



Annex 1

Confidence and Communications Strategy 2016/17

Commissioned by the Sentencing Council's Confidence and Communications sub-group
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CONTEXT

The Sentencing Council is an established organisation, having been in existence since 2010. By the end of March 2016, the Council will be consulting on its fifteenth guideline, publishing its thirteenth with its eleventh coming into force.

Feedback during research interviews and other interaction with judges and magistrates suggests that initial scepticism about guidelines has now turned into general support. This is supported by MoJ sentencing data and findings from the Crown Court Sentencing Survey on assault which indicates a substantial degree of consistency in its application across Crown Court centres. Judges and magistrates refer to the guidelines in their sentencing remarks which help raise public awareness that they are following a consistent process.

The model adopted by the guidelines has become more sophisticated, setting out an approach for sentencing corporate as well as individual offenders, and a way in which to take into account risk of harm as well as actual harm.

Visibility of the work of the Council has been increased through broad coverage in mainstream national media and there continues to be strong public interest and political debate around sentencing. The Court of Appeal refers to sentencing guidelines when reaching its judgments. Media coverage is often critical if sentences appear to be unduly lenient. Publicity surrounding high profile offences causes a greater degree of debate around release provisions and comparative sentences for similar offences.

In April, the Council will publish its fourth business plan setting out its aims, objectives and work plan for the year as well as its sixth annual report in autumn 2016. This confidence and communications strategy will cover the period from 1 April 2016 to 31 March 2017, in line with the business plan.

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AIMS AND OBJECTIVES

The Council's aims and objectives are drawn from the Coroners and Justice Act 2009. The Statement of Purpose set out by the Council in its 2016/17 Business Plan says:

“The Sentencing Council for England and Wales promotes a clear, fair and consistent approach to sentencing by publishing sentencing guidelines which provide clear structure and processes for judges and magistrates to use in court and improve awareness and understanding of sentencing among victims, witnesses, offenders and the public.”

The strategic communication objectives of the communication team are to:

- support effective implementation of guidelines across the criminal justice community;
- promote awareness and understanding of sentencing, the sentencing guidelines and how they work among practitioners, victims and the public; and
- reinforce the reputation of the Sentencing Council and sentencing guidelines across the criminal justice system and with government, Parliament, the media and the public.

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To achieve our objectives, we have identified five work strands:

- publish and distribute sentencing guidelines;
- develop the Council's digital capability;
- develop productive working relationships with partners and interested parties;
- work to engage the public and victims of crime; and
- provide expert advice.

To ensure our efforts are well targeted and resources used to best effect, we will evaluate and measure our communication activities throughout the life of this strategy.

CONFIDENCE AND COMMUNICATIONS SUBGROUP ASPIRATION

In support of the aims and objectives above, the confidence and communications sub-group has set out its aspiration that the approach to sentencing offenders is viewed as proportionate, fair and consistent by sentencers and other practitioners in the justice system, victims of crime and the general public.

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In detail, that:

- judges, magistrates and other criminal justice practitioners have confidence in the guidelines and in the sentencing process which the guidelines promote;
- key players in the criminal justice system such as the police are advocates of the sentencing process, and use the guidelines as a touchstone to explain the sentencing process to victims and others involved; and
- victims and members of the public have access to information about the sentencing process which enables them to draw their own conclusions about whether sentencing is proportionate and fair both in cases in which they are involved and in high profile cases covered by the media.

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COMMUNICATIONS APPROACH

It should be noted that a period of purdah will fall within the scope of this strategy for local elections meaning that external communications activities will be limited from the end of March until May.

Building on the work undertaken last year, the following section outlines our planned approach covering our five strategic communications aims.

1. Publish and distribute sentencing guidelines

This year we will undertake to support the following guideline activities [\[updated Nov 2016\]](#):

- issuing consultations on: youths (May), MCSG (May), knives (October), breach (October)
- publishing definitive guidelines on: money laundering (May), imposition (October), MCSG (January), guilty pleas (Feb/Mar), youths (Feb/Mar)
- bringing in to force definitive guidelines on: robbery offences (April), dangerous dog offences (July), imposition (January)

[Some of the Sentencing Council's guidelines have now been in force for a while and the Council is starting to evaluate their performance. We shall seek opportunities to promote the outcomes of these evaluations, where appropriate.](#)

We will also continue to publish material from the Analysis and Research team such as research bulletins, resource assessments, equality impact assessments, data tables and any other materials.

2. Develop the Council's digital capability

All roles within the office of the Sentencing Council incorporate digital communications – we all 'do digital'. Each team is responsible for their own areas of the website and staff on each team have received training and support in using our new content management system.

