inspectors examined 210 cases from across the 14 CPS geographical Areas, covering a range of knife-related offences. The table below provides a breakdown of the offences included in our file sample:

⁹ [Guideline on the Cautioning and Charging of Knife Crime Offences v5.0](#)

Table 1: Breakdown of offences within our file sample

Types of offences	Number of cases
Possession of bladed article in public	134
Possession of bladed article/offensive weapon in school	14
Threatening with bladed article/offensive weapon public	6
Threatening with bladed article/offensive weapon in school	4
Possession of offensive weapon in public	35
Threatening with bladed article/offensive weapon in private	14
Unlawful marketing/publication of knives	3

4.6. The 210 files examined were distributed across all 14 CPS Areas, ensuring national coverage and comparability. Each Area contributed between 14 and 17 cases, providing a broadly even allocation across the country. The distribution of cases across CPS Areas is set out below:

Table 2: Breakdown of files read from 14 CPS Areas

CPS Area	Number of cases
Cymru-Wales	14
East Midlands	16
East of England	14
London North	16
London South	15
Mersey-Cheshire	14
North East	14
North West	17
South East	15
South West	16
Thames and Chiltern	14
Wessex	14
West Midlands	14
Yorkshire and Humberside	17

4.7. Of the 210 files examined, 174 (83%) involved an adult lead defendant; the remaining 36 (17%) involved a youth lead defendant.

4.8. Wherever possible, we examined the most recent cases within the file sample criteria to capture current practice. Our starting point was the most recently finalised cases, working back from 31 July 2025 to 1 April 2024 where necessary. The selection criteria included:

- cases where the CPS decided to take no further action (NFA), based on the evidential and public interest stages of the Code for Crown Prosecutors (the Code)
- cases with a range of outcomes, including both successful and unsuccessful prosecutions
- a mix of magistrates' courts and Crown Court cases
- cases with adult defendants
- cases with youth defendants.

4.9. The file examination questions used by inspectors to assess cases was designed to make a meaningful assessment of the CPS's handling of knife crime. The question set and file examination results are set out in Annex B.

4.10. In line with our methodology, we held a consistency exercise for our inspectors and representatives from the CPS using the question set and guidance. Our file examination assessments were then subject to internal quality assurance, which included data checks and dip sampling. Dip samples were further checked by a senior legal inspector to ensure consistency of approach.

Documentation review

4.11. We reviewed documents relevant to knife crime, including the CPS guidance on Knife and other weapons offences and other training materials.

Fieldwork interviews

4.12. We interviewed a Deputy Director (Policy Directorate) and knife crime policy leads from CPS Headquarters.

Inspection Team

4.13. This inspection was led by legal inspector, Siaf Alam. He was assisted by legal inspectors Jonathan Ellis, Gavin Hernandez, Asma Hopkinson, Mark Langan, Helen Lee and Joanne Milner, and an associate inspector, Sue Gallon. Business support was provided by Shauna Compton. The inspection was supervised by senior legal inspector Jeetinder Sarmotta.

5. Casework findings

Selecting the correct knife-related offences

Pre-charge decisions

5.1. Prosecutors are required to assess all the facts and circumstances of a case in order to select the most appropriate charge. In applying the Code for Crown Prosecutors (the Code), and particularly the provisions relating to charge selection, they must ensure that the court has sufficient sentencing powers and that the seriousness of the offending is properly reflected. This includes determining whether the involvement of a weapon or knife should be captured within an existing charge or brought as a separate offence so that the full extent of the offending can be considered by the court. Ultimately, accurate charge selection is essential to supporting deterrence and consistency, which are key objectives of the Safer Streets Mission to reduce knife crime offending.

5.2. The Crown Prosecution Service (CPS) operates a nationally coordinated charging model in which responsibilities are shared between local CPS Areas and the CPS's out-of-hours charging service covering England and Wales, CPS Direct (CPSD). Following the staged return of daytime charging, CPS Areas now handle charging requests between 9am and 5pm on weekdays, prioritising cases where suspects are in custody and require an immediate decision, as well as those where suspects are on police bail.

5.3. In knife-related cases, charging decisions may be made either by the police or the CPS depending on the seriousness of the offence and the applicable charging framework. Less serious offences, such as some possession-only cases, may be charged by the police where the Full Code Test is clearly met; that is, that there is sufficient evidence for a realistic prospect of conviction and it is in the public interest to proceed. More serious offences, cases involving youth suspects, or those requiring prosecutorial assessment of evidential or public interest considerations, must be referred to the CPS for a charging decision. These referrals are handled either by local CPS Areas during daytime hours or by CPSD outside those times.

5.4. Of the 210 cases we examined, CPS Areas made the charging decision in 62 cases, CPSD in 84 cases and the police in the remaining 64 cases. Of the 210 cases we examined we assessed, the most appropriate knife-related offence was charged in 164 cases.

5.5. CPS performance at the point of charge was strong. CPS Areas selected the most appropriate knife-related offence in 54 of the 62 cases (87.1%), while CPSD

shows a similar level of performance, selecting the correct offence in 72 of the 84 cases examined (85.7%). Overall, the correct offence was charged in 126 of 146 cases (86.3%) charged by CPS.

Table 3: Most appropriate charge selection

	Answer	Police	CPS Area	CPSD
Based on the information available at the time of charge, were the most appropriate knife-related offence(s) selected?	Yes	59.4% (38 cases)	87.1% (54 cases)	85.7% (72 cases)
	No	20.3% (13 cases)	11.3% (7 cases)	9.5% (8 cases)
	No – It was charged as an offensive weapon when it should have been charged as possession of bladed article.	20.3% (13 cases)	1.6% (1 case)	4.8% (4 cases)

5.6. Across the 20 cases in which the CPS made incorrect charging decisions, inspectors found that 15 cases involved not selecting the most appropriate knife offence or omitting a knife offence entirely, with a further five cases relating to misclassification between offensive weapon offences and possession of a bladed article. Overall, this represents a small proportion of charging errors attributable to CPS decision-making, with most issues arising before CPS involvement.

5.7. Across the combined sample of police, CPS Area and CPSD cases, inspectors found that the most appropriate knife-related offence was selected in 164 of the 210 cases (78.1%), demonstrating generally strong performance in applying the correct statutory offence at charge. In 28 cases (13.3%), the most appropriate knife-related offence was not selected, and in a further 18 cases (8.6%) the offence was charged as possession of an offensive weapon when the facts indicated that possession of a bladed article would have been more appropriate. While these cases present opportunities to strengthen consistency and accuracy in charge selection, the overall picture shows that correct charging decisions were achieved in the clear majority of cases.

Table 4: Bladed article and offensive weapon charges

	Police	CPS Area	CPSD
It was charged as an offensive weapon when it should have been charged as possession of bladed article.	20.3 % (13 cases)	1.6 % (1 case)	4.8 % (4 cases)

5.8. Analysis of the 18 cases we assessed that were initially charged as offensive weapon offences rather than possession of a bladed article showed that most incorrect charging decisions (13 cases) originated from the police. A smaller number arose from CPSD (four cases), with only one case attributable to CPS Area decision-making.

5.9. The offences of possession of a bladed article and possession of an offensive weapon differ in both definition and evidential requirements. Possession of a bladed article under section 139 of the Criminal Justice Act 1988 covers any item with a blade or sharp point, regardless of intention, whereas possession of an offensive weapon under section 1 of the Prevention of Crime Act 1953 applies only where the article is made or adapted for causing injury or is carried with intent to use it as a weapon. Despite this distinction, there appears to be a small element of confusion among prosecutors. Everyday knives, particularly lock knives, can fall within both offences depending on the circumstances, and evidential analysis sometimes fails to address intention.

5.10. We saw evidence of robust and sound decision-making, such as in one case where the defendant was in possession of knives on school premises. The prosecutor analysed the points to prove and explicitly considered and properly rejected the defendant's account as a 'good reason' for possession. The review clearly identified the nature of the weapons and the statutory aggravating context, including the location on school premises.

Case Study

Police received a report of an adult male in possession of two knives on the grounds of a primary school at around school home time, resulting in the school initiating emergency lockdown procedures. The defendant subsequently left the school grounds and was traced to a nearby address. On arrest, he admitted having previously possessed two kitchen knives on the school premises, which were later recovered from his dishwasher at home.

The case was referred to the CPS for a pre-charge decision. During interview, the suspect claimed that he had returned to the school grounds with the knives to cut away a large mushroom and asserted that he did not intend to cause fear.

The prosecutor carefully analysed the points to prove and explicitly considered whether the suspect's account constituted a 'good reason' for possession. The review clearly identified the nature of the weapons and the statutory aggravating context, including the location on school premises, and properly rejected the possibility of the suspect's account being capable of affording him a defence to the offence.

The prosecutor authorised two counts of possession of a bladed article on school premises, accurately reflecting both the facts and the seriousness of the offending. The defendant pleaded guilty and the case was committed to the Crown Court for sentence, where a suspended custodial sentence was imposed and a deprivation order made. A deprivation order allows the court to deprive an offender of property that was used, or intended to be used, in the commission or facilitation of an offence.

