

Public knowledge of and confidence in the criminal justice system and sentencing: 2022 research

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1. Summary

The Sentencing Council was set up in 2010 and produces guidelines for use by all members of the judiciary. Under its legislative remit (the Coroners and Justice Act 2009), when producing guidelines, the Council must also draw conclusions about their effect on public confidence in the criminal justice system (CJS). It is important, therefore, that the Council is able to understand the views of the public and their level of understanding of issues related to sentencing and the wider system in order to be able to promote increased confidence.

In January 2022, the Sentencing Council commissioned Savanta to conduct research into public confidence in sentencing and the CJS. This was a follow up piece of research to a similar study conducted in 2018, published in 2019.¹

Outlined below are the key findings from this research. The full detailed findings are included later in the report.

Confidence in the fairness and effectiveness of the CJS remains at similar levels as seen in 2018, and demographic factors appear to be related to confidence levels among some key groups.

- Those who have had contact with CJS agencies were more likely to describe this contact as positive than negative, particularly in the case of Witness Support² (64 per cent positive versus 9 per cent negative) and Victim Support³ (63 per cent positive versus 11 per cent negative). Responses were more mixed in the case of probation services (48 per cent positive versus 17 per cent negative).
- Confidence levels in the effectiveness and fairness of the CJS were consistent with 2018 ratings: 52 per cent of those surveyed reported that they were confident the CJS is effective and 45 per cent said they were not (52 per cent and 44 per cent respectively in 2018), while 53 per cent said that they were confident it is fair and 44 per cent said they were not (54 per cent and 42 per cent respectively in 2018). There was some slight disparity between the results for the 2022 survey and the most recent Crime Survey for England and Wales (2019/20; CSEW). While the CSEW reported confidence in effectiveness that was consistent with this survey (52 per cent in both surveys), 60 per cent of the CSEW respondents said they thought that the CJS is fair, compared with 53 per cent in this survey.
- Greater levels of confidence in the effectiveness of the CJS were evident among adults aged 18-34 (55 per cent effective, compared with 48 per cent of those aged 55+). Among socio-economic grades⁴, confidence levels were fairly consistent. This

¹ Archer, N. et al (2019) Public Knowledge of and Confidence in the CJS and Sentencing.

<https://www.sentencingcouncil.org.uk/wp-content/uploads/Public-Knowledge-of-and-Confidence-in-the-Criminal-Justice-System-and-Sentencing.pdf>

² Witness support services may be provided by the 'Citizens Advice Witness Service' or Witness Care Units or another provider. In practice respondents may not understand the difference or recognise the name 'Witness Support'.

³ Victim support services can be provided by a range of independent providers and in some areas by the police. It may be that respondents had contact with victim support providers, but stated that they had not had contact with 'Victim Support' as they were either not aware that it was Victim Support or it was a different organisation altogether.

⁴ Throughout this report we refer to socio-economic grade or 'SEG', with the main SEG categories being AB, C1, C2 and DE. Those in the AB category occupy higher or intermediate professional, managerial or administrative jobs; students or those in clerical or junior managerial, professional or administrative roles fall into the C1 definition. C2 comprises skilled manual workers and D semi- or unskilled manual workers. Those who are not in paid work, are homemakers or carers, are in casual work or are retired fall into category E.

was a shift from the polarised views seen in 2018. Around half of those who had been victims of crime or a defendant said that they were not confident in the effectiveness (52 per cent and 49 per cent respectively) or fairness (51 per cent and 48 per cent respectively) of the CJS. However, the majority of victims reported that their experience of the CJS made them at least 'a little' more confident that it is effective (59 per cent) and fair (55 per cent).

Attitudes towards sentencing vary depending on the offence, although on the whole, surveyed respondents tend to view sentences as being too lenient. Respondents appear to feel that they have a good understanding of sentencing terminology.

- The majority of respondents perceived that sentences for death by dangerous driving and assault are too lenient (73 per cent and 70 per cent respectively). For theft though, only half (54 per cent) felt the same, and for production of a controlled drug, views were much more mixed (39 per cent felt that sentences are too lenient versus 27 per cent saying too tough).
- Those who are generally more likely to say that sentences are too lenient were adults aged 35+, those in socio-economic grade C2, those from White ethnic backgrounds and those educated to school level and below.
- Contact with the CJS also appears to impact impressions of sentencing. Those who have had contact as a juror, and those who have had no contact with the CJS, are more likely to consider the sentences to be too lenient. Those who have had contact with the CJS as a defendant, or as support for family or friends are more likely to say that sentencing is too tough. Those who have had contact as a victim were more likely than other groups who have had contact with the CJS to say that the sentencing was both too lenient and too tough, indicating that views become stronger in both directions, and may depend on the circumstances of the crime or sentencing.
- The high levels of confidence in understanding of sentencing terminology is consistent with 2018 survey findings. However, qualitative discussions in 2018 found that understanding was far more limited in reality.

The majority of respondents say that they are aware of sentencing guidelines and it is felt by many that the existence of sentencing guidelines in general improves their confidence in the fairness of sentencing.

- Two thirds of respondents (65 per cent) were aware of sentencing guidelines, although this again varied according to demographic group. Men, adults aged 55+, those in socio-economic grades AB and those from White ethnic backgrounds were most likely to say that they were aware of guidelines prior to the survey.
- However, it is worth keeping in mind the 2018 qualitative discussion findings. These suggested that the awareness that survey respondents purported to have of guidelines may be more limited than they perceive it to be.
- In the 2022 study, respondents reported that awareness of the existence of sentencing guidelines in general improved their confidence in the fairness of sentencing; over two thirds of respondents who were aware of the existence of sentencing guidelines (67 per cent) said that knowing that the guidelines existed improved their confidence in the fairness of sentencing at least 'a little'.
- Understanding of specific cases and considerations for sentencing does appear to have an impact on respondents' perceptions. When respondents were presented with case studies for a set of offences, the proportion saying sentences are too

lenient was lower compared with when they were asked about sentencing the same offences without the additional case study information. For example, when considering sentences for theft without the case study, 42 per cent felt that sentences were 'a little' or 'much too lenient'. However, once they were provided with the theft case study, the proportion saying the same dropped to 38 per cent. In most cases, there was a shift towards more respondents who feel sentences are 'about right'.

Overall engagement with news is high among respondents, with broadcast media the most popular source for finding out about news and current affairs.

- The majority of respondents prefer to find out about the news by watching news and current affairs programmes (63 per cent), with BBC News and Sky News the most popular (44 per cent and 29 per cent respectively). Print or online newspapers are the second most popular mode for finding out about the latest news (39 per cent).
- Facebook is the most popular social media site or app with 43 per cent using it, followed by YouTube (31 per cent) and WhatsApp (28 per cent). Compared with 2018, there has been a significant increase in the proportion of respondents saying they access news using YouTube (2022: 31 per cent versus 2018: 23 per cent respectively), Instagram (2022: 26 per cent versus 2018: 12 per cent respectively) and news apps (2022: 25 per cent versus 2018: 18 per cent).

Broadcast media is the most popular source for finding out about news and current affairs. However, online and social media sources have become more popular since 2018. The media consumption habits of priority audiences can be considered by the Sentencing Council to target their messaging.

- Messaging targeting **older people** (55+) should prioritise improving confidence in the effectiveness of the CJS. Broadcast and print media would be most likely to reach these groups.
- Messaging targeting **women** should prioritise improving confidence in the fairness of the CJS and awareness of sentencing guidelines. Social media is a popular source for this group, along with reading the Daily Mail/Mail on Sunday and watching programmes such as Good Morning Britain.
- Messaging targeting **ethnic minority groups** should prioritise improving confidence in the fairness (for those of Black, African, Caribbean, and Mixed ethnicities) and effectiveness (for those of Asian ethnicities) of the CJS, and promoting awareness of the use of sentencing guidelines as this appears to impact confidence for these groups. Social media and newspapers such as the Metro can be used to target this group.

2. Introduction

The Sentencing Council was set up in 2010 and produces guidelines for use by all members of the judiciary. Under its legislative remit (the Coroners and Justice Act 2009), when producing guidelines, the Council must also “have regard to ... the need to promote public confidence in the criminal justice system (CJS)”. It is important, therefore, that the Council is able to understand the views of the public and their level of understanding of issues related to sentencing and the wider system in order to be able to promote increased confidence.

In January 2022, the Sentencing Council commissioned Savanta to conduct research into public confidence in sentencing and the CJS. This was a follow up piece of research to a similar study conducted in 2018, published in 2019.⁵

The aims of the current research were to:

- Understand the public’s knowledge of, and attitudes towards, the CJS, and sentencing and sentencing guidelines in particular;
- Help identify key audiences that the Sentencing Council may wish to target with its communications;
- Gain insights into the messaging and media appropriate to each key audience; and,
- Explore shifts in public attitudes since the 2018 survey.

To achieve these objectives, Savanta used a quantitative methods approach, which involved conducting a nationally representative survey of 2,165 adults in England and Wales, in March 2022.

The research findings will be used to support the Council’s strategic objective, published in 2021,⁶ to:

Strengthen confidence in sentencing by improving public knowledge and understanding of sentencing, including among victims, witnesses and offenders, as well as the general public

and in particular to support the specific action to:

Maintain an up-to-date insight into public confidence in the criminal justice system and its drivers, and explore whether there have been any changes over time, by re-running our previous survey questions and comparing findings to our previous research.

⁵ Archer, N. et al (2019) Public Knowledge of and Confidence in the CJS and Sentencing.

<https://www.sentencingcouncil.org.uk/wp-content/uploads/Public-Knowledge-of-and-Confidence-in-the-Criminal-Justice-System-and-Sentencing.pdf>

⁶ Sentencing Council strategic objectives 2021-2026. <https://www.sentencingcouncil.org.uk/publications/item/strategic-objectives-2021-2026/>

3. Methodology

The Sentencing Council commissioned Savanta to conduct research to explore the public's knowledge of and attitudes toward the criminal justice system (CJS) in order to identify key audiences for the Council to tailor and target its communications. Savanta and the Sentencing Council adopted a quantitative approach to meet the aims of the research. A similar study was run in 2018.

In the 2022 survey, key questions from the 2018 quantitative phase were repeated to enable comparisons over time to be drawn. While respondents who completed the 2022 survey were a separate group of people from those surveyed in 2018, as both surveys were sampled to be nationally representative, it was possible to identify any differences in attitudes compared with the previous survey.

The 2018 study included an online survey, as well as a literature review, discussion groups with the general public, in-depth interviews with victims of crime, and a key drivers analysis (KDA)⁷ which was run on the quantitative data.⁸ Where data from these elements of the 2018 study are still relevant in supporting the 2022 findings, these have been included in this report.

In 2022, the methodology comprised an online survey with 2,165 adults in England and Wales. Respondents were recruited from an online panel using a diverse set of sources and a variety of recruitment methods in order to avoid bias.⁹ Fieldwork was carried out between 2 and 9 March 2022, with questions designed to capture the public's media and communications preferences, their experience of the CJS, and opinions about the system and sentencing, both in general and around specific offences or processes. For the section focusing on opinions of sentencing for specific offences, the respondents were split into two groups: a control group and a treatment group. The control group was presented with a description of a case and the sentence given, while the treatment group was presented with the same information plus additional information relating to the sentencing guidelines. This split in the sample allowed for exploration of the impact of knowledge of sentencing guidelines on respondents' opinions of the severity of sentences.

The resulting data were weighted to be demographically representative of all adults in England and Wales by gender, age, region, ethnicity and socio-economic grade (SEG).¹⁰ At the analysis stage, the data were cross-tabulated and all differences were tested for statistical significance to tease out associations between experience or demographic characteristics and particular attitudes or knowledge. Statistical significance testing was also run to identify any significant differences in data between 2018 and 2022. Statistical differences are reported at the 95 per cent confidence level.

⁷ The Key Drivers Analysis (KDA) uses regression analysis to identify attributes (such demographic and attitudinal data) that predicts or 'drives' a particular attitude, in this case confidence in the CJS.

⁸ Archer, N. et al (2019) Public Knowledge of and Confidence in the CJS and Sentencing. <https://www.sentencingcouncil.org.uk/wp-content/uploads/Public-Knowledge-of-and-Confidence-in-the-Criminal-Justice-System-and-Sentencing.pdf>

⁹ See Annex 2 for details of the recruitment methods used.

¹⁰ Throughout this report we refer to socio-economic grade or 'SEG', with the main SEG categories being AB, C1, C2 and DE. Those in the AB category occupy higher or intermediate professional, managerial or administrative jobs; students or those in clerical or junior managerial, professional or administrative roles fall into the C1 definition. C2 comprises skilled manual workers and D semi- or unskilled manual workers. Those who are not in paid work, are homemakers or carers, are in casual work or are retired fall into category E.

The demographic profile of those that responded to the 2018 and 2022 surveys are provided in the table below:

Table 1: Profile of respondents to the 2018 and 2022 surveys¹¹

	2018 survey	2022 survey
Age		
18-34	29%	28%
35-54	35%	33%
55+	36%	39%
Gender		
Male	49%	49%
Female	50%	51%
Ethnicity		
White	90%	83%
Mixed	2%	5%
Asian	4%	7%
Black	2%	5%
Other	1%	1%
Socio-economic grade		
AB	23%	26%
C1	30%	24%
C2	22%	18%
DE	25%	31%
Group		
Control	50%	50%
Treatment	50%	50%
Region		
North East	5%	5%
North West	12%	12%
Yorkshire and Humberside	9%	9%
West Midlands	10%	10%
East Midlands	8%	8%
Wales	5%	5%
Eastern	10%	10%
London	15%	15%
South East	15%	16%
South West	10%	10%
Education		
School level and below	50%	49%
Degree and above	44%	43%
Other/No qualifications	6%	7%

It should be noted that the research took place after the start of the coronavirus (COVID-19) pandemic. As a result of the lockdowns and restrictions put in place in response to the pandemic in 2020 and 2021, there was a large backlog of cases that were unable to go through the criminal courts in the traditional way. This may have impacted on the way that

¹¹ Note that the demographic breakdowns may not add up to exactly 100% due to the rounding of the figures.

the public will have had contact with the CJS, and may have affected the views and experiences expressed in the online survey.

The data were cross-tabulated and tested for statistical significance ($p < 0.05$). Subsequently, whenever a difference is reported as being significant, this means statistically significant rather than large or marked.

4. Findings

4.1 Knowledge of, and attitudes towards, the CJS

- The survey found that confidence in the effectiveness of the CJS was mixed: 52 per cent of those surveyed reported that they were confident the CJS is effective, while 45 per cent were not.
- Similarly, confidence in the fairness of the CJS was mixed: 53 per cent said that they were confident it is fair, while 44 per cent were not.
- Confidence varied by demographic groups: adults aged 54 and under and Asian adults were more likely than other groups to have confidence in the effectiveness of the CJS. White and Asian adults were more likely to have confidence in the fairness of the CJS.
- Those who have had contact with the CJS were far more likely to say their experience was positive rather than negative. While half of victims said that they did not have confidence in the effectiveness (52 per cent) or fairness (51 per cent) of the CJS, the majority of victims said that their experience of the CJS made them at least 'a little' more confident that it is effective (63 per cent) and fair (61 per cent).
- Younger adults, Asian adults and those from higher socio-economic backgrounds were more likely than other demographic groups to say that their experience of the CJS improved their confidence in its effectiveness and fairness.

This is the first of three sections which explores knowledge and understanding of, and attitudes towards, the CJS, sentencing and sentencing guidelines. All draw on the results of the online survey of 2,165 adults in England and Wales conducted by Savanta in March 2022.

Where applicable, comparisons are drawn against data from the previous survey run in March 2018. Where findings from qualitative discussion groups conducted in 2018 continue to support the 2022 survey data, these have been referenced in this report.

This first section focuses on knowledge of, and attitudes towards, the CJS. Knowledge of the CJS is explored through identifying the contact the public has had with a range of CJS agencies, and whether they had personally been **involved** in any case in the criminal courts. The public's attitudes towards the CJS are then discussed, specifically the extent to which people say that they are confident that the CJS is effective and fair. Finally, it looks at variations in attitudes towards the CJS, and the factors that are most influential in this respect.

4.1.1. Knowledge of the CJS

Contact with the CJS

Respondents surveyed as part of this study were asked to state ‘yes’ or ‘no’ regarding whether they have had **contact** with a range of CJS agencies. Half (49 per cent) of respondents said ‘yes’ they had been in contact with the police and a quarter (26 per cent) said the same for the criminal courts.¹² Only 16 per cent of those surveyed had been in contact with Victim Support¹³ and 11 per cent have had contact with probation services or witness support services¹⁴. This is a significant increase on the number of respondents who said that they had been in contact with the agencies for Victim Support, probation services or witness support services in 2018 (ten per cent, eight per cent and seven per cent respectively).

