

Working with sentencing guidelines on the magistrates' courts laptops

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Sentencing guidelines on the Sentencing Council website

The magistrates' courts laptops link you directly to the sentencing guidelines on the Sentencing Council website. From the home screen on your laptop, click on the Sentencing Guidelines tile.



Magistrates' Courts sentencing guidelines search page

The home screen tile links you directly to the magistrates' court sentencing guidelines search page. To find **offence-specific guidelines**, scroll down for a complete A-to-Z list or use the search box. Type in the name of the guideline, keywords or the name of the act or section. For **overarching guidelines** touch or click on the right-hand tab.

Magistrates' Court Sentencing Guidelines

Data collection exercise, all magistrates' courts, 4 January to 7 May 2021. For more information, see [Magistrates' Court Sentencing Guidelines homepage](#).

To find offence specific guidelines, type the name of the offence you are searching for in the box below. The more specific you are, the more accurate the results will be. You can search for specific offences, use keywords such as *knives* or use the name of the Act or section. For overarching guidelines, select the right-hand tab. Guidelines **shown in purple** are not yet in force.

Offences Overarching Guidelines

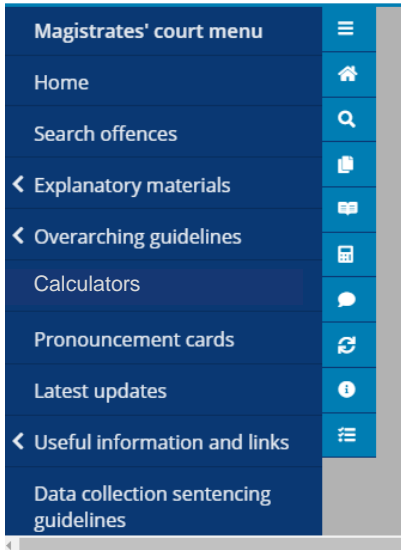
Search offences

Abstracting electricity
Theft Act 1968, s.13

Abuse of position of trust: causing a child to watch a sexual act
Sexual Offences Act 2003, s.19










Abuse of position of trust: causing or inciting a child to engage in sexual activity
Sexual Offences Act 2003, s.17

Using the left hand menu



The menu on the left-hand side of the screen gives you access to everything you need.

You can open and close the menu using the three bars at the top or you can use the short-cut icons.

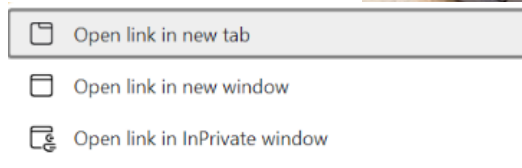
 Guidelines homepage	 Calculators
 Guidelines search page	 Pronouncement cards
 Explanatory materials	 Updates to guidelines
 Overarching guidelines	 Useful information, including the Bench books
 Current data collection exercises	

Working with more than one guideline at a time (bookmarking)

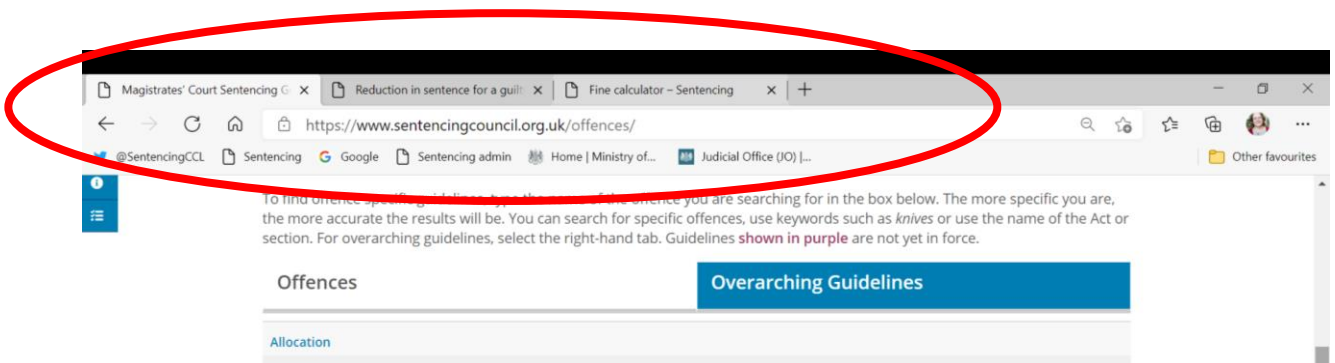
To **work with more than one guideline** or other type of page at a time, always open each new page in a new tab. Select the page you want with your cursor, then “right click” using the right-hand button at the top of your laptop touchpad.