5.11. Overall, file examination shows that the CPS consistently selected the correct knife-related offences at the charging stage in the majority of cases. Prosecutors generally applied the law carefully and consistently, ensuring that charges reflected the seriousness of the offending and provided courts with appropriate sentencing powers. CPS performance at the charging stage therefore supported the aims of the Safer Streets Mission.

Strength

Prosecutors generally selected the correct knife-related offences at the point of charge in simple possession cases, ensuring that early decision-making reflected the seriousness of the offending and provided courts with appropriate sentencing powers.

Post-charge decisions

5.12. Post-charge review is a critical safeguarding stage in knife crime prosecutions. It provides prosecutors with an opportunity to correct earlier charging errors and respond to developments in the case to ensure that knife-related offences properly reflect the seriousness of the offending and equip the court with the sentencing powers required. Effective scrutiny at this stage is therefore central to maintaining casework quality and protecting the public.

5.13. Inspectors assessed whether prosecutors maintained appropriate knife-related charges post-charge, added more suitable knife offences where required, or correctly discontinued cases in line with the evidence and the public interest.

5.14. Of the 210 cases we examined, 185 required a post-charge review to be carried out. Prosecutors maintained the correct knife charge or amended the charge to a more appropriate knife offence in 136 out of those 185 cases (73.5%) and correctly discontinued a further 28 cases (15.1%). This shows that 164 out of

185 cases (88.6%) were handled appropriately at the post-charge review stage, as either the correct charge was maintained or amended or correctly discontinued.

Table 5: Post-charge charge selection

	Answer	All Cases
Upon a post-charge review of the charging decision, did the prosecutor select the most appropriate knife-related offence(s)?	Yes – The most appropriate knife offence was selected.	73.5% (136 cases)
	Yes – The case was correctly discontinued.	15.1% (28 cases)
	No	9.2 % (17 cases)
	No – It was charged as an offensive weapon when it should have been charged as possession of bladed article.	2.2 % (4 cases)

5.15. Our analysis of the 28 cases where we assessed the charge to be incorrect at the pre-charge stage shows that at the post-charge review stage, prosecutors correctly amended 17 out of the 28 cases (60.7%) and failed to do so in the remaining 11 cases (39.3%). However, we found that overall post-charge reviews frequently operated effectively as a corrective safeguard, but that this needs to be more consistent.

5.16. In those cases where the errors were not rectified, the main issues we found were:

- misidentification of threats with a bladed article
- failure to assess whether offending took place in a public place
- insufficient analysis of whether the factual circumstances supported a more serious knife offence, e.g. threatening with the knife as opposed to simply possessing it.

5.17. Threatening with a knife offences are distinct from simple possession offences and carry significantly higher culpability. Under section 139AA of the Criminal Justice Act 1988, it is an offence to threaten a person with a bladed article or offensive weapon in such a way that there is an immediate risk of serious physical harm. This includes threats made in public places, schools, or private premises. The offence requires evidence not only that the defendant possessed

the weapon, but that they used it to threaten or cause fear, and that a reasonable person in the victim's position would have believed themselves at immediate risk of serious harm. These offences attract higher sentencing powers and mandatory minimum sentences for adults, reflecting the increased seriousness and the direct risk posed to victims.

5.18. In our file examination, we also saw examples of a few cases where inspectors identified a consistent pattern of incorrect charge amendments at the review stage, where initially correct knife-related charges were replaced with less appropriate offences. In some of these cases, prosecutors downgraded a threatening with weapon offence or reclassified an offensive weapon as a simple bladed article, despite clear evidence of intent, use or the inherently dangerous nature of the weapon (for example, zombie-style or Rambo-type knives, which are offensive weapons per se). These amendments were not supported by the facts or by CPS guidance, and in some instances directly contradicted the available evidence, including witness descriptions.

5.19. In one case, the lawyer failed to recognise that certain items (such as a kubotan) are offensive weapons. A kubotan is a cylindrical container containing a number of sharp spikes.

5.20. Of the 210 cases we examined we found 18 cases that were charged as an offensive weapon when the offence charged should have been that of possession of bladed article. Most of these were initially police charged cases. Prosecutors added value by correcting the charge in nine cases and discontinuing a further five cases where the evidential threshold was not met.

5.21. Overall, inspectors concluded that CPS post-charge decision-making added value in knife crime cases. Prosecutors corrected police charging errors, strengthened charge selection and appropriately discontinued cases that did not meet the evidential threshold.

Strength

Post-charge review frequently added value. Prosecutors corrected issues with police charged cases, strengthened charge selection and appropriately discontinued cases that did not meet the evidential threshold.

Consideration of defences and reasonable lines of inquiry

5.22. Effective consideration of defences, together with the identification and pursuit of reasonable lines of inquiry, is essential to securing robust outcomes in knife crime cases. Failure to do so risks weak cases progressing unnecessarily, leading to acquittals, case attrition and reduced public confidence.

5.23. Inspectors found overall compliance in this area was strong. In 173 applicable cases where defences were raised, we found evidence of effective consideration of defences and reasonable lines of inquiry in 127 cases (73.4%). In the remaining 46 cases (26.6%), prosecutors did not adequately consider potential defences or set appropriate lines of inquiry, indicating that while most prosecutors applied a robust approach, there were one in four cases that lacked sufficient analytical rigour.

5.24. Where practice was effective, inspectors found clear evidence of proactive and structured thinking. Prosecutors anticipated likely defences, provided reasoned rebuttals, and set proportionate lines of inquiry such as CCTV checks, forensic testing, and witness clarification. They also appropriately discontinued proceedings where evidential weaknesses or viable defences were identified, demonstrating sound judgment and effective application of the Code for Crown Prosecutors (the Code). Compliance was particularly strong in bladed article cases and within specialist teams, including youth teams, where familiarity with common defences, school-related contexts, and case dynamics supported higher-quality decision-making. Importantly, strong defence consideration was often linked to robust charging decisions, reinforcing the value of thorough and timely reviews.

5.25. Inspectors found that analysis of potential defences in a minority of cases was sometimes superficial, with prosecutors relying on an expectation of guilty pleas following no-comment interviews rather than rigorously assessing statutory or common-law defences, such as lawful authority, work-related possession, or self-defence. In some instances, reasonable lines of inquiry were identified but not pursued or revisited at subsequent reviews, limiting their impact and undermining the effectiveness of case preparation.

5.26. Where prosecutors did not adequately consider potential defences or set appropriate lines of inquiry, outcomes were mixed. Of the 46 relevant cases, a majority concluded with convictions, including guilty pleas and convictions after trial. However, a significant minority of cases did not result in convictions. These included acquittals following trial, cases stopped due to evidential difficulties, cases discontinued on public interest grounds, and cases diverted away from the court process. These outcomes demonstrate the risk of cases not being prosecuted where potential defences and reasonable lines of inquiry are not fully explored

5.27. The overall findings demonstrate that prosecutors are generally performing well in considering statutory defences and setting reasonable lines of inquiry, with compliance achieved in nearly three-quarters of applicable cases. Where good practice was evident, it often correlated with robust charging decisions and appropriate case outcomes, supporting the Safer Streets Mission by reducing risk and improving public protection.

Service to the victim

5.28. Effective service to victims is a core component of quality casework in knife crime prosecutions. Victims of cases involving knives are often vulnerable and may have experienced significant trauma. Prosecutors therefore play an important role in ensuring that victim needs are identified and addressed at an early stage. This includes considering Special Measures, obtaining a Victim Personal Statement (VPS), and maintaining clear and timely communication. Strong performance in this area supports victim engagement, improves case resilience and helps to sustain confidence in the criminal justice system.

5.29. Across the file examination, inspectors found that a relatively high proportion of cases involved circumstances where victim-related questions were not applicable, reflecting the nature of the majority of possession-only knife offences. Where there were identified victims of offences, inspectors assessed compliance in two key areas: consideration of eligibility for Special Measures and whether a VPS was obtained or steps were taken to request one. Special Measures are designed to assist vulnerable or intimidated victims and witnesses in giving their best evidence, reducing stress and anxiety during trial and promoting fairness. Examples include the use of screens, live video links, pre-recorded evidence, removal of wigs and gowns, and communication aids for those with specific needs.

5.30. In relation to Special Measures, inspectors identified 97 applicable cases. Eligibility was assessed correctly in 71 of these cases (73.2%), while in the remaining 26 cases (26.8%) there was no evidence that Special Measures had been considered. For VPS, inspectors reviewed 92 applicable cases. Prosecutors ensured that a statement was obtained or attempted to obtain one in 71 cases (77.2%). In 21 cases (22.8%), there was no evidence that this requirement had been addressed.

5.31. Where practice was effective, inspectors found good awareness of victim needs. Prosecutors often prompted early and automatic consideration of Special Measures and VPS, and requests were frequently made at the earliest stage. Inspectors identified examples where prosecutors provided clear rationale for their decisions and where early engagement with victims contributed to stronger case handling.

