

## Miscellaneous amendments to sentencing guidelines 1 April 2024

Differences between previous and revised wording are highlighted.

Guideline	Previous wording	Revised wording as of 1 April 2024
<a href="#">Allocation</a>	<p><b>Children or young people jointly charged with adults – interests of justice test</b></p> <p>Examples of factors that should be considered when deciding whether it is in the interests of justice to send the child or young person to the Crown Court (rather than having a trial in the youth court) include:</p> <ul style="list-style-type: none"> <li>• whether separate trials will cause injustice to witnesses or to the case as a whole (consideration should be given to the provisions of sections 27 and 28 of the Youth Justice and Criminal Evidence Act 1999);</li> <li>• the age of the child or young person: the younger they are, the greater the desirability that they be tried in the youth court;</li> <li>• the age gap between the child or young person and the adult: a substantial gap in age militates in favour of the child or young person being tried in the youth court;</li> <li>• the lack of maturity of the child or young person;</li> <li>• the relative culpability of the child or young person compared with the adult and whether the alleged role played by the child or young person was minor;</li> <li>• the lack of previous convictions on the part of the child or young person.</li> </ul>	<p><b>Children or young people jointly charged with adults – interests of justice test</b></p> <p>Examples of factors that should be considered when deciding whether it is in the interests of justice to send the child or young person to the Crown Court (rather than having a trial in the youth court) include:</p> <ul style="list-style-type: none"> <li>• whether separate trials will cause injustice to witnesses or to the case as a whole (consideration should be given to the provisions of sections 27 and 28 of the Youth Justice and Criminal Evidence Act 1999);</li> <li>• the age of the child or young person: the younger they are, the greater the desirability that they be tried in the youth court;</li> <li>• the age gap between the child or young person and the adult: a substantial gap in age militates in favour of the child or young person being tried in the youth court;</li> <li>• the lack of maturity of the child or young person;</li> <li>• the relative culpability of the child or young person compared with the adult and whether the alleged role played by the child or young person was minor;</li> <li>• the lack of previous convictions on the part of the child or young person;</li> <li>• the likely waiting time in trying the youth in the Crown Court as compared to the youth court.</li> </ul>

<a href="#">Sentencing Children and Young People</a>	<p>As above</p> <p><b>Charged alongside an adult</b></p> <p>Examples of factors that should be considered when deciding whether to send the child or young person to the Crown Court (rather than having a trial in the youth court) include:</p> <ul style="list-style-type: none"> <li>• whether separate trials will cause injustice to witnesses or to the case as a whole (consideration should be given to the provisions of sections 27 and 28 of the Youth Justice and Criminal Evidence Act 1999);</li> <li>• the age of the child or young person: the younger they are, the greater the desirability that they be tried in the youth court;</li> <li>• the age gap between the child or young person and the adult: a substantial gap in age militates in favour of the child or young person being tried in the youth court;</li> <li>• the lack of maturity of the child or young person;</li> <li>• the relative culpability of the child or young person compared with the adult and whether the alleged role played by the child or young person was minor;</li> <li>• the lack of previous convictions on the part of the child or young person.</li> </ul>	<p>As above</p> <p><b>Charged alongside an adult</b></p> <p>Examples of factors that should be considered when deciding whether to send the child or young person to the Crown Court (rather than having a trial in the youth court) include:</p> <ul style="list-style-type: none"> <li>• whether separate trials will cause injustice to witnesses or to the case as a whole (consideration should be given to the provisions of sections 27 and 28 of the Youth Justice and Criminal Evidence Act 1999);</li> <li>• the age of the child or young person: the younger they are, the greater the desirability that they be tried in the youth court;</li> <li>• the age gap between the child or young person and the adult: a substantial gap in age militates in favour of the child or young person being tried in the youth court;</li> <li>• the lack of maturity of the child or young person;</li> <li>• the relative culpability of the child or young person compared with the adult and whether the alleged role played by the child or young person was minor;</li> <li>• the lack of previous convictions on the part of the child or young person;</li> <li>• the likely waiting time in trying the youth in the Crown Court as compared to the youth court.</li> </ul>
<a href="#">Supplying or offering to supply a controlled drug/ Possession of a controlled drug with intent to supply it to another guideline</a>	<p><b>Other aggravating factors include:</b></p> <ul style="list-style-type: none"> <li>• Exploitation of children and/or vulnerable persons to assist in drug-related activity</li> </ul>	<p><b>Other aggravating factors include:</b></p> <ul style="list-style-type: none"> <li>• Exploitation of children and/or vulnerable persons to assist in drug-related activity</li> <li>• Offender supplies or offers to supply a drug to a person under the age of 18</li> </ul>

Fraud

**Harm is initially assessed by the actual, intended or risked loss as may arise from the offence.**

The values in the table below are to be used for **actual** or **intended** loss only. Intended loss relates to offences where circumstances prevent the actual loss that is intended to be caused by the fraudulent activity.

**Risk of loss (for instance in mortgage frauds) involves consideration of both the likelihood of harm occurring and the extent of it if it does. Risk of loss is less serious than actual or intended loss. Where the offence has caused risk of loss but no (or much less) actual loss the normal approach is to move down to the corresponding point in the next category. This may not be appropriate if either the likelihood or extent of risked loss is particularly high.**

<b>Harm A – Loss caused or intended</b>		
<b>Category 1</b>	£500,000 or more	Starting point based on £1 million
<b>Category 2</b>	£100,000 – £500,000 <b>or</b> Risk of category 1 harm	Starting point based on £300,000
<b>Category 3</b>	£20,000 – £100,000 <b>or</b> Risk of category 2 harm	Starting point based on £50,000
<b>Category 4</b>	£5,000 – £20,000 <b>or</b> Risk of category 3 harm	Starting point based on £12,500
<b>Category 5</b>	Less than £5,000 <b>or</b> Risk of category 4 harm	Starting point based on £2,500
<b>Risk of category 5 harm, move down the range within the category</b>		

**Harm B – Victim impact demonstrated by one or more of the following**

The court should then take into account the level of harm caused to the victim(s) or others to determine whether it warrants the sentence being moved up to the corresponding point in the next category or further up the range of the initial category.

**Harm is assessed by the actual, intended or risked financial loss and the impact on the victim.**

The values in the table below are to be used for **actual** or **intended financial** loss only. Intended loss relates to offences where circumstances prevent the actual loss that is intended to be caused by the fraudulent activity.

**Risk of loss (for instance in mortgage frauds) involves consideration of both the likelihood of harm occurring and the extent of it if it does. Risk of loss is less serious than actual or intended loss. Where the offence has caused risk of loss but no (or much less) actual loss the normal approach is to move down to the corresponding point in the next category. This may not be appropriate if either the likelihood or extent of risked loss is particularly high.**

<b>Financial harm - Loss caused or intended</b>		
<b>Category 1</b>	£500,000 or more	Starting point based on £1 million
<b>Category 2</b>	£100,000 – £500,000 <b>or</b> Risk of category 1 harm	Starting point based on £300,000
<b>Category 3</b>	£20,000 – £100,000 <b>or</b> Risk of category 2 harm	Starting point based on £50,000
<b>Category 4</b>	£5,000 – £20,000 <b>or</b> Risk of category 3 harm	Starting point based on £12,500
<b>Category 5</b>	Less than £5,000 <b>or</b> Risk of category 4 harm	Starting point based on £2,500
<b>Risk of category 5 harm, move down the range within the category</b>		

The court should then take into account the level of harm caused to the victim(s) or others to determine whether it warrants the sentence being moved up to the corresponding point in the next category or further up the range of the initial category.