In addition, respondents were asked a separate question about whether they had personally been **involved** in any case in the criminal courts, and if so, in what capacity. The majority of respondents (68 per cent) had not. However, one in ten (nine per cent) respondents reported that they had been involved in a case in the criminal courts as a victim; this is a significant rise from the five per cent who reported this in 2018. Eleven per cent had been a juror, six per cent had been a witness, six per cent a defendant, and six per cent had supported family and friends. A further one per cent had been involved in a criminal court case in some other capacity. Approximately one third (34 per cent) of respondents who had been witnesses had been in contact with witness support services and half (51 per cent) of respondents who reported being involved as a victim had been in contact with Victim Support.

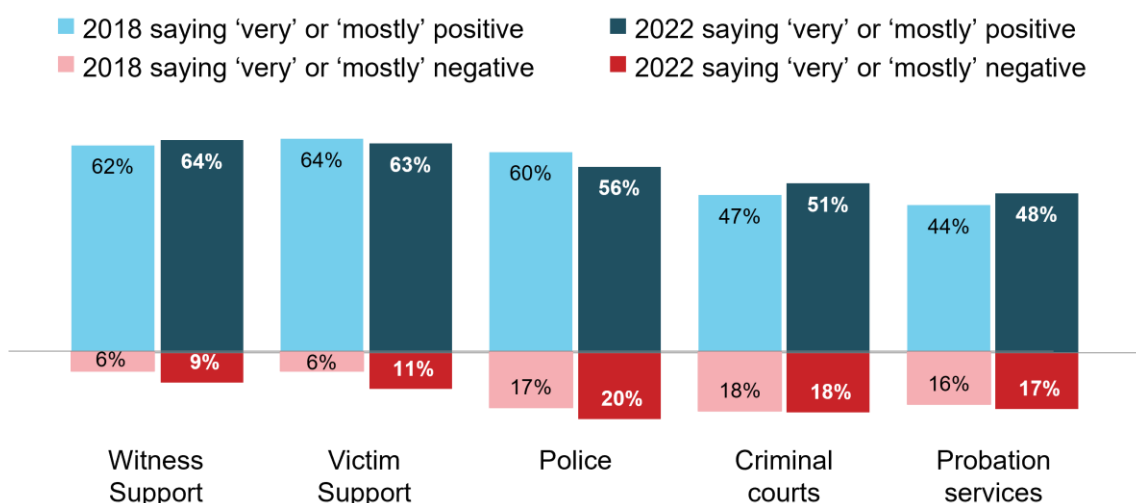
Among those who had been in contact with the main agencies of the CJS, experiences of this contact were more likely to be described as positive rather than negative, as demonstrated in Figure 1 below. Respondents were most likely to have had positive contact with Witness Support (64 per cent), closely followed by Victim Support (63 per cent), while the experience of contact with probation services was the most mixed (48 per cent positive versus 17 per cent negative). For probation services this is possibly at least partly because victims and defendants might be expected to have quite differing ideas of what would constitute a good experience.¹⁵

¹² The questionnaire asked respondents if they had ‘ever’ been in contact with any of the following agencies of the CJS: the police, Victim Support, Witness Support (sometimes referred to as witness support services in this report), probation services and the criminal courts (magistrate or Crown Court).

¹³ Victim support services can be provided by a range of independent providers and in some areas by the police. It may be that respondents had contact with victim support providers, but stated that they had not had contact with ‘Victim Support’ as they were either not aware that it was Victim Support or it was a different organisation altogether.

¹⁴ Witness support services may be provided by the ‘Citizens Advice Witness Service’ or Witness Care Units or another provider. In practice respondents may not understand the difference or recognise the name ‘Witness Support’.

¹⁵ The 2022 sample included 1,478 respondents who had not had any involvement with the CJS, and 687 respondents who had. Of the latter, 121 had been involved as a defendant, 203 as a victim of crime, 126 as a witness, 233 as a juror, 136 as providing support to friends or family and 13 in some other way. The 2018 sample included 1,433 respondents who had not had any involvement with the CJS, and 583 respondents who had. Of the latter, 110 had been involved as a defendant, 106 as a victim of crime, 139 as a witness, 199 as a juror, 104 as providing support to friends or family and 16 in some other way.

Figure 1: Experience of contact with criminal justice agencies

Q18. How would you describe your contact with them?

Base: all respondents who have had contact with agencies within the justice system (Witness Support 2018 (n=138), Witness Support 2022 (n=239); Victim Support 2018 (n=199), Victim Support 2022 (n=357); police 2018 (n=940), police 2022 (n=1064); criminal courts 2018 (n=480), criminal courts 2022 (n=557); probation services 2018 (n=162), probation services 2022 (n=244). (Note that data for a response of 'Don't Know' is not shown in this chart, hence the bars do not add up to 100 per cent)

4.1.2. Attitudes towards the CJS

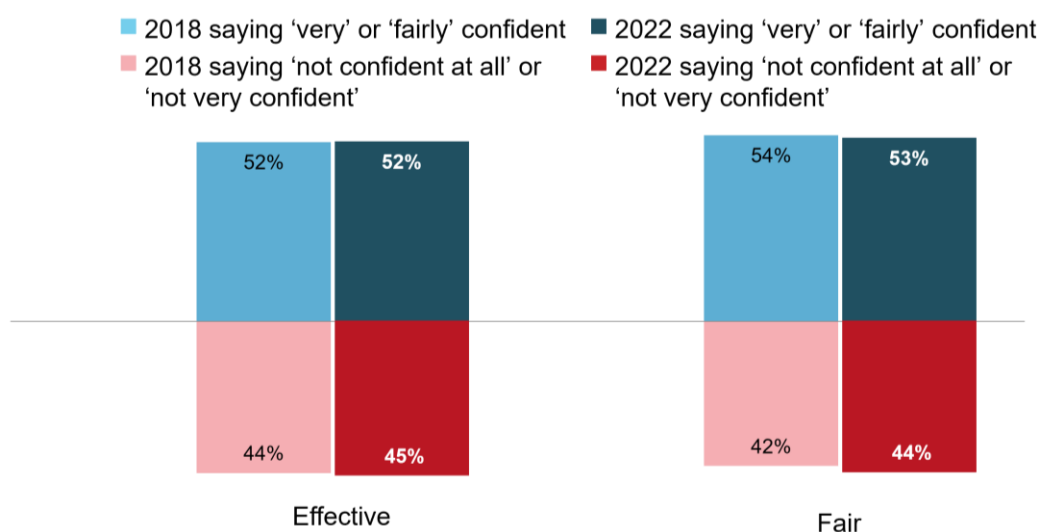
Confidence in the CJS

The most recent Crime Survey for England and Wales (CSEW)¹⁶ shows a consistent level of confidence in the effectiveness of the CJS, maintaining the increase seen since 2013/14. In 2019/20, 52 per cent of respondents said they thought the CJS as a whole is effective (48 per cent in 2013/14, and 53 per cent in 2017/18). However, a dip in confidence in the fairness of the CJS has been seen since a peak in 2017/18. In 2019/20, 60 per cent of the public said they thought the CJS is fair (64 per cent in 2013/14, and 69 per cent in 2017/18).

Our survey showed the English and Welsh surveyed adults to be only slightly more likely to be confident than not confident in the fairness or effectiveness of the CJS, as shown in Figure 2 below. Fifty-two per cent of those surveyed reported that they were confident the CJS is effective and 53 per cent said that they were confident it is fair, while 45 per cent and 44 per cent were not confident in its effectiveness or fairness respectively.¹⁷ These confidence levels are in line with those recorded in 2018.

¹⁶ Crime Survey for England and Wales (CSEW) (2014, 2018, and 2020.) <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/adhocs/13277confidenceinthecriminaljusticesystemyearendingmarch2014yearendingmarch2018andyearendingmarch2020csew>

¹⁷ Exactly the same wording was used for this question as the wording used in the CSEW. The ratings of effectiveness in the CSEW 2019/20 and in our survey are consistent, having both recorded 52 per cent confidence in the effectiveness of the CJS. There is a discrepancy in the ratings of fairness, at 60 per cent for the CSEW compared with 53% in our survey. The difference in findings may be down to the difference in timing (2019/20 versus 2022). This Savanta/Sentencing Council survey will also be more sensitive to context than the CSEW because while the latter is carried out on a rolling basis, this survey was conducted at one point in time and as such is more sensitive to the news. The difference may also be due to other differences in methodology. For example, the CSEW is conducted as a face-to-face survey of approximately 35,000 households and the Savanta/Sentencing Council survey was conducted online with a sample of 2,165 individuals.

Figure 2: Confidence that the CJS is effective and fair

Q1. Thinking about ALL of the agencies within the criminal justice system: the police, the Crown Prosecution Service, the courts, prisons and the Probation Service, how confident are you that the criminal justice system as a whole is **effective**?
 Q2. Thinking about ALL of the agencies within the criminal justice system: the police, the Crown Prosecution Service, the courts, prisons and the Probation Service, how confident are you that the criminal justice system as a whole is **fair**?
 Base: all respondents 2018 (n= 2000); all respondents 2022 (n= 2165) (Note that data for a response of 'Don't Know' is not shown in this chart, hence the bars do not add up to 100 per cent)

In qualitative discussion groups in 2018, when asked for spontaneous associations with the CJS, across all groups, concerns were raised about the 'inconsistency' or 'unfairness' of the system and its agencies, while spontaneous positive associations were rarer. Impressions of the CJS tended to be derived from two key sources: media coverage, and popular culture.

Type of involvement with the CJS and its effect on confidence

In this section, we explore the relationship between selected aspects of respondents' experiences and their perception of fairness and effectiveness of the CJS.

*Personal involvement in a criminal court case*¹⁸: About half of defendants expressed that they were not confident in the fairness (48 per cent) and effectiveness (49 per cent) of the CJS. However, there is evidence that there have been improvements in the impact of contact with the CJS on defendants' impressions. When asked about how involvement with a criminal court case affected their confidence in the fairness and effectiveness of the CJS, in 2018 around half of defendants said 'not at all' (53 per cent and 50 per cent, for fairness and effectiveness respectively). In 2022, this proportion has dropped to 39 per cent and 37 per cent respectively, with a corresponding increase in defendants who said that their involvement had improved their confidence in the fairness and effectiveness of the CJS (increasing from 43 per cent to 57 per cent, and from 46 per cent to 59 per cent respectively).

Those who have had personal involvement with a criminal court case as a juror were most likely to say that they had confidence in the effectiveness of the CJS (58 per cent), and were significantly more likely to say this than those who have had involvement as a victim

¹⁸ Respondents were asked: 'Have you personally been involved in any case in the criminal court? Please include any court case you have been involved in even if you did not attend a trial or hearing.'

(47 per cent). Those who had been involved as a juror or witness were also most likely to report confidence in the fairness of the CJS (60 per cent and 66 per cent respectively), than those having any other type of involvement (48 per cent of victims, 47 per cent of defendants, and 54 per cent of those who had supported family and friends).

Furthermore, those who had been involved in a criminal court case as a victim were most likely to say that they do not have confidence in the effectiveness (52 per cent) and fairness (51 per cent) of the CJS, and significantly more likely than those who have been involved as a juror (41 per cent and 39 per cent for not confident in effectiveness and fairness respectively). Victims of assault were most likely to say they were not confident in the effectiveness or fairness of the CJS (58 per cent and 57 per cent respectively), significantly more than those who had not been a victim of any crime (45 per cent and 43 per cent respectively). This significant difference is consistent with 2018.

Qualitative interviews with victims of crime in the 2018 research suggested that contact with the CJS was often confusing. Interviewees often reported that agencies within the justice system often failed to provide victims with adequate information or updates about the progress of the criminal investigation.

Although victims' confidence in the CJS is generally lower than that of respondents overall, when asked how far their involvement with the CJS improved their confidence in the system, over half reported that it made them at least 'a little' more confident that it is effective (59 per cent), and fair (55 per cent).

*Personal contact with CJS agency*¹⁹: Those who have had personal contact with witness support services or probation services were most likely to report confidence in the effectiveness of the CJS (63 per cent for both), and fairness of the CJS (63 per cent and 58 per cent respectively), compared with those who have had personal contact with other CJS agencies. Those who have had contact with witness support services or probation services were also the least likely to say that they do not have confidence in the effectiveness (36 per cent and 34 per cent respectively) and fairness (35 and 39 per cent respectively) of the CJS, compared with those who have had contact with other agencies, or had not had contact with any CJS agencies. It is interesting to note that the 2018 Key Drivers Analysis – KDA - (or regression analysis) identified that contact with the police drove higher confidence in the effectiveness of the CJS, and contact with the criminal courts drove higher perceptions of both effectiveness and fairness, while this 2022 survey found that those who have had contact with these agencies were more likely to say that they had low confidence in the CJS.

Two in five (41 per cent) of those who had been in contact with the main agencies of the CJS said their experience had improved their understanding of sentencing for criminal offences (this rises to three in five (61 per cent) among those who have had contact with probation services). This corresponds with the 2018 KDA that suggested that contact with the system overall is likely to increase confidence in its fairness and effectiveness – even if in the case of victims, it comes from a low starting point.

¹⁹ Respondents were asked: 'Have you ever had contact with any of the following within the criminal justice system?'

Demographic factors and their effect on confidence

The survey results also suggested that there were some significant differences in confidence in the CJS between different demographic groups, as outlined below and in Tables 2.1 and 2.2.

Age: Younger adults (18-54 years) were more likely to say that they were confident in the CJS's effectiveness than older adults aged 55+ (55 per cent of 18-34s and 53 per cent of 35-54s versus 48 per cent of those aged 55+). However, there were no significantly different levels of confidence in its fairness among different age groups (50 per cent of 18-34s, 54 per cent of 35-54s, and 55 per cent of 55+). There was a significant decrease in confidence in the fairness of the system among 18-34s compared with the 2018 survey results (50 per cent versus 58 per cent). Those aged 54 and under were particularly likely to say that their experience of the CJS improved their confidence in it. For example, 66 per cent of 18-34 and 66 per cent of 35-54 year olds who have had contact with agencies within the CJS, said that their experience improved their confidence in its fairness at least 'a little', in comparison to 53 per cent of those aged 55+. In terms of effectiveness, 67 per cent of those aged 18-34 and 65 per cent of those aged 35-54 said that contact with CJS agencies improved their confidence in its effectiveness, compared with 57 per cent of those aged 55+.

Gender: Gender did not have a statistically significant impact on confidence in the effectiveness of the CJS. However, men were more likely than women to say that the CJS is fair (55 per cent versus 51 per cent).

Ethnicity: Adults from Asian ethnic backgrounds were significantly more likely to say that they were confident in the effectiveness of the CJS compared with adults from other ethnic backgrounds (66 per cent versus 51 per cent White, 52 per cent Black and 45 per cent Mixed ethnicity). When considering the fairness of the system, three in five (60 per cent) Asian adults and over half (54 per cent) of White adults reported feeling confident compared with less than half (45 per cent) of Black adults and a third (35 per cent) of adults from Mixed ethnic backgrounds. The majority of Asian adults who have had contact with the CJS agencies said that this experience improved their confidence at least 'a little' in its effectiveness (78 per cent) and its fairness (74 per cent). This is significantly higher than the proportion of White and Mixed ethnicity respondents who have had contact with CJS agencies (improved confidence in effectiveness: 62 per cent and 60 per cent respectively, and improved confidence in fairness: 60 per cent and 56 per cent respectively) and also higher (though not significantly so) than the proportion of Black respondents who have had contact with CJS agencies (improved confidence in effectiveness: 64 per cent and improved confidence in fairness: 67 per cent).

Socio-economic grade²⁰ (SEG): Confidence levels between socio-economic grades were fairly consistent: there were no statistically significant differences by socio-economic grade. This is a shift from the more polarised views seen in 2018. In 2018 those in higher socio-economic grades (AB) were more likely than those in lower socio-economic grades (DE) to say that their experience of the CJS improved their confidence in it. While 67 per

²⁰ Throughout this report we refer to socio-economic grade or 'SEG', with the main SEG categories being AB, C1, C2 and DE. Those in the AB category occupy higher or intermediate professional, managerial or administrative jobs; students or those in clerical or junior managerial, professional or administrative roles fall into the C1 definition. C2 comprises skilled manual workers and D semi- or unskilled manual workers. Those who are not in paid work, are homemakers or carers, are in casual work or are retired fall into category E.

cent of those in socio-economic grades AB and 70 per cent of C1 said that their experience of the CJS improved their confidence in its effectiveness at least ‘a little’, just 58 per cent of adults in socio-economic grade C2 and 57 per cent of grades DE said this. There may be some relationship between the experiences of different socio-economic grades of the CJS and their impressions of it. For example, there were differences by socio-economic grade in the type of personal contact that the respondents have had, with those from grades AB more likely to have had contact as a juror (13 per cent) than those in grades DE (nine per cent), and those from grades DE more likely to have had contact as a defendant (eight per cent) compared with grades ABC1 (four per cent). There were no statistically significant differences by socio-economic grade in the likelihood of having had involvement with the CJS as a victim, as a support to family and friends, as a witness, or in a professional capacity.