5.32. Despite these strengths, inspectors identified some weaknesses. Follow-up on VPS and Special Measures was inconsistent, with prosecutors sometimes relying on court advocates at the trial readiness stage to prompt action. Our file sample showed that both Special Measures and VPS were properly handled in about three in every four cases we assessed. The CPS will want to continue to improve to reduce those missed opportunities we saw in the remaining cases. In those cases, we saw several examples of these requirements being

missed, particularly where police had not provided an initial assessment of Special Measures and prosecutors did not address this gap. Assessments were sometimes inadequate; a number of reviews simply recorded 'No' without indicating whether the victim declined support or whether further steps had been taken.

Victim communication and respecting their wishes

5.33. Clear and timely communication with victims about changes to charges and their right to request a review under the Victims' Right to Review (VRR) scheme is essential. Of the 40 cases in our case file sample where charges were substantially altered or dropped, we found that victims were informed about the significant changes and their VRR rights in 25 cases (62.5%). In the remaining 15 cases (37.5%), no communication was recorded, indicating missed opportunities to keep victims informed and engaged.

5.34. When assessing whether the CPS communication with the victim was accessible and the letter was of good quality, inspectors found this to be the case in 26 of the 32 applicable letters (81.3%). Letters were issued within required timescales in 24 cases (75%), while deadlines were missed in eight cases (25%).

5.35. Inspectors found that respecting victims' wishes in relation to the presentation of VPS was inconsistent. Of the 46 applicable cases, we were able to find evidence that wishes were followed in 21 cases (45.7%), not followed in 20 cases (43.5%) and unclear in five cases (10.9%) due to insufficient recording. Improved recording will assist in confirming what the position was and should lead to greater consistency. We observed some examples of good practice, including VPS being presented at sentencing and victims' families attending court. Several cases demonstrated strong victim care. In one robbery case, for example, the VPS was presented and the victim's parents were present in court.

5.36. Weaknesses in recording significantly undermined assurance in this area. Hearing Record Sheets were frequently incomplete or silent, making it difficult to determine whether victims' wishes had been considered or acted upon. For example, in one case we examined, a victim attended court expecting to read their VPS. The victim complained that the prosecution barrister did not give them any opportunity to present or have their VPS acknowledged during the hearing. The barrister told them without prior notice that they would not be reading their statement in court, and neither he nor the judge referred to it at any stage. The victim had been attending court over a period of nearly three years yet was never invited to address the court or explain the impact of the offending. As a result, the victim felt overlooked and disregarded, particularly given the prolonged nature of the case and the importance of their statement in conveying the harm they had suffered. Examples like this, while in the minority, have a negative impact on public confidence.

5.37. While many cases ultimately concluded with guilty pleas, meaning victims did not have to give evidence, this does not remove the need for early and thorough consideration of victim needs. Failure to assess Special Measures, obtain a VPS or respect victim wishes risks undermining trust, weakening engagement and damaging confidence in the justice system.

5.38. Overall, the service to victims was positive, with examples of clear communication and appropriate engagement. However, inspectors also identified opportunities to strengthen consistency, particularly in ensuring that victims are routinely informed about changes to charges and their rights under the VRR scheme, and that victims' wishes regarding the use of VPS are fully respected.

Youth diversion

5.39. Decisions involving children and young people in knife crime cases require careful application of youth justice principles. The starting point for children and young people aged 16 or 17 in cases of simple possession should be to charge, unless exceptional circumstances justify a Youth Conditional Caution¹⁰. For children under 16 with no previous involvement in violent offending or offences involving knives or weapons, the starting point should be a Youth Conditional Caution.

5.40. When making charging decisions or reviewing police-charged cases, prosecutors must apply the key principles of the youth justice system and assess whether the case is suitable for diversion. Diversion is always preferable before a case enters the court system. In doing so, prosecutors should apply the NPCC Child Gravity Matrix to assess the seriousness of the offending. The gravity matrix is a decision-making tool used to assist in deciding the most appropriate outcome or disposal for children, based on the offence committed and taking into account aggravating and mitigating factors, to give a final score that will indicate an appropriate outcome. This should be done in a structured and consistent way, alongside consideration of the child's individual circumstances, including accommodation, family background and physical and mental health. The overarching principles of preventing offending and safeguarding the child's welfare must remain paramount in all decisions. This approach supports the objectives of the Safer Streets Mission by ensuring that early-stage knife-related behaviour is addressed swiftly and proportionately, reducing the likelihood of escalation and future harm¹¹.

5.41. Inspectors examined the consistency of approach to the prosecution of children aged from ten to 17 involved in knife offences. In the 36 relevant youth cases, prosecutors considered diversion in 30 cases (83.3%) and did not do so in

¹⁰ [Guideline on the Cautioning and Charging of Knife Crime Offences v5.0](#)

¹¹ [Children as suspects and defendants | The Crown Prosecution Service](#)

six cases (16.7%). This shows that, where relevant, diversion is considered in the majority of cases and is applied in line with the Children as suspects and defendants guidance and the joint CPS and National Police Chiefs' Council (NPCC) Guidelines on the Cautioning and Charging of Knife Crime Offences.

Case study

A shopkeeper reported being the victim of a knife-point robbery. The victim described a male who selected items from the shop before producing a knife from a sheath, drawing the blade and stating, "You know I could just stab you and take your tobacco?" before leaving with stolen goods. CCTV and mobile phone footage provided by the victim captured the offence. The offender was subsequently identified by police, and a search of the suspect's home address recovered clothing matching that worn during the offence, as well as items stolen from the shop.

The suspect was arrested and made no comment in interview. CPS Direct authorised charges of robbery and possession of a bladed article. The defendant was 17 years old at the time of the offence and had no previous convictions, although he was under investigation for serious offences, including rape and assault. At the first court hearing, the defence invited consideration of accepting a guilty plea to robbery alone to encompass the knife element. The in-court advocate declined the offer, appropriately recognising the importance of maintaining a separate knife offence, and the reviewing prosecutor confirmed that they were not a youth specialist but had applied the relevant guidance.

Diversion was considered and correctly ruled out. The prosecutor recorded clear rationale, including the absence of admissions, the seriousness of the offending, and the defendant's wider offending context. The gravity matrix was applied accurately, with both the robbery and possession of a bladed article correctly assessed at a starting gravity score of five. Charging both offences was consistent with CPS legal guidance and ensured that the knife offence was properly marked on the defendant's record.

The defendant subsequently pleaded guilty to both offences. The magistrates imposed a 12-month referral order with a three-month curfew. Inspectors considered this case to demonstrate effective decision-making, with prosecutors applying youth justice principles appropriately while taking a firm and proportionate approach to serious knife-enabled offending.

5.42. Overall, inspectors found CPS performance in youth diversion cases to be strong and well-aligned with the Safer Streets Mission. Prosecutors generally applied youth-specific guidance effectively, diverting lower-risk children while taking a firm and proportionate approach where serious knife-related conduct required prosecution. Reviews typically referenced the correct legal guidance and

benefited from youth specialist input, with positive examples of the CPS correcting police charging errors and court advocates rectifying earlier omissions. Occasional failures were limited in impact but highlight the need for more consistent early consideration and clearer recording of decisions.

Strength

Prosecutors demonstrated strong performance in youth cases. Diversion was considered in the majority of applicable cases and decisions were generally proportionate, well-reasoned and aligned with youth justice guidance.

6. Protecting the public

6.1. Protecting the public is a core purpose of the criminal justice system and remains central to the government's Safer Streets Mission, which seeks to reduce serious violence and strengthen public confidence in community safety.

Prosecutors have an essential role in this work by ensuring that knife crime cases are pursued with rigour and in accordance with relevant law and policy. Decisions made from the charging stage through to sentencing have a direct impact on deterrence, offender accountability, the prevention of further harm and wellbeing in the community.

6.2. This chapter examines whether prosecutors and advocates applied the key safeguards required to protect the public. This includes the accurate identification of the weapon, compliance with mandatory minimum sentencing requirements, proper consideration of Crown Prosecution Service (CPS) and the Attorney General's guidance when accepting pleas, and the pursuit of ancillary orders such as forfeiture, deprivation, and Serious Violence Reduction Orders (SVROs). These measures are vital to achieving justice, supporting the Safer Streets Mission, and reducing the likelihood of repeat offending.

Identifying the type of weapon

6.3. The CPS legal guidance provides a framework to assist prosecutors when determining the most suitable charge. It sets out a process that prosecutors may find helpful to follow: first, to identify the type of weapon or knife involved; second, to consider how the suspect used it; and third, to assess the applicable sentencing powers. Police file submissions to the CPS should clearly set out the type of knife or weapon, including the blade length where relevant, so that charging and sentencing decisions are properly informed.

