

Sentencing Council

Confidence and Communications Sub-group meeting

8 February 2016, 09:00 – 10:15

By phone: Dial 08444 737373 PIN 021323

Agenda

Intro (MC - 2 mins)

1. Draft communications strategy for 2016/17 (HS - 20 mins)

Paper 1

2. Action log, risk register, budget, web stats (HS & GS - 10 mins)
3. Media update – allocation, imposition, robbery, theft, health and safety and guilty pleas (NM - 15 mins)
4. Digital guidelines – progress and proposals (HS - 10 mins)
5. Victims update (NM - 5 mins)

Paper 2

6. Speeches/presentations update (HS - 5 mins)

AOB (All - 3 mins)

Blank page

Sentencing Council

Sub-group meeting: 8 February 2016
Paper: Strategy
Lead official: Helen Stear 020 7071 5788

1 ISSUE

- 1.1 The team has made a commitment to review and update its communications strategy every two years with a minor refresh at the half way point. Last year saw minor changes to the strategy so for the coming year (16/17) a fuller revision is required.
- 1.2 The senior management team at the Office of the Sentencing Council is now in the process of writing a new business plan in time for the new financial year in April and this plan will be developed and finalised in line with the timing on that document.
- 1.3 The draft business plan states that its four key objectives are: to prepare sentencing guidelines that meet their stated aims, with particular regard to the need to promote consistency and public confidence and the impact on victims; to monitor and evaluate the operation and effect of our guidelines and draw conclusions; to promote awareness of sentencing and sentencing practice; and to lead a team of officials to deliver high quality work in support of the Council's statutory duties.

2 RECOMMENDATION

- 2.1 That subgroup reviews the draft strategy and members offer their views and insight as we finalise the strategy in time for the beginning of the new financial year in April.

Please see the draft strategy attached at Annex A

3 CONSIDERATION

- 3.1 Given the constraints on the organisation's budget and resources and consequently the team, it is proposed that the communications strategy focuses closely on the core objectives stated in the business plan which relate to communications – that is, the promotion of public confidence through

the preparation of sentencing guidelines and the promotion of awareness of sentencing.

- 3.2 The draft strategy also places a greater emphasis on the work which is underway to develop the Council's digital capability primarily through providing access to digital guidelines for both magistrates' courts and the Crown Court.
- 3.3 Productive working relationships with key partners has remained a focus with an increased emphasis on maintaining a close and productive working relationship with MOJ Communications Directorate.
- 3.4 A mention of engaging with parliament has been retained although with an awareness that any future events such as the one held in November 2014 will have to be driven by demand from the Justice Committee or someone within parliament.
- 3.5 Working with the public specifically mentions our target to deliver 20 speeches and presentations in the course of the 16/17 financial year, our work to engage the police and our work to engage victims groups. We have in previous years sought to use market research to identify other target audiences but we are unable to conduct any new research of this nature and the existing findings are now very out of date. There has also been limited success with groups such as young people and women despite persistent efforts so if opportunities arise, we will do our best to pursue them, but it is recommended to limit our proactive work in this area and rather, focus on the areas outlined above.
- 3.6 Other changes have simply been to avoid the duplication of information which is available elsewhere, for example the risk register, and to simplify the strategy ensuring the focus is on the key points.

Questions:

- Do you agree that the communications team should focus its efforts on communications around guidelines?
- Do you agree with the increased emphasis on the developing the Council's digital capability?
- Do you agree that there should be a greater emphasis on the importance of maintaining a good relationship with MOJ Communications Directorate?
- Do you agree that we ought to be less explicit in terms of our aspiration to hold a parliamentary event?

- Do you agree that our primary focus in terms of engaging the public should be via the police and victims' groups?
- Do you feel that the level of detail overall is appropriate in the strategy?
- Are there any areas you feel are missing?

Annex A – Draft Communications Strategy 2016/17

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 often 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. 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.

AIMS AND OBJECTIVES

The Council's aims and objectives are drawn from the Coroners and Justice Act 2009. The five strategic communications aims of the communications team are that we will:

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

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.

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.