	<p><b>Level of harm: victim impact</b></p> <p><b>High impact – move up a category; if in category 1 move up the range</b></p> <ul style="list-style-type: none"> <li>• Serious detrimental effect on the victim whether financial or otherwise, <b>for example substantial damage to credit rating</b></li> <li>• Victim particularly vulnerable (due to factors including but not limited to their age, financial circumstances, mental capacity)</li> </ul> <p><b>Medium impact – move upwards within the category range</b></p> <ul style="list-style-type: none"> <li>• Considerable detrimental effect on the victim whether financial or otherwise</li> </ul> <p><b>Lesser impact – no adjustment</b></p> <ul style="list-style-type: none"> <li>• Some detrimental impact on victim, whether financial or otherwise</li> </ul> <p><b>Step 2 – Starting point and category range</b></p> <p>Having determined the category at step one, the court should use the appropriate starting point (<b>as adjusted in accordance with step one above</b>) to reach a sentence within the category range in the table below. The starting point applies to all offenders irrespective of plea or previous convictions.</p> <p>Where the value is larger or smaller than the amount on which the starting point is based, this should lead to upward or downward adjustment as appropriate.</p> <p><b>Where the value greatly exceeds the amount of the starting point in category 1, it may be appropriate to move outside the identified range.</b></p>	<p><b>Victim impact demonstrated by one or more of the following</b></p> <p><b>High impact – move up a category; if in category 1 move up the range</b></p> <ul style="list-style-type: none"> <li>• Serious detrimental effect on the victim whether financial or otherwise (<b>including emotional and psychological harm</b>)</li> <li>• Victim particularly vulnerable (due to factors including but not limited to their age, financial circumstances, mental capacity)</li> </ul> <p><b>If the loss caused or intended is of no or minimal financial value but high impact – circumstances may make it appropriate to move up more than one category</b></p> <p><b>Medium impact – move upwards within the category range</b></p> <ul style="list-style-type: none"> <li>• Considerable detrimental effect on the victim whether financial or otherwise</li> </ul> <p><b>Lesser impact – no adjustment</b></p> <ul style="list-style-type: none"> <li>• Some detrimental impact on victim, whether financial or otherwise</li> </ul> <p><b>Step 2 – Starting point and category range</b></p> <p>Having determined the category at step one, the court should use the appropriate starting point (<b>as adjusted in accordance with victim impact</b>) to reach a sentence within the category range in the table below. The starting point applies to all offenders irrespective of plea or previous convictions.</p> <p>Where the value is larger or smaller than the amount on which the starting point is based, this should lead to upward or downward adjustment as appropriate.</p> <p><b>Where the value greatly exceeds the amount of the starting point in category 1, it may be appropriate to move outside the identified range.</b></p>	
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Table 1					Table 1				
Culpability					Culpability				
Harm	A	B	C		Harm	A	B	C	
<b>Category 1</b> <b>£500,000</b> <b>or more</b> <b>Starting point based on £1 million</b>	<b>Starting point</b> 7 years' custody	<b>Starting point</b> 5 years' custody	<b>Starting point</b> 3 years' custody		<b>Category 1</b> <b>Starting point</b> 7 years' custody	<b>Starting point</b> 5 years' custody	<b>Starting point</b> 3 years' custody	<b>Starting point</b> 3 years' custody	
	<b>Category range</b> 5 – 8 years' custody	<b>Category range</b> 3 – 6 years' custody	<b>Category range</b> 18 months' – 4 years' custody			<b>Category range</b> 5 – 8 years' custody	<b>Category range</b> 3 – 6 years' custody	<b>Category range</b> 18 months' – 4 years' custody	
<b>Category 2</b> <b>£100,000 – £500,000</b> <b>Starting point based on £300,000</b>	<b>Starting point</b> 5 years' custody	<b>Starting point</b> 3 years' custody	<b>Starting point</b> 18 months' custody		<b>Category 2</b> <b>Starting point</b> 5 years' custody	<b>Starting point</b> 3 years' custody	<b>Starting point</b> 18 months' custody	<b>Starting point</b> 18 months' custody	
	<b>Category range</b> 3 – 6 years' custody	<b>Category range</b> 18 months' – 4 years' custody	<b>Category range</b> 26 weeks' – 3 years' custody			<b>Category range</b> 3 – 6 years' custody	<b>Category range</b> 18 months' – 4 years' custody	<b>Category range</b> 26 weeks' – 3 years' custody	
<b>Category 3</b> <b>£20,000 – £100,000</b> <b>Starting point based on £50,000</b>	<b>Starting point</b> 3 years' custody	<b>Starting point</b> 18 months' custody	<b>Starting point</b> 26 weeks' custody		<b>Category 3</b> <b>Starting point</b> 3 years' custody	<b>Starting point</b> 18 months' custody	<b>Starting point</b> 26 weeks' custody	<b>Starting point</b> 26 weeks' custody	
	<b>Category range</b> 18 months' – 4 years' custody	<b>Category range</b> 26 weeks' – 3 years' custody	<b>Category range</b> Medium level community order – 1 year's custody			<b>Category range</b> 18 months' – 4 years' custody	<b>Category range</b> 26 weeks' – 3 years' custody	<b>Category range</b> Medium level community order – 1 year's custody	
<b>Category 4</b> <b>£5,000 – £20,000</b> <b>Starting point based on £12,500</b>	<b>Starting point</b> 18 months' custody	<b>Starting point</b> 26 weeks' custody	<b>Starting point</b> Medium level community order		<b>Category 4</b> <b>Starting point</b> 18 months' custody	<b>Starting point</b> 26 weeks' custody	<b>Starting point</b> Medium level community order	<b>Starting point</b> Medium level community order	
	<b>Category range</b> 26 weeks' – 3 years' custody	<b>Category range</b> Medium level community order – 1 year's custody	<b>Category range</b> Band B fine – High level community order			<b>Category range</b> 26 weeks' – 3 years' custody	<b>Category range</b> Medium level community order – 1 year's custody	<b>Category range</b> Band B fine – High level community order	

<b>Category 5</b> <b>Less than</b> <b>£5,000</b>  <b>Starting</b> <b>point</b> <b>based on</b> <b>£2,500</b>	<b>Starting point</b> 36 weeks' custody	<b>Starting point</b> Medium level community order	<b>Starting point</b> Band B fine
	<b>Category range</b> High level community order – 1 year's custody	<b>Category range</b> Band B fine – 26 weeks' custody	<b>Category range</b> Discharge – Medium level community order

<b>Category 5</b>	<b>Starting point</b> 36 weeks' custody	<b>Starting point</b> Medium level community order	<b>Starting point</b> Band B fine
	<b>Category range</b> High level community order – 1 year's custody	<b>Category range</b> Band B fine – 26 weeks' custody	<b>Category range</b> Discharge – Medium level community order

**Table 2**

Culpability			
Harm	A	B	C
<b>Category 1</b> <b>£500,000</b> <b>or more</b> <b>Starting</b> <b>point based</b> <b>on £1</b> <b>million</b>	<b>Starting point</b> 5 years 6 months' custody	<b>Starting point</b> 4 years' custody	<b>Starting point</b> 2 years 6 months' custody
	<b>Category range</b> 4 years' – 6 years 6 months' custody	<b>Category range</b> 2 years 6 months' – 5 years' custody	<b>Category range</b> 15 months' – 3 years 6 months' custody
<b>Category 2</b> <b>£100,000 –</b> <b>£500,000</b> <b>Starting</b> <b>point based</b> <b>on</b> <b>£300,000</b>	<b>Starting point</b> 4 years' custody	<b>Starting point</b> 2 years 6 months' custody	<b>Starting point</b> 15 months' custody
	<b>Category range</b> 2 years 6 months' – 5 years' custody	<b>Category range</b> 15 months' – 3 years 6 months' custody	<b>Category range</b> 26 weeks' – 2 years 6 months' custody

