

Sentencing Council 10th Anniversary Event Programme

Friday 3 April 2020

Syndicate Groups

Each of the six syndicate groups below will be run twice (the first at 2.45pm and the second at 3.20pm). Please select your preferred two syndicate groups. Please also select a third option in case numbers in individual groups mean that we are not able to place delegates in their first two choices.

Please email info@sentencingcouncil.gov.uk with your choices by 20 March 2020.

Consultation theme	Topic
Guidelines session 1	<p>Are guidelines becoming too complicated?</p> <p>Sentencing guidelines are primarily a tool for use in court. Sentencing is a complicated and nuanced process and guidelines are increasingly designed to incorporate a range of factors and information (including cross referencing to other guidelines) to reflect this.</p> <p>This session will explore what aspects of guidelines are helpful and which are not. For example, is there a danger that the more information that is included in guidelines, the less useful they become? How can the Council best develop functional guidelines that properly reflect the different facets of sentencing?</p>
Guidelines session 2	<p>Overarching guidelines – how useful are they? How might they be improved?</p> <p>Overarching sentencing guidelines can cover types of offending (such as the domestic abuse guideline); types of offender (such as the children and young people guideline) or discrete areas of law and procedure (such as allocation). As with all sentencing guidelines they are designed to be useful tools, employed as part of the sentencing process.</p> <p>In this session we will explore how the Council should decide which overarching topics should be the subject of future guidelines and how these should be delivered.</p> <p>Considerations may include:</p> <ul style="list-style-type: none"> • Do stand-alone guidelines have greater impact than overarching themes incorporated into offence specific guidelines? • Should future overarching guidelines concentrate on types of offender (such as women), and if so, why?

Consultation theme	Topic
A&R session 1	<p>The Council has a duty to have due regard to the needs of those with protected characteristics. In its analytical work, what more could/should the Council do to fulfil this duty?</p> <p>The Public Sector Equality Duty is a legal duty that includes a requirement for public authorities to have ‘due regard’ to the need to eliminate discrimination and to advance equality of opportunity between those who share a ‘protected characteristic’ and those who do not. The protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.</p> <p>The Council considers data on volumes of offenders sentenced grouped by sex, ethnicity and age and this is published alongside the draft and definitive guidelines. Consultations include a consideration of the issues raised by the data and seek views as to whether there are any other equality or diversity issues the guideline has not considered.</p> <p>Undertaking more detailed analytical work on specific demographic groups is problematic: it requires large sample sizes, as well as the linking of datasets for some characteristics.</p> <p>This session will explore – in the context of these constraints –how the Council might improve its work in this area in the future.</p>
A&R session 2	<p>Is the Council prioritising the right areas of analytical work? Should any other area(s) be given higher priority for the future?</p> <p>Analysis and research is integral to ensuring the Council develops guidelines that meet our aims and objectives. Analytical work contributes to all stages of guideline development, monitoring and evaluation and to fulfil the Council’s other statutory duties. We are aware, however, that if resources permitted, we could make improvements in this area, including to the techniques and approaches we employ; the data we collect and use; the measures we evaluate; and the focus of some of the work.</p> <p>In this session, we will discuss whether there are any areas that the Council should prioritise more highly and if so, what these would be.</p>
Public confidence	<p>To what extent should the Council assume responsibility for promoting public confidence in sentencing and in the wider criminal justice system? Which areas of activity could the Council pursue that would add most value in promoting public confidence?</p> <p>The Council has a statutory duty to have regard to the need to promote public confidence in the criminal justice system when developing guidelines. The Council has interpreted this duty as a wider obligation to take active steps to promote public confidence in both sentencing and the criminal justice system. In this session we will be asking delegates, with their experience from both within and beyond the criminal justice system, whether this is an appropriate use of the Council’s limited resources and, if so, how we can do it most effectively.</p>

Consultation theme	Topic
Effectiveness in sentencing	<p data-bbox="544 264 1362 394">How could, or should, sentencing guidelines have regard to the costs of different sentences and their relative effectiveness in preventing reoffending? In which ways could, or should, the Council promote awareness of such matters?</p> <p data-bbox="544 416 1382 546">The Council has a statutory duty to have regard to the cost of different sentences and their relative effectiveness in preventing reoffending when preparing or revising sentencing guidelines and may also promote awareness of such matters.</p> <p data-bbox="544 568 1382 730">The Council receives an annual summary of research on re-offending. Given our limited resources, this has been considered a practical and proportionate way to ensure that Council members have a shared understanding of the current literature relating to sentencing and reoffending which can be taken into account in developing guidelines.</p> <p data-bbox="544 752 1382 949">The Council considers the costs of correctional resources in the resource assessments of new guidelines. We have not chosen to pursue this area more fully partly because the cost of a sentence should not be considered when deciding on the most appropriate disposal in any given case and partly because further meaningful work on costs would be resource-intensive.</p> <p data-bbox="544 972 1342 1066">However, there are views that the Council should do more in these areas – either in terms of integrating research and evidence into guidelines, or in disseminating it more widely.</p> <p data-bbox="544 1088 1366 1151">In this session we will explore with delegates what more we might do in relation to these matters.</p>