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 distributing sentencing guidelines

This year we will undertake to support the following guideline activities:

- April - robbery definitive in force
- May – youth consultation
- May – MCSG consultation
- June – imposition definitive published
- July – breach consultation
- July – dangerous dogs definitive in force
- September – knives consultation
- October – imposition in force
- November – guilty pleas definitive published
- November – manslaughter consultation
- December – child cruelty consultation
- January – public order consultation
- February – youth definitive published
- February – interpersonal offences consultation
- February – domestic abuse consultation

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:

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 GOV.UK 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:

A plan to increase our use of Twitter was approved by the confidence and communications sub group 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.

- Consultation:

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.

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, police, probation and so forth. 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 ways of working. We will do this through attendance at regular MOJ ALB comms meetings and grid meetings as well as ensuring MOJ press officers attend the guideline 'walk-throughs' prior to any launches.

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 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.

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 – we already have two confirmed events in the diary. 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.

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 Citizen's 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 NPCC, 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 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.

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.

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 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 £100,000. 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:

- unpredictable (or even predictable) reactions from interested parties including the media, professional bodies, academics and other audiences;
- uncoded 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.

Line item	RAG rating	Priority /urgency	Area	Action/comment	Comment/progress	Next action	Resp	Sub-grp sponsor
1	Orange	1. High	Publish guidelines & materials/ Digital capability	Maintain online MCSG content , working with colleagues, users, partners and digital agency to achieve this.	Online MCSG has been delivered. Additional functionality being added to fines calculator to accommodate multiple fines by mid-March. Have entered agreement with Apple to release offline version imminently. New guidelines (theft and H&S) have been added.	Continue to review and amend. Launch offline version and promote/support. New content - H&S and theft in force (01.02), allocation in force (01.03) and dogs definitive in March	HS	Jill/ Julian
2	Orange	1. High	Working with partner orgs	Continued promotion of the victims materials - film, leaflets and tent cards.	Distribution system set up with CAB re ongoing supply of the victims materials to them. Meetings held with CAB and VS to seek further ways of ensuring victims and witnesses have the information they need.	Materials will be supplied to the WS as required. There is potential for further collaborative work which should develop over the course of this year. In light of spending restrictions, video/film projects will be reviewed to consider low or no cost options such as collaboration with partners.	NM	Michael
3	Orange	1. High	Public and victims of crime	Review victim -focused info on website	Website has been reviewed and updated	Potential for further content on specific subjects following discussions with Witness Service	NM	Lynne
4	Green	2. Medium	Digital capability	Gather feedback via a web survey	Survey went live w/b 19.10.15. Pop up now implemented and tweet sent to get more responses however responses still in the low teens.	Review feedback so far and adjust target down from 300 responses?	GS	Julian
5	Green	2. Medium	Digital capability	Maintain a members' area of the website for Council members to use to access Council papers, induction materials and other information regarding meetings of the Council and sub-groups. Develop and launch a tool to facilitate online collaboration on documents.	Members' area delivered. Document store launched and demos completed to office staff and Council. User guide completed. Now being used successfully by all.	Gather feedback from users and resolve any issues.	GS	Julian
6	Orange	2. Medium		Police engagement and education.	Meeting with APCC snr policy manager and followed up with comms lead. HS has sent materials to him. NB there is some cross-over in this area with victims work...	Explore opportunities for articles and blogs, online content, attending meetings, presentations etc Investigate possibility of including sentencing information on sentencing in NPCC toolkits.	HS	Lynne
7	Green	2. Medium	Publish guidelines & materials	Maintain focus on implementation of guidelines . Issue summary briefing on new definitive guidelines for each agency.	All agencies receive and distribute articles regarding every consultation and definitive guideline launch eg robbery. Had very positive feedback on this from NOMS head of Comms recently.	NM to consider this as part of his planning for future guidelines. Send additional reminders to internal contacts regarding 'in force' dates: allocation on 01.03.16	NM	Jill
8	Orange	2. Medium	Working with partner orgs	After the May 2015 General Election work will continue to engage parliamentarians via new MPs and members of the Justice Committee will be contacted with information about the Council and its work	Research on all members of the Justice Committee completed, short biogs created and letters sent to members of the Justice Committee. CT has met Bob Neill MP, Kit Malthouse MP and Philip Davies MP. We now follow all justice and shadow justice ministers who have twitter accounts	Monitor parliamentary activity, provide input to briefings for meetings and committee sessions	HS	Michael
9	Green	2. Medium	Public and victims of crime	Educational materials for schools	Framework, glossary, simplified guideline and scenarios developed in conjunction with MoJ, approved by Association of Citizenship Teachers and launched in January 2016. They are published on the SC site, TES site and Guardian teachers area. They have also been publicised by the ACT.	Further channels will be sought and take up monitored.	NM	Lynne
10	Orange	2. Medium	Digital capability	Maintain or increase number of visits to website .	Webstats show that visitor numbers are back up to the level we expected.	Continue to monitor visitor numbers - ongoing	HS/GS	Julian
11	Orange	2. Medium	Digital capability	Use of Twitter has been expanded to ensure regular activity through more active sourcing of content to tweet, along with engagement with other Twitter users where appropriate.	Target of 3,000 followers has been achieved. There has been more regular activity on Twitter with the team ensuring that content is generated within the office or sourced from elsewhere. Increased focus on using twitter handles @SentencingCCL and # to attract more followers.	Continue to build on existing content - ongoing.	NM	Julian