Select “open link in new tab”.

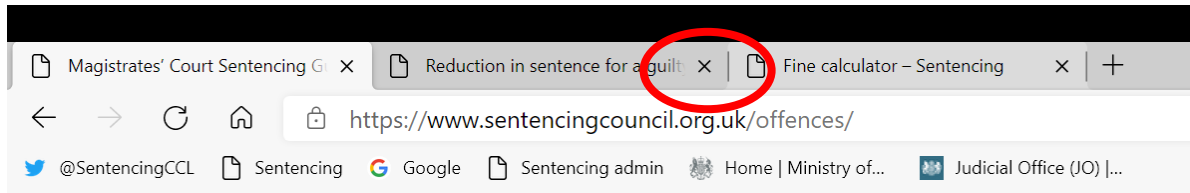


Your page will open in a new tab, which you’ll find at the top of the screen. Touch or click on the tab to open the page.



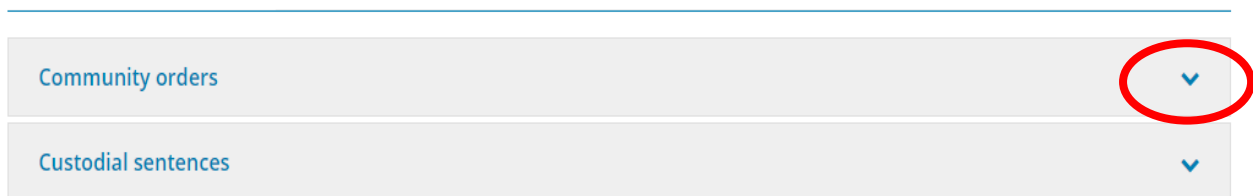
By always opening pages using a new tab, you can **bookmark multiple pages** in advance. You can switch easily between pages by touching or clicking on the tabs and, if you want to change the order, touch or click and hold on the tab, then drag it across.

When you have finished with a guideline, or you have too many tabs open, use the small cross on the tab to close it.



Opening simple links, down-down boxes and expanded explanations

Once you've opened a guideline, any **simple links** will automatically open in a new tab. You will also find **drop-down boxes** – touch or click on the arrow to open and close.



To open **expanded explanations** touch or click on the dotted underline, use the scroll bar on the right to see the full text and close down using the cross.

Aggravating factors

Statutory aggravating factors

- Previous convictions, having regard to a) the nature of the offence to which the conviction relates and its relevance to the current offence; and b) the time that has elapsed since the conviction
- Offence committed whilst on bail

Other aggravating factors

- Failure to comply with current conditions
- Offence committed whilst on licence
- Age and/or vulnerability of the defendant
- Discernible pain or distress suffered
- Period over which images were possessed
- High volume of images possessed
- Placing images where there is the potential for harm
- Collection includes moving images
- Attempts to dispose of or conceal images
- Abuse of trust
- Child depicted known to the offender
- Active involvement in a network of children
- Commercial exploitation and/or exploitation
- Deliberate or systematic searching for images of sexual abuse
- Large number of different victims

Aggravating factors

Statutory aggravating factors

- Previous convictions,
 - Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm or those inherent in the offence