**Table 2**

Culpability			
Harm	A	B	C
<b>Category 1</b>	<b>Starting point</b> 5 years 6 months' custody	<b>Starting point</b> 4 years' custody	<b>Starting point</b> 2 years 6 months' custody
	<b>Category range</b> 4 years' – 6 years 6 months' custody	<b>Category range</b> 2 years 6 months' – 5 years' custody	<b>Category range</b> 15 months' – 3 years 6 months' custody
<b>Category 2</b>	<b>Starting point</b> 4 years' custody	<b>Starting point</b> 2 years 6 months' custody	<b>Starting point</b> 15 months' custody
	<b>Category range</b> 2 years 6 months' – 5 years' custody	<b>Category range</b> 15 months' – 3 years 6 months' custody	<b>Category range</b> 26 weeks' – 2 years 6 months' custody

	<b>Category 3</b> £20,000 – £100,000 Starting point based on £50,000	<b>Starting point</b> 2 years 6 months' custody	<b>Starting point</b> 15 months' custody	<b>Starting point</b> High level community order	<b>Category 3</b>	<b>Starting point</b> 2 years 6 months' custody	<b>Starting point</b> 15 months' custody	<b>Starting point</b> High level community order
		<b>Category range</b> 15 months' – 3 years 6 months' custody	<b>Category range</b> 26 weeks' – 2 years 6 months' custody	<b>Category range</b> Low level community order – 36 weeks' custody		<b>Category range</b> 15 months' – 3 years 6 months' custody	<b>Category range</b> 26 weeks' – 2 years 6 months' custody	<b>Category range</b> Low level community order – 36 weeks' custody
	<b>Category 4</b> £5,000 – £20,000 Starting point based on £12,500	<b>Starting point</b> 15 months' custody	<b>Starting point</b> High level community order	<b>Starting point</b> Low level community order	<b>Category 4</b>	<b>Starting point</b> 15 months' custody	<b>Starting point</b> High level community order	<b>Starting point</b> Low level community order
		<b>Category range</b> High level community order – 2 years 6 months' custody	<b>Category range</b> Low level community order – 36 weeks' custody	<b>Category range</b> Band B fine – Medium level community order		<b>Category range</b> High level community order – 2 years 6 months' custody	<b>Category range</b> Low level community order – 36 weeks' custody	<b>Category range</b> Band B fine – Medium level community order
	<b>Category 5</b> Less than £5,000 Starting point based on £2,500	<b>Starting point</b> 26 weeks' custody	<b>Starting point</b> Low level community order	<b>Starting point</b> Band B fine	<b>Category 5</b>	<b>Starting point</b> 26 weeks' custody	<b>Starting point</b> Low level community order	<b>Starting point</b> Band B fine
		<b>Category range</b> Medium level community order – 36 weeks' custody	<b>Category range</b> Band B fine – Medium level community order	<b>Category range</b> Discharge – Low level community order		<b>Category range</b> Medium level community order – 36 weeks' custody	<b>Category range</b> Band B fine – Medium level community order	<b>Category range</b> Discharge – Low level community order

<p><a href="#">Breach of a protective order (restraining and non-molestation orders)</a></p>	<p><b>Breach of a protective order (restraining and non-molestation orders)</b>  Family Law Act 1996, s.42A (breach of non-molestation order), Protection from Harassment Act 1997, s.5A, Sentencing Code, s.363 (restraining orders)   Guideline effective from: 01 October 2018</p>	<p><b>Breach of a protective order (restraining and non-molestation orders)</b>  Family Law Act 1996, s.42A (breach of non-molestation order), Protection from Harassment Act 1997, s.5A, Sentencing Code, s.363 (restraining orders)   <b>Also applicable to: Breach of a stalking protection order</b>   Guideline effective from: 01 October 2018</p>
<p><a href="#">Breach offences (other)</a></p>	<p>Sentencing guidelines are available for 10 specific breach offences:</p> <ul style="list-style-type: none"> <li>• <a href="#">Breach of a community order</a></li> <li>• <a href="#">Breach of a suspended sentence order</a></li> <li>• <a href="#">Breach of post-sentence supervision</a></li> <li>• <a href="#">Failure to surrender to bail</a></li> <li>• <a href="#">Breach of a protective order (Restraining and non-molestation orders)</a></li> <li>• <a href="#">Breach of a criminal behaviour order</a> (also applicable to breach of an anti-social behaviour order)</li> <li>• <a href="#">Breach of a sexual harm prevention order</a> (also applicable to breach of a sexual offences prevention order and to breach of a foreign travel order)</li> <li>• <a href="#">Fail to comply with notification requirements</a></li> <li>• <a href="#">Breach of disqualification from acting as a director</a></li> <li>• <a href="#">Breach of disqualification from keeping an animal</a></li> </ul>	<p>Sentencing guidelines are available for 10 specific breach offences:</p> <ul style="list-style-type: none"> <li>• <a href="#">Breach of a community order</a></li> <li>• <a href="#">Breach of a suspended sentence order</a></li> <li>• <a href="#">Breach of post-sentence supervision</a></li> <li>• <a href="#">Failure to surrender to bail</a></li> <li>• <a href="#">Breach of a protective order (Restraining and non-molestation orders)</a> (also applicable to breach of a stalking protection order)</li> <li>• <a href="#">Breach of a criminal behaviour order</a> (also applicable to breach of an anti-social behaviour order)</li> <li>• <a href="#">Breach of a sexual harm prevention order</a> (also applicable to breach of a sexual offences prevention order and to breach of a foreign travel order)</li> <li>• <a href="#">Fail to comply with notification requirements</a></li> <li>• <a href="#">Breach of disqualification from acting as a director</a></li> <li>• <a href="#">Breach of disqualification from keeping an animal</a></li> </ul>



[Environmental offences guideline for sentencing individuals](#)

Where the range includes a potential sentence of a community order, the court should consider the community order threshold as follows:

- has the community order threshold been passed?

**However, even where the community order threshold has been passed, a fine will normally be the most appropriate disposal.** Where confiscation is not applied for, consider, if wishing to remove any economic benefit derived through the commission of the offence, combining a fine with a community order.

Deliberate

Offence category	Starting Point	Range
<b>Deliberate</b>		
<b>Category 1</b>	18 months' custody	1 – 3 years' custody
<b>Category 2</b>	1 year's custody	26 weeks' – 18 months' custody
<b>Category 3</b>	Band F fine	Band E fine or medium level community order – 26 weeks' custody
<b>Category 4</b>	Band E fine	Band D fine or low level community order – Band E fine

Where the range includes a potential sentence of a community order, the court should consider the community order threshold as follows:

- a community order must not be imposed unless the offence is serious enough to warrant the making of such an order ([section 204 of the Sentencing Code](#))
- Where the community order threshold has been passed, a fine may still be the most appropriate disposal.
- Where confiscation is not applied for, consider, if wishing to remove any economic benefit derived through the commission of the offence, combining a fine with a community order.