Education level: There were no significant differences in perceptions of effectiveness or fairness by education level, comparing those educated to up to school level with those with a degree or above (52 per cent versus 53 per cent for effectiveness, and 54 per cent versus 53 per cent for fairness). Similarly, there were no significant differences in the extent to which contact with the CJS affects the confidence of these two groups overall.

Region: Confidence in the effectiveness of the CJS was highest among respondents living in London (58 per cent). This was significantly higher compared with those living in the North West (48 per cent), the East Midlands (46 per cent) and the South West (47 per cent). However, there were no significant differences between regions when looking at those who express confidence in the fairness of the CJS; however, those from the East Midlands were more likely to say that they were not confident in the fairness of the CJS (51 per cent, compared with 40 per cent in the South East where those saying they did not have confidence in the fairness of the CJS was lowest). Respondents from the East Midlands and London who have had contact with the CJS agencies were most likely to report improved confidence in the CJS as a result of their experience (effectiveness: 71 per cent and 69 per cent respectively, and fairness: 69 per cent and 68 per cent).

Table 2.1: Summary of perceptions of confidence in the effectiveness of the CJS among different groups, where significant differences exist

	Groups more likely to say they are confident in the CJS	Groups more likely to say they are not confident in the CJS
Age	Those aged 18-34 Those aged 35-54	Those aged 55+*
Gender	<i>No significant differences</i>	<i>No significant differences</i>
Ethnicity	Asian	Mixed, White
Socio-economic grade	<i>No significant differences</i>	<i>No significant differences</i>
Education level	<i>No significant differences</i>	<i>No significant differences</i>
Region	London	North West*, South West, East Midlands*
Personal involvement in a criminal court case	Juror*	Victim

Personal contact with CJS agency	Witness Support ²¹ , probation services	Police, Victim Support, criminal courts
Victim of crime	<i>No significant differences</i>	Victim of an assault offence

* In 2018, a KDA (or regression analysis) was conducted to identify the demographic groups that predict attitudes towards the CJS. The groups indicated with an asterisk were found to be a predictor of perceptions of the effectiveness of the CJS.

Table 2.2: Summary of perceptions of confidence in the fairness of the CJS among different groups, where significant differences exist

	Groups more likely to say they are confident in the CJS	Groups more likely to say they are not confident in the CJS
Age	<i>No significant differences</i>	<i>No significant differences</i>
Gender	Male	<i>No significant differences</i>
Ethnicity	Asian White	Mixed
Socio-economic grade	<i>No significant differences</i>	<i>No significant differences</i>
Education level	<i>No significant differences</i>	<i>No significant differences</i>
Region	<i>No significant differences</i>	East Midlands
Personal involvement in a criminal court case	Juror Witness	Victim Defendant
Personal contact with CJS agency	Witness Support	Police, Victim Support, criminal courts
Victim of crime	Not a victim of crime	Victim of an assault offence

*In 2018, a KDA (or regression analysis) was conducted to identify the demographic groups that predict attitudes towards the CJS. The groups indicated with an asterisk were found to be a predictor of perceptions of the fairness of the CJS.

²¹ The questionnaire asked respondents if they had 'ever' been in contact with any of the following agencies of the CJS: the police, Victim Support, Witness Support (sometimes referred to as witness support services in this report), probation services and the criminal courts (magistrate or Crown Court). Witness support services may be provided by the 'Citizens Advice Witness Service' or Witness Care Units or another provider. In practice respondents may not understand the difference or recognise the name 'Witness Support'.

4.2 Knowledge of, understanding of, and attitudes towards sentencing

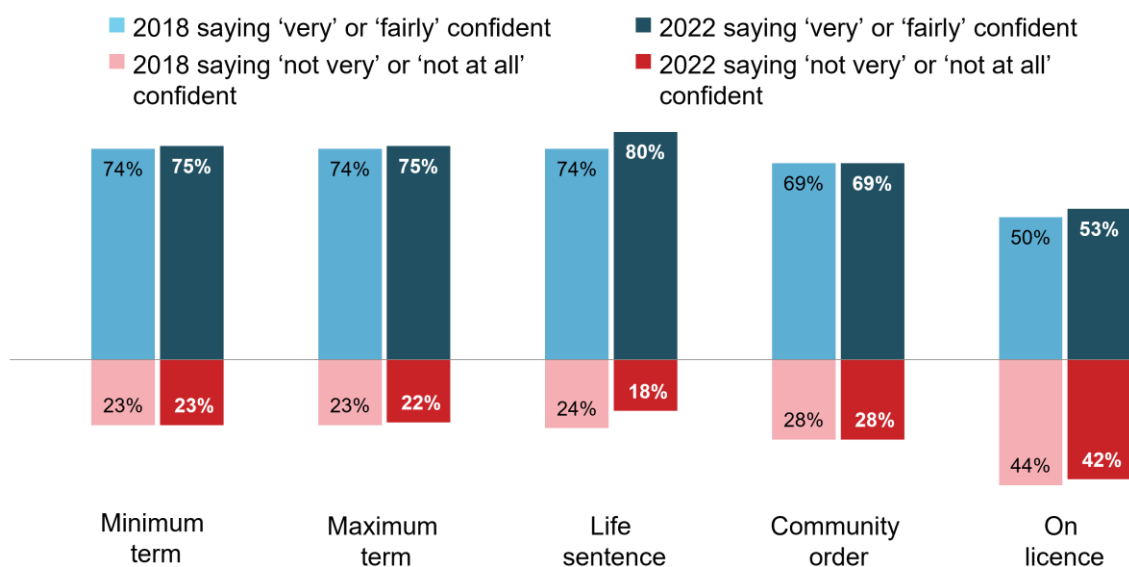
- Generally, respondents felt confident in their knowledge and understanding of sentencing terminology. However, qualitative discussions in 2018 found that in reality, understanding was limited.
- The online survey in 2022 indicated that the majority of the respondents thought sentences were too lenient, particularly among respondents who were older, male, White, and educated to school level or below. This is consistent with 2018, but there have been some shifts in perceptions among socio-economic grade in the latest survey.
- The provision of case studies and sentencing guidelines to the treatment group did impact on respondent perceptions of sentencing, with a shift in attitudes recorded across all offences. In most cases, there was a shift towards more respondents who feel sentences are 'about right'.

This second section focuses on knowledge and understanding of and attitudes towards sentencing. It begins by looking at knowledge and understanding of sentencing terms and processes among the general public. Next, it examines the public's attitudes towards sentencing, and the extent to which people think that it is too lenient, too tough²², or 'about right'. Finally, it looks at variation in attitudes towards sentencing, and the factors that are most influential in this respect.

4.2.1. Knowledge and understanding of sentencing

When testing understanding of key sentencing terminology (see the glossary in Annex 1 for definitions), the majority of those surveyed in both 2018 and 2022 (see Figure 3 below), reported that they were confident that they understood terms such as 'life sentence' or 'on licence'. However, it is important to note that in the 2018 group discussions, it became clear that participants were less certain about the meaning of key terminology compared with confidence levels reported in the 2018 quantitative survey. This indicates that while people claim to be familiar with sentencing terminology, they are not always sure what different terms actually mean.

²² Respondents were asked: 'Now thinking specifically about sentences handed down for the offences below only, would you say that sentences handed down by the courts are too tough, about right, or too lenient?' Too lenient is based on a sum of survey responses of 'a little too lenient' and 'much too lenient', and too tough is based on a sum of survey responses of 'a little too tough' and 'much too tough'.

Figure 3: Perceptions of understanding of sentencing terminology

Q 9. How confident would you say that you were in your understanding of the meaning of the following terms? Base: all respondents 2018 (n= 2000); all respondents 2022 (n=2165) (Note that data for a response of 'Don't Know' is not shown in this chart, hence the bars do not add up to 100 per cent)

Minimum term/maximum term

In the 2022 survey, the majority of respondents were confident in their understanding of 'minimum' and 'maximum' terms, with three quarters saying they felt confident they understood both (75 per cent for both). These findings are consistent with the 2018 survey (74 per cent of respondents were confident in their understanding of both terms). Those who have had no involvement with the CJS were significantly more likely than those who have had involvement to say that they were not confident in their understanding of both minimum (25 per cent versus 18 per cent) and maximum terms (25 per cent versus 17 per cent). This is also consistent with 2018 (24 per cent versus 20 per cent for minimum term and 25 per cent versus 20 per cent for maximum term).

Life sentence

In the 2022 survey, 80 per cent of respondents (an increase from 74 per cent in 2018) said they were confident they understood the meaning of the term 'life sentence'. People aged 35-54 years old were more confident than those aged 55+ (83 per cent versus 78 per cent). In 2018, those aged 18-34 were more confident than those aged 55+ (77 per cent versus 71 per cent), showing a shift over time from the younger to the middle age bracket as the most confident age group.

That said, it is important to note that the discussion groups in 2018 suggested that in reality, understanding was quite low. The most common association with life sentence was a prison sentence of 25 years. Very few were aware that life sentence meant the offender would remain on licence for the rest of their life. Participants often felt that describing the number of years in prison and emphasising that offenders spend their life on licence when communicating with the public about life sentences might aid clarity.

Community order

In the 2022 survey, the majority of respondents were confident that they understood the term 'community order', with 69 per cent saying that they were confident. Those who had been involved with the CJS were more likely to say that they were confident in their understanding of the term than those who had not been involved (76 per cent versus 66 per cent), particularly those who had been involved as a defendant (82 per cent); all percentages have remained the same as those from 2018.

In the 2018 discussion groups, many participants were aware that community sentences could take varied forms, including litter-picking, work with charities or on community projects. Only some were aware that a community sentence might involve work related to the crime, or associated it with rehabilitation or restorative justice. Participants tended to feel that the extent to which community sentences were appropriate or not depended on the offence in question. Most agreed that for less serious crimes – such as minor theft – community sentences could be appropriate, although some felt that they were too much of a 'soft option' to ever be effective.

On licence

Respondents were less confident in their understanding of 'on licence'. Just over half (53 per cent) were confident they understood the term and over two fifths (42 per cent) were not confident (compared with 50 per cent and 44 per cent in 2018). Those who have had contact with the CJS were significantly more likely than those who had not had contact to say that they were confident in their understanding (58 per cent versus 45 per cent), with those whose contact had been with probation services and criminal courts feeling most confident that they understood the term. This is consistent with the 2018 survey results (61 per cent versus 46 per cent).

The 2018 discussion groups confirmed that participants were less familiar with the term 'on licence' and less confident in their understanding of it, than other terms discussed. In discussions, the term was variously linked to 'on probation', 'on parole', 'on remand', and 'on bail'. People were sometimes confused, associating 'licence' with permission to do something (e.g. driving). It was suggested that when describing the term 'on licence', the Sentencing Council might more clearly emphasise the restrictions on the offender.

4.2.2. Attitudes towards sentencing

When asked in the online survey about their attitudes towards sentencing in general, almost two thirds (64 per cent) of respondents said that they think sentences are too lenient, while roughly a fifth (22 per cent) said that they think they are 'about right' and only eight per cent that they are too tough. These figures are consistent with the 2018 survey (64 per cent too lenient, 22 per cent 'about right', and six per cent too tough). However, the 2018 qualitative group discussions suggested more mixed attitudes towards sentencing, with participants less likely to say that sentences are too lenient overall. It should be noted, however, that low public knowledge about sentencing practices means that these findings reflect public *impressions* rather than how tough or lenient the sentences are.

When asked whether they felt that sentences handed down for particular offences are too tough or too lenient (see Figure 4 below), the proportion saying that sentences are too lenient was significantly higher when asked without a case study, than when provided with

a case study that contained more information and illustrated sentencing for a specific case. For example, when asked initially about sentences for assault, 70 per cent of respondents said that sentences are too lenient in general. When provided with a specific case study, this dropped to 61 per cent.

In the 2018 qualitative discussion groups, people reported that their impressions of sentencing are, in part, driven by media reporting. The most common spontaneous description of sentencing in discussion groups was 'inconsistent', and when probed, this was felt to be rooted in media coverage. It was recognised that the media are most likely to report on exceptional cases – mostly those where sentencing was perceived to be disproportionately lenient – and therefore, these were the examples that came most easily to mind. As a result, people recognised that receiving information on sentencing predominantly from media reports might exacerbate perceptions of inconsistency and excessive leniency²³.

The 2022 survey findings are consistent with previous research; opinion surveys asking for the respondent's general assessment of existing sentencing practices, without being given any information first, typically produce answers that sentencing is too soft. For example, in a representative survey of approximately 1,000 people in England and Wales, roughly four-fifths of the sample believed that sentencing was too lenient, with only 16 per cent believing it was 'about right'. Two fifths (40 per cent) said sentencing was 'much too lenient' in general while 45 per cent said sentencing for murder was 'much too lenient'.²⁴ However, exposing the public to real cases or realistic fictitious cases often leads them to say sentencing is appropriate or too harsh.^{25 26} Another study showed that while approximately three-quarters of respondents said that sentences were too lenient, respondents were less punitive than sentencers when asked to allocate a sentence to a specific case. For example, when presented with the details of the case of a domestic burglar, 54 per cent of the sample were in favour of imprisonment, with an average custodial sentence length of 12 months. The actual case underlying the example had resulted in a three-year sentence.²⁷

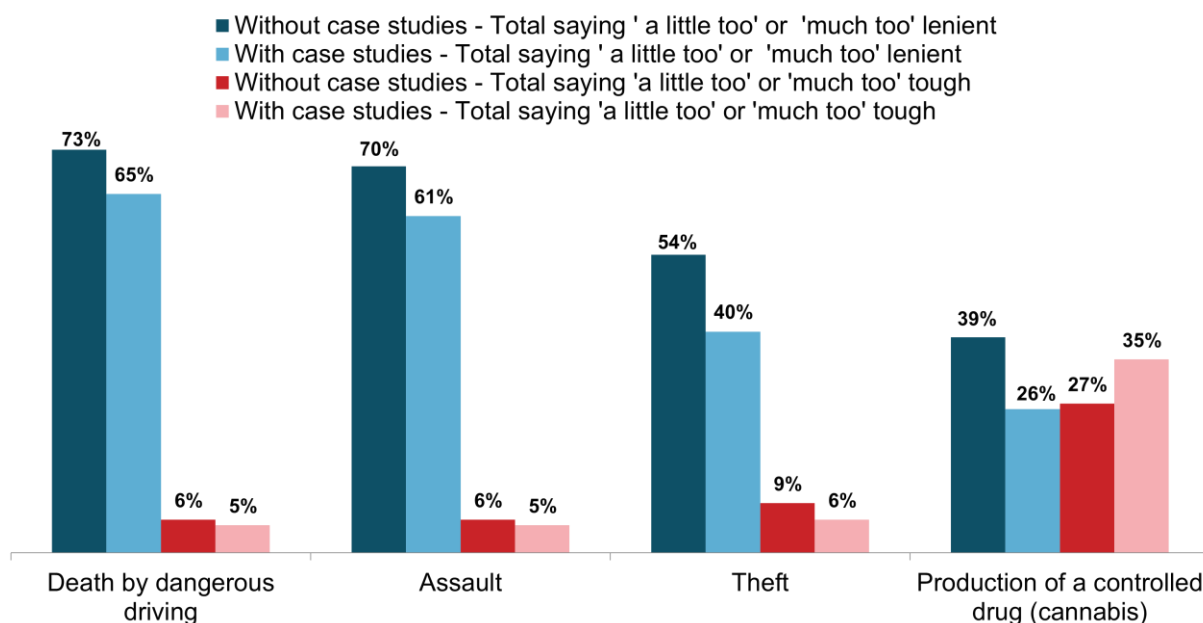
²³ Archer, N. et al (2019) Public Knowledge of and Confidence in the CJS and Sentencing <https://www.sentencingcouncil.org.uk/wp-content/uploads/Public-Knowledge-of-and-Confidence-in-the-Criminal-Justice-System-and-Sentencing.pdf>

²⁴ Mitchell, B. and Roberts, J. (2012) Sentencing for murder: Exploring Public Knowledge and Public Opinion in England and Wales. *The British Journal of Criminology*, Volume 52 (1): 141-158.

²⁵ British Academy (2014) A presumption against imprisonment.

²⁶ Hough, M., and Roberts, J. (2017) Public Opinion, Crime and Criminal Justice, in Oxford Handbook of Criminology 6th ed. edited by Liebling, McAra and Macuna. Oxford University Press. Pp. 239-59.

²⁷ Roberts, J. and Hough, M. (2013) Sentencing Riot-Related Offending., *British Journal of Criminology*. Volume 53 (2): 234-256.