6.4. During our file examination, inspectors found that prosecutors correctly identified the type of knife in 123 of the 210 cases reviewed, amounting to 58.6% of cases. In the remaining 87 cases, the type of knife was inaccurately identified or insufficiently described. Although accurate knife identification occurred in only 58.6% of cases, this did not undermine the overall quality of charging decisions, which remained strong across our case file sample. In most cases, prosecutors selected the correct statutory offence even where the description of the knife was incomplete, meaning courts still had access to the appropriate sentencing powers.

6.5. The impact of poor knife description is therefore more closely linked to compliance with CPS guidance than to incorrect sentencing outcomes. However, accurately identifying and describing the weapon remains important, because it supports consistent application of the CPS knife crime framework, ensures that aggravating features (such as zombie-style or other inherently dangerous weapons) are properly reflected in decision-making, can be properly communicated to the

court and contributes to transparent and reliable recording. Improving accuracy in this area would strengthen assurance and reduce the risk of misclassification.

Table 6: Did the prosecutor correctly identify the type of knife?

	Yes	No
Did the prosecutor correctly identify the type of knife involved in the commission of the offence?	123 cases (58.6%)	87 cases (41.4%)

6.6. Failure to correctly identify the knife were found across both magistrates' court and Crown Court cases. Of the 87 cases where identification was inaccurate, 43 cases were dealt with in the Crown Court, 37 cases in the magistrates' court and seven cases were committed from the magistrates' court to the Crown Court for sentence. This demonstrates that weaknesses in knife identification were not limited to less serious cases but extended to proceedings in the Crown Court, where the most serious knife offending and the greatest risks to the public are addressed.

6.7. Inspectors identified a marked disparity in performance when prosecutors were managing multiple charges. In cases involving knife offences alongside other offences, prosecutors failed to accurately describe the knife in 64 of the 87 cases, equating to 73.6%. By contrast, in cases where the knife offence was the sole offence charged, this error occurred in 23 cases or 26.4%. This indicates that when dealing with casework involving multiple offences, prosecutors were significantly less likely to maintain adequate focus on accurate knife identification.

6.8. There was also a clear correlation between a failure to correctly identify the type of knife and wider weaknesses in case handling. In cases where knife identification was inaccurate, we also saw weaknesses in the assessments of likely defences, consideration of the mandatory minimum sentencing provisions and second-strike provisions.

6.9. Inspectors found that prosecutors often relied on police descriptions of weapons without independently assessing whether the evidence supported the correct classification of the knife or weapon. Reviews frequently used general terms such as "knife" or "blade", without any reference to the type, blade length, or distinguishing features, even in circumstances where such detail was necessary to support charging and sentencing decisions.

6.10. Inspectors observed a reliance on low-quality or unclear photographs that did not show essential characteristics such as blade length or serration. Prosecutors rarely sought to address these shortcomings by requesting further

information from the police or by drawing on alternative sources of evidence, such as witness descriptions. Where police accounts were inconsistent or incomplete, particularly within statements, these issues were generally not explored or resolved.

6.11. Of the 210 cases we examined, none made reference to Annex A of the CPS Knife and Other Weapons Offences guidance, which suggests that it is either underused or not well understood. While Annex A is intended to support knife classification, inspectors considered that its practical value could be increased by adding visual examples or clearer explanatory material.

6.12. Post-charge reviews did not always resolve the issues at the charging stage. Inspectors noted a pattern of copy and paste reviews in which earlier inaccuracies in knife identification were repeated rather than corrected. In some cases, the type of knife was recorded within the formal charge but was not referenced or analysed within the review itself, which reduced assurance that the issue had been properly considered.

6.13. Overall, inspectors concluded that failures in knife identification reflect weaknesses in analytical scrutiny, evidence evaluation, and the use of guidance. These shortcomings can, in some cases, undermine effective charging and sentencing in knife cases and weaken the criminal justice response to serious violence. They need improvement to support the Safer Streets Mission.

Compliance issue
Prosecutors are not consistently identifying and recording the type of knife or weapon involved in the commission of the offence with reference to Annex A of the Knife and Other Weapons Offences guidance. This limits assurance around charge selection, sentencing frameworks and public protection.

Acceptability of pleas

6.14. The CPS knife crime guidance and the Attorney General's Guidelines on Accepting Pleas¹² require prosecutors to give careful consideration to public protection, deterrence, and sentencing implications before agreeing to withdraw a knife charge. The CPS guidance states that prosecutors should only accept the defendant's plea if:

- the court can pass a sentence that matches the seriousness of the offending, particularly where there are aggravating features (noting any mandatory minimum sentences)

¹² [The acceptance of pleas and the prosecutor's role in the sentencing exercise - GOV.UK](#)

- it provides the court with adequate powers to impose other ancillary orders, bearing in mind that these can be made with some offences but not with others.

6.15. These safeguards are particularly important given the seriousness of knife crime and the contribution that prosecution decisions make to protecting the public.

6.16. The acceptance of plea was relevant in a small minority of the cases we examined. Of the 210 cases reviewed, only 20 cases (9.5%) involved a decision to consider discontinuing a knife offence in response to pleas to other offences. Within these 20 applicable cases, compliance with CPS and the Attorney General's Guidelines on Accepting Pleas was inconsistent. Inspectors found that the relevant guidance had been properly considered and evidenced in less than half of the cases.

Table 7: Acceptability of pleas

	Yes	No
If a knife offence was dropped in consideration of pleas to other offences, was CPS guidance and policy in relation to knife crime and the Attorney General's Guidelines on Accepting Pleas properly considered?	9 cases (45%)	11 cases (55%)

6.17. Of the cases where the appropriate guidelines were not considered, ten out of the 11 were dealt with in the Crown Court, where the most serious knife offending and the greatest risks to public protection are addressed.

6.18. Inspectors found cases where knife offences were discontinued without a clear explanation of why, despite the potential engagement of mandatory minimum sentencing provisions or the presence of previous weapons convictions. In one case, the CPS approach attracted judicial criticism, which underscored the wider risk to public confidence when knife charges are withdrawn without justification. Such decisions reduced transparency and undermined assurance that the heightened safeguards required in knife cases had been applied.

Case Study

Two men attended a residential address where an occupant was assaulted and money was stolen. Witnesses initially reported that both defendants were in possession of knives, with one witness describing a knife approximately nine inches in length. A second witness later withdrew support. The knives were not recovered.

The CPS initially authorised charges including affray and possession of a bladed article. Pleas to affray were later accepted for both defendants, and the knife offence was discontinued.

While the plea to affray appeared to be a pragmatic outcome, the defendant had a previous weapon conviction, and a further knife conviction would have engaged the mandatory minimum sentencing provisions. The review provided no recorded rationale explaining how CPS knife crime policy or the Attorney General's Guidelines on Accepting Pleas were applied. The lack of justification was notable, particularly as the sentencing judge expressed dissatisfaction with the decision.

6.19. These shortcomings limit the contribution to the Safer Streets Mission. Where knife offences are withdrawn without clear justification, opportunities to reflect the seriousness of knife offending, apply the appropriate sentencing frameworks, and deter future harm are reduced.

Compliance issue

Prosecutors are not consistently recording their rationale for dropping a knife offence as part of plea acceptance to other offences, with reference to the CPS Knife and Other Weapons Offences guidance and the Attorney General's Guidelines on Accepting Pleas.

6.20. We did see cases where the guidance was properly considered. In these cases, prosecutors resisted unsuitable pleas, consulted victims, engaged constructively with the officer in charge, and recorded clear reasoning to support their decisions. Where relevant, inspectors saw thoughtful consideration of evidential weaknesses or the defendant's mental health, demonstrating balanced and proportionate decision-making. This was evident in one case where the decision was well-reasoned, ensuring that the offending was appropriately marked despite the weakened evidence.

Case Study

The defendant and the victim were known to each other. The defendant approached the victim while she was in her vehicle with a friend and a baby and caused damage to the car, smashing the rear window and causing glass to fall onto the child. Accounts differed as to the precise actions of the defendant and the object used, although both witnesses suggested a bladed instrument, described as a machete. A short mobile phone recording appeared to show the defendant holding such an object. The knife was not recovered.

The defendant was charged with threats with an offensive weapon and criminal damage. There was some inconsistency in the case material as to whether the appropriate offence was threats with an offensive weapon or threats with a bladed article. The defendant denied involvement, raising an issue of identification.

While awaiting trial, the evidential position deteriorated. One witness retracted their account, and the victim provided a further statement which undermined the consistency and strength of the prosecution case, particularly in relation to the threatening offence.

A further review appropriately reassessed the evidential position and concluded that the evidential test was no longer met for the threatening offence. In accordance with the Attorney General's Guidelines on the Acceptance of Pleas, the prosecutor accepted guilty pleas to possession of a bladed article and criminal damage at a mention hearing.

Mandatory minimum sentence - section 312

6.21. The Sentencing Act 2020¹³ includes mandatory minimum sentencing provisions intended to strengthen the response to serious knife and weapon offences. Section 312 applies to specified offences, including threats involving a bladed article or offensive weapon and certain possession offences committed in public places or schools, where the statutory criteria are met (there is no requirement for previous offences to have been committed). In such cases, the court must impose a minimum of six months' immediate custody unless it finds exceptional circumstances, which must be clearly justified. These provisions form a key mechanism for protecting the public by ensuring robust and consistent sentencing for serious knife offending.

