

Sentencing Council

MEETING OF THE SENTENCING COUNCIL

29 JULY 2016

MINUTES

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

Apologies: Sarah Munro
Simon Byrne

Representatives: Sophie Marlow for the Lord Chief Justice (Legal
Advisor to the Lord Chief Justice, Criminal Justice
Team)

Members of Office in
Attendance Claire Fielder (Head of Office)
Mandy Banks
Lisa Frost
Vicky Hunt
Ruth Pope
Joanne Keatley

1. WELCOME AND APOLOGIES FOR ABSENCE

- 1.1 Apologies were received as set out above.

2. MINUTES OF LAST MEETING

- 2.1. The minutes from the meeting of 24 June 2016 were agreed.

3. MATTERS ARISING

- 3.1 The Chairman formally welcomed Rosina Cottage QC as a member of the Council, following the start of her three year term of appointment on 18 July. The Chairman informed the Council that he had been reappointed to serve as Chairman for a further three year term from November.
- 3.2 The Council recorded its thanks to Stephen Muers, who had made an important and valuable contribution to the Council as the Lord Chancellor's representative for the last 3 years.
- 3.3 The Chairman noted that this was the final Council meeting for three members of staff: Claire-Louise Manning, Patricia Scicluna and Liz Whiting. He thanked all of them for their contributions to the Council's work.

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

- 4.1 The Council reviewed the guilty plea guideline following the consultation. It considered a revised exception to provide safeguards for defendants who could not reasonably be expected to enter a plea at the first stage of proceedings. The Council agreed to explore including guidance on guilty plea reductions for youths within the youth guideline and removing youths from the scope of the guilty plea guideline. It would continue to consider responses to the consultation and further revisions to the guideline in September.

5. DISCUSSION ON BLADED ARTICLES AND OFFENSIVE WEAPONS – PRESENTED BY VICKY HUNT, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council made final changes to the two adult guidelines for bladed article and offensive weapons (possession and threats). It also considered the youth guideline and agreed its content. The Council signed off the three guidelines and associated resource assessments ready for consultation which will begin in October.

6. DISCUSSION ON BREACH – PRESENTED BY LISA FROST, OFFICE OF THE SENTENCING COUNCIL

- 6.1 The Council gave extensive consideration to the breach guideline, agreeing two further guidelines for breach of a director's disqualification and breach of disqualification from keeping an animal. The final package of breach guidance was then reviewed and finalised, with a view to consultation in October.

7. DISCUSSION ON CHILD CRUELTY – PRESENTED BY JO KEATLEY, OFFICE OF THE SENTENCING COUNCIL

- 7.1 The Council considered sentence levels for guidelines for cruelty to a child and causing or allowing a child to die or suffer serious physical harm for the first time. Minor amendments were agreed for both guidelines and the sentence levels agreed for cruelty to a child; revisions were proposed for sentence levels in the latter guideline which will be reviewed at subsequent meetings.
- 7.2 The Council discussed the offence of failing to protect a girl from female genital mutilation and decided that it would work on developing a guideline alongside the guidelines on child cruelty.

8. DISCUSSION ON INTERPERSONAL OFFENCES – PRESENTED BY MANDY BANKS, OFFICE OF THE SENTENCING COUNCIL

- 8.1 The Council discussed draft guidelines for harassment and disclosing private images, and agreed a number of changes. Further work was also to be done to develop guidance to use when sentencing racially and religiously aggravated harassment offences.
- 8.2 The Council confirmed the scope of this package of guidelines and agreed to produce a guideline on threats to kill offences in addition to guidelines on stalking, harassment, disclosing private images and controlling or coercive behaviour in an intimate or family relationship.

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

- 9.1 The Council agreed a version of the involuntary manslaughter guideline to be tested with judges in September. The results of this research will be reported back to the October meeting of the Council. An early draft of a guideline for sentencing manslaughter by reason of loss of control was discussed and amendments suggested. This guideline is to be discussed further in October.

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