Figure 4: The impact of case studies on attitudes towards sentencing, by offence

Q4. Now thinking specifically about sentences handed down for the offences below only, would you say that sentences handed down by the courts are too tough, about right, or too lenient? Base: all respondents (n=2165)

Q6. I think that the sentence handed down in this particular case is ... Base: group A: presented with theft and dangerous driving scenarios (n=1094, group B: presented with assault or production of a controlled drug (cannabis) (n=1071)

Similarly to 2018, results from the 2022 online survey suggested that the offence type might be a factor which influences attitudes towards sentencing. Respondents were much more likely to say that sentencing for crimes that result in harm to others are too lenient than for other offences, such as acquisitive crimes. When asked about individual offences (without being given a case study), respondents were most likely to say that sentences are too lenient for death by dangerous driving (73 per cent) and assault (70 per cent) offences, compared with theft (54 per cent) and production of a controlled drug (39 per cent). In addition, responses to the case study related to production of a controlled drug show a different pattern to those for the other offences; over a third (35 per cent) of respondents considered the sentencing to be too tough, much higher than for the case studies for other offences.

4.2.3. Variation in attitudes towards sentencing

Differences in attitudes to sentencing

The survey findings highlight variations in attitudes towards sentencing among different demographic groups, with the greatest variations seen by different age and ethnic groups, by types of personal involvement in a criminal court case, and personal contact with CJS agencies.

Age: Younger adults in the survey were more likely to think that sentencing is too tough; fifteen per cent of 18-34 year olds said it is too tough in comparison to nine per cent of 35-54 year olds, or three per cent of 55+ year olds. Correspondingly, 77 per cent of those aged 55+ said that sentences are too lenient, in comparison to 48 per cent of 18-34 year olds, and 62 per cent of 35-54 year olds. These findings are consistent with 2018.

Gender: There was no significant difference between men's and women's perceptions that sentencing was too lenient (net of 'a little' and 'much too lenient'). However, women were more likely than men to say that sentencing is 'a little too lenient' (38 per cent versus 34 per cent respectively) and men were more likely than women to say that sentencing is 'much too lenient' (31 per cent versus 25 per cent respectively). On balance, men therefore appear to be marginally more punitive, and this is consistent with previous studies.²⁸ In the 2018 survey, however, women appeared marginally more punitive than men: men were more likely than women to say that sentencing is 'about right' (24 per cent versus 20 per cent), while women were more likely than men to say that sentencing is 'a little too lenient' (41 per cent versus 37 per cent), although the proportion of men and women saying that sentencing is 'much too lenient' was similar (26 per cent versus 24 per cent). Gender differences are also evident in the perceptions of sentencing of different offences. For example, men were more likely to say that the sentencing for theft was too lenient (47 per cent, compared with 37 per cent for women) and that the sentencing for assault was too lenient (63 per cent, compared with 53 per cent for women). Men and women were more aligned on perceptions of sentencing of death by dangerous driving and production of a controlled drug (cannabis).

Ethnicity: Respondents of White ethnicity were more likely to say that they think sentences are too lenient: 69 per cent said this in comparison to 47 per cent of respondents of Mixed ethnicity, 40 per cent of respondents of Asian ethnicity, and 37 per cent of respondents of Black ethnicity. Those from ethnic minorities were also more likely to say the sentences were too tough (17 per cent of respondents of Mixed ethnicity, 19 per cent of those of Asian ethnicity, and 24 per cent of those of Black ethnicity, compared with six per cent of respondents of White ethnicity). Respondents of Asian and Black ethnicity were more likely to say that the sentences were 'about right' (31 per cent and 30 per cent respectively) compared with those of White ethnicity (20 per cent). These findings are consistent with 2018. In the 2018 discussion groups, those from ethnic minorities expressed the view that those from ethnic minorities received harsher sentences than White defendants.

Socio-economic grade (SEG): Socio-economic grades also have an impact on perceptions of sentences. Those from socio-economic grade C1 were more likely to say that sentences were too tough (ten per cent) compared with those from C2 (six per cent). Those from grades AB were less likely to say that the sentences were too lenient (60 per cent) compared with C2 (68 per cent). Those from grades AB were more likely to say that the sentences were 'about right' (26 per cent, compared with 18 per cent for C1 and 21 per cent for C2DE). While the general pattern across socio-economic grades is consistent with 2018, the significant difference in perception was between social grades AB and DE (59 per cent of AB said they were too lenient, compared with 66 per cent of DE), compared with 2022 when the significant difference lies between the C1 and C2 groups. In 2018, grades AB were also more likely to say that sentencing is 'about right' than grades DE (27 per cent versus 18 per cent of DE).

Education level: Those who had been educated to school level and below were more likely to say that sentencing overall is too lenient; 66 per cent said this in comparison to 61 per

²⁸ For instance, when asked to judge specific cases, women were likely to award less punitive sentences than men to both first-time and second-time offenders. Roberts, J. V., and Hough, M. (2013) Sentencing Riot-Related Offending: Where Do the Public Stand? *British Journal of Criminology* Volume 53(2): 234-256.

cent of those educated to degree level and above. These findings are consistent with those from the 2018 survey.

Region: Survey respondents from London were significantly more likely to say that sentencing is too tough (16 per cent), compared with all other regions (proportions ranged between 3 per cent for the Eastern region and 9 per cent for both North West and West Midlands). Respondents from London were also least likely to say that sentencing is too lenient (49 per cent), compared with all other regions (proportions ranged between 59 per cent for the South East and 71 per cent for the Eastern and North East regions).

Personal involvement in a criminal court case: Those who have had involvement with the CJS were more likely to say that sentencing is too tough (11 per cent), compared with those who had not had any involvement with the CJS (7 per cent). Those who have had involvement as a defendant were particularly likely to say that sentencing was too tough (15 per cent). Those who have had contact as a victim or juror (71 per cent and 65 per cent respectively), or even those who have had no involvement with the CJS (64 per cent), were more likely to consider the sentences to be too lenient, compared with those with involvement with the CJS as a defendant (56 per cent) or as a support for family or friends (54 per cent). It is interesting to note that those who have been a victim are both more likely to say sentencing was too tough **and** too lenient than other groups; they are least likely to say the sentencing is 'about right' (13 per cent), and this was significantly less than the responses for all other groups who reported involvement with the CJS (ranging between 24 per cent and 28 per cent) or those who have had no involvement (21 per cent).

Personal contact with CJS agencies: Those who have had contact with any of the CJS agencies covered in the survey were more likely to consider sentences to be too tough (10 per cent), compared with those who have had no contact (6 per cent). Furthermore, those who have had contact with probation services, witness support services or Victim Support were most likely to say the sentences are too tough (21 per cent, 19 per cent, and 15 per cent respectively). Those who have had contact with probation services were less likely to consider sentencing to be too lenient (47 per cent), compared with those who have had contact with the police or criminal courts (66 per cent and 65 per cent respectively) or compared with those who have had no contact with the CJS agencies (63 per cent).

Victim of crime: For those who reported being a victim of crime, there were some variations in how these respondents viewed overall sentencing. Those who had been a victim of theft were more likely to say that sentences are too tough (18 per cent) compared with those who had not been a victim of any of the offences listed²⁹ in the survey (8 per cent). However, those who had been a victim of assault were more likely to say that sentences were too lenient (73 per cent) compared with those who had not been a victim of any crime (63 per cent).

No significant differences were observed between those who said they were aware versus not aware of sentencing guidelines before participating in the survey. The 2018 discussion groups revealed a limited understanding of sentencing guidelines, even when participants reported that they had been aware of them prior to participating in the research, and this may also be behind the findings of the 2022 survey.

²⁹ See Q14 at Annex 3 for the full list of offences tested.

Table 3: Summary of significant differences in attitudes towards sentencing

	Groups more likely to consider that sentencing is too tough	Groups more likely to consider that sentencing is too lenient
Age	Younger (18-34)	Older (35-54s; 55+)*
Gender	<i>No significant differences</i>	<i>No significant differences</i> ³⁰
Ethnicity	Black*, Asian, Mixed*	White
Socio-economic grade	C1	C2
Education level	<i>No significant differences</i>	Educated to school level and below
Region	London	North East*, East*, Yorkshire and Humberside*, South West*
Personal involvement in a criminal court case	As a victim, defendant, or support for family and friends	As a victim or juror, or no contact with CJS
Personal contact with CJS agency	Probation services, Witness Support* or Victim Support	Police^ or criminal courts, or no contact with CJS agencies
Victim of crime	Victim of theft	Victim of an assault offence

*In 2018, a KDA was conducted to identify the demographic groups that drive attitudes towards sentencing. The groups indicated with an asterisk were found to drive perceptions of sentences as too tough or too lenient.

^It is noteworthy that in 2018, the KDA identified that contact with the police drove perceptions of sentencing as being too tough, while for this descriptive analysis, those who have had contact with the police were more likely to consider sentencing to be too lenient.

Understanding of sentencing considerations

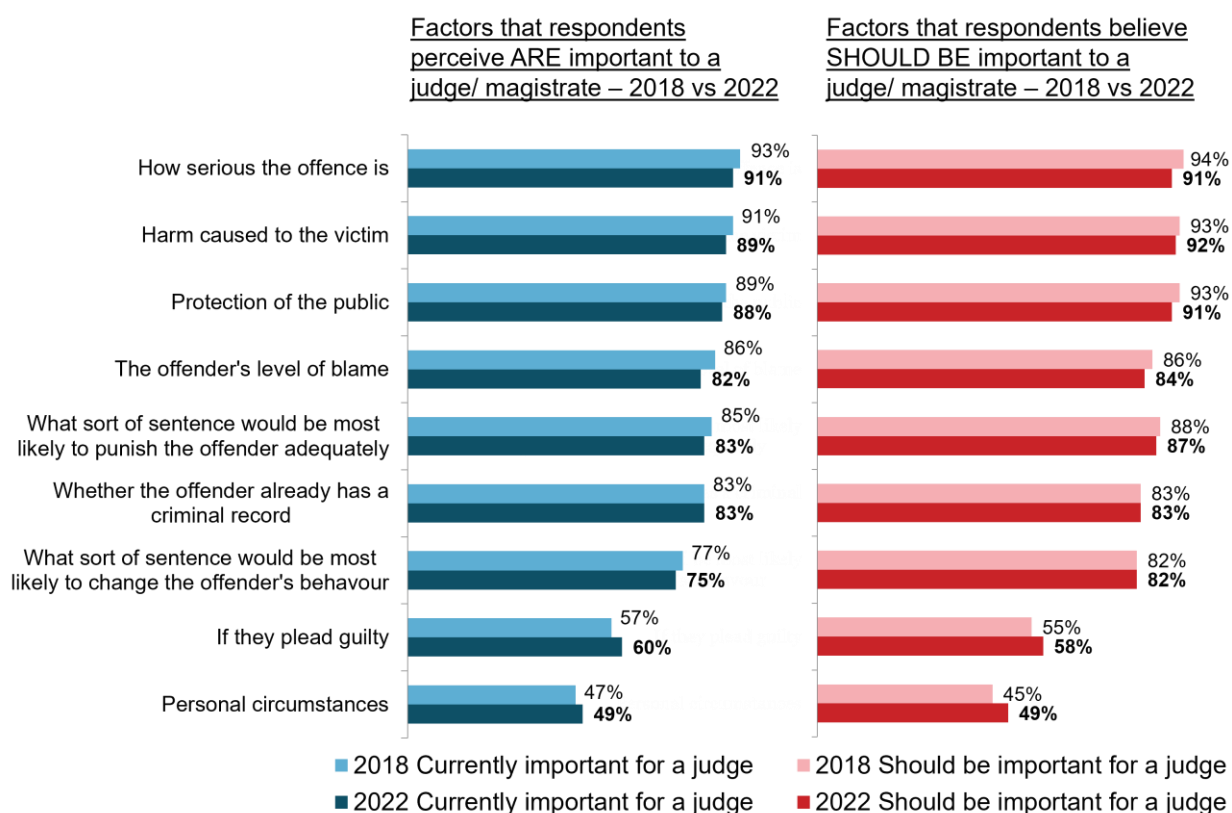
The online survey also tested respondents' understanding of the sentencing factors that judges and magistrates take into consideration when passing sentences. In the survey, respondents were asked how important they thought each of the factors **are** and **should be** to a judge.

As can be seen in Figure 5, 'harm caused to the victim' (92 per cent), 'how serious the offence is' (91 per cent), and 'protection of the public' (91 per cent) were considered the most important factors a judge **should** consider when sentencing. Conversely, 'if a defendant pleads guilty' was considered to be less important (58 per cent), as were 'personal circumstances' (49 per cent).

³⁰ Note that there are no significant differences between men's and women's views that sentencing is too lenient overall (i.e. the net of those who say that sentencing is 'a little' and 'much too' lenient). However, men are more likely to say that sentencing is "much too" lenient, and women are more likely to say that sentencing is 'a little' too lenient.

The survey results suggest that respondents' views of what factors **should** be important to a judge closely mirror their perception of what factors **are** important to a judge when sentencing. 'How serious the offence is', 'harm caused to the victim' and 'protection of the public' are ranked in the top three for both how important respondents think it **should** be and **are**. 'Personal circumstances' is ranked at the bottom (49 per cent for both how important respondents think it **should** be and **are**).

Figure 5: Perceptions of relative importance of sentencing factors, compared with 2018 (Showing % who say that each factor is 'very important' and 'fairly important')



Q10. How important do you think that the following factors ARE to a judge or magistrate when working out the appropriate sentence for a crime? Q11. How important do you think that the following factors SHOULD BE to a judge or magistrate when working out the appropriate sentence for a crime? Base: all respondents 2018 (n=2000); all respondents 2022 (n=2165)

However, in the 2018 group discussions, participants said that they felt judges often weighed the factors differently to how they themselves might. In particular, it was felt that judges were likely to be more impartial and less influenced by emotion. Some felt that this might lead judges to focus less on the factors participants perceived as most important, such as the 'harm caused to the victim' or 'protection of the public', and more likely to consider 'practical' factors such as time or cost.

4.3 Knowledge of, understanding of, and attitudes towards sentencing guidelines

- The majority of respondents (65 per cent) said they were aware of sentencing guidelines before completing the online survey. However, this varied by demographic group, and from qualitative discussions in 2018, it seems that actual understanding of sentencing guidelines is generally limited.
- Awareness of sentencing guidelines was most pronounced for those who have had contact with the CJS. Among those who had not previously had involvement in a criminal court case, awareness of guidelines has dipped further since 2018.
- Both previous research and findings from this study suggest that providing people with information about sentencing guidelines improves confidence in the fairness of sentencing. Two thirds of respondents (67 per cent), claimed that awareness of the existence of guidelines had a positive impact on their confidence in the fairness of sentencing.

This third section focuses on knowledge, understanding, and attitudes towards sentencing guidelines. It begins by looking at awareness and understanding of sentencing guidelines among the general public. Next, it examines the public's attitudes towards sentencing guidelines in general, before looking at factors that might influence this such as provision of information.

4.3.1. Knowledge and understanding of sentencing guidelines

Awareness of sentencing guidelines

Sixty-five per cent of those surveyed said that before completing the online survey, they were aware that sentencing guidelines existed while 35 per cent said they were not aware of them. This is consistent with the survey conducted in 2018, which found that 64 per cent said they were aware of sentencing guidelines, and 36 per cent said they were not.

Differences in awareness by personal involvement in a criminal court case or contact with a CJS agency

Respondents surveyed who previously have had personal involvement in a criminal court case were more likely than those who had not to say they had heard of guidelines before answering the survey (73 per cent compared with 62 per cent). This is a dip in awareness among those who have had involvement with a case in 2018 (78 per cent, compared with 59 per cent who had not had any involvement).

Furthermore, those who had been in contact with the criminal courts (78 per cent) were more likely than those who had been in contact with the police or Victim Support (71 per cent and 67 per cent respectively) or those with no contact at all (60 per cent) to say that they had heard of sentencing guidelines prior to the survey. This is fairly consistent with levels of awareness reported in 2018 based on contact with CJS agencies (criminal courts: 80 per cent; police: 72 per cent; and Victim Support: 71 per cent). However, there has been a dip in awareness since the 2018 survey among those who have had contact with probation services (71 per cent compared with 79 per cent in 2018).

Differences in awareness by demographic groups

Age: Age also proved significant. Those over the age of 55 were more likely to say that they had been aware of sentencing guidelines before the survey, in comparison to under 54s (18-34: 59 per cent; 35-54: 59 per cent; 55+: 75 per cent). It is possible that this reflects the greater likelihood of experiencing elements of the CJS – for instance, being called for jury service – as one grows older. In 2018, those aged 35+ were more likely to have said they were aware of sentencing guidelines prior to participating in the survey, but this difference has been pushed up to the older age bracket in 2022.

Gender: Men were significantly more likely than women to say they had previously been aware of sentencing guidelines (72 per cent compared with 59 per cent – which is consistent with responses in 2018, which were 69 per cent and 59 per cent respectively).

Socio-economic grades (SEG): Respondents from the highest socio-economic grades, AB, were more likely than those from other socio-economic grades to say they were aware of guidelines before the survey (74 per cent compared with 63 per cent or less for the other grades – again, consistent with 2018 with 72 per cent for AB compared with 63 per cent or less for the other grades).