6.22. Prosecutors have a critical role in identifying when section 312 applies and in ensuring that the court is properly assisted in its application. A failure to recognise or advance mandatory minimum sentencing provisions creates a risk of inappropriate outcomes, weakens deterrence, and undermines the Safer Streets

¹³ [Sentencing Act 2020](#)

Mission's objective of delivering clear and consistent consequences for serious violence. We identified 15 of the 210 cases examined in which the mandatory minimum sentencing provisions under section 312 were applicable. In three out of four cases the application of the minimum mandatory sentence under section 312 had not been identified at the review stage.

Table 8: Mandatory minimum sentence¹⁴ – previous conviction not required

	Yes	No
Did the prosecutor correctly identify and apply the mandatory minimum sentencing provisions in knife or weapon-related offences at review?	3 cases (20%)	12 cases (80%)

6.23. Of the 12 cases, most were dealt with in the Crown Court, accounting for eight cases, with a further two cases heard in the magistrates' courts and two cases committed from the magistrates' courts to the Crown Court for sentence. This demonstrates that failure to apply section 312 occurred predominantly in more serious cases, where mandatory sentencing provisions are intended to provide the strongest safeguard for public protection.

6.24. Inspectors identified a lack of awareness and understanding of section 312. Prosecutors frequently failed to address mandatory minimum sentencing altogether at the review stage, even in cases where the facts clearly suggested potential relevance. This often went hand-in-hand with shortcomings mentioned earlier related to knife identification and sentencing guideline analysis.

6.25. In a small number of cases, courts identified the applicability of section 312 where the CPS had not done so. In some instances, the court also failed to recognise that the statutory provisions applied, therefore the impact of the CPS failure was significant.

6.26. These failures have direct implications for public protection and the Safer Streets Mission. Section 312 is intended to ensure a robust sentencing response to serious knife and weapon offences, even where the defendant does not have a relevant previous conviction. Inspectors' findings show that this safeguard is not being applied consistently, which reduces certainty in sentencing outcomes and weakens the criminal justice system's response to serious knife-enabled harm.

¹⁴ This table relates to prosecutors handling of mandatory minimum sentence at the review stage

Mandatory minimum sentence – section 315

6.27. Section 315 of the Sentencing Act 2020¹⁵ provides for a mandatory minimum custodial sentence where an offender is convicted of a second qualifying knife or weapon offence following a previous relevant conviction. The provision is intended to address persistent knife and weapon offending by ensuring escalation in sentencing. Effective identification and application of section 315 is therefore a critical mechanism for protecting the public and supporting the Safer Streets Mission.

6.28. We found that section 315 applied more frequently than section 312. Of the 210 cases reviewed, inspectors identified 60 cases in which the mandatory minimum sentencing provisions under section 315 were applicable at the review stage. Overall performance was mixed but materially stronger than that observed in relation to section 312, suggesting greater awareness of the legislation.

6.29. Prosecutors correctly identified and applied the mandatory minimum sentencing provisions in just over half of the 60 applicable cases.

Table 9: Mandatory minimum sentence for a second knife offence

	Yes	No
Did the prosecutor correctly identify and apply the mandatory minimum sentencing provisions for a “second knife or weapon offence” under section 315 of the Sentencing Act 2020 at the review stage?	36 cases (60%)	24 cases (40%)

6.30. Of the 24 cases, 18 were dealt with in the Crown Court with the remaining six cases heard in the magistrates’ court. This shows that, despite improved performance compared with section 312, failures to apply section 315 continued to occur predominantly in Crown Court cases, where offenders faced the most serious consequences and where robust application of mandatory sentencing provisions is most critical to public protection.

6.31. Inspectors observed that although prosecutors demonstrated a greater familiarity with section 315 than with section 312, knowledge gaps and inconsistent practice persisted. In several cases, the applicability of section 315 was identified by the court only after it had been overlooked by the CPS.

6.32. These shortcomings weaken the effectiveness of section 315 as a tool for disrupting repeat knife and weapon offending. Where mandatory minimum sentencing provisions under section 315 are not proactively advanced by

¹⁵ [Sentencing Act 2020](#)

prosecutors, the opportunity to send a clear deterrent message is reduced, diminishing the contribution of prosecution activity to the Safer Streets Mission.

6.33. Inspectors concluded that, as with section 312, the identification and application of mandatory minimum sentencing under section 315 should be the clear and proactive responsibility of the prosecutor. Prosecutors are expected to identify the relevant statutory provisions and assist the court at sentencing to ensure that the correct sentencing framework is applied. In practice, however, this responsibility is too often deferred to the court. Reliance on judicial intervention is not a safeguard of the prosecutor's duty and risks inconsistency in sentencing outcomes, undermining the objectives of clarity, consistency, and public protection.

Recommendation 1

By April 2027, the CPS to be able to demonstrate a significant improvement in their compliance with identification of minimum mandatory sentence knife crime cases in pre- and post-charge reviews.

Consideration of sentencing guidelines

6.34. Addressing the applicable sentencing guidelines is a core component of effective prosecutorial decision-making. Accurate identification of the relevant guidelines, offence category, and sentencing range enables prosecutors to assist the court effectively, supports consistency in sentencing, and ensures that outcomes reflect the seriousness of knife and weapon offending. A failure to address sentencing guidelines creates a risk of undermining statutory sentencing frameworks, including the proper application of mandatory minimum sentencing provisions, and weakens safeguards intended to protect the public. Inspectors found a clear need for improvement in this area.

Table 10: Addressing sentencing guidelines

	Yes	No
Did the prosecutor address sentencing guidelines and outline in which category the prosecution placed the offence at review?	82 cases (39%)	128 cases (61%)

6.35. Of the 128 cases where sentencing guidelines were not properly addressed, 73 cases were dealt with in the Crown Court, 48 cases were heard in the magistrates' court, and seven cases were committed from the magistrates' court to the Crown Court for sentence. This shows that failures to apply sentencing guidelines were widespread across both Courts and were particularly pronounced

in Crown Court cases, where accurate application of the guideline is most critical to achieving consistent and proportionate outcomes in serious knife and weapon offending.

6.36. Inspectors consistently found when reviewing cases that prosecutors did not routinely engage with sentencing guidelines in knife and weapon cases. Where sentencing was mentioned, references were often generic or misplaced, such as brief statements that jurisdiction had been considered, or there was a reliance on descriptors such as “indictable only”, without identifying the guideline, offence category, or starting point. This limited the prosecution’s ability to provide meaningful assistance to the court.

6.37. In cases involving multiple offences, prosecutors more frequently addressed sentencing guidelines for non-knife offences, such as robbery or drug offences, while omitting consideration of the guideline applicable to the knife or weapon offence. This practice increased the risk that the seriousness of the knife offending was not appropriately reflected in sentencing submissions.

6.38. Inspectors identified what appeared to be a cultural issue, whereby sentencing was viewed primarily as a matter for the court rather than as a core prosecutorial responsibility. This contributed to a lack of structured sentencing analysis within reviews and inconsistent assistance to the court. In some cases, it was unclear which offence the limited sentencing commentary related to, further reducing clarity and effectiveness.

6.39. Failures to address sentencing guidelines were closely linked to wider compliance issues identified elsewhere in this chapter. Inspectors noted a clear correlation between weak sentencing analysis and missed mandatory minimum sentencing provisions under sections 312 and 315 of the Sentencing Act 2020. Where prosecutors had not worked through the relevant guideline and offence category, they were significantly less likely to identify when statutory mandatory minimums applied.

6.40. Performance was particularly weak in youth cases. Prosecutors frequently failed to reference the specific sentencing guidelines applicable to children and young people, including the structured consideration of culpability and harm. While diversion was considered, this did not remove the requirement to address the applicable guidelines.

6.41. In isolated cases, prosecutors clearly identified the relevant guideline, offence category and sentencing range, and used this analysis to support robust sentencing submissions. However, these examples were exceptions and did not reflect wider or consistent practice across CPS Areas or CPS Direct.

6.42. Overall, inspectors concluded that prosecutors are not consistently providing adequate assistance to the court on sentencing in knife and weapon cases. This systemic weakness undermines structured sentencing, contributes to variability in outcomes, and diminishes the deterrent effect of prosecution activity.

6.43. These findings have a direct and adverse impact on the Safer Streets Mission. Sentencing guidelines provide the mechanism through which the criminal justice system delivers consistent, proportionate, and robust responses to knife and weapon offending. Where prosecutors do not identify the relevant guidelines and offence category, the court is less well-assisted to impose sentences that reflect the seriousness of the offending, apply mandatory minimum provisions correctly, and deliver a clear message intended to prevent further serious harm.

Compliance issue
Prosecutors are not consistently addressing the relevant sentencing guidelines and clearly identifying the offence category and sentencing framework in knife and weapon cases in order to provide effective assistance to the court and support public protection.