Deliberate

Offence category	Starting Point	Range
<b>Category 1</b>	18 months' custody	1 – 3 years' custody
<b>Category 2</b>	1 year's custody	26 weeks' – 18 months' custody
<b>Category 3</b>	High level community order	Medium level community order or band E fine – 26 weeks' custody
<b>Category 4</b>	Medium level community order	Low level community order or band D fine – Medium level community order or Band E fine

Offence category	Starting Point	Range
<b>Reckless</b>		
<b>Category 1</b>	26 weeks' custody	Band F fine or high level community order – 12 months' custody
<b>Category 2</b>	Band F fine	Band E fine or medium level community order – 26 weeks' custody
<b>Category 3</b>	Band E fine	Band D fine or low level community order – Band E fine
<b>Category 4</b>	Band D fine	Band C fine – Band D fine

Offence category	Starting Point	Range
<b>Negligent</b>		
<b>Category 1</b>	Band F fine	Band E fine or medium level community order – 26 weeks' custody
<b>Category 2</b>	Band E fine	Band D fine or low level community order – Band E fine
<b>Category 3</b>	Band D fine	Band C fine - Band D fine
<b>Category 4</b>	Band C fine	Band B fine - Band C fine

### Reckless

Offence category	Starting Point	Range
<b>Category 1</b>	26 weeks' custody	High level community order or Band F fine – 12 months' custody
<b>Category 2</b>	High level community order	Medium level community order or band E fine – 26 weeks' custody
<b>Category 3</b>	Medium level community order	Low level community order or Band D fine – Medium level community order or Band E fine
<b>Category 4</b>	Low level community order	Band C fine - Low level community order or band D fine

### Negligent

Offence category	Starting Point	Range
<b>Category 1</b>	High level community order	Medium level community order or band E fine – 26 weeks' custody
<b>Category 2</b>	Medium level community order	Low level community order or band D fine – Medium level community order or band E fine
<b>Category 3</b>	Low level community order	Band C fine - Low level community order or band D fine

		Category 4	Band C fine	Band B fine - Band C fine
<a href="#">Gross negligence manslaughter</a>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender</li> </ul>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender (which may include coercive or controlling behaviour)</li> <li>Use of strangulation, suffocation or asphyxiation</li> </ul>		
<a href="#">Unlawful act manslaughter</a>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender</li> </ul> <p><b>Factors reducing seriousness or reflecting personal mitigation</b></p> <ul style="list-style-type: none"> <li>History of significant violence or abuse towards the offender by the victim</li> </ul>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender (which may include coercive or controlling behaviour)</li> <li>Use of strangulation, suffocation or asphyxiation</li> </ul> <p><b>Factors reducing seriousness or reflecting personal mitigation</b></p> <ul style="list-style-type: none"> <li>History of significant violence or abuse (which may include coercive or controlling behaviour) towards the offender by the victim</li> </ul>		
<a href="#">Manslaughter by reason of diminished responsibility</a>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender</li> </ul> <p><b>Factors reducing seriousness or reflecting personal mitigation</b></p> <ul style="list-style-type: none"> <li>History of significant violence or abuse towards the offender by the victim</li> </ul>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender (which may include coercive or controlling behaviour)</li> <li>Use of strangulation, suffocation or asphyxiation</li> </ul> <p><b>Factors reducing seriousness or reflecting personal mitigation</b></p> <ul style="list-style-type: none"> <li>History of significant violence or abuse (which may include coercive or controlling behaviour) towards the offender by the victim</li> </ul>		

<p><a href="#">Manslaughter by reason of loss of control</a></p>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender</li> </ul> <p><b>Factors reducing seriousness or reflecting personal mitigation</b></p> <ul style="list-style-type: none"> <li>History of significant violence or abuse towards the offender by the victim</li> </ul>	<p><b>Other aggravating factors:</b></p> <ul style="list-style-type: none"> <li>History of violence or abuse towards victim by offender (which may include coercive or controlling behaviour)</li> <li>Use of strangulation, suffocation or asphyxiation</li> </ul> <p><b>Factors reducing seriousness or reflecting personal mitigation</b></p> <ul style="list-style-type: none"> <li>History of significant violence or abuse (which may include coercive or controlling behaviour) towards the offender by the victim</li> </ul>
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Changes made across (almost) all guidelines (see table below for a list of the guidelines where each factor appears)

Mitigating factors and expanded explanation dropdowns	
Previous title and wording	Revised title and wording as of 1 April 2024
<p>• Remorse</p> <p>Effective from: 01 October 2019</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>The court will need to be satisfied that the offender is genuinely remorseful for the offending behaviour in order to reduce the sentence (separate from any guilty plea reduction).</p> <p>Lack of remorse should never be treated as an aggravating factor.</p> <p>Remorse can present itself in many different ways. A simple assertion of the fact may be insufficient, and the offender's demeanour in court could be misleading, due to nervousness, a lack of understanding of the system, a belief that they have been or will be discriminated against, peer pressure to behave in a certain way because of others present, a lack of maturity etc. If a PSR has been prepared it may provide valuable assistance in this regard.</p>	<p>• Remorse</p> <p>Effective from: 01 October 2019 (revised 1 April 2024)</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>The court will need to be satisfied that the offender is genuinely remorseful for the offending behaviour in order to reduce the sentence (separate from any guilty plea reduction).</p> <p><b>Lack of remorse should never be treated as an aggravating factor.</b></p> <p>Remorse can present itself in many different ways. A simple assertion of the fact may be insufficient.</p> <p>The court should be aware that the offender's demeanour in court or the way they articulate their feelings of remorse may be affected by, for example:</p> <ul style="list-style-type: none"> <li>• nervousness</li> <li>• a lack of understanding of the system</li> <li>• mental disorder</li> <li>• learning disabilities</li> <li>• communication difficulties (including where English is not their first language)</li> <li>• a belief that they have been or will be discriminated against</li> <li>• peer pressure to behave in a certain way because of others present</li> <li>• age and/or a lack of maturity etc.</li> </ul> <p>If a PSR has been prepared it may provide valuable assistance in this regard.</p>

	<p>Guideline users should be aware that the <a href="#">Equal Treatment Bench Book</a> covers important aspects of fair treatment and disparity of outcomes for different groups in the criminal justice system. It provides guidance which sentencers are encouraged to take into account wherever applicable, to ensure that there is fairness for all involved in court proceedings.</p>
<ul style="list-style-type: none"> <li>• <b>Good character and/or exemplary conduct</b></li> </ul> <p>Effective from: 01 October 2019</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>This factor may apply whether or not the offender has previous convictions. Evidence that an offender has demonstrated positive good character through, for example, charitable works may reduce the sentence.</p> <p><b>However</b>, this factor is less likely to be relevant where the offending is very serious. Where an offender has used their good character or status to facilitate or conceal the offending it could be treated as an aggravating factor.</p>	<ul style="list-style-type: none"> <li>• <b>Positive character and/or exemplary conduct (regardless of previous convictions)</b></li> </ul> <p>Effective from: 01 October 2019 (revised 1 April 2024)</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>Evidence that an offender has demonstrated a positive side to their character may reduce the sentence.</p> <p>This factor may apply whether or not the offender has previous convictions.</p> <p><b>However:</b></p> <ul style="list-style-type: none"> <li>• This factor is less likely to be relevant where the offending is very serious</li> <li>• Where an offender has used their positive character or status to facilitate or conceal the offending it could be treated as an aggravating factor.</li> </ul>

<ul style="list-style-type: none"> <li>• <b>Determination and/or demonstration of steps having been taken to address addiction or offending behaviour</b></li> </ul> <p><b>Effective from:</b> 01 October 2019</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm or those inherent in the offence</b></p> <p>Where offending is driven by or closely associated with drug or alcohol abuse (for example stealing to feed a habit, or committing acts of disorder or violence whilst drunk) a commitment to address the underlying issue may justify a reduction in sentence. This will be particularly relevant where the court is considering whether to impose a sentence that focuses on rehabilitation.</p> <p>Similarly, a commitment to address other underlying issues that may influence the offender’s behaviour may justify the imposition of a sentence that focusses on rehabilitation.</p> <p>The court will be assisted by a PSR in making this assessment.</p>	<ul style="list-style-type: none"> <li>• <b>Determination and/or demonstration of steps having been taken to address addiction or offending behaviour</b></li> </ul> <p><b>Effective from:</b> 01 October 2019 (revised 1 April 2024)</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm or those inherent in the offence</b></p> <p>Where offending is driven by or closely associated with drug or alcohol abuse (for example stealing to feed a habit, or committing acts of disorder or violence whilst drunk) a commitment to address the underlying issue (including where the offender has actively sought support but, for reasons outside their control, it has not been received) may justify a reduction in sentence. This will be particularly relevant where the court is considering whether to impose a sentence that focuses on rehabilitation.</p> <p>Similarly, a commitment to address other underlying issues that may influence the offender’s behaviour (including where the offender has actively sought support but, for reasons outside their control, it has not been received) may justify the imposition of a sentence that focuses on rehabilitation.</p> <p>The court will be assisted by a PSR in making this assessment.</p>
<ul style="list-style-type: none"> <li>• <b>Age and/or lack of maturity</b></li> </ul> <p><b>Effective from:</b> 01 October 2019</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p>	<ul style="list-style-type: none"> <li>• <b>Age and/or lack of maturity (which may be applicable to offenders aged 18-25)</b></li> </ul> <p><b>Effective from:</b> 01 October 2019 (revised 1 April 2024)</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>Where a person has committed the offence under the age of 18, regard should be had to the overarching guideline for sentencing children and young people. That guideline may also be relevant to offending by young adults.</p>