Ethnicity: Respondents of White ethnicity were significantly more likely to say that they were aware of sentencing guidelines than ethnic minority respondents (67 per cent versus 55 per cent Black, 57 per cent Asian, 60 per cent Mixed). This difference is consistent with 2018, where 65 per cent of White versus 52 per cent of ethnic minorities said that they were aware of sentencing guidelines.

It is useful to consider these findings alongside those from the 2018 group discussions, which suggested that in-depth understanding of sentencing guidelines is limited despite two-thirds reporting awareness in the 2018 quantitative survey. Participants often required explanation or clarification about sentencing guidelines. For example, guidelines were sometimes confused with legal precedent, a legal case that establishes a rule or principle which is then influential in deciding the outcome of similar, subsequent cases. Media and television were referenced as sources of information in this context.

4.3.2. Attitudes towards sentencing guidelines***Impact of knowledge on perceptions of sentencing***

Previous research has suggested that how informed a member of the public is about sentencing guidelines and other aspects of the sentencing process affects their views about sentencing overall. In several cases, researchers have found that providing a participant with information made them more positive about sentencing and its processes.^{31 32}

Results of this survey indicate that awareness of the existence of sentencing guidelines, in general, improves people's confidence in the fairness of sentencing. Most respondents (67 per cent) said that knowing sentencing guidelines existed improved their confidence in the

³¹ Roberts, J., Hough, M., Jackson, J. and Gerber, M. G. (2012) Public opinion towards the lay magistracy and the Sentencing Council guidelines: The effects of information on attitudes. *The British Journal of Criminology*, Volume 52(6): 1072-1091.

³² Roberts, J. V., and Hough, M. (2013) Sentencing Riot-Related Offending: Where Do the Public Stand? *British Journal of Criminology* Volume 53(2): 256.

fairness of sentencing at least 'a little'. This finding is consistent with the 2018 survey (67 per cent).

Younger adults were significantly more likely to say that awareness of the existence of sentencing guidelines improved their confidence in the fairness of sentencing at least 'a little', with 78 per cent of 18-34 year olds saying that their confidence was improved at least 'a little' by the existence of sentencing guidelines, compared with 68 per cent of 35-54 year olds and 60 per cent of 55+ year olds (these figures are also consistent with 2018, with 76 per cent, 67 per cent, and 59 per cent, respectively).

Asian (82 per cent) and Black (79 per cent) respondents were more likely to say that their confidence in the fairness of sentencing was improved at least 'a little' by the existence of sentencing guidelines, compared with respondents of White ethnicity (66 per cent); this pattern was also seen in 2018 (78 per cent of those from ethnic minorities said their confidence was improved at least 'a little', compared with 65 per cent of White respondents).

Those who had been involved with the CJS as a victim or as support for a friend or family member, were much more likely to say that the existence of guidelines does **not** improve their confidence in the fairness of sentencing in comparison to those who had been involved in another way (32 per cent and 31 per cent respectively, in comparison to 21 per cent of those who had been involved as a witness).

In the qualitative group discussions in 2018, participants were generally positive about the existence of sentencing guidelines. Most said that it seemed sensible to have guidelines in order to encourage consistency and to make sure sentences met their intended aims. However, it was notable that even when provided with information about guidelines many – particularly in younger groups – struggled to understand how these might work, and therefore remained unsure as to whether it made them more or less confident about the fairness of sentencing overall.

Impact of knowledge on perceptions of sentencing in specific scenarios

While the majority of both respondents overall (67 per cent) and those with some involvement with the CJS (69 per cent), said that the existence of sentencing guidelines improved their confidence in the fairness of sentencing at least 'a little', when they were presented with high level information about guidelines relating to specific scenarios, as can be seen in the questionnaire in Annex 3, the information did not markedly change their views about whether a sentence is too lenient, too tough or 'about right'.

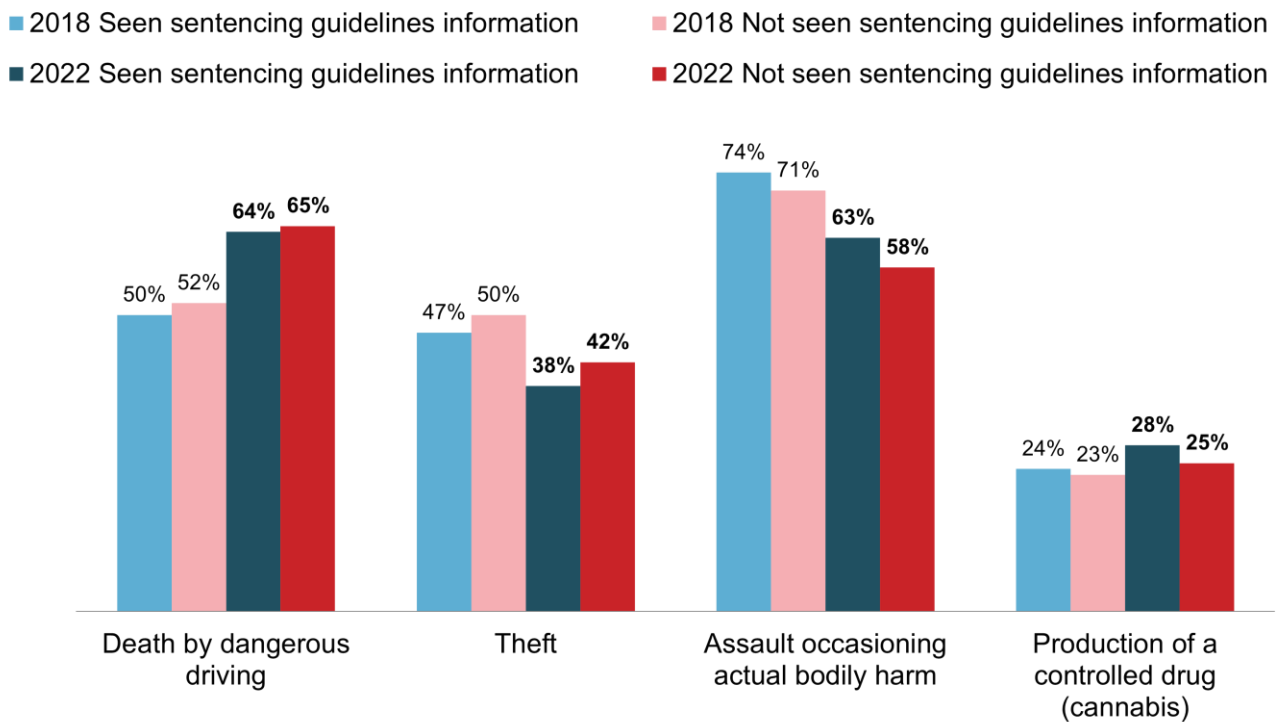
Following a similar methodology in research carried out by Roberts et al. (2012)³³, in the 2022 online survey, half of the sample was provided with high level information about sentencing guidelines when shown a fictional scenario of a crime, and half was not. In most cases, as can be seen in Figure 6, the provision did not make much difference, and no statistically significant differences were seen between those who saw the information on the sentencing guidelines versus those who did not see the information on the sentencing guidelines. This is a trend consistent with that seen in 2018. For example, 64 per cent of those who saw information about a death by dangerous driving offence said the sentence was too lenient which is comparable with the 65 per cent of those who did not

³³ Roberts, J., Hough, M., Jackson, J. and Gerber, M. (2012). "Public opinion towards the lay magistracy and the Sentencing Council guidelines: The effects of information on attitudes." *The British Journal of Criminology*, Vol. 52, No. 6 (November 2012) pp. 1072-1091.

see the information. The only exception to this is for the scenario on the production of a controlled drug (cannabis), where those who saw the guidelines were significantly less likely to think that the sentencing was too tough (31 per cent) compared with those who did not (38 per cent).

In contrast, in Roberts et al.'s 2012 study, participants were shown scenarios for benefit fraud, robbery and burglary, with and without guideline information, and in two out of three of these scenarios (burglary and robbery) those seeing the guideline information were significantly more likely than those not seeing the information to say that sentencing was 'about right'.

Figure 6: Effect of sentencing guidelines information on perceptions that sentencing is too lenient (Showing % who say sentencing is 'much too' or 'a little too' lenient)



Q6. I think that the sentence handed down in this particular case is ... Base: treatment sample 2018 (n= 250); control sample 2018 (n= 250); treatment sample 2022 (n= 556); control sample 2022 (n= 536)

4.4 Media and communication with priority audiences

- Respondents' engagement with news and current affairs continues to be high.
- Broadcast media is still the most frequently used source (38 per cent), followed by online news (28 per cent).
- Two in five (39 per cent) respondents say they find out about the news through reading newspapers (in print and online), with the BBC news website (39 per cent) and Daily Mail/Mail on Sunday (22 per cent) most commonly read.
- Social media has become a more prominent channel for news since 2018. Facebook is the most used platform, but there have been changes seen in the popularity of other platforms, with YouTube, WhatsApp and Instagram being preferred more than in 2018.
- Older people, women and those from ethnic minority backgrounds had lower levels of confidence in the CJS than other groups and could potentially benefit from some targeted messaging to raise their confidence in the CJS. There were also some variations across regions, socio-economic grade and education level that may offer the Sentencing Council potential opportunities for targeting messaging.
- There are some apparent differences in media consumption within these identified groups that may help with focusing messaging to reach different groups.

The 2022 online survey showed respondents had mixed levels of confidence in the CJS, were more likely to think sentences are too lenient than 'about right' or too tough, and required clarification about sentencing guidelines as they have varying levels of knowledge about sentencing in general.

The questions that follow from this are firstly, how can the Sentencing Council best communicate with the public to increase their confidence in the CJS and sentences as they are currently formulated? Secondly, how can information about sentencing guidelines be imparted so that the public are not only aware of them, but have accurate and up-to-date knowledge of what they are and why they are used?

To have a chance of achieving maximum 'cut through' in a congested media environment, it is recommended that the Sentencing Council target their audiences of interest through the media channels that they know will reach them, and with messaging that will resonate. This section of the report provides evidence of media usage for key groups who have demonstrated lower confidence in the CJS as seen earlier in the report. The evidence in this section will provide the tactical evidence behind the recommendations presented in the final section of the report.

4.4.1. Overview of media and communications

General news habits

Before exploring how to target particular groups, it is important to consider the broader engagement that respondents have with news and communications. The majority prefer to find out about the news through 'watching news and current affairs programmes on TV' (63 per cent). This makes sense, given that when people were pressed on the one source they use most frequently, broadcast media comes out on top (38 per cent), followed by online media (28 per cent). BBC TV News is the most popular broadcast media source, watched by 44 per cent, followed by Sky News (29 per cent).

Two in five (39 per cent) respondents said they find out about the news through reading newspapers (in print and online). When it comes to the most regularly (at least once a week) consumed online or print news sources, the most commonly read is the BBC news website (39 per cent), followed by the Daily Mail/Mail on Sunday (22 per cent), although a similar proportion of respondents said they did not read any of the listed online or print news sources or a named other source at least once a week (21 per cent).

Of social media sources, Facebook tops the list of those regularly used to access news (43 per cent), followed by YouTube (31 per cent) and WhatsApp (28 per cent). Three quarters (75 per cent) of respondents said they use *any* of the mainstream social media sites or apps suggested in the survey for news consumption, a significant increase compared with 2018 survey data (62 per cent). In 2022, there has been a significant increase, compared with 2018, in the number of respondents who said they access news using YouTube (31 per cent versus 23 per cent respectively), Instagram (26 per cent versus 12 per cent respectively) and news apps (25 per cent versus 18 per cent).

4.4.2. Priority audiences for targeted messaging

The survey points to priority audiences that report lower levels than other groups in terms of one or more of the key factors of interest to the Sentencing Council. In particular: 1) to promote awareness of sentencing practice among the public; 2) to increase confidence in the effectiveness and fairness of sentencing and the wider CJS.

These key demographic groups, and the focus and means of communication with them are summarised in the table below.

Audience	Objective	Preferred media channels
Older people aged 55+	Raise confidence in <i>effectiveness</i> of the CJS	<ul style="list-style-type: none"> News programmes and current affairs programmes Newspapers, in print or online, especially via BBC news website, Daily Mail/Mail on Sunday, local newspapers Radio Social media via Facebook
Women	<p>Raise confidence in <i>fairness</i> of the CJS</p> <p>Raise awareness of sentencing guidelines</p>	<ul style="list-style-type: none"> News programmes and current affairs programmes Daily Mail/Mail on Sunday, Good Morning Britain Social media via Facebook, Instagram and WhatsApp
Those residing in certain regions of England and Wales	<p>Raise confidence in <i>effectiveness</i> of the CJS in the North West, the East Midlands and the South West</p> <p>Raise awareness of sentencing</p>	<ul style="list-style-type: none"> Broadcast media, especially BBC TV News, in Eastern areas and the South West in particular Regional/local BBC television news especially popular in the North East Sky News favoured in London, the North West, Yorkshire and Humberside and the South East

	guidelines in the North East and North West	<ul style="list-style-type: none"> • BBC news website is the most popular source for online/print news sources across all regions • Daily Mail/Mail on Sunday is popular in the West Midlands, Eastern regions, Wales, London and the South East • The Sun newspaper especially favoured in the North East • Local newspapers are especially favoured in the South West
Selected ethnic minority groups: Black/African/Caribbean, Mixed and Asian	<p>Black/African/Caribbean and Mixed: to improve confidence in <i>fairness</i> of the CJS</p> <p>Asian: to improve confidence in <i>effectiveness</i> of the CJS</p>	<ul style="list-style-type: none"> • Social media usage for news high among Asian, Black and Mixed respondents • YouTube, WhatsApp most popular among Asian respondents • Instagram and YouTube most popular for Black and Mixed respondents • Ethnic minority groups more regular readers than White respondents of the Metro • Black and Mixed ethnic groups were more likely to read the Guardian/Observer/ Independent • Asian audiences most likely to watch Sky News channels
Lower socio-economic grades	<p>Improve confidence when in contact with the CJS</p> <p>Raise awareness of sentencing guidelines</p>	<ul style="list-style-type: none"> • Broadcast media for news and current affairs, especially BBC TV News
Those with school level or below education	Improve confidence in <i>fairness</i> of CJS	<ul style="list-style-type: none"> • Broadcast media, especially BBC News • Regional/local ITV television news • Good Morning Britain • The Sun newspaper

The detailed profiles below explain the reasoning for recommending each target group, before setting out the messaging channels which might be used to engage them.

Older age group (55+)

Rationale

While younger age groups tend to be confident in the effectiveness of the CJS, older people were most likely to report a lack of confidence in the effectiveness of the CJS. Older people, aged 55+, were significantly more likely than those aged 18-34 or 35-54 to state they were not confident with the CJS's effectiveness as a whole (49 per cent 55+ versus 41 per cent 18-34 and 44 per cent 35-54). This trend reflects that seen in the 2018 survey results.

Furthermore, a similar proportion of all age groups indicated that they were not confident in the fairness of the CJS (47 per cent for 18-34 year olds, 43 per cent for 35-54 year olds, and 42 per cent for those aged 55+). This is a slight decrease since 2018 among older respondents (those aged 55+ shifting from 46 per cent in 2018 to 42 per cent in 2022), while a slight increase was seen among the youngest groups (those aged 18-34 shifting from 37 per cent in 2018 to 47 per cent in 2022).

Older respondents were more aware of the existence of sentencing guidelines compared with other age groups, with three in four (75 per cent) of those 55+ aware compared with three in five (59 per cent) of 18-54 year olds. However, while three in five (60 per cent) of older people said that knowing about sentencing guidelines improved their confidence in the fairness of sentencing, this was a smaller proportion than that of younger people (78 per cent of 18-34 year olds and 68 per cent of 35-54 year olds). In addition, over a third of 55+ year olds (36 per cent) said that their knowledge of sentencing guidelines did not improve their confidence in sentencing.

While 55+ year olds were more likely than the youngest age group (18-34) to have had contact with the CJS (28 per cent versus 22 per cent respectively), this experience did not seem to translate into improved confidence. Over a third of 55+ year olds said their experience of the CJS did not improve their confidence in its effectiveness (37 per cent) or fairness (37 per cent). This was significantly higher than other age groups. Importantly, the percentage of 55+ year olds who thought that sentences handed down by the courts are too lenient is significantly higher (77 per cent) compared with younger respondents (48 per cent for 18-34 year olds and 62 per cent of 35-54 year olds).

Media channels

As expected, those aged 55+ have different media consumption habits compared with younger age groups. Most notably, they are significantly more likely than other age groups to have been exposed to broadcast media and print. This finding helps narrow down the news outlets by which to reach this group, which can form a basis for a clear strategy. Considerations that may direct a choice of channels by which to reach this group are:

- This group is most likely to watch news programmes and current affairs programmes: approximately four in five (78 per cent of 55+ year olds) preferred to find out news in this way, while just half (48 per cent) of 18-34 year olds and two-thirds (59 per cent) of 35-54 year olds said the same. TV programmes are followed by newspapers, in print or online (48 per cent), and radio (35 per cent).
- They have a significantly higher likelihood of reading the Daily Mail/Mail on Sunday: almost a quarter (26 per cent) of the 55+ age group read publications from this news outlet at least once a week (compared with 20 per cent of both 18-34 year olds and 35-54 year olds). The same applies to local print: 20 per cent of the 55+ age group read local newspapers at least once a week (versus 13 per cent of 18-34

year olds and 14 per cent of those aged 35-54). The most read news source across all age groups is, however, the BBC News website (37 per cent).