Key areas of work this year are:

- Digital guidelines:

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As part of our digital strategy we have developed online and offline sentencing guidelines for magistrates – work to maintain, develop and support the use of these guidelines and the tools within them, is a priority. During this year, we will now focus on developing digital guidelines for the Crown Court whilst noting that it will be of the highest importance to build relationships with other areas of the justice system which are also developing new digital systems as well as noting that the successful delivery of digital guidelines for the Crown Court will be dependent on the delivery of other systems and tools.

- Sentencing Council website

Because of our independence, the Sentencing Council's website is exempt from inclusion on the GOV.UK website which now contains most departments' web content. Our site is managed via the WordPress content management system which enables us to enhance our content as we wish. Our work this year will focus on enhancing the content on this site and making improvements based on user feedback.

- Digital Council

We have created an online secure space for Council business – all papers are circulated via this online space and many Council members now work from a laptop or tablet at Council meetings rather than printing papers. We have also created an online document store which allows Council members and staff to collaborate on shared documents. The priority for this year is to maintain activity in this area and encourage even greater acceptance of digital working.

- Twitter and other social media:

A plan to increase our use of Twitter was approved by the Confidence and Communications Subgroup and has been put in place. More sophisticated methods of monitoring Twitter activity via Hootsuite are in place. Since the launch of the new website in January 2015, we have increased our activity on Twitter even further, tweeting around 14 times a month since then with an extra 50 followers per month. We have also started a new Twitter account for the Head of Office which we will use for more informal communication about the work of the office. We will explore other social media channels and consider opportunities to extend our reach via these channels.

- Consultation:

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The Cabinet Office encourages the use of digital means to carry out 'open policy making'. This includes the use of online consultation tools. We currently run our online consultations using Citizen Space and will continue to do so while exploring other options.

3. Develop productive working relationships with partners and interested parties

This year we will continue to focus on ensuring that definitive guidelines are implemented effectively within the criminal justice community. For example, all consultation and definitive guideline launches will be communicated to relevant organisations such as the CPS, HMCTS, NOMS, police, probation and so forth. We will build a network of contacts and develop a good understanding of available channels to help us reach professional, practitioner audiences.

Whilst maintaining our independence, we will also continue to foster a close working relationship with MOJ Communications Directorate to ensure that they are informed and updated as well as more generally aware of our work. We will do this through attendance at monthly MOJ communications meetings for heads of communications in 'Arms Length Bodies' and keeping the MOJ news planning team informed of our planned media and campaign activities, as well as ensuring MOJ press officers attend the guideline 'walk-throughs' prior to any consultation launches or guideline publications.

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There will continue to be a focus on Parliament and we remain open to facilitating meetings between interested parliamentarians and Council members. We will assist with briefing the Chairman and any other Council members who attend Justice Committee meetings.

A new stakeholder management tool has been introduced to allow the office to keep better records of all interactions and relationships with stakeholders, which will enable us to tailor our communications more appropriately for each audience. The tool has only recently been introduced and we will work this year to embed use of the tool in the Council's day-to-day working practices.

Deleted: A new stakeholder management tool will enable the office to keep better records of all interactions and relationships with stakeholders to enable us to tailor our communications more appropriately for each audience. This work has been on hold for some time now but MOJ Technology continue to support us in looking at possible solutions. We will pursue this and remain hopeful that a solution will be found in this reporting year.

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4. Work to engage the public and victims of crime

In the 2015/16 financial year, we exceeded the target of speaking at 20 events by two. It has been agreed to retain this target for the period of this strategy – ~~by October, we had already exceeded the target.~~ It is recognised that preparation for these events takes up considerable time but this is time well spent as we are reaching both good numbers and a broad range of audiences.

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We would endeavour to be open to opportunities as they arise, for example working with offence-specific interest groups or other sectors of the general public as our work progresses. However, our primary focus will be with two specific audiences, as set out below.

Victims should be at the heart of the criminal justice system and providing information which helps explain the sentencing process to them is a priority for the Sentencing Council. Guidelines are increasingly explicit in terms of how judges and magistrates should consider the impact of crimes on the victim, not just physically but also emotionally and we will back up this focus in our communications work. One particular area to focus on will be establishing a firm relationship with new staff at Victim Support and with Citizens' Advice who now manage witness services in England and Wales.

We have been unable to conduct current research due to budget restrictions but we know from older pieces of research that the public's views of sentencing are primarily shaped by the media, their friends and by frontline practitioners. The **police** especially hold a position of trust when it comes to victims of crime, their families and the wider public. For this reason, we are planning to continue our work to communicate with the police to ensure they are aware of how sentencing works as well as develop our relationship with the National Police Chiefs' Council (NPCC), Association of Police and Crime Commissioners (APCC), the College of Policing and other police bodies further. However we are realistic about the challenges we face – police training is carefully managed and unless there is clear and immediate relevance to trainees, content from external bodies will not be included.