Blank page

Sentencing Council

Sub-group meeting: 8 February 2016
Paper: Victims update
Lead official: Nick Mann 020 7071 5792

1 ISSUE

- 1.1 The team is continuing to review its work with victims' groups and Nick has had recent meetings with Citizens Advice and Victim Support to see how current information and materials is being used and now further products or information could be developed.

2 RECOMMENDATION

- 2.1 That subgroup endorses ongoing work with the Witness Service as an effective conduit to witnesses.

3 CONSIDERATION

MEETING WITH CITIZENS ADVICE / WITNESS SERVICE

- Citizens Advice reported that our existing materials on how sentencing works are used as part of their volunteer training so that they are still very useful to them. They also reported that the YBTJ scenarios are also being used in training and are very popular. Nick mentioned that we can also supply or produce text scenarios which they also said would be very useful.
- CA are now looking ahead to their second year of managing the Witness Service and will be expanding their services. This provides opportunities for us. They will be expanding usage of sentencing materials via their outreach service which provides support to witnesses through a pre-court meeting and a post-trial meeting. They will also be looking to increase emphasis on information about sentencing generally and there will be volunteer coordinators for courts from April so it will be easier to supply volunteers with information. They have indicated that there will be an increased demand for our existing materials.

- There may be potential for bigger projects later and they have a working group for comms which gives the opportunity for feedback and to road test materials.
- In terms of current channels, they are interested in sentencing-related content for their blog and newsletter and will be taking a look at what subject matter on our site could be of interest. There may be potential for guest content in either of these channels and they produce a variety of other materials that lend themselves to our content. This includes fact sheets on different subjects and the “How do I” and “What is” website sections for staff and volunteers which aim to educate on different areas.
- They feel there are some gaps in necessary information that they want to fill, such as information on trial outcomes (why someone would be acquitted, how decisions are made etc) the role of the VPS in sentencing (it is not clear to victims and witnesses who is responsible) and how decisions are made as to whether a case should be heard in the magistrates or Crown Court.
- A follow up meeting is planned for May.

Question: Do sub-group members agree with WS sourcing content from our site and for us to provide content on trial outcomes and allocation, and agree that content on VPSs would not be within our remit?

3.3 – MEETING WITH VICTIM SUPPORT

- Nick met the new communications manager at Victim Support to see if there are further ways in which we can ensure victims have access to the information they need about sentencing. He provided an update on what we have in terms of materials and what we could provide such as the new materials for schools, murder and manslaughter leaflets and infographics. He suggested that bespoke content could be provided for the Victim Support Site or their separate site for young people “You & Co” site or for staff/volunteer training purposes. The comms manager has said that she will discuss internally and with victim care units.
- Nick will follow up with a reminder of the resources available.

Question: Do sub-group members have any suggestions for other victims’ groups who would be valuable conduits to victims and witnesses?