

Sentencing Council

MEETING OF THE SENTENCING COUNCIL

16 DECEMBER 2016

MINUTES

Members present: Colman Treacy (Chairman)
Simon Byrne
Mark Castle
Rosina Cottage
Julian Goose
Martin Graham
Jill Gramann
Heather Hallett
Tim Holroyde
Sarah Munro
Julian Roberts
Alison Saunders
Kate Thirlwall
Richard Williams

Representatives: Sophie Marlow for the Lord Chief Justice (Legal
Advisor to the Lord Chief Justice, Criminal Justice
Team)
Claire Fielder, Deputy Director, Criminal Law and
Sentencing Policy

Members of Office in
Attendance Steve Wade (Head of Office)
Mandy Banks
Vicky Hunt
Jo Keatley
Ruth Pope

1. WELCOME AND APOLOGIES FOR ABSENCE

- 1.1 No apologies were received.

2. MINUTES OF LAST MEETING

- 2.1. The minutes from the meeting of 18 November 2016 were agreed.

3. MATTERS ARISING

- 3.1. The Chairman congratulated Kate Thirlwall on her appointment as a Lady Justice of Appeal and noted that this would be her last meeting. He thanked her for her contribution over the last nine months, both at meetings and between meetings, in particular as lead Council member on the Child Cruelty guideline and for her help with the Guilty Plea and Manslaughter guidelines.

4. DISCUSSION ON GUILTY PLEA – PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL

- 4.1 The Council signed off the definitive guilty plea guideline to apply to adults and organisations. The Council agreed that it should come into effect on 1 June 2017 and apply to all cases where the first hearing was on or after that date. There was a discussion on the resource assessment which will be brought back to the Council in January once the figures have been finalised.

5. DISCUSSION ON INTIMIDATORY OFFENCES – PRESENTED BY MANDY BANKS, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council discussed some revisions made to the guidelines since the previous meeting, including new guidance for the sentence uplift for the aggravated harassment and stalking offences, and new wording relating to mental health disposals for the stalking/harassment guideline.
- 5.2 The Council also considered a proposed outline for the consultation paper, ahead of the joint consultation of the Intimidatory Offences and revised Domestic Abuse: Overarching Principles guidelines, planned for Spring 2017.
- 5.3 The Council discussed recent events in the House of Lords regarding the amendment to increase the statutory maximum sentence for stalking offences, and agreed to continue with work on the guidelines, however noting that it would be necessary to monitor the situation closely, in order to consider any forthcoming legislative changes, ahead of consultation.

6. DISCUSSION ON MANSLAUGHTER – PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL

- 6.1 The Council discussed proposed amendments to the draft manslaughter guidelines and considered sentencing levels. The Council asked for further work to be done to test the proposals against cases to check that the guideline would not lead to general sentence inflation for manslaughter.

7. DISCUSSION ON YOUTH – PRESENTED BY VICKY HUNT AND JO KEATLEY, OFFICE OF THE SENTENCING COUNCIL

- 7.1 The Council considered the youth guidelines for the final time. They considered and agreed to a change in terminology within the guidelines to use the term 'child or young person' instead of youth. In addition they agreed to a number of other minor changes. Finally they signed off the guidelines and agreed to their publication in March 2017.