Guidance on the use of previous convictions

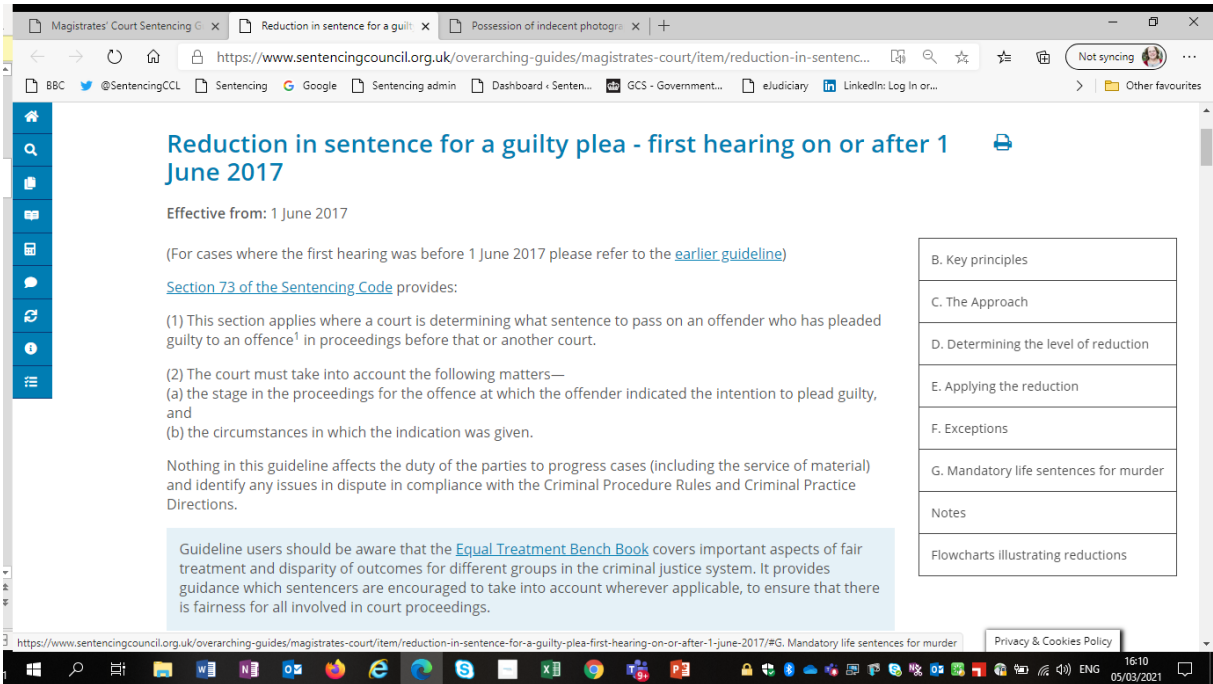
The following guidance should be considered when seeking to determine the degree to which previous convictions should aggravate sentence:

[Section 65 of the Sentencing Code](#) states that:

(1) This section applies where a court is considering the seriousness of an offence (“the current offence”) having regard to a) the nature of the offence to which the conviction relates and its relevance to the current offence; and b) the time that has elapsed since the conviction

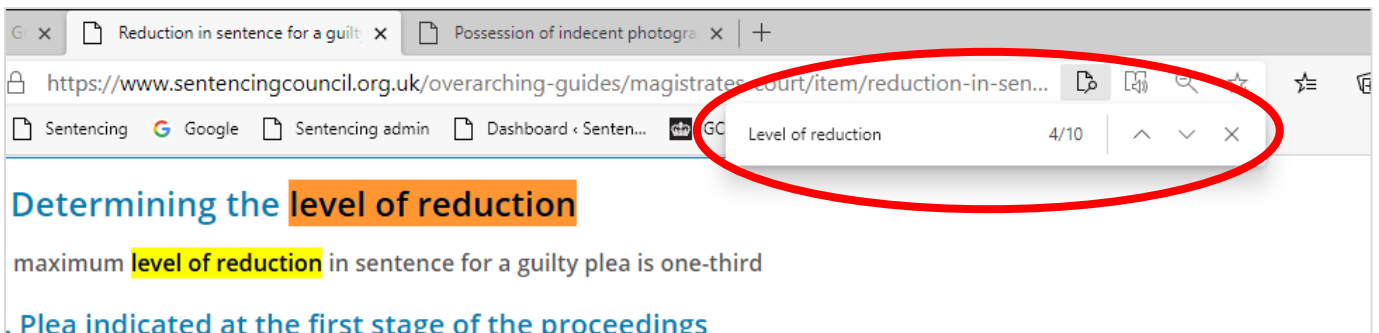
- Offence committed whilst on bail

In the overarching guidelines, you can use the **right-hand index** to jump directly to the sections you want to see.




Search using Control F

You can search within a guideline or on any page using Control F. Typing Control + shift + F on your keyboard will open a small search bar at the top of the page. Type the term you're looking for into the search bar. The bar will show you how many results there are, and you can use the up and down arrows to find the one you are looking for. Touch or click on the cross to cancel your search.



Fine calculator and drink-driving calculator

To use the **fine or drink-driving calculator**, touch or click on the calculator icon  in the left-hand menu. Right-click on the link to the relevant calculator to open it in a new tab.