<p>Age and/or lack of maturity can affect:</p> <ul style="list-style-type: none"> <li>• the offender’s responsibility for the offence and</li> <li>• the effect of the sentence on the offender.</li> </ul> <p>Either or both of these considerations may justify a reduction in the sentence.</p> <p>The emotional and developmental age of an offender is of at least equal importance to their chronological age (if not greater).</p> <p>In particular young adults (typically aged 18-25) are still developing neurologically and consequently may be less able to:</p> <ul style="list-style-type: none"> <li>• evaluate the consequences of their actions</li> <li>• limit impulsivity</li> <li>• limit risk taking</li> </ul> <p>Young adults are likely to be susceptible to peer pressure and are more likely to take risks or behave impulsively when in company with their peers.</p> <p>Immaturity can also result from atypical brain development. Environment plays a role in neurological development and factors such as adverse childhood experiences including deprivation and/or abuse may affect development.</p> <p>An immature offender may find it particularly difficult to cope with custody and therefore may be more susceptible to self-harm in custody.</p> <p>An immature offender may find it particularly difficult to cope with the requirements of a community order without appropriate support.</p> <p>There is a greater capacity for change in immature offenders and they may be receptive to opportunities to address their offending behaviour and change their conduct.</p> <p>Many young people who offend either stop committing crime, or begin a process of stopping, in their late teens and early twenties. Therefore a young adult’s previous convictions may not be indicative of a tendency for further offending.</p>	<p>Age and/or lack of maturity can affect:</p> <ul style="list-style-type: none"> <li>• the offender’s responsibility for the offence and</li> <li>• the effect of the sentence on the offender.</li> </ul> <p>Either or both of these considerations may justify a reduction in the sentence.</p> <p>The emotional and developmental age of an offender is of at least equal importance to their chronological age (if not greater).</p> <p>In particular young adults (typically aged 18-25) are still developing neurologically and consequently may be less able to:</p> <ul style="list-style-type: none"> <li>• evaluate the consequences of their actions</li> <li>• limit impulsivity</li> <li>• limit risk taking</li> </ul> <p>Young adults are likely to be susceptible to peer pressure and are more likely to take risks or behave impulsively when in company with their peers.</p> <p>Immaturity can also result from atypical brain development. Environment plays a role in neurological development and factors such as adverse childhood experiences including deprivation and/or abuse may affect development.</p> <p>An immature offender may find it particularly difficult to cope with custody and therefore may be more susceptible to self-harm in custody.</p> <p>An immature offender may find it particularly difficult to cope with the requirements of a community order without appropriate support.</p> <p>There is a greater capacity for change in immature offenders and they may be receptive to opportunities to address their offending behaviour and change their conduct.</p> <p>Many young people who offend either stop committing crime, or begin a process of stopping, in their late teens and early twenties. Therefore a young adult’s previous convictions may not be indicative of a tendency for further offending.</p>
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<p>Where the offender is <b>a care leaver</b> the court should enquire as to any effect a sentence may have on the offender's ability to make use of support from the local authority. (Young adult care leavers are entitled to time limited support. Leaving care services may change at the age of 21 and cease at the age of 25, unless the young adult is in education at that point). See also the Sentencing Children and Young People Guideline (paragraphs 1.16 and 1.17).</p> <p>Where an offender has turned 18 between the commission of the offence and conviction the court should take as its starting point the sentence likely to have been imposed on the date at which the offence was committed, but applying the purposes of sentencing adult offenders. See also the Sentencing Children and Young People Guideline (paragraphs 6.1 to 6.3).</p> <p>When considering a custodial or community sentence for a young adult the Probation Service should address these issues in a PSR.</p>	<p>Where the offender is <b>care experienced or a care leaver</b> the court should enquire as to any effect a sentence may have on the offender's ability to make use of support from the local authority. (Young adult care leavers are entitled to time limited support. Leaving care services may change at the age of 21 and cease at the age of 25, unless the young adult is in education at that point). See also the Sentencing Children and Young People Guideline (paragraphs 1.16 and 1.17).</p> <p>Where an offender has turned 18 between the commission of the offence and conviction the court should take as its starting point the sentence likely to have been imposed on the date at which the offence was committed, but applying the purposes of sentencing adult offenders. See also the Sentencing Children and Young People Guideline (paragraphs 6.1 to 6.3).</p> <p>When considering a custodial or community sentence for a young adult the Probation Service should address these issues in a PSR.</p>
<ul style="list-style-type: none"> <li>• <b>Sole or primary carer for dependent relatives</b></li> </ul> <p><b>Effective from:</b> 01 October 2019</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>This factor is particularly relevant where an offender is on the cusp of custody or where the suitability of a community order is being considered. See also the <a href="#">Imposition of community and custodial sentences guideline</a>.</p> <p>For offenders on the cusp of custody, imprisonment should not be imposed where there would be an impact on dependants which would make a custodial sentence disproportionate to achieving the aims of sentencing.</p> <p>Where custody is unavoidable consideration of the impact on dependants may be relevant to the length of the sentence imposed and whether the sentence can be suspended.</p>	<ul style="list-style-type: none"> <li>• <b>Sole or primary carer for dependent relatives</b></li> </ul> <p><b>Effective from:</b> 01 October 2019 (revised 1 April 2024)</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>This factor is particularly relevant where an offender is on the cusp of custody or where the suitability of a community order is being considered. See also the <a href="#">Imposition of community and custodial sentences guideline</a>.</p> <p>For offenders on the cusp of custody, imprisonment should not be imposed where there would be an impact on dependants which would make a custodial sentence disproportionate to achieving the aims of sentencing.</p> <p>Where custody is unavoidable consideration of the impact on dependants may be relevant to the length of the sentence imposed and whether the sentence can be suspended.</p>

For more serious offences where a substantial period of custody is appropriate, this factor will carry less weight.

When imposing a community sentence on an offender with primary caring responsibilities the effect on dependants must be considered in determining suitable requirements.

In addition when sentencing an offender who is pregnant relevant considerations may include:

- any effect of the sentence on the health of the offender and
- any effect of the sentence on the unborn child

The court should ensure that it has all relevant information about dependent children before deciding on sentence.

When an immediate custodial sentence is necessary, the court must consider whether proper arrangements have been made for the care of any dependent children and if necessary consider adjourning sentence for this to be done.

When considering a community or custodial sentence for an offender who has, or may have, caring responsibilities the court should ask the Probation Service to address these issues in a PSR.

Useful information can be found in the [Equal Treatment Bench Book](#) (see in particular Chapter 6 paragraphs 131 to 137)

For more serious offences where a substantial period of custody is appropriate, this factor will carry less weight.