Ancillary orders at sentence

6.44. Seeking relevant ancillary orders is an important prosecutorial function and a key mechanism for protecting the public. Orders such as forfeiture, deprivation, and SVROs play a significant role in removing weapons from circulation, managing future risk, and supporting the criminal justice response to knife-enabled harm. Effective use of these powers contributes directly to the Safer Streets Mission by reducing opportunities for reoffending and preventing further serious violence.

6.45. SVROs were introduced as part of a two-year pilot scheme commencing on 19 April 2023 and concluding on 18 April 2025. The pilot operated in four police force areas: Merseyside, West Midlands, Thames Valley, and Sussex, with the intention of testing their effectiveness in reducing knife-carrying and serious violence.

6.46. Overall compliance with the requirement to seek an ancillary order was strong. Inspectors identified 129 of the 210 cases reviewed as applicable to this measure.

Table 11: Seeking relevant ancillary orders

	Yes	No	Not known
Did the advocate seek relevant ancillary orders (e.g. Forfeiture, Deprivation, SVRO)?	106 cases (82.2%)	17 cases (13.2%)	6 cases (4.7%)

6.47. Inspectors found consistently positive practice in relation to forfeiture and deprivation orders across bladed article, offensive weapon, and other knife offence cases. In offensive weapon cases in particular, forfeiture and deprivation orders were applied routinely and appropriately.

6.48. However, inspectors identified recurring weaknesses in relation to SVROs. Missed SVRO applications represented the most common failing. In some cases, SVROs were assessed as appropriate within prosecutor reviews but were not pursued at court. In one example, despite a clear request from the police, the CPS did not seek an SVRO, which deprived the court of the opportunity to impose an order specifically designed to manage and deter future serious violence.

6.49. In several cases, Hearing Record Sheet entries were incomplete or silent as to whether ancillary orders had been sought or considered. This made it difficult to distinguish between failures of practice and failures of recording.

6.50. Inspectors identified variation in practice between pilot and non-pilot SVRO areas. Compliance was stronger in non-pilot areas, where advocates sought ancillary orders in 81 of 92 applicable cases, representing 88.0%. This compared with 25 of 37 cases, or 67.6%, in pilot areas. This disparity is not surprising as we assessed the pilot areas on the requirement to obtain an SVRO as well as other relevant ancillary orders to receive a positive marking.

6.51. We found that advocates generally applied for forfeiture and deprivation orders appropriately and that, overall, compliance in seeking ancillary orders was strong where relevant.

Strength

Advocates generally sought forfeiture and deprivation orders appropriately, ensuring that available preventative powers were used to remove weapons from circulation and support public protection.

The range of knife offences

6.52. The casework findings in this chapter and the range of knife offences prosecuted by the CPS (see section 3.3 for details) provide important context for understanding how charging decisions in knife crime cases are being applied in practice.

6.53. The table in section 3.7, titled 'Knife offences prosecuted by the CPS (April 2024 to July 2025)', shows that most knife-related prosecutions were for possession offences. There were 23,376 prosecutions for possession of a bladed article in a public place under section 139 of the Criminal Justice Act 1988 and 13,244 prosecutions for possession of an offensive weapon in a public place under section 1 of the Prevention of Crime Act 1953. The use of threatening offences was significantly lower, with 1,824 prosecutions under section 139AA of the Criminal Justice Act 1988 for threatening with an article with a blade or point or offensive weapon in a public place or on school premises, and 2,275 prosecutions under section 52 of the Offensive Weapons Act 2019 for threatening with an offensive weapon in a private place.

6.54. These proportions align with our case file sample, in which most were possession offences with far fewer involving threatening with a knife or other knife-related offences. As set out in Chapter 5, inspectors found that in these offences that are less prevalent, prosecutors did not always identify threatening behaviour and consider whether the factual circumstances of a case supported the more serious knife offence.

6.55. The implications of this pattern extend beyond legal classification. While threatening offences do not always carry higher statutory maximum penalties than simple possession offences, they are intended to capture a higher level of culpability and harm, reflecting conduct that involves intimidation, escalation, or fear of violence.

6.56. Threatening offences engage more robust sentencing frameworks, including the application of mandatory minimum sentences at an earlier stage than for possession-only offences. Where such behaviour is charged as possession alone, sentencing options may be more limited, which can reduce the court's ability to impose custodial sentences and ancillary orders that are proportionate to the risk posed and necessary for the protection of the public. For example, if a defendant is charged with a threatening offence, the court must impose a minimum of six months' immediate custody unless it finds exceptional circumstances, which must be clearly justified.

7. Prosecution guidance and training

CPS prosecution guidance

7.1. On 2 April 2025, the Crown Prosecution Service (CPS) updated its prosecution guidance on Knife and Other Weapons Offences¹⁶. As part of this inspection, inspectors assessed whether the revised prosecution guidance was clear, accessible and sufficiently detailed to support prosecutors in making effective charging and case management decisions in cases involving knives.

7.2. The prosecution guidance was updated to consolidate three overlapping pieces of guidance, introduce the framework for charge selection and streamline existing material, with the express aim of supporting prosecutors by clearly outlining the key offences and introducing a structured approach to charge selection that was easier to navigate and apply. The guidance sets out a step-by-step framework to assist prosecutors to identify the type of weapon involved; consider how it was used (for example, whether it involved possession, use or sale); assess the seriousness of the conduct alongside the available sentencing powers; and evaluate the acceptability of pleas, particularly in cases where a knife or weapon featured within a substantive offence such as robbery.

7.3. We recognise that knife and weapons law is a complex and technical area, and that producing prosecution guidance which is both comprehensive and accessible presents challenges. Although the recent revision has streamlined the material, there were areas that linked directly with some of the findings in our case file examination that could be added to further promote the issues to consider and assist prosecutors' decision making.

7.4. First, the elements of the various knife and weapon offences are not fully set out and are accessible only through links to the underlying legislation. This means the guidance is not a standalone resource and risks displacing complexity rather than reducing it. Busy or inexperienced prosecutors may not access the linked material, limiting the effectiveness of the guidance. Inspectors considered that worked examples and clearer signposting to relevant case law would support more consistent application of the guidance.

7.5. Second, the guidance does not provide any further commentary on the law for the offences of possession of an offensive weapon in a public place or examples to illustrate the clear scenarios where one or the other offence should be charged or alternatively where either offence could be charge, despite this being one of the most common charging decisions prosecutors must make.

¹⁶ [Knife and Other Weapons Offences | The Crown Prosecution Service](#)

7.6. File examination also identified knowledge gaps among prosecutors in several key areas. These included distinguishing between bladed article and offensive weapon offences, understanding the legal implications of the knife in question being a lock knife, and the importance of determining whether the conduct in question occurred in a public or private place. Inspectors considered that further detail on these points in the guidance would support more confident and consistent decision-making.

7.7. Third, there is no discussion of the key statutory defences of “good reason” and “reasonable excuse”, which arise routinely in cases involving offensive weapons or bladed articles in public places. Given their frequency and centrality, the absence of any explanation or examples reduces the usefulness of the guidance in day-to-day casework.

7.8. Fourth, the section on Acceptability of Pleas appears overly narrow. While it links to the Attorney General’s Guidelines, the text refers only to maintaining a separate knife offence in robbery cases. This could incorrectly suggest that the issue arises exclusively in robbery, when it equally applies to other serious offences such as section 18 wounding.

7.9. Finally, aspects of the section on mandatory minimum sentences are unclear. The heading “Where the offender used the weapon or knife to commit an offence or commit murder” is not clear. The relevant statutory provision applies only in relation to murder, yet the wording implies wider application. These risks causing confusion for prosecutors when interpreting sentencing obligations.

7.10. Another aspect where the guidance would benefit from clearer direction was on evidential requirements in cases where a knife was not recovered, as well as greater clarity in relation to offences that were rarely prosecuted, such as unlawful marketing of knives and publications in connection with marketing of a knife.

7.11. Prosecutors are directed within CPS legal guidance to Annex A for definitions of different types of weapons and knives, and this issue is explored further in Chapter 6. While Annex A is intended to support correct classification, inspectors found that its practical value is limited by the absence of reference to it in the case file examination. Visual examples, or more detailed explanatory material in relation to the description of different types of weapons and knives, might assist the prosecutors to compare to the material provided by the police either in the form of descriptions or photographs.

7.12. The updated guidance states that where knife-point robberies are charged, prosecutors should add a separate count for possession of a bladed article or offensive weapon. Inspectors considered this wording to be potentially unclear, as it could be read as limiting the charging of separate weapon offences to cases involving robbery only, as no other offences are referred to. In contrast, the previous guidance was explicit that where a weapons offence accompanies any substantive offence, it should normally be charged in addition, ensuring that weapon involvement is properly reflected and that appropriate sentencing powers are available. Inspectors concluded that the current wording risks narrowing this approach and may lead to inconsistent charging decisions.