5. Provide expert advice

We have regular approaches from broadcasters and journalists asking us to explain or verify information and we will continue to maintain and build on these existing Commissioned by the Sentencing Council's Confidence and Communications sub-group
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relationships with the media. We aim to be the most helpful and reliable source of official information on sentencing for the media to ensure that reported information and fictional portrayals are as accurate as possible.

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KEY MESSAGES

To underpin our general communications the following is a list of proposed core messages.

- Sentencing guidelines mean that all judges and magistrates in England and Wales take the same approach to sentencing offenders.
- Sentencing guidelines always take into account the impact on the victim.
- Sentencing guidelines do an important job in making sure the punishment fits the crime.
- The sentences you see in the headlines are there because they stand out from nearly 1.3m sentences handed out each year.
- Once people understand the full facts of a case and the reasoning of the judge or magistrate, they are likely to think sentencing is about right. Reports in the media only give a partial picture which can lead people to think sentencing is too lenient.
- The guidelines follow clear steps to determine the harm caused by the offence, including the extent of any harm caused to the victim; the offender's level of blame and any circumstances that may lead to a longer or shorter sentence.
- Sentence levels in guidelines are appropriate for the vast majority of cases but judges and magistrates can, and do, sentence outside the guidelines if it is in the interests of justice to do so but they must give their reasons.
- Sentencing guidelines can only go so far – they have to work within the law. Parliament sets maximum sentence lengths, the proportion of a sentence served in prison and the proportion served on licence in the community.
- It is the Sentencing Council's job to prepare guidelines, monitor their use, and help make sentencing easier to understand.
- We work with victims groups, judges, magistrates, lawyers, people working in criminal justice and experts to develop clear guidelines. We check with the public what they think about them.

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MEASUREMENT AND EVALUATION

We are committed to evaluating our communications activity to ensure we are meeting our aims and objectives while making the best use of limited resources. Evaluation activities are grouped under three broad headings below – guidelines and consultations, media and digital and confidence.

Guidelines and consultations

- While we will continue to measure the number of responses to consultations, we will also work with policy colleagues on our consultation approach to set metrics based on target audience and outcome desired.
- To date, we have concentrated on measuring the number of responses to each consultation. With the more complex offence types, such as sexual offences and fraud, it has become evident that it is as important to receive high quality, robust responses from key interested parties as to focus on the quantity of responses.
- We will identify a sample of practitioners and aim to set a benchmark regarding their awareness of and satisfaction with guidelines before and after communications and confidence activity. This may have to be a fairly small sample and may only occur once or twice in the year as we have limited resources available.

Media and digital

- We have a media monitoring contract in place with Vocus. This ensures that all broadcast, print, online and social media coverage will be captured for analysis.
- We will continue to monitor closely and report on media coverage associated with each consultation and the publication of definitive guidelines.
- We will work with policy colleagues to identify target media and interested parties for each guideline, set out our aims and monitor the outcomes.
- Our new stakeholder management tool will enable us to measure both quantities and quality of relationships.
- The most obvious metric regarding the website is that of visits/visitors to the site. However, one of our aims this year is to extend the reach of Sentencing

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Council materials which could be done by measuring the reach of the partner websites we target (such as Victim Support's) as well as measuring views of, say, video material on YouTube.

- We will monitor the number of Sentencing Council Twitter followers, tweets and re-tweets we achieve, and the reach (number of followers) of those who re-tweet.

Confidence

It is not possible to measure the direct impact of communications activity on public attitudes in the broadest sense, but we will gauge the effectiveness of the projects we aim to deliver as follows:

- if we achieve television/radio coverage review the tone, accuracy of message, reach of coverage, if appropriate audience participation, partner endorsement, associated media; and
- where we are targeting a specific audience such as police, set specific measures and test a sample of that target group. This could include levels of knowledge/confidence before and after exposure to materials, as well as user satisfaction in the quality and usability of the materials we provide.

BUDGET AND RESOURCES

It is anticipated that the budget for 2016/17 will be in the region of £110,000 although there is scope for this to increase as the split between the communications team and the analysis and research team can be adjusted according to need. The current spend is split between: digital work such as web hosting and development and guideline production, media monitoring and training. The majority of the spend will be on digital work with anticipated reductions in print and distribution as more practitioners gain access to digital materials.

It should be pointed out that the projects identified to target public confidence will have to be produced at little or no cost.

RISKS

With all communications work comes a certain element of risk. This may be associated with:

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- unpredictable (or even predictable) reactions from interested parties including the media, professional bodies, academics and other audiences;
- uncosted elements of the strategy; or
- the evolving nature of many of the policy areas being worked in.

Communications risks are listed as a sub-section of the organisational risks in the risk log and are monitored by the communications sub-group of the Sentencing Council.