When imposing a community sentence on an offender with primary caring responsibilities the effect on dependants must be considered in determining suitable requirements.

The court should ensure that it has all relevant information about dependent children before deciding on sentence.

When an immediate custodial sentence is necessary, the court must consider whether proper arrangements have been made for the care of any dependent children and if necessary consider adjourning sentence for this to be done.

When considering a community or custodial sentence for an offender who has, or may have, caring responsibilities the court should ask the Probation Service to address these issues in a PSR.

Useful information can be found in the [Equal Treatment Bench Book](#) (see in particular Chapter 6 paragraphs 131 to 137)

**New factors** (see table below for a list of the guidelines where each new factor appears)

Factor	Dropdown title and wording
<ul style="list-style-type: none"> <li>• <b>Difficult and/or deprived background or personal circumstances</b></li> </ul>	<p><b>Effective from:</b> 01 April 2024</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>The court may be assisted by a pre-sentence report in assessing whether there are factors in the offender’s background or current personal circumstances which may be relevant to sentencing. Such factors <b>may</b> be relevant to:</p> <ul style="list-style-type: none"> <li>• the offender’s responsibility for the offence and/or</li> <li>• the effect of the sentence on the offender.</li> </ul> <p>Courts should consider that different groups within the criminal justice system have faced multiple disadvantages which may have a bearing on their offending. Such disadvantages include but are not limited to:</p> <ul style="list-style-type: none"> <li>• experience of discrimination</li> <li>• negative experiences of authority</li> <li>• early experience of loss, neglect or abuse</li> <li>• early experience of offending by family members</li> <li>• being care experienced or a care leaver</li> <li>• negative influences from peers</li> <li>• difficulties relating to the misuse of drugs and/or alcohol (but note: being voluntarily intoxicated at the time of the offence is an aggravating factor)</li> <li>• low educational attainment</li> <li>• insecure housing</li> <li>• mental health difficulties</li> <li>• poverty</li> <li>• direct or indirect victim of domestic abuse</li> </ul>

	<p>There are a wide range of personal experiences or circumstances that may be relevant to offending behaviour. The <a href="#">Equal Treatment Bench Book</a> contains useful information on social exclusion and poverty (see in particular Chapter 11, paragraphs 101 to 114). The <a href="#">Sentencing offenders with mental disorders, developmental disorders, or neurological impairments</a> guideline may also be of relevance.</p>
<ul style="list-style-type: none"> <li>• <b>Prospects of or in work, training or education</b></li> </ul>	<p><b>Effective from:</b> 01 April 2024</p> <p><b>Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm</b></p> <p>This factor is particularly relevant where an offender is on the cusp of custody or where the suitability of a community order is being considered. See also the <a href="#">Imposition of community and custodial sentences guideline</a>.</p> <p>Where an offender is in, or has a realistic prospect of starting, work, education or training this may indicate a willingness to rehabilitate and desist from future offending.</p> <p>Similarly, the loss of employment, education or training opportunities may have a negative impact on the likelihood of an offender being rehabilitated or desisting from future offending.</p> <p>The court may be assisted by a pre-sentence report in assessing the relevance of this factor to the individual offender.</p> <p>The absence of work, training or education should never be treated as an aggravating factor.</p> <p>The court may ask for evidence of employment, training etc or the prospects of such, but should bear in mind any reasonable practical difficulties an offender may have in providing this.</p> <p>For more serious offences where a substantial period of custody is appropriate, this factor will carry less (if any) weight.</p>

- **Pregnancy, childbirth and post-natal care**

**Effective from:** 01 April 2024

**Care should be taken to avoid double counting factors including those already taken into account in assessing culpability or harm**

When considering a custodial or community sentence for a pregnant or postnatal offender (someone who has given birth in the previous 12 months) the Probation Service should be asked to address the issues below in a pre-sentence report. If a suitable pre-sentence report is not available, sentencing should normally be adjourned until one is available.

When sentencing a pregnant or postnatal woman, relevant considerations may include:

- the medical needs of the offender including her mental health needs
- any effect of the sentence on the physical and mental health of the offender
- any effect of the sentence on the child

The impact of custody on an offender who is pregnant or postnatal can be harmful for both the offender and the child including by separation, especially in the first two years of life.

Access to a place in a prison Mother & Baby Unit is not automatic and when available, the court may wish to enquire for how long the place will be available.

Women in custody are likely to have complex health needs which may increase the risks associated with pregnancy for both the offender and the child. The NHS classifies all pregnancies in prison as high risk.

There may be difficulties accessing medical assistance or specialist maternity services in custody.

This factor is particularly relevant where an offender is on the cusp of custody or where the suitability of a community order is being considered. See also the [Imposition of community and custodial sentences guideline](#).

	<p>For offenders on the cusp of custody, imprisonment should not be imposed where there would be an impact on dependants which would make a custodial sentence disproportionate to achieving the aims of sentencing.</p> <p>Where immediate custody is unavoidable, all of the factors above may be relevant to the length of the sentence.</p> <p>The court should address the issues above when giving reasons for the sentence.</p>
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## Guidelines affected by amendments and additions to mitigating factors

### Key

Positive character = Positive character and/or exemplary conduct (regardless of previous convictions)

Remorse = Remorse

Age, lack of maturity = Age and/or lack of maturity (which may be applicable to offenders aged 18-25)

Sole carer = Sole or primary carer for dependent relatives

Pregnancy = Pregnancy, childbirth and post-natal care

Address offending = Determination and/or demonstration of steps having been taken to address addiction or offending behaviour

Difficult or deprived = Difficult and/or deprived background or personal circumstances

Work or training = Prospects of or in work, training or education

Offence guidelines	Factor (see key below for full name of factor)							
	Positive character	Remorse	Age, lack of maturity	Sole carer	Pregnancy	Address offending	Deprived or difficult	Work or training
Abstracting electricity	✓	n/a	✓	✓	✓	✓	✓	✓
Abuse of position of trust: sexual activity in the presence of a child/ Abuse of position of trust: causing a child to watch a sexual act	✓	✓	✓	n/a	n/a	n/a	✓	✓
Abuse of position of trust: sexual activity with a child/ Abuse of position of trust: causing or inciting a child to engage in sexual activity	✓	✓	✓	n/a	n/a	n/a	✓	✓
Administering a substance with intent	✓	✓	✓	n/a	n/a	n/a	✓	✓
Affray	✓	✓	✓	✓	✓	n/a	✓	✓
Aggravated burglary	✓	✓	✓	✓	✓	✓	✓	✓
Alcohol sale offences (Revised 2017)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Animal cruelty	✓	✓	✓	✓	✓	n/a	✓	✓
Arranging or facilitating the commission of a child sex offence	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Arson (criminal damage by fire)	✓	✓	✓	✓	✓	✓	✓	✓
Arson/criminal damage with intent to endanger life or reckless as to whether life endangered	✓	✓	✓	✓	✓	✓	✓	✓