7.13. Overall, while the updated guidance is easier to navigate and provides a helpful high-level framework, inspectors concluded that further refinement is needed to ensure that it serves as an effective practical tool.

Training

7.14. The CPS does not provide a dedicated training module focused exclusively on knife crime. Instead, knife-related issues are covered indirectly through case studies incorporated into broader training courses, including Introduction to Prosecution, Trial Advocacy Skills and Youth Court training. One structured session that expressly addresses weapons offences is included within the Criminal Law Refresher. This course contains a seventy-five-minute segment on weapons as part of a wider three-day programme. The refresher is optional and is primarily aimed at new prosecutors with limited criminal law experience. We were told that 79 prosecutors completed this training last year which is roughly 2% of the total prosecutors employed by the CPS¹⁷.

7.15. On 7 May 2024, the CPS launched a knife crime podcast as a training resource. This followed earlier changes to CPS training, including the redesign of the Criminal Law Foundation Course, which had previously run for five days but was shortened due to a high level of necessary abstraction. As part of this redesign, elements of the course were prerecorded to allow flexible access, resulting in the production of the podcast. While the podcast is brief and accessible, with a running time of just over fifteen minutes, its limited scope means it can only play a supplementary role in developing prosecutors' understanding of knife crime.

7.16. In the absence of a dedicated knife crime training programme, prosecutors therefore rely mainly on prosecution guidance, general training provision and ad hoc case studies to maintain their knowledge and competence in this area.

¹⁷ Who we are | The Crown Prosecution Service

7.17. Any training should be proportionate, particularly at times of pressure on the CPS. Most knife crime is handled well by the CPS. A short podcast aimed at highlighting the key issues we found in this inspection – mandatory minimum sentence, identification and description of knives, reference to Annex A, second strike minimum sentences and acceptance of plea – would assist in reinforcing the need to consider the whole offending and prosecution rather than just charge selection.

Recommendation 2

By June 2026, the CPS to review, refine and re-publish Knife and Other Weapons Offences guidance to support and highlight the need to identify mandatory minimum sentence cases.

Annex A – Inspection framework

Inspection question

How effective is the CPS in consistently applying policy, guidance and the law in prosecuting crime involving knives?

Inspection criteria

The aim of this inspection is to answer the overarching inspection question above, which requires assessing the following sub-questions, namely:

- I. Are prosecutors making quality legal decisions in line with the Code for Crown prosecutors, policy and legal guidance?
- II. Are prosecutors selecting the most appropriate knife-related offence(s)
- III. Are prosecutors charging knife offences separately where a weapons offence is accompanied by other serious offences such as assault or robbery. The CPS guidance suggests that the weapons offence should be charged as well as the other offence.
- IV. Are prosecutors accurately considering 'second strike' and ensuring this is part of any review and instructions to court prosecutors.
- V. Is there consistency of approach to the prosecution of young people aged 10-17 found to be carrying knives and other sharp instruments in making the decision whether to charge or divert them away from the CJS? Where an offence has been committed by a child i.e. someone aged under 18 years old, prosecutors should consider the joint CPS and NPCC [Guidelines on the Cautioning and Charging of Knife Crime Offences](#).
- VI. Are prosecutors assessing the victim's eligibility for special measures (e.g. screens, video links) and considering their specific needs and vulnerabilities when preparing the case?
- VII. Is the communication with the victims appropriate and fully accessible, taking into account their needs?
- VIII. Are advocates addressing knife sentencing guidelines, referring to any mandatory minimum sentence, seeking appropriate ancillary orders and respecting victim's wishes regarding use of VPS at court?

Annex B – File examination data

Data for all examined cases

Where questions included a 'Not Applicable' (N/A) category, percentages have also been calculated excluding N/A cases to provide greater clarity on performance in applicable cases.

HM Crown Prosecution Service Inspectorate (HMCPPI) house style is to round figures to a single decimal point so where percentages are cited, they may not total 100%.

No. Question	Answer	Results (all cases)	Results (excluding N/A)
What lead knife offence was charged?	Possession of BA in public	134 cases (63.8%)	
	Possession of BA/OW in school	14 cases (6.7%)	
	Threaten with BA/OW in public	6 cases (2.9%)	
	Threaten with BA/OW in school	4 cases (1.9%)	
	Possession of OW in public	35 cases (16.7%)	
	Threaten with BA/OW in private	14 cases (6.7%)	
	Unlawful marketing/publication of knives	3 cases (1.4%)	
	Total		210 cases (100.0%)
Based on the information available at the time of charge, were the most appropriate knife-related offence(s) selected?	Yes	164 cases (78.1%)	
	No	28 cases (13.3%)	
	No - It was charged as an offensive weapon when it should have been charged as possession of bladed article.	18 cases (8.6%)	

An inspection of the CPS's approach to handling knife crime

	Total	210 cases (100.0%)	
Upon a post charge review of the charging decision, did the prosecutor select the most appropriate knife-related offence(s) or correctly decide to discontinue?	Yes – The most appropriate knife offence was selected.	136 cases (64.8%)	73.5%
	Yes – The case was correctly discontinued.	28 cases (13.3%)	15.1%
	No	17 cases (8.1%)	9.2%
	No - It was charged as an offensive weapon when it should have been charged as possession of bladed article.	4 cases (1.9%)	2.2%
	NA	25 cases (11.9%)	
	Total	210 cases (100.0%)	100.0%
Did the prosecutor correctly identify the type of knife involved in the commission of the offence?	Yes	123 cases (58.6%)	58.6%
	No	87 cases (41.4%)	41.4%
	Total	210 cases (100.0%)	100.0%
Has the prosecutor considered any likely defences (e.g. denies possession, good reason or lawful authority for having the knife) and identified reasonable lines of inquiry, where appropriate?	Yes	127 cases (60.5%)	73.4%
	No	46 cases (21.9%)	26.6%
	NA	37 cases (17.6%)	
	Total	210 cases (100.0%)	100.0%
If a knife offence was dropped in consideration of pleas to other offences, was CPS guidance and	Yes	9 cases (4.3%)	45.0%

policy in relation to knife crime and the Attorney General's Guidelines on Accepting Pleas properly considered?	No	11 cases (5.2%)	55.0%
	NA	190 cases (90.5%)	
	Total	210 cases (100.0%)	100.0%
Did the prosecutor correctly identify and apply the mandatory minimum sentencing provisions in knife or weapon-related offences? ¹⁸	Yes	3 cases (1.4%)	20.0%
	No	12 cases (5.7%)	80.0%
	NA	195 cases (92.9%)	
	Total	210 cases (100.0%)	100.0%
Did the prosecutor correctly identify and apply the mandatory minimum sentencing provisions for a "second knife or weapon offence" under section 315 of the Sentencing Act 2020? ¹⁹	Yes	36 cases (17.1%)	60.0%
	No	24 cases (11.4%)	40.0%
	NA	150 cases (71.4%)	
	Total	210 cases (100.0%)	100.0%
Did the prosecutor address sentencing guidelines and outline in which category the prosecution placed the offence?	Yes	82 cases (39.0%)	39.0%
	No	128 cases (61.0%)	61.0%
	Total	210 cases (100.0%)	100.0%
Did the prosecutor consider whether the	Yes	30 cases (14.3%)	83.3%

¹⁸ This question relates to the prosecutors handling of mandatory minimum sentence at the review stage

¹⁹ This question relates to the prosecutors handling of mandatory minimum sentence at the review stage

An inspection of the CPS's approach to handling knife crime

case was suitable for diversion (e.g. youth caution or conditional caution) before deciding to prosecute the child/youth for the knife offence?	No	6 cases (2.9%)	16.7%
	NA	174 cases (82.9%)	
	Total	210 cases (100.0%)	100.0%
Did the prosecutor assess the victim's eligibility for special measures (e.g. screens, video links) and consider their specific needs and vulnerabilities when preparing the case?	Yes	71 cases (33.8%)	73.2%
	No	26 cases (12.4%)	26.8%
	NA	113 cases (53.8%)	
	Total	210 cases (100.0%)	100.0%
Was a Victim Personal Statement (VPS) for each victim of the knife offence present on file, or if not, did the prosecutor take steps to request one?	Yes	71 cases (33.8%)	77.2%
	No	21 cases (10.0%)	22.8%
	NA	118 cases (56.2%)	
	Total	210 cases (100.0%)	100.0%
Was the victim informed of changes to charges, and their right to request a review under the Victims' Right to Review (VRR) scheme (where applicable)?	Yes	25 cases (11.9%)	62.5%
	No – Not informed.	15 cases (7.1%)	37.5%
	No - Victim informed of changes to charges but not to VRR right.	0 (0.0%)	0.0%
	NA	170 cases (81.0%)	
	Total	210 cases (100.0%)	100.0%
Where the CPS has communicated with the	Yes	26 cases (12.4%)	81.3%

