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## **Serious offenders could face bigger penalties under new environmental sentencing proposals**

New proposals for how environmental offenders like fly-tippers should be sentenced have been launched by the Sentencing Council

The draft sentencing guidelines, which could mean larger fines for serious offenders, aim to provide clear guidance on sentencing these offences so that there is a consistent approach in courts across England and Wales.

They also aim to ensure that the fines given to offenders match the seriousness of offence so that they are given an appropriate financial penalty, as well as being deterred from committing more crime.

The Sentencing Council is proposing that magistrates make more use of the highest levels of fines available to them which is expected to increase fines for those that cause the most damage or risk to health. This is likely to include corporate offenders.

The guideline covers a wide variety of offences related to the disposal of waste and rubbish mostly covered by the Environmental Protection Act 1990 and the Environmental Permitting (England and Wales) Regulations 2010.

This includes fly-tipping, whether this is a company dumping a lorry-load of used tyres or someone leaving an old mattress in an alleyway. It also covers offences where a company or individuals have not handled or disposed of waste properly.

Other areas covered include nuisance offenders who cause noise, smoke, dust or smells, or run premises which pose a health or pollution risk.

The Sentencing Council is seeking views from the public, those working in the criminal justice system and environmental professionals.

The consultation runs from 14 March 2013 to 6 June 2013 and responses can be made online at [www.sentencingcouncil.org.uk](http://www.sentencingcouncil.org.uk), by email to [consultation@sentencingcouncil.gsi.gov.uk](mailto:consultation@sentencingcouncil.gsi.gov.uk) or by post.