Assault by penetration	✓	✓	✓	n/a	n/a	n/a	✓	✓
Assault occasioning actual bodily harm / Racially or religiously aggravated ABH	✓	✓	✓	✓	✓	✓	✓	✓
Assault of a child under 13 by penetration	✓	✓	✓	n/a	n/a	n/a	✓	n/a
Assault with intent to resist arrest	✓	✓	✓	✓	✓	✓	✓	✓
Attempted murder	✓	✓	✓	✓	✓	n/a	✓	n/a
Being in charge of a motor vehicle with a specified drug above the specified limit	✓	✓	✓	n/a	n/a	n/a	✓	✓
Benefit Fraud	✓	✓	✓	✓	✓	✓	✓	✓
Bladed articles and offensive weapons – having in a public place	✓	n/a	✓	✓	✓	n/a	✓	✓
Bladed articles and offensive weapons – threats	✓	n/a	✓	✓	✓	n/a	✓	✓
Bladed articles and offensive weapons (having in public/education premises and threats) – children and young people	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Breach of a community order	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Breach of a criminal behaviour order	n/a	n/a	✓	✓	✓	n/a	✓	✓
Breach of a protective order (restraining and non-molestation orders)	n/a	n/a	✓	✓	✓	n/a	✓	✓
Breach of a sexual harm prevention order	n/a	n/a	✓	✓	✓	n/a	✓	✓
Breach of a Slavery and Trafficking Prevention Order/ Breach of a Slavery and Trafficking Risk Order	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Breach of a suspended sentence order	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Breach of disqualification from acting as a director	n/a	n/a	✓	✓	✓	n/a	✓	✓
Breach of disqualification from keeping an animal	n/a	n/a	✓	✓	✓	n/a	✓	✓
Breach of post-sentence supervision	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Breach offences (other)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Bribery	✓	✓	✓	✓	✓	n/a	✓	✓
Care workers: sexual activity in the presence of a person with a mental disorder/ Care workers: causing a person with a mental disorder to watch a sexual act	✓	✓	✓	n/a	n/a	✓	✓	✓
Care workers: sexual activity with a person with a mental disorder/ Care workers: causing or inciting sexual activity	✓	✓	✓	n/a	n/a	n/a	✓	✓
Careless Driving (drive without due care and attention) (Revised 2017)	✓	✓	n/a	n/a	n/a	n/a	n/a	n/a



Causing a person to engage in sexual activity without consent	✓	✓	✓	n/a	n/a	n/a	✓	✓
Causing death by careless driving whilst under the influence of drink or drugs/ Causing death by careless driving when under the influence of drink or drugs or having failed either to provide a specimen for analysis or to permit analysis of a blood sample	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing death by careless or inconsiderate driving	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing death by dangerous driving	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing death by driving: unlicensed or uninsured drivers	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing death by driving; disqualified drivers	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing grievous bodily harm with intent to do grievous bodily harm / Wounding with intent to do GBH	✓	✓	✓	✓	✓	✓	✓	✓
Causing injury by wanton or furious driving	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing or allowing a child to suffer serious physical harm/ Causing or allowing a child to die	✓	✓	✓	✓	✓	✓	✓	✓
Causing or inciting a child under 13 to engage in sexual activity	✓	✓	✓	n/a	n/a	n/a	✓	✓
Causing or inciting prostitution for gain/ Controlling prostitution for gain	✓	✓	✓	n/a	n/a	✓	✓	✓
Causing or inciting sexual exploitation of a child/ Controlling a child in relation to sexual exploitation/ Arranging or facilitating sexual exploitation of a child	✓	✓	✓	n/a	n/a	n/a	✓	✓
Causing serious injury by careless or inconsiderate driving	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing serious injury by dangerous driving	n/a	✓	✓	✓	✓	n/a	✓	✓
Causing serious injury by driving: disqualified drivers	n/a	✓	✓	✓	✓	n/a	✓	✓
Child sex offences committed by children or young persons (sections 9-12) (offender under 18)/ Sexual activity with a child family member (offender under 18)/ Inciting a child family member to engage in sexual activity (offender under 18)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Collection of terrorist information	✓	n/a	✓	✓	✓	n/a	✓	✓
Committing an offence with intent to commit a sexual offence	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Committing offence with intent to commit a human trafficking offence	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Common assault / Racially or religiously aggravated common assault/ Battery/ Common assault on emergency worker	✓	✓	✓	✓	✓	✓	✓	✓

Communication network offences (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Condition of vehicle/ accessories/ equipment involving danger of injury – buses/goods vehicles	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Controlling or coercive behaviour in an intimate or family relationship	✓	✓	✓	✓	✓	✓	✓	✓
Corporate manslaughter	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Corporate offenders: fraud, bribery and money laundering	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Criminal damage (other than by fire) value exceeding £5,000/ Racially or religiously aggravated criminal damage	✓	✓	✓	✓	✓	✓	✓	✓
Criminal damage (other than by fire) value not exceeding £5,000/ Racially or religiously aggravated criminal damage	✓	✓	✓	✓	✓	✓	✓	✓
Cruelty to a child – assault and ill treatment, abandonment, neglect, and failure to protect	✓	✓	✓	✓	✓	✓	✓	✓
Dangerous driving	n/a	✓	✓	✓	✓	n/a	✓	✓
Disclosing or threatening to disclose private sexual images	✓	✓	✓	✓	✓	✓	✓	✓
Disorderly behaviour with intent to cause harassment, alarm or distress/ Racially or religiously aggravated disorderly behaviour with intent to cause harassment, alarm or distress	✓	✓	✓	✓	✓	n/a	✓	✓
Disorderly behaviour/ Racially or religiously aggravated disorderly behaviour	✓	✓	✓	✓	✓	n/a	✓	✓
Domestic burglary	✓	✓	✓	✓	✓	✓	✓	✓
Drive whilst disqualified (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Driving or Attempting to Drive with a specified drug above the specified limit	✓	✓	✓	✓	✓	n/a	✓	✓
Drugs – class A – fail to attend/remain for initial assessment	✓	✓	✓	✓	✓	✓	✓	✓
Drugs – class A – fail/refuse to provide a sample	✓	✓	✓	✓	✓	✓	✓	✓
Drunk and disorderly in a public place (Revised 2017)	✓	✓	✓	n/a	n/a	n/a	✓	✓
Encouragement of terrorism	✓	n/a	✓	✓	✓	n/a	✓	✓
Engaging in sexual activity in the presence of a child/ Causing a child to watch a sexual act	✓	✓	✓	n/a	n/a	✓	✓	✓
Engaging in sexual activity in the presence of a person with mental disorder impeding choice/ Causing a person, with mental disorder impeding choice, to watch a sexual act	✓	✓	✓	n/a	n/a	✓	✓	✓

Engaging in sexual activity in the presence procured by inducement, threat or deception, of a person with mental disorder/ Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception	✓	✓	✓	n/a	n/a	✓	✓	✓
Environmental offences (other)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Excess Alcohol (drive/attempt to drive) (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Excess Alcohol (in charge) (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Explosive substances (terrorism only)	✓	n/a	✓	✓	✓	n/a	✓	n/a
Exposure	✓	✓	✓	n/a	n/a	✓	✓	✓
Fail to comply with notification requirements	n/a	n/a	✓	✓	✓	n/a	✓	✓
Fail to provide specimen for analysis (drive/attempt to drive) (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Fail to provide specimen for analysis (in charge) (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Fail to stop/report road accident (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Failing to protect girl from risk of genital mutilation	✓	✓	✓	✓	✓	n/a	✓	✓
Failure to disclose information about acts of terrorism	✓	n/a	✓	✓	✓	n/a	✓	✓
Failure to ensure animal welfare	✓	✓	✓	✓	✓	n/a	✓	✓
Failure to surrender to bail	n/a	n/a	n/a	✓	✓	n/a	✓	✓
Firearms – Carrying in a public place	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Importation	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Possession by person prohibited	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Possession of prohibited weapon	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Possession with intent – other offences	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Possession with intent to cause fear of violence	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Possession with intent to endanger life	✓	✓	✓	✓	✓	n/a	✓	n/a
Firearms – Possession without certificate	✓	✓	✓	✓	✓	n/a	✓	✓
Firearms – Transfer and manufacture	✓	✓	✓	✓	✓	n/a	✓	✓
Football related offences (Revised 2017)	✓	✓	✓	n/a	n/a	n/a	✓	✓
Fraud	✓	✓	✓	✓	✓	✓	✓	✓
Fraudulent evasion of a prohibition by bringing into or taking out of the UK a controlled drug	✓	✓	✓	✓	✓	✓	✓	✓
Funding terrorism	✓	n/a	✓	✓	✓	n/a	✓	✓