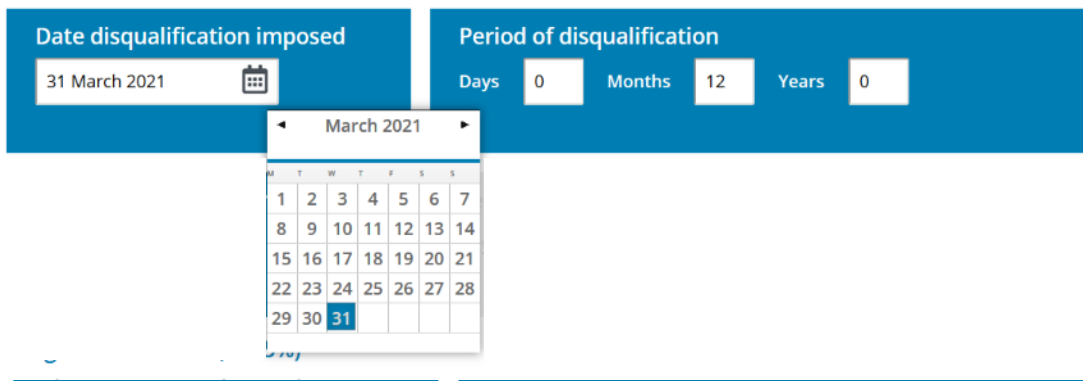
Drink-driving calculator

The drink-driving calculator is designed to help magistrates work out:

- by how long a driver's disqualification period will be reduced if they complete an approved rehabilitation course;
- the length of any extension, if custody is imposed;
- the date by which the course must be completed; and
- the date on which they can drive again.

The calculator will automatically start the disqualification on today's date. To use an alternative date, either type it in the box or select the calendar icon and choose the appropriate date.

Next, enter the period of disqualification. The calculator automatically enters 12 months but, if the period of disqualification is different, you can type in the correct number of days, months and/or years.



The screenshot shows the calculator interface with the following details:

- Date disqualification imposed:** 31 March 2021
- Period of disqualification:** Days: 0, Months: 12, Years: 0
- Calendar:** March 2021, with the 31st selected.

The calculator works out months by calendar days, ie 30 or 31 days a month (or 28/29, if February). Half days are rounded down.

The “Disqualification end date” is the date on which the offender is permitted to drive again.

Fine calculator

Enter the defendant's relevant income by either using the drop-down list or typing it into the box. Touch or click on weekly, bi-weekly, monthly or yearly to select the correct income period.

The screenshot shows a blue header bar with the text "Income (RWI)" on the left. To its right is a dropdown menu showing "£ 440.00". Further right are five buttons: "Weekly", "Bi-Weekly", "Monthly", and "Yearly".

Select the fine band. The starting point for percentage of income will be displayed. Use the down arrow to select where on the range you want the fine to be.

The screenshot shows a "Starting Point" dropdown menu with a list of percentages from 125% to 175%. The "150%" option is selected and highlighted in blue. To the right of the dropdown are buttons for "No Fine", "Band A", "Band B", "Band C", "Band D", "Band E", and "Band F". The "Band C" button is highlighted in blue. Below these buttons are three more buttons: "Quarter (25%)", "Tenth (10%)", and "No Plea (0%)".

If the defendant has pled guilty, touch or click on the relevant box to show what discount should be given. Then enter the amount for compensation using numbers only (ie do not use the £ sign).

The screenshot shows a "Guilty plea" section with four buttons: "Third (33%)", "Quarter (25%)", "Tenth (10%)", and "No Plea (0%)". The "Third (33%)" button is highlighted in blue. Below this is a "Compensation" section with a text input field containing the number "0".

You can use the "add another offence" button to add up to five more offences. Each offence will be recorded on its own tab.

Add another offence

When you have entered all the offences, select "add surcharge" to move to the calculation page.

Add surcharge

On the calculation page, you can use the edit button to make any changes to the fines you have already entered or you can return to the first screen using “add another offence”, which will automatically set up a new offence tab.

Fines	Starting point	Guilty plea	Fine before plea	Fine after plea	Compensation	
✘ Offence 1	A 50%	1/3	£60	£40	£0	Edit
✘ Offence 2	B 100%	1/3	£120	£80	£0	Edit
✘ Offence 3	C 150%	1/3	£180	£120	£0	Edit
Total			£360	£240	£0	

Add another offence

Always use the “edit”, “add another offence” and “add surcharge” buttons to move between the pages of the calculator. Do not use the arrow keys on your browser: this will clear and close down the calculator.