- The growing use of social media: 55 per cent of the 55+ age group said they use one of the mainstream social media outlets tested for news compared with 39 per cent who said so in 2018. The most often used site or app is Facebook (31 per cent).

These preferences in media consumption indicate that if the Sentencing Council are keen to improve the confidence of those aged 55+ in the CJS, then using traditional broadcast media outlets will be of key importance. In addition, a wider group may be targeted by adding selected social media outlets to the media mix.

Women

Rationale

Overall, women tended to be confident about the effectiveness of the CJS. However, their confidence in the fairness of the system is noticeably lower compared with men (51 per cent versus 55 per cent respectively). While these differences may seem small compared with the 55+ year olds discussed above, the findings apply to half of the population. This is why it is important to explore this group's experience of the CJS.

Some key differences in experience with the CJS have been identified which may feed into the different views of confidence in the fairness of the system. Firstly, women seem to be less aware of the existence of sentencing guidelines compared with men (59 per cent of women aware versus 72 per cent of men). Secondly, looking into women's exposure to the CJS, they are significantly less likely than men to have had any contact with the police (46 per cent versus 52 per cent) or criminal courts (22 per cent versus 30 per cent), but they are significantly more likely to have had contact with Victim Support (19 per cent versus 14 per cent).

Women were also less likely than men to have been personally involved in any case in the criminal court (29 per cent versus 35 per cent). However, out of those women who have been involved as a victim, three in ten (29 per cent) said they have been a victim of a sexual offence and two in five (19 per cent) report having been harassed or stalked. The Sentencing Council may wish to explore whether and how these differences of experience have an impact on women's perceptions of the sentencing of sexual offences.

Media channels

The media consumption patterns of women are generally similar to those of men, yet a significant difference is seen in the proportion of women having a preference for social media and reliance on personal networks (family, friends), compared with men.

Considerations that may direct a choice of channels by which to reach the group are:

- Over a third of women find out about news and current affairs from social media networks (38 per cent) or by talking to family/friends (36 per cent). Just over a quarter of men do the same (26 per cent for both channel types).
- Women are significantly more likely to read the Daily Mail/Mail on Sunday: a quarter (25 per cent) do so, which is significantly higher compared with one in five (19 per cent) of men. A fifth (20 per cent) of women watch Good Morning Britain for news and current affairs at least once a week (versus 12 per cent of men). This seems to correspond to the preferred time to listen to or watch the news during the day,

which is more likely to be early morning³⁴ (32 per cent of women versus 26 per cent of men).

- In terms of social media, women are more likely than men to use the following platforms for news/current affairs at least once a week: Facebook (51 per cent versus 35 per cent respectively), Instagram (33 per cent versus 19 per cent) and WhatsApp (31 per cent versus 26 per cent).

If the Sentencing Council are keen to improve the confidence of women in the fairness of the CJS, then selected social media platforms and morning shows might be suitable starting points.

Those residing in certain regions

Rationale

Confidence in the effectiveness of the CJS was highest among respondents living in London (58 per cent). This is significantly higher compared with those living in the North West (48 per cent), the East Midlands (46 per cent) and the South West (47 per cent). In addition, those living in London were significantly less likely to feel that in general sentences are too lenient compared with other regions (49 per cent versus a range of between 59 per cent and 71 per cent for those living in other regions).

Key drivers analysis in 2018 found that living in the North, South, Yorkshire and the Humber, the Midlands, and the East of England – anywhere apart from London or Wales – was connected with perceptions that sentencing is too lenient. When considering the four individual offences tested in this survey (theft, death by dangerous driving, assault and production of a controlled drug (cannabis)), sentences for assault were considered too lenient, most notably among those from the North West (77 per cent) and South West (80 per cent); for death by dangerous driving sentences, the proportion who felt these sentences are too lenient was significantly higher across all regions compared with London.

Those respondents living in the East Midlands were the most likely out of all regions to say that they were not aware of sentencing guidelines prior to the survey (41 per cent). This is significantly higher than among those living in northern regions (North East: 25 per cent and North West: 31 per cent). In addition, respondents in the North West were most likely to report having had contact with the police (56 per cent), significantly more than those living in Wales (45 per cent), in the Eastern region (47 per cent), London (46 per cent) and the South East (47 per cent).

Media channels

If the Sentencing Council wished to target communications in some of these regions, there were some media habits that varied in prevalence in each region. Below is a summary of some of the key habits that may be useful to consider when exploring messaging:

- Respondents from London were distinguished from other regions by their use of online news sources; 33 per cent said that online news is the single source that they use most frequently (more frequently than broadcast media), which is notably higher than those from other regions (with the exception of Wales, where 34 per cent said they also use online news as their most frequent news source).

³⁴ See Q25a at Annex 3 for the full list of timings tested.

- Respondents from London were also most likely to say that they use social media (39 per cent) and podcasts (16 per cent) to find out about the news. YouTube is the most popular social media platform, used by 43 per cent of Londoners to find out about news and current affairs, significantly higher than across all other regions, closely followed by WhatsApp (39 per cent) and Instagram (38 per cent).
- In all other areas of the country, broadcast media was the main source cited for finding out about news and current affairs, particularly for those in Eastern areas (46 per cent) and the South West (43 per cent). Of these media channels, BBC TV News was the standout source for all of these regions, with over four in ten respondents saying they watch this regularly (ranging from 41 per cent in the North West to 52 per cent in the Eastern region).
- However, three in ten (32 per cent) of those living in North East said that they watch regional/local BBC television news regularly, while similar proportions of respondents in London (33 per cent), the North West (31 per cent), Yorkshire and Humberside (31 per cent) and the South East (30 per cent) said they watch Sky News.
- Similarly to broadcast media, the BBC News website is the most popular online print news source across all regions (from 42 per cent in London and the Eastern region to 35 per cent in the West and East Midlands). However, reported usage of other online/print sources was more divided. Over a quarter of Londoners (27 per cent) read the Metro. The Daily Mail/Mail on Sunday is a regularly used source for a quarter of respondents living in the West Midlands (25 per cent), Eastern regions (25 per cent), Wales (25 per cent), London (24 per cent) and the South East (24 per cent). In the North East, a similar proportion of respondents (24 per cent) said they regularly read the Sun, whereas in the South West respondents were more likely to read their local newspaper (22 per cent) compared with all other regions.

Ethnic minority groups

Rationale

People from ethnic minority groups have also been selected as an audience of interest because there is potential to increase their knowledge and awareness of sentencing guidelines.³⁵

Confidence in the CJS showed some variations among different ethnic groups. Respondents from Asian ethnic backgrounds were significantly more likely to say that they were confident in the effectiveness of the CJS (66 per cent versus 51 per cent White, 52 per cent Black and 45 per cent Mixed). When considering confidence in the fairness of the CJS, three in five (60 per cent) respondents of Asian ethnicity and over half (54 per cent) of respondents of White ethnicity reported feeling confident, whereas less than half (45 per cent) of respondents of Black ethnicity and a third (35 per cent) of respondents from Mixed ethnic backgrounds reported confidence in the fairness of the CJS.

For those from ethnic minority groups, awareness of sentencing guidelines appears to improve their perceptions of the fairness of the sentencing. Respondents of Asian and Black ethnicity were significantly more likely than respondents of White ethnicity to say that

³⁵ It should be noted that younger age groups aged 18-34 were overrepresented in the ethnic minority sample, reflecting the younger age skew of this population, which might explain the somewhat higher usage of social media among this group.

knowing about sentencing guidelines increased their confidence in the fairness of sentencing (82 per cent Asian and 79 per cent Black versus 66 per cent White).

Likewise, contact with the CJS had potential to change their views. The majority of respondents of Asian ethnicity who have had contact with the CJS agencies said that this experience improved their confidence at least 'a little' in its effectiveness (78 per cent) and its fairness (74 per cent). This is significantly higher than the proportion of White and Mixed ethnicity respondents who have had contact with CJS agencies that said the same (improved confidence in effectiveness: 62 per cent and 60 per cent respectively; and improved confidence in fairness: 60 per cent and 56 per cent respectively).

Media channels

Should the Sentencing Council choose to target communications at ethnic minority groups, social media would be a key channel as this was the most frequently used source for news and current affairs for these groups.

- Social media usage for news is much higher among Asian, Black and Mixed groups than White.³⁶ Over half (55 per cent) of Asian respondents prefer using social media for news and half of Black (48 per cent) and Mixed (51 per cent) respondents said the same. This is compared with less than three in ten (28 per cent) of White respondents.
- YouTube and WhatsApp are the most popular platforms among those from Asian ethnic groups (50 per cent report using both of these platforms at least once a week for news/current affairs), while for Black and Mixed ethnic groups, Instagram is a popular choice alongside YouTube (Black: Instagram: 51 per cent and YouTube: 57 per cent; Mixed ethnicity: Instagram: 49 per cent and YouTube: 45 per cent). Ethnic minority groups are more regular readers than White respondents of the Metro (Asian: 25 per cent; Black: 29 per cent; and Mixed ethnicity: 22 per cent versus White: 12 per cent). Black and Mixed ethnic groups are more likely to read the Guardian/Observer (20 per cent and 22 per cent respectively) compared with White audiences (11 per cent).
- White respondents are more likely to watch regional/local news compared with ethnic minority groups. Around a quarter (23 per cent) of White respondents said they watch regional/local BBC television news, significantly more than Asian respondents (12 per cent) and Black respondents (11 per cent). Two in ten (21 per cent) White respondents said they watch regional/local ITV television news, significantly more than Mixed ethnicity respondents (8 per cent) and Asian respondents (8 per cent). Asian audiences were most likely to say that they watch Sky News channels (41 per cent) compared with other ethnic groups.

These preferences suggest that social media and papers such as the Metro should be engaged with, if the Sentencing Council wants to be certain of reaching ethnic minority groups as well as White populations. However, there are variations in preferences for news channels across all ethnic groups and so it will be important for the Sentencing

³⁶ Some of this difference in news consumption via social media by ethnicity may be attributable to the fact that ethnic minorities have a younger age profile, compared with those from a White ethnic background. However, social media usage is also higher among those from ethnic minorities compared with those from White ethnic backgrounds, as illustrated in the research available here: National Statistics, Social Networking - Taking Part Survey 2019/20. <https://www.gov.uk/government/statistics/taking-part-201920-social-networking/social-networking-taking-part-survey-201920>

Council to aim to produce news stories that will engage a varied audience rather than targeted stories.

Socio-economic grade

Rationale

The level of impact that experience of the CJS has on confidence varies by socio-economic grade. Those in higher socio-economic grades were more likely than those in lower socio-economic grades to say that personal contact with the CJS improved their confidence in it. Current awareness of sentencing guidelines is highest among those from AB grades, with three quarters (74 per cent) saying they were aware prior to completing the survey. This is compared with less than two thirds of those from other socio-economic grades saying the same (C1: 63 per cent; C2: 61 per cent and DE: 62 per cent). Those in higher socio-economic grades were significantly more likely to feel that the existence of sentencing guidelines improves their confidence (AB: 73 per cent and C1: 74 per cent, versus C2: 60 per cent and DE: 60 per cent), whereas those from lower socio-economic grades were significantly more likely to feel that the existence of sentencing guidelines does not improve their confidence in the fairness of sentencing (C2: 33 per cent and DE: 32 per cent, versus AB: 25 per cent and C1: 22 per cent).

Media channels

Media consumption across different channels for news and current affairs is generally highest among AB socio-economic grades. AB respondents were significantly more likely to read other internet sources (38 per cent) compared with C2 and DE respondents (31 per cent of both grades). Those from DE were least likely to listen to news and current affairs programmes on the radio (26 per cent versus AB: 38 per cent, C1: 36 per cent and C2: 33 per cent).

A higher proportion of respondents from higher socio-economic grades AB and C1 cited online news as their most frequent one source of news/current affairs (AB: 31 per cent and C1: 32 per cent, versus C2: 25 per cent and DE: 23 per cent). Respondents in grades DE most frequently use broadcast media (41 per cent) to find out about news and current affairs (more so than other social grades, although between 35 and 39 per cent of other grades also prefer broadcast media).

- BBC TV News is the most popular broadcast media source for all grades, but particularly for AB respondents (49 per cent).
- Respondents from AB and C1 socio-economic grades are more likely to watch Sky News (33 per cent and 32 per cent respectively) compared with DE respondents (24 per cent).
- Respondents from AB and C1 socio-economic grades are most likely to read the BBC news website (44 per cent versus 33 per cent C2DE) and the Daily Mail/Mail on Sunday (25 per cent versus 19 per cent C2DE). Those from grades C2DE are most likely to read the Sun (21 per cent versus 15 per cent ABC1), and were most likely to say that they didn't read any of the online/print news sources listed (26 per cent versus 16 per cent ABC1).
- Three in ten of those from higher socio-economic grades (31 per cent for both AB and C1) use Instagram and WhatsApp (regularly to follow news/current affairs, significantly more than the two in ten of those from lower socio-economic grades (C2: 23 per cent and DE: 21 per cent). Similar trends were seen for the use of News apps (AB: 29 per cent and C1: 27 per cent versus C2: 24 per cent and DE: 21 per cent). Those from grades DE were more likely to say that they used none of the

social media platforms listed to follow the news (31 per cent, versus AB: 23 per cent, C1: 22 per cent, and C2: 25 per cent).

These findings indicate some potential channels for targeting higher socio-economic grades; however, more may need to be done to understand standout channels for those from lower socio-economic grades.

Those with school level or below education

Rationale

Those with school level or below education were significantly more likely to say that sentences are too lenient (66 per cent versus 61 per cent of those with a degree or higher). They were also less likely to feel that the existence of sentencing guidelines improves their confidence in the fairness of sentencing. Seven in ten (72 per cent) of those with education level degree or above said that the existence of sentencing guidelines does improve their confidence compared with two thirds (65 per cent) of those with education to school level or below.

Media channels

The media consumption of respondents was not markedly different for those of different education levels, however those with education level 'degree and above' showed a more varied preference of channels for news. Some consumption habits for those with education at school level or below are outlined here and may help guide those wishing to reach them.

- Broadcast media is one of their most frequently used sources (39 per cent), with BBC TV News (41 per cent) being most popular.
- Regional/local ITV television news and Good Morning Britain are more popular among those with school level and below education levels (20 per cent and 18 per cent respectively) compared with those with a degree or above (16 per cent and 14 per cent respectively).
- The Sun was more likely to be read by those with school level and below education levels (21 per cent) compared with those with a degree or above (14 per cent).

5. Conclusions and recommendations

This survey conducted for the Sentencing Council has shown that confidence in the effectiveness and fairness of the CJS has remained at similar levels since the survey was run in 2018. Confidence in both the effectiveness and fairness of the CJS are broadly in line with the findings for 2018, again finding that on balance, respondents are slightly more inclined to say that they have confidence in the CJS than not. Based on the findings from this study, several overarching recommendations have been drawn and these are outlined below.

Use communications from the Sentencing Council that are easily accessible and targeted to continually work to raise awareness and understanding of sentencing guidelines.

The majority of respondents reported that the existence of sentencing guidelines increased their confidence in the fairness of sentencing. The introduction of sentencing guidelines in case studies also resulted in participants having a greater level of agreement with the sentence that was delivered. However, when respondents were presented with high level information about guidelines relating to specific scenarios, this did not prompt a significant change in their views about whether the sentence was too lenient, too tough or 'about right'. This is in contrast to a similar study carried out by Roberts et al. (2012)³⁷. In their study when participants saw the guideline information for two out of three of the scenarios tested (burglary and robbery) they were significantly more likely than those not seeing the information to say that sentencing was 'about right'. This suggests that further research among target audiences should be done to gain a better understanding of public comprehension of language and concepts.

Furthermore, from the qualitative discussions in 2018, participants often significantly overestimated their awareness and understanding of sentencing guidelines and terminology, and so messaging will need to be distilled down to a set of the most important ideas, communicated simply and regularly, if it is to successfully reach the general public. The Sentencing Council might wish to conduct qualitative research among target audiences in order to develop these messages.

Continue to prioritise and target certain demographic groups with lower confidence in the CJS and/or sentencing guidelines.

Demographic criteria continue to have a significant impact on the likelihood of having confidence in the CJS, highlighting segments of the public where a bit more understanding could help to build confidence.

Older respondents were more confident in the effectiveness of the CJS, but less confident about the fairness of it, and so messaging to this part of the population could emphasise this aspect of the CJS, and the role of the sentencing guidelines in ensuring that sentencing is fair. Broadcast and print media are the best platforms to use to reach this group.