Going equipped for theft or burglary	✓	n/a	✓	✓	✓	✓	✓	✓
Gross negligence manslaughter	✓	✓	✓	✓	✓	n/a	✓	✓
Handling stolen goods	✓	n/a	✓	✓	✓	✓	✓	✓
Harassment (fear of violence)/ Stalking (fear of violence)/ Racially or religiously aggravated harassment (fear of violence)/stalking (fear of violence)	✓	✓	✓	✓	✓	✓	✓	✓
Harassment/ Stalking/ Racially or religiously aggravated harassment/stalking	✓	✓	✓	✓	✓	✓	✓	✓
Importing or exporting a psychoactive substance	✓	✓	✓	✓	✓	✓	✓	✓
Individuals: Breach of duty of employer towards employees and non-employees/ Breach of duty of self-employed to others/ Breach of duty of employees at work/ Breach of Health and Safety regulations/ Secondary liability	✓	n/a	✓	✓	✓	n/a	✓	✓
Individuals: Breach of food safety and food hygiene regulations	✓	n/a	✓	✓	✓	n/a	✓	✓
Individuals: Sale of knives etc by retailers to persons under 18	n/a	n/a	✓	✓	✓	n/a	✓	✓
Individuals: Trade mark, unauthorised use of etc.	✓	✓	✓	✓	✓	n/a	✓	✓
Individuals: Unauthorised or harmful deposit, treatment or disposal etc of waste/ Illegal discharges to air, land and water	✓	✓	✓	✓	✓	n/a	✓	✓
Inducement, threat or deception to procure sexual activity with a person with a mental disorder/ Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception	✓	✓	✓	n/a	n/a	n/a	✓	✓
Inflicting grievous bodily harm/ Unlawful wounding/ Racially or religiously aggravated GBH/ Unlawful wounding	✓	✓	✓	✓	✓	✓	✓	✓
Keeping a brothel used for prostitution	✓	✓	✓	n/a	n/a	✓	✓	✓
Making Off Without Payment	✓	✓	✓	✓	✓	✓	✓	✓
Manslaughter by reason of diminished responsibility	✓	✓	✓	✓	✓	n/a	✓	n/a
Manslaughter by reason of loss of control	✓	✓	✓	✓	✓	n/a	✓	n/a
Meeting a child following sexual grooming	✓	✓	✓	n/a	n/a	✓	✓	✓
Money laundering	✓	✓	✓	✓	✓	✓	✓	✓
Motoring offences appropriate for imposition of fine or discharge	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
No insurance (Revised 2017)	✓	✓	n/a	n/a	n/a	n/a	n/a	n/a
Non-domestic burglary	✓	✓	✓	✓	✓	✓	✓	✓

Obstruct/ resist a police constable in execution of duty (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Offences with a terrorist connection: guidance	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Organisations: Breach of duty of employer towards employees and non-employees/ Breach of duty of self-employed to others/ Breach of Health and Safety regulations	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Organisations: Breach of food safety and food hygiene regulations	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Organisations: Sale of knives etc by retailers to persons under 18	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Organisations: Trade mark, unauthorised use of etc.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Organisations: Unauthorised or harmful deposit, treatment or disposal etc of waste/ Illegal discharges to air, land and water	✓	✓	n/a	n/a	n/a	n/a	n/a	n/a
Owner or person in charge of a dog dangerously out of control in any place in England or Wales (whether or not a public place)	✓	✓	✓	✓	✓	✓	✓	✓
Owner or person in charge of a dog dangerously out of control in any place in England or Wales (whether or not a public place) where a person is injured	✓	✓	✓	✓	✓	✓	✓	✓
Owner or person in charge of a dog dangerously out of control in any place in England or Wales (whether or not a public place) where an assistance dog is injured or killed	✓	✓	✓	✓	✓	✓	✓	✓
Owner or person in charge of a dog dangerously out of control in any place in England or Wales (whether or not a public place) where death is caused	✓	✓	✓	✓	✓	✓	✓	✓
Paying for the sexual services of a child	✓	✓	✓	n/a	n/a	✓	✓	✓
Permitting premises to be used	✓	✓	✓	✓	✓	✓	✓	✓
Perverting the Course of Justice	✓	✓	✓	✓	✓	✓	✓	✓
Possession for terrorist purposes	✓	n/a	✓	✓	✓	n/a	✓	✓
Possession of a controlled drug	✓	✓	✓	✓	✓	✓	✓	✓
Possession of a prohibited dog/ Breeding, selling, exchanging or advertising a prohibited dog	✓	✓	✓	✓	✓	✓	✓	✓
Possession of articles for use in frauds/ Making or supplying articles for use in frauds	✓	✓	✓	✓	✓	✓	✓	✓
Possession of indecent photograph of child/ Indecent photographs of children	✓	✓	✓	n/a	n/a	✓	✓	✓

Preparation of terrorist acts	✓	n/a	✓	✓	✓	n/a	✓	n/a
Producing a psychoactive substance	✓	✓	✓	✓	✓	✓	✓	✓
Production of a controlled drug/ Cultivation of cannabis plant	✓	✓	✓	✓	✓	✓	✓	✓
Proscribed organisations – membership	✓	n/a	✓	✓	✓	n/a	✓	✓
Proscribed organisations – support	✓	n/a	✓	✓	✓	n/a	✓	✓
Racial hatred offences/ Hatred against persons on religious grounds or grounds of sexual orientation	✓	✓	✓	✓	✓	n/a	✓	✓
Railway fare evasion (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Rape	✓	✓	✓	n/a	n/a	n/a	✓	n/a
Rape of a child under 13	✓	✓	✓	n/a	n/a	n/a	✓	n/a
Revenue fraud	✓	✓	✓	✓	✓	✓	✓	✓
Riot	✓	✓	✓	✓	✓	n/a	✓	✓
Robbery – dwelling	✓	✓	✓	✓	✓	✓	✓	✓
Robbery – professionally planned commercial	✓	✓	✓	✓	✓	✓	✓	✓
Robbery – Sentencing children and young people	✓	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Robbery – street and less sophisticated commercial	✓	✓	✓	✓	✓	✓	✓	✓
School non-attendance (Revised 2017)	✓	✓	✓	n/a	n/a	n/a	✓	✓
Sex with an adult relative: penetration/ Sex with an adult relative: consenting to penetration	✓	✓	✓	n/a	n/a	✓	✓	✓
Sexual activity in a public lavatory	✓	✓	✓	n/a	n/a	n/a	✓	✓
Sexual activity with a child family member/ Inciting a child family member to engage in sexual activity	✓	✓	✓	n/a	n/a	n/a	✓	✓
Sexual activity with a child/ Causing or inciting a child to engage in sexual activity	✓	✓	✓	n/a	n/a	n/a	✓	✓
Sexual activity with a person with a mental disorder impeding choice/ Causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity	✓	✓	✓	n/a	n/a	n/a	✓	✓
Sexual assault	✓	✓	✓	n/a	n/a	✓	✓	✓
Sexual assault of a child under 13	✓	✓	✓	n/a	n/a	n/a	✓	✓
Sexual communication with a child	✓	✓	✓	n/a	n/a	✓	✓	✓
Sexual offences – historical	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Sexual offences – Sentencing children and young people	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Slavery, servitude and forced or compulsory labour/ Human trafficking	✓	✓	✓	✓	✓	n/a	✓	✓
Speeding (Revised 2017)	✓	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Supplying or offering to supply a controlled drug/ Possession of a controlled drug with intent to supply it to another	✓	✓	✓	✓	✓	✓	✓	✓
Supplying or offering to supply a psychoactive substance/ Possession of psychoactive substance with intent to supply	✓	✓	✓	✓	