To enter a surcharge, first choose the appropriate date range then use the down arrow to select your option.

Any offence before 28 June 2019*

Earliest offence 29 June 2019 to 13 April 2020

All offences on or after 14 April 2020

No surcharge

10% - Adult fine

£17.00 - Youth con discharge

£22.00 - Adult con discharge/youth fine/YRO/referral order/com order

£34.00 - Youth SSO/DTO

£95.00 - Adult community order

£128.00 – Adult imprisonment immediate/SSO (6 months or less)

£156.00 – Adult imprisonment immediate/SSO (over 6 months)

Finally, add any prosecution costs using the drop-down list.

Prosecution costs

No costs

£85

£135

£185

£775

£965

The total financial penalty is displayed in the right-hand column, along with your calculations.



Fine before plea	£360.00
Fine after plea	£240.00
Compensation	£10.00
Surcharge	£34.00
Prosecution costs	£0.00
Total	£284.00

To clear the calculator, select “start again”.

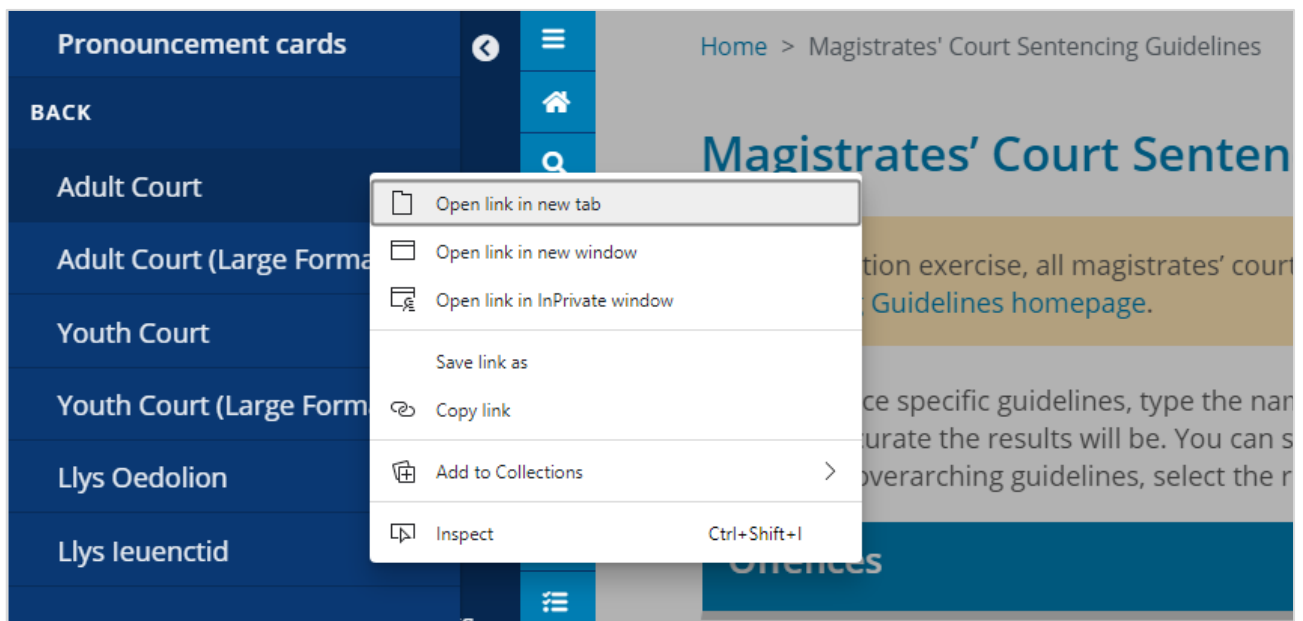
Start again

If you want to look at other pages on the website but preserve your workings, always keep the calculator open on its own tab.

Pronouncement cards and bench books

To use the pronouncement cards, select the speech-bubble icon  in the left-hand menu. To use the bench books, select the useful information icon .

Right click on the set of cards or bench book you want to use.



The pronouncement cards and bench books are in a pdf. You can find your way around using the in-built links or search using Control F.