³⁷ Roberts, J., Hough, M., Jackson, J. and Gerber, M. (2012). "Public opinion towards the lay magistracy and the Sentencing Council guidelines: The effects of information on attitudes." *The British Journal of Criminology*, Vol. 52, No. 6 (November 2012)

Women expressed lower confidence in the fairness of sentencing and sentencing guidelines. This group can be reached most effectively via the BBC News website, BBC TV news, and Sky News, as well as social media channels. They were also more likely than men to read the Daily Mail and tune in to programmes such as Good Morning Britain.

Ethnic minority groups reported lower confidence in the fairness of sentencing, and mention of the guidelines had a positive impact on confidence for these groups.

Consider exploring using points of contact via the CJS agencies to improve awareness and understanding of sentencing guidelines.

While those who have had contact with the CJS were more likely to have confidence in the CJS (particularly in the case of witness support services and those who have used Victim Support), around half of those who have been victims of crime or a defendant said that they are not confident in the effectiveness or fairness of the CJS. That said, the majority of victims reported that their experience of the CJS made them at least 'a little' more confident. These findings indicate the potential influence of the CJS as a point of contact for helping the public to better understand the CJS, and to find confidence and reassurance in the structures and processes that exist to help them. There would be value in using further qualitative research to explore ways in which the individual agencies can play a role in improving understanding of sentencing guidelines.

Ensure that the Sentencing Council is working towards an agile, online-first strategy for its communications.

The majority of the public surveyed reported using news programmes in order to find out about the news. However, the survey results have highlighted the growing role of social media platforms such as Facebook, YouTube and WhatsApp as sources of news. This also emphasises the growing influence of informal news sources.

On the one hand, this enables the Sentencing Council to efficiently share more content across a greater number of channels, thereby raising awareness of sentencing guidelines and processes. However, it also means a growing potential for inaccurate information about a case to spread quickly, and the Sentencing Council (or wider CJS) will need the tools to identify and respond to these misinformation events.

The evidence in this report provides a set of priority groups, and the channels by which they can be targeted, enabling the Sentencing Council to contribute to the continued improvement of confidence in the effectiveness and fairness in the CJS.

Annex

Annex 1: Glossary of terms

Community sentence/community order

A community sentence combines punishment with activities carried out in the community. It can include one or more of 13 requirements on an offender. This could be carrying out up to 300 hours of unpaid work, which might include things like removing graffiti or clearing overgrown areas.

Custodial sentence

A custodial sentence is a prison sentence. Imprisonment is the most severe sentence available to the courts. Custodial sentences are reserved for the most serious offences and are imposed when the offence committed is “so serious that neither a fine alone nor a community sentence can be justified for the offence”.³⁸ There are a number of different types of prison sentence available to a court. A custodial sentence can be immediate or suspended (see below).

Custody rate

The proportion of offenders in a population sentenced to immediate custody.

Defendant

A defendant is a person accused of committing a crime in criminal prosecution.

Legal precedent

In common law legal systems, a precedent or authority is a legal case that establishes a principle or rule. This principle or rule is then used by the court or other judicial bodies when deciding later cases with similar issues or facts.

Mandatory life sentence

Parliament has decided that judges must give a life sentence to all offenders found guilty of murder. The judge will set a minimum term an offender must serve before they can be considered for release by the Parole Board. The offender will only be released once they have served the minimum term and if the Parole Board is satisfied that detaining the offender is no longer necessary for the protection of the public. If released, an offender serving a life sentence will remain on licence for the rest of their life. They may be recalled to prison at any time if they are considered to be a risk to the public. They do not need to have committed another offence in order to be recalled.

On bail

If a defendant is released on bail at the police station, having been charged, they are able to go home until their court hearing. After this first hearing, they may be given bail by the

³⁸ Sentencing Act 2020. <https://www.legislation.gov.uk/ukpga/2020/17/section/230>

court for all or part of the court process. There may be conditions attached to bail such as a requirement to live at a particular address or report to the police at certain times.

On licence

Offenders will normally spend half their sentence in prison, and the rest on licence in the community. Being on licence means offenders have to obey certain rules, which could include wearing an electronic tag which restricts where they can go. If they don't follow the rules, they can be sent back to prison.

On parole

The Parole Board is an independent body that assesses the risks of releasing prisoners and decides whether they can be safely released into the community. An offender who is released on parole is released under supervision (on licence) before the end of their sentence.

On remand

If a court considers that a defendant may not attend court, or may commit further offences or interfere with witnesses, it can order that they are remanded to prison until their case is completed. A defendant who has previously been given bail may be put on remand in the run up to the trial or sentence.

Probation

Probation means an offender is serving a sentence but not in prison. This may be because they are serving a community sentence or have been released from prison on licence or parole.

Sentencing guidelines

When sentencing offenders in courts in England and Wales, judges and magistrates follow guidelines, which help them decide the appropriate sentence for a criminal offence. Guidelines provide guidance on factors the court should take into account that may affect the sentence given, including harm to the victim and the offender's level of blame. They also set out different levels of sentence appropriate to the crime being sentenced. The guidelines ensure that all courts in England and Wales follow the same approach to sentencing offenders.

Socio-economic Grade (SEG)

Throughout this report we refer to socio-economic grades or 'SEG', with the main SEG categories being AB, C1, C2 and DE. Those in the AB category occupy higher or intermediate professional, managerial or administrative jobs; students or those in clerical or junior managerial, professional or administrative roles fall into the C1 definition. C2 comprises skilled manual workers and D semi- or unskilled manual workers. Those who are not in paid work, are homemakers or carers, are in casual work or are retired fall into category E.

Statutory maximum sentence

This is the longest term of imprisonment which has been set by Parliament for a given crime.

Statutory minimum sentence

This is the shortest term of imprisonment which has been set by Parliament for a given crime.

Suspended sentence

When a court imposes a custodial sentence of between 14 days and two years, the court may choose to suspend the sentence for up to two years. This means that the offender does not go to prison immediately, but is given the chance to stay out of trouble and to comply with up to 12 requirements set by the court.

Annex 2: Survey approach

This note sets out details about the approach taken for this project. For details of the multiple methods used in the 2018 research, follow this link to the 2018 report:

<https://www.sentencingcouncil.org.uk/wp-content/uploads/Public-Knowledge-of-and-Confidence-in-the-Criminal-Justice-System-and-Sentencing.pdf>

The survey comprised demographic questions and questions about respondents' perceptions of the CJS, perceptions of sentence severity and sentencing, experience of crime and the CJS, and sources of information (focusing mainly on the media), about the CJS and sentencing. The questionnaire can be found in Annex 3.

The fieldwork ran between 2 and 9 March 2022, with the survey link sent out to an existing online panel. Panellists are recruited from a diverse set of recruitment sources and through a variety of recruitment methods in order to avoid bias, including opt-in email, co-registration (registering while signing up for other services or surveys) and e-newsletter campaigns as well as social media. Panellists have made a conscious decision to participate in online surveys through a double opt-in registration process, and the panel is closely monitored to track activity and engagement, and to ensure quality. Panellists receive a small monetary incentive for taking part in surveys. The sample selected from the panel for this survey was composed through quota sampling. Quotas were set and weighting applied so that the data were representative of the English and Welsh adult population by age, gender, ethnicity, region and socio-economic grade.

The data were cross-tabulated and tested for statistical significance ($p < 0.05$). Whenever a difference is reported as being significant, this means statistically significant rather than large or marked. Responses of 'don't know' are not reported on in the written analysis and charts, however, the data is not adjusted to remove these options as they reflect the level of public knowledge on the topics covered.

Annex 3: Questionnaire

Below is a copy of the survey that respondents completed. Half of the respondents received the control version of the survey, in which they were presented with a description of a case and the sentence given, and half received the treatment version, in which they were presented with the same information plus additional information relating to the sentencing guidelines.

SECTION 1: OPENING DEMOGRAPHICS

D1. How old are you? [ASK ALL, SINGLE CODE, FIX]

- 1) 18-24
- 2) 25-34
- 3) 35-44
- 4) 45-54
- 5) 55-64
- 6) 65+
- 7) Prefer not to say [TERMINATE]

D2. Do you identify as... [ASK ALL, SINGLE CODE, FIX]

- 1) Male
- 2) Female
- 3) Other/ Prefer not to say

D3. What is your ethnic group? [ASK ALL, SINGLE CODE, FIX]

Choose one option that best describes your ethnic group or background.

White

1. English/Welsh/Scottish/Northern Irish/British
2. Irish
3. Gypsy or Irish Traveller
4. Any other White background, please describe:

Mixed/Multiple ethnic groups

5. White and Black Caribbean
6. White and Black African
7. White and Asian
8. Any other Mixed/Multiple ethnic background, please describe:

Asian/Asian British

9. Indian
10. Pakistani
11. Bangladeshi
12. Chinese
13. Any other Asian background, please describe:

Black/ African/Caribbean/Black British

14. African
15. Caribbean
16. Any other Black/African/Caribbean background, please describe:

Other ethnic group

17. Arab
18. Any other ethnic group, please describe:
19. Prefer not to say

D4. In which of the following English regions or Wales do you live? [ASK ALL, SINGLE CODE, FIX]

- 1) North East
- 2) North West
- 3) Yorkshire & Humberside
- 4) West Midlands
- 5) East Midlands
- 6) Wales
- 7) Eastern
- 8) London
- 9) South East
- 10) South West

D5. [SEG 1] The Chief Income Earner is the person with the largest income, whether from employment, pensions, state benefits, investments or any other source. If two or more related people in the household have equal income, please think of this question with the oldest in mind. The Chief Income Earner could be anyone in your household, regardless of age or gender.

Which of the following best describes the employment status of the Chief Income Earner in your household? [ASK ALL, SINGLE, FIX OPTIONS, READ OPTIONS, CODE AS APPROPRIATE]

- 1) Full-time employment (more than 29 hours a week)
- 2) Part-time employment (8-29 hours per week)
- 3) Retired
- 4) Student [CODE SEG AS C1 AND SKIP OTHER SEG QUESTIONS]
- 5) Not working / Sick / Disabled / Working less than 8 hours per week [CODE SEG AS E AND SKIP OTHER SEG QUESTIONS]
- 6) Prefer not to say [TERMINATE]

D6. [ASK ALL CODING OPTION C 'RETIRED' AT SEG 1 ABOVE] [SEG 2] Does the Chief Income Earner have a private pension or allowance? [SINGLE, FIX OPTIONS, READ OPTIONS, CODE AS APPROPRIATE]

- 1) Yes

2) No [CODE SEG AS E AND SKIP OTHER SEG QUESTIONS]

D7. [ASK ALL CODING OPTION A OR B 'EMPLOYED' AT SEG 1 ABOVE + ASK ALL CODING OPTION C 'RETIRED' AT SEG 1 ABOVE] [SEG 3] What is / was the profession of the Chief Income Earner in your household before they retired? [SINGLE, FIX OPTIONS, READ OPTIONS, CODE AS APPROPRIATE]

As a reminder, the Chief Income Earner is the person with the largest income, whether from employment, pensions, state benefits, investments or any other source. If two or more related people in the household have equal income, please think of this question with the oldest in mind. The Chief Income Earner could be anyone in your household, regardless of age or gender.

- 1) Higher managerial / professional / administrative (e.g. Established doctor (over 3 years), Solicitor, Board Director in a large organisation (200+ employees, top level civil servant/public service employee) [CODE AS SOCIAL GRADE A]
- 2) Intermediate managerial / professional / administrative (e.g. Newly qualified (under 3 years) doctor, Solicitor, Board director small organisation, middle manager in large organisation, principal officer in civil service/local government) [CODE AS SOCIAL GRADE B]
- 3) Supervisory or clerical / junior managerial / professional / administrative (e.g. Office worker, Student Doctor, Foreman with 25+ employees, salesperson, etc) [CODE AS SOCIAL GRADE C1]
- 4) Student [CODE AS SOCIAL GRADE C1]
- 5) Skilled manual worker (e.g. Skilled Bricklayer, Carpenter, Plumber, Painter, Bus/ Ambulance Driver, HGV driver, AA patrolman, pub/bar worker, etc) [CODE AS SOCIAL GRADE C2]
- 6) Semi or unskilled manual work (e.g. Manual workers, all apprentices to be skilled trades, Caretaker, Park keeper, non-HGV driver, shop assistant) [CODE AS SOCIAL GRADE D]
- 7) Casual worker – not in permanent employment [CODE AS SOCIAL GRADE E]
- 8) Housewife / Househusband / Homemaker [CODE AS SOCIAL GRADE E]
- 9) Retired and living on state pension [CODE AS SOCIAL GRADE E]
- 10) Unemployed or not working due to long-term sickness [CODE AS SOCIAL GRADE E]
- 11) Full-time carer or other household member [CODE AS SOCIAL GRADE E]
- 12) Prefer not to say [TERMINATE]

D8. Which of these qualifications do you have to date? Please select all that apply [ASK ALL, MULTICODE, FIX]

- 1) 1-4 O-levels/ CSEs/ GCSEs (any grades), Entry Level, Foundation Diploma
- 2) NVQ Level 1, Foundation GNVQ, Basic Skills
- 3) 5+ O levels (passes) / CSEs (grade 1) / GCSEs (grade A*-C), School Certificate, 1 A-level, 2-3 AS levels/ VCEs, Higher Diploma
- 4) NVQ Level 2, Intermediate GNVQ, City and Guilds Craft, BTEC First/ General Diploma, RSA Diploma
- 5) Apprenticeship
- 6) 2+ A-levels/ VCEs, 4+ AS levels, Higher School Certificate, Progression/ Advanced Diploma
- 7) NVQ Level 3, Advanced GNVQ, City and Guilds Advanced Craft, ONC, OND, BTEC National, RSA Advanced Diploma Undergraduate degree (e.g. BA, BSc)
- 8) Master's degree (e.g. MA, MSc)
- 9) Doctorate degree (e.g. PhD)

- 10) NVQ Level 4-5, HNC, HND, RSA Higher Diploma, BTEC Higher Level
- 11) Professional qualifications (e.g. teaching, nursing, accountancy)
- 12) Other vocational/ work-related qualifications]
- 13) Non-UK qualifications [EXCLUSIVE]
- 14) No qualifications [EXCLUSIVE]

D9. Do you currently work or volunteer as any of the following?

[ASK ALL, SINGLE CODE, RANDOMISE, SCREEN OUT ANY SELECTING 1-9]

- 1) Her Majesty's Prison and Probation Service (HMPPS) (previously known as National Offender Management Service (NOMS))
- 2) HM Courts and Tribunals Service (HMCTS)
- 3) Courts and Tribunals Judiciary of England and Wales
- 4) Sentencing Council for England and Wales
- 5) Ministry of Justice (MoJ)
- 6) Police Service
- 7) Magistrate
- 8) Solicitor/Barrister specialising in criminal law
- 9) Member of a Youth Offending Board
- 10) Other (please specify)
- 11) None of the above [EXCLUSIVE]

SECTION 2: PERCEPTIONS OF THE CJS

This section will ask you some questions about sentencing for criminal offences.

Q1. Thinking about ALL of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service, how confident are you that the Criminal Justice System as a whole is effective? [ASK ALL, SINGLE CODE]

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

Q2. Thinking about ALL of the agencies within the Criminal Justice System: the police, the Crown Prosecution Service, the courts, prisons and the probation service, how confident are you that the Criminal Justice System as a whole is fair? [ASK ALL, SINGLE CODE]

1. Very confident
2. Fairly confident
3. Not very confident
4. Not at all confident
5. Don't know

Section 3: Perceptions of sentence severity – first uninformed, then informed

Q3. In general, would you say that sentences handed down by the courts, that is both the Crown Court and magistrates' courts, are too tough, about right, or too lenient? [ASK ALL, SINGLE CODE]

1. Much too tough
2. A little too tough
3. About right
4. A little too lenient
5. Much too lenient
6. Don't know

Q4. Now thinking specifically about sentences handed down for the offences below only, would you say that sentences handed down by the courts are too tough, about right, or too lenient? [ASK ALL, SINGLE CODE]

Assault/ Production of a controlled drug (cannabis) / Theft / Death by dangerous driving/

1. Much too tough
2. A little too tough
3. About right
4. A little too lenient
5. Much too lenient

The following questions will ask you to read two short descriptions of two specific cases, including the sentence handed down. We will then ask whether you think the sentence handed down in each case is too tough, about right, or too lenient. Please read the information below about sentencing guidelines before you answer the question.

[At this point the sample at random is split into four groups. Each group is shown one pair of example criminal cases and asked questions about them. These groups are labelled 1a and 1b, and 2a and 2b. The sample is split so that approximately 1,000 respondents in *Groups beginning with 1* are shown the information about sentencing guidelines **before** answering questions while respondents in *Groups beginning with 2* are shown the information **afterwards**. There are two pairs of cases, meaning that the cases that *1a* see correspond to the ones that *2a* see, and so on.]