An inspection of the CPS's approach to handling knife crime

victim, was this made accessible to the victim, and the letter was of good quality?	No	6 cases (2.9%)	18.8%
	NA	178 cases (84.8%)	
	Total	210 cases (100.0%)	100.0%
Was the VCL letter sent within the required timeframe (1 working day for enhanced victims, 5 working days for others)?	Yes	24 cases (11.4%)	75.0%
	No	8 cases (3.8%)	25.0%
	NA	178 cases (84.8%)	
	Total	210 cases (100.0%)	100.0%
Did the advocate seek relevant ancillary orders (e.g. Forfeiture, Deprivation, SVRO)?	Yes	106 cases (50.5%)	82.2%
	No	17 cases (8.1%)	13.2%
	Not known	6 cases (2.9%)	4.7%
	NA	81 cases (38.6%)	
	Total	210 cases (100.0%)	100.0%
Is there evidence that the victim's wishes were followed in relation to the VPS?	Yes	21 cases (10.0%)	45.7%
	No	20 cases (9.5%)	43.5%
	Not known	5 cases (2.4%)	10.9%
	NA	164 cases (78.1%)	
	Total	210 cases (100.0%)	100.0%

Annex C – File examination questions

Question	Possible answers
<p>What knife offence(s) was charged?</p>	<p>Possession of a bladed article in public place contrary to section 139 CJA 1988</p> <p>Having a bladed article or offensive weapon on education premises, contrary to section 139A CJA 1988</p> <p>Threatening with an article, blade or offensive weapon in a public place or school premises/further education premises contrary to section 139AA (1) CJA 1988 / 139AA(1A) CJA 1988</p> <p>Possession of an offensive weapon in a public place, contrary to section 1 Prevention of Crime Act 1953 (“PCA 1953”)</p> <p>Threatening with an offensive weapon in a private place, contrary to section 52 OWA 2019</p> <p>Unlawful marketing of knives contrary to section 1 Knives Act 1997 (“KA 1997”)</p> <p>Publications in connection with marketing of a knife, contrary to section 2 KA 1997</p>
<p>Based on the information available at the time of charge, were the most appropriate knife-related offence(s) selected?</p>	<p>Yes</p> <p>No</p> <p>No – It was charged as an offensive weapon when it should have been charged as possession of bladed article.</p>
<p>Upon a post charge review of the charging decision, did the prosecutor select the most appropriate knife-related offence(s) or correctly decide to discontinue?</p>	<p>Yes – The most appropriate knife offence was selected.</p> <p>Yes – The case was correctly discontinued.</p> <p>No</p> <p>No – It was charged as an offensive weapon when it should have been</p>

	charged as possession of bladed article.
	N/A
Did the prosecutor correctly identify the type of knife involved in the commission of the offence?	Yes No
Has the prosecutor considered any likely defences (e.g. denies possession, good reason or lawful authority for having the knife) and identified reasonable lines of inquiry, where appropriate?	Yes No N/A
If a knife offence was dropped in consideration of pleas to other offences, was CPS guidance and policy in relation to knife crime and the Attorney General's Guidelines on Accepting Pleas properly considered?	Yes No N/A
Did the prosecutor correctly identify and apply the mandatory minimum sentencing provisions in knife or weapon-related offences? ²⁰	Yes No N/A
Did the prosecutor correctly identify and apply the mandatory minimum sentencing provisions for a "second knife or weapon offence" under section 315 of the Sentencing Act 2020? ²¹	Yes No N/A
Did the prosecutor address sentencing guidelines and outline in which category the prosecution placed the offence?	Yes No
Did the prosecutor consider whether the case was suitable for diversion (e.g. youth caution or conditional caution) before deciding to prosecute the child/youth for the knife offence?	Yes No N/A

²⁰ This question relates to the prosecutors handling of mandatory minimum sentence at the review stage

²¹ This question relates to the prosecutors handling of mandatory minimum sentence at the review stage

An inspection of the CPS's approach to handling knife crime

Did the prosecutor assess the victim's eligibility for special measures (e.g. screens, video links) and consider their specific needs and vulnerabilities when preparing the case?	Yes
	No
	N/A
Was a Victim Personal Statement (VPS) for each victim of the knife offence present on file, or if not, did the prosecutor take steps to request one?	Yes
	No
	N/A
Was the victim informed of changes to charges, and their right to request a review under the Victims' Right to Review (VRR) scheme (where applicable)?	Yes
	No – Victim not informed.
	No – Victim informed of changes to charges but not to VRR right.
Where the CPS has communicated with the victim, was this made accessible to the victim, and the letter was of good quality?	Yes
	No
	N/A
Was the VCL letter sent within the required timeframe (1 working day for enhanced victims, 5 working days for others)?	Yes
	No
	N/A
Did the advocate seek relevant ancillary orders (e.g. Forfeiture, Deprivation, SVRO)?	Yes
	No
	N/A
	N/K
Is there evidence that the victim's wishes were followed in relation to the VPS?	Yes
	No
	N/A
	N/K

Annex D - Glossary

Ancillary orders

Orders which the prosecution can invite the court to make, or the court can decide to make of its own volition, for example to prevent the defendant from contacting the victim or engaging in certain activity.

Area

The Crown Prosecution Service (CPS) is divided into 14 geographical Areas across England and Wales. Each Area is led by a Chief Crown Prosecutor, supported by an Area Business Manager.

Case management system (CMS)

An IT system for case management used by the CPS, which records most of the details of cases and provides management information and data. Through links with police systems, the case management system receives electronic case material that has replaced paper files.

Charging decision

A decision by the CPS (or the police in certain circumstances) whether there is sufficient evidence, and whether it is in the public interest, to charge a suspect with a particular offence. The process is governed by the Director's Guidance on Charging, 6th edition, which came into effect in December 2020.

Child Gravity matrix

The decision-making tool used to assist in deciding the most appropriate outcome or disposal for children, based on the offence committed and taking into account aggravating and mitigating factors, to give a final score that will indicate an appropriate outcome. This matrix remains subject to the need to apply the Code for Crown Prosecutors and other guidance referred to, but it provides a framework for that decision-making.

Code for Crown Prosecutors (the Code)

A public document, issued by the Director of Public Prosecutions, that sets out the framework for prosecution decision-making. Cases should proceed to charge only if there is sufficient evidence against a suspect to provide a realistic prospect of conviction and it is in the public interest to prosecute.

Crown Court

The court which deals with graver allegations of criminal offences, such as murder, rape, and serious assaults. Some allegations can be heard at either the Crown Court or the magistrates' courts.

Crown Prosecution Service (CPS)

The main public agency for conducting criminal cases in England and Wales, responsible for: prosecuting criminal cases investigated by the police and other investigating bodies; advising the police on cases for possible prosecution; reviewing cases submitted by the police; determining any charges in more serious or complex cases; preparing cases for court; and presenting cases at court. It has been operating since 1986 and is headed by the Director of Public Prosecutions.

Defendant

Someone accused of and charged with or convicted of a criminal offence.

Hearing Record Sheet

A CPS electronic record of what has happened during a court hearing, and any actions that need to be carried out afterwards.

Pre-charge decision (PCD)

The process by which the police and CPS decide whether there is sufficient evidence for a suspect to be prosecuted. The process is governed by the Director's Guidance on Charging.

Prosecutor

A lawyer in England and Wales who is independent from the police and other investigators. CPS prosecutors decide whether to bring criminal charges, decides on appropriate charges, advises investigators, prepares cases and presents them at court.

Review

The process whereby a CPS prosecutor determines that a case received from the police satisfies, or continues to satisfy, the legal test for prosecution in the Code for Crown Prosecutors. This is one of the most important functions of the CPS.

Special measures

The Youth Justice and Criminal Evidence Act 1999 provides for a range of special measures to enable vulnerable or intimidated witnesses in a criminal trial to give their most accurate and complete account of what happened. Measures include giving evidence via a live TV link to the court, giving evidence from behind screens in the courtroom and using intermediaries. A special measures application is made to the court within set time limits and can be made by the prosecution or defence.

Serious Violence Reduction Order (SVRO)

A civil order imposed by a court on an adult convicted of a qualifying knife or offensive weapon offence. SVROs give the police targeted stop-and-search powers without the need for reasonable suspicion, enabling officers to stop the individual at any time while the order is in force. SVROs are designed to reduce repeat knife-carrying, manage risk in the community, and support early intervention in cases associated with serious violent offending.

Victim Personal Statement (VPS)

When a victim explains to the court how a crime has affected them. If a defendant is found guilty, the court will take the VPS into account, along with all the other evidence, when deciding on an appropriate sentence.

Victims' Right to Review (VRR)

This scheme provides victims of crime with a specifically designed process to exercise their right to review certain CPS decisions not to start a prosecution, or to stop a prosecution. If a new decision is required, it may be appropriate to institute or reinstitute criminal proceedings. The right to request a review of a decision not to prosecute under the Victims' Right to Review (VRR) scheme applies to decisions that have the effect of being final made by any crown prosecutor, regardless of their grade or position in the organisation. It is important to note that the "right" referred to in the context of the VRR scheme is the right to request a review of a final decision. It is not a guarantee that proceedings will be instituted or reinstated.

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