GROUP 1A [THEFT AND DEATH BY DANGEROUS DRIVING] [ONLY ASKED TO SAMPLE GROUP 1A]

Information about sentencing guidelines

When sentencing offenders in courts in England and Wales, judges and magistrates follow guidelines, which are designed to help them decide the appropriate sentence for a criminal offence. Guidelines provide guidance on factors the court should take into account that may affect the sentence given, such as: seriousness, harm to the victim and the offender's level of blame. They also provide information about the kinds of sentence appropriate to the crime being sentenced. The purpose of the guidelines is to ensure that courts in England and Wales follow the same approach to sentencing offenders.

Theft

Simon, who was 19, pleaded guilty at the first hearing to theft of a pedal cycle valued at £350.

The bicycle had been left locked to a stand at a railway station. The owner used it to cycle from home to the station. Simon was identified from CCTV, where he was seen carrying bolt cutters. The bicycle was never recovered.

Simon had two previous convictions for possession of a class B drug. He lived with his parents and was about to start a college course in catering. He had no income.

*According to the sentencing guidelines, the range for sentencing a theft of this kind is between a fine and a community order. After hearing from lawyers representing the offender and the prosecution, the magistrates imposed a sentence of **a community order with 120 hours of unpaid work** (reduced from 180 hours of unpaid work because he pleaded guilty; a guilty plea saves the cost of a trial and saves any witnesses from having to give evidence - this lowers the sentence).*

As well as his guilty plea, the magistrates took a number of factors into account, including:

- *That the offence was planned (Simon was carrying bolt cutters);*
- *The value of the theft.*

Q6. I think that the sentence handed down in this particular case is ...

1. Much too tough
2. A little too tough
3. About right
4. A little too lenient
5. Much too lenient

Death by dangerous driving

Simon and another man were racing each other on a dual carriageway that had a 40mph limit. Over about 800 metres they reached speeds of 100mph. Simon lost control of his car and crashed into a bus stop, killing one woman and very seriously injuring another.

Simon, who was 35, pleaded guilty to causing death by dangerous driving and causing serious injury by dangerous driving. He had no previous convictions and expressed remorse.

*According to sentencing guidelines the range of sentencing for an offence of this kind is 7-14 years' imprisonment. After hearing from lawyers representing the offender and the prosecution, the judge imposed a sentence of **eight years' imprisonment** (reduced from 12 years because he pleaded guilty; a guilty plea saves the costs of a trial and saves any witnesses from having to give evidence - this lowers the sentence).*

As well as his guilty plea, the judge took a number of factors into account, including:

The fact that serious injury was caused to another victim;

Simon's previous good record.

Q6. I think that the sentence handed down in this particular case is ...

1. Much too tough
2. A little too tough
3. About right
4. A little too lenient
5. Much too lenient

[GO STRAIGHT TO SECTION 4]

GROUP 1B [ASSAULT AND CULTIVATION OF CANNABIS] [ONLY ASKED TO SAMPLE GROUP 1B]

Information about sentencing guidelines

When sentencing offenders in courts in England and Wales, judges and magistrates follow guidelines, which are designed to help them decide the appropriate sentence for a criminal offence. Guidelines provide guidance on factors the court should take into account that may affect the sentence given, such as: seriousness, harm to the victim and the offender's level of blame. They also provide information about the kinds of sentence appropriate to the crime being sentenced. The purpose of guidelines is to ensure that courts in England and Wales follow the same approach to sentencing offenders.

Assault occasioning actual bodily harm

Robert, aged 28, was drunk in a pub. Without provocation he punched a man to the face and then punched him again. The man fell and hit his head on a radiator. He suffered a fractured nose, cuts and bruises to his face, scarring to his face, and he experienced temporary difficulties with his vision and hearing. Robert had previous convictions for assault occasioning actual bodily harm and affray. Robert had been in full-time employment as an electrician at the time of the offence, and had later written a letter of apology to the victim.

*According to sentencing guidelines the range of sentencing for an assault of this kind is usually one and a half to four years' imprisonment. After hearing from lawyers representing the offender and the prosecution, the judge imposed a sentence of **18 months' imprisonment** (reduced from 2 years 3 months because he pleaded guilty; a guilty plea saves the cost of a trial and saves any witnesses from having to give evidence - this lowers the sentence).*

As well as his guilty plea, the judge took many factors into account, including:

The fact that it was a persistent assault causing relatively serious injuries;

The fact that Robert had previous convictions for similar offences;

The fact that Robert was drunk;

The fact that Robert expressed remorse.

Q6. I think that the sentence handed down in this particular case is ...

1. Much too tough
2. A little too tough
3. About right
4. A little too lenient
5. Much too lenient

Cultivation of cannabis

Police raided Jane's home and found 45 cannabis plants being cultivated in a bedroom at the back of the house. The room was fully equipped for cultivating the plants. It was estimated the crop would produce over 2 kilograms of cannabis, with a street value of £18,000.

Jane, who was 48, had no previous convictions and pleaded guilty. She had allowed a neighbour to use the room to grow the plants and was being paid partly in cash and partly in a share of the crop.

*According to the sentencing guidelines, the range for sentencing a drug offence of this kind is between two and a half and five years in prison. After hearing from lawyers representing the offender and the prosecution, the judge imposed **a sentence of two years' imprisonment** (reduced from three years because she pleaded guilty: a guilty plea saves the costs of a trial and saves any witnesses from having to give evidence - this lowers the sentence).*

As well as her guilty plea, the judge took a number of factors into account, including:

- *The amount of drug being cultivated;*
- *The fact that the neighbour, not Jane, had instigated the offence.*

Q6. I think that the sentence handed down in this particular case is ...

1. Much too tough
2. A little too tough
3. About right
4. A little too lenient
5. Much too lenient

[GO STRAIGHT TO SECTION 4]

SECTION 4: ABOUT SENTENCING GUIDELINES

[ANSWERED BY ALL RESPONDENTS]

Q7. Before this survey, were you aware that there are sentencing guidelines to help judges and magistrates decide on the appropriate sentence for a criminal offence?

[ASK ALL, SINGLE CODE]

1. Yes

2. No

Q8. How, if at all, does the existence of sentencing guidelines improve your confidence in the fairness of sentencing? [ASK ALL, SINGLE CODE]

1. A great deal
2. A fair amount
3. A little
4. Not at all
5. Don't know

SECTION 5: UNDERSTANDING OF SENTENCING

Q9. How confident are you in your understanding of the meaning of the following terms? [ASK ALL, RANDOMISE, SINGLE CODE, GRID]

Life sentence / community order / minimum term / maximum term / on licence

- 1) Very confident
- 2) Fairly confident
- 3) Not very confident
- 4) Not at all confident
- 5) Don't know

Q10. How important do you think that the following factors ARE to a judge or magistrate when working out the appropriate sentence for a crime? [ASK ALL, SINGLE CODE, RANDOMISE, GRID]

Very important / fairly important / neither important nor unimportant / not very important / not at all important / don't know

- 1) How serious the offence is
- 2) The harm caused to the victim
- 3) The offender's level of blame (e.g. did they plan the offence beforehand)
- 4) Whether the offender already has a criminal record
- 5) Personal circumstances (e.g. if the offender looks after dependent relatives)
- 6) If they plead guilty
- 7) What sort of sentence would be most likely to change the offender's behaviour
- 8) What sort of sentence is most likely to punish the offender adequately
- 9) Protection of the public

Q11. How important do you think that the following factors SHOULD BE to a judge or magistrate when working out the appropriate sentence for a crime? [ASK ALL, SINGLE CODE, RANDOMISE, GRID]

Very important / fairly important / neither important nor unimportant / not very important / not at all important / don't know

- 1) How serious the offence is
- 2) The harm caused to the victim
- 3) The offender's level of blame (e.g. did they plan the offence beforehand)
- 4) Whether the offender already has a criminal record

- 5) Personal circumstances (e.g. if the offender looks after dependent relatives)
- 6) If they plead guilty
- 7) What sort of sentence would be most likely to change the offender's behaviour
- 8) What sort of sentence is most likely to punish the offender adequately
- 9) Protection of the public

SECTION 6: EXPERIENCE OF CRIME AND THE CRIMINAL JUSTICE SYSTEM

Q12. Have you personally been involved in any case in the criminal court? Please include any court case you have been involved in even if you did not attend a trial or hearing. [ASK ALL, MULTI CODE, RANDOMISE]

- 1) Yes, as a victim
- 2) Yes, as a defendant
- 3) Yes, as a witness (but not the victim or the defendant)
- 4) Yes, as a juror
- 5) Yes, to support family or friend(s)
- 6) Yes, in a professional capacity (e.g. solicitor, social worker) [SCREEN OUT]
- 7) Yes, some other role (please specify) [OPEN]
- 8) No [EXCLUSIVE]

Q14. Thinking of the crime(s) that you have been a victim of, whether directly or indirectly, which of the following best describes the type of crime that it was? [ASK ALL RESPONDING 1 AT Q12, MULTI CODE, RANDOMISE]

1. Theft
2. Burglary
3. Robbery
4. Assault
5. Sexual offence
6. Criminal damage
7. Harassment/stalking
8. Fraud/cyber crime
9. Dangerous driving
10. Drug offence
11. Other (please specify)

Q17. Have you ever had contact with any of the following within the criminal justice system? [ASK ALL, MULTICODE, GRID]

Yes / No

- 1) Police
- 2) Victim Support
- 3) Witness Support
- 4) Probation services
- 5) The criminal courts (magistrate or Crown Court)
- 5) Other (please specify)

Q18. How would you describe your contact with them? [ASK ALL SAYING YES AT Q17, MULTICODE, GRID]

Police / Victim Support / Witness Support / Probation services/ Courts

1. Very positive
2. Mostly positive
3. Neither positive or negative
4. Mostly negative
5. Very negative
6. I haven't had contact with this agency/part of the system

Q19. How far, if at all, did your experience of the criminal justice system improve your confidence in its effectiveness? [ASK ALL SAYING YES TO ANY AT Q17, SINGLE CODE]

1. A great deal
2. A fair amount
3. A little
4. Not at all
5. Don't know

Q20. How far, if at all, did your experience of the criminal justice system improve your confidence in its fairness? [ASK ALL SAYING YES TO ANY AT Q17, SINGLE CODE]

1. A great deal
2. A fair amount
3. A little
4. Not at all
5. Don't know

Q21. How far, if at all, did your experience of the criminal justice system improve your understanding of sentencing for criminal offences? [ASK ALL SAYING YES AT Q6, SINGLE CODE]

1. I understand the process of sentencing for criminal offences a lot better following my contact with the criminal justice system
2. I understand the process of sentencing for criminal offences a little better following my contact with the criminal justice system
3. I understand the process of sentencing for criminal offences the same amount following my contact with the criminal justice system
4. I understand the process of sentencing for criminal offences a little less following my experience of the criminal justice system
5. I understand the process of sentencing for criminal offences a lot less following my experience of the criminal justice system
6. Don't know

SECTION 7: SOURCES OF INFORMATION

Q22. In which of the following ways, if any, do you prefer to find out more about the news and/or current affairs? [ASK ALL, MULTICODE, RANDOMISE OPTIONS]

- 1) Reading newspapers (in print or online)
- 2) Reading other internet news sources
- 3) Watching news and current affairs programmes on TV
- 4) Listening to news and current affairs programmes on the radio
- 5) Listening to podcasts
- 6) Using social media, e.g. Facebook, Twitter, YouTube
- 7) Through interactive TV services via the 'red button'/apps on the TV
- 8) Reading consumer/specialist magazines (print)
- 9) Talking to family and/ or friends
- 10) Other, please specify [**FIX, OPEN**]
- 11) None of these [**EXCLUSIVE**]

Q24. Which of the following online or print news sources, if any, do you read regularly? By regularly, we mean at least once a week. Please select all that apply [ASK ALL, MULTICODE, RANDOMISE, FIX OTHER AND NONE]

- 1) Daily Mail; Mail on Sunday
- 2) The Times; The Sunday Times;
- 3) Telegraph; Sunday Telegraph;
- 4) Express;
- 5) Financial Times;
- 6) Metro;
- 7) The i;
- 8) Sun;
- 9) Mirror;
- 10) Guardian; Observer;
- 11) Independent; Independent on Sunday
- 12) Evening Standard;
- 13) Regional newspaper
- 14) Local newspaper
- 15) BBC news website
- 16) Channel 4 news website
- 17) Sky news website
- 18) Other, please specify [**FIX, OPEN**]
- 19) None of these [**EXCLUSIVE**]

Q25. Which of the following broadcast media sources do you typically listen to/watch for news and current affairs regularly? By regularly, we mean at least once a week. Please select all that apply [ASK ALL, MULTICODE, RANDOMISE A-G]

1. BBC TV News;
2. BBC Radio 2
3. BBC Radio 4
4. BBC radio 5 Live
5. BBC Breakfast;
6. Newsnight;

7. Regional/local BBC television news;
8. Regional/local ITV television news
9. Regional/local BBC radio news
10. Regional/local ITV radio news
11. National commercial radio news (e.g. Virgin Radio, Magic Radio)
12. Local commercial radio news (e.g. Capital FM, Metro Radio)
13. C4 News;
14. Channel 5 News;
15. Sky News;
16. Good Morning Britain;
17. GB News.
18. Other TV
19. Other radio
20. Other, please specify [**FIX, OPEN**]
21. None of these [**EXCLUSIVE**]

Q25a. What time of day do you most often listen to/watch news and current affairs: Please select one answer [ASK THOSE THAT WATCH BROADCAST MEDIA Q25 = CODE 1-20, SINGLE CODE]

- 1) Early morning (between 6am – 10am)
- 2) Mid-morning (between 10am and 1pm)
- 3) Afternoon (1pm to 6pm)
- 4) Early evening (between 6pm and 9pm)
- 5) Late evening (between 9pm – 12am)
- 6) Overnight (between 12am – 6am)

Q26. Which of the following social media sites or apps, if any, do you use for news/current affairs regularly? By regularly, we mean at least once a week. Please select all that apply [ASK ALL, MULTICODE, RANDOMISE, FIX OTHER AND NONE]

- 1) Twitter
- 2) Facebook
- 3) YouTube
- 4) Snapchat
- 5) Instagram
- 6) WhatsApp
- 7) TikTok
- 8) News app (e.g. BBC Sport, Sky News)
- 9) Other (please specify) [**OPEN, OPTIONAL**]
- 10) None of the above [**EXCLUSIVE**]

Q26a. At what time of day do you most often look at news and current affairs on social media: Please select one answer [ASK THOSE THAT USE SOCIAL MEDIA FOR NEWS Q26 = CODE 1-9, SINGLE CODE]

- 1) Early morning (between 6am – 10am)
- 2) Mid-morning (between 10am and 1pm)
- 3) Afternoon (1pm to 6pm)
- 4) Early evening (between 6pm and 9pm)
- 5) Late evening (between 9pm – 12am)
- 6) Overnight (between 12am – 6am)

Q27. And which one source, if any, do you use for news/current affairs most frequently? [ASK ALL, SINGLE CODE, RANDOMISE , FIX OTHER AND NONE]

- 1) Print news
- 2) Online news
- 3) Broadcast media (TV or radio)
- 4) Social media
- 5) Talking to family and/or friends
- 6) Other, please specify [FIX, OPEN]
- 7) None of these [EXCLUSIVE]

Q28. If you wanted to find out more about sentencing for criminal offences, what sources would you turn to? [ASK ALL, MULTI CODE, RANDOMISE, FIX OTHER AND NONE]

- 1) Search engine (e.g. Google)
- 2) Asking friends or family
- 3) Social media
- 4) Newspapers (print or online)
- 5) Books
- 6) Specific websites relating to sentencing
- 7) Other, please specify [FIX, OPEN]
- 8) None of these [EXCLUSIVE]

Q29. Have you discussed sentencing in general, or for specific cases with any of the following people in the last three months? [ASK ALL, MULTI CODE, RANDOMISE, FIX OTHER AND NONE]

- 1) Family
- 2) Friends
- 3) Work colleagues
- 4) Neighbour
- 5) Other, please specify [FIX, OPEN]
- 6) None of these [EXCLUSIVE]

Q29a. Why did you choose to discuss sentencing in general, or for specific cases with others in the last three months? [ASK THOSE WHO HAVE DISCUSSED (Q29 = 1-5), OPEN ENDED QUESTION]
(Not compulsory question)

Q29b. Have you shared any information about sentencing in general, or for specific cases on social media in the last three months? [ASK ALL, MULTI CODE, RANDOMISE, FIX OTHER AND NONE]

- 1) Yes
- 2) No

Q29c. Why did you choose to share information about sentencing in general, or for specific cases on social media in the last three months? [ASK THOSE WHO HAVE DISCUSSED (Q29b = 1), OPEN ENDED QUESTION]
(Not compulsory question)

END

Thank you for taking part in our survey.

If you need support as a result of any of the topics covered in this survey, please contact:

Victim Support, for support for victims of crime

Call 08 08 16 89 111

Samaritans, for mental health support

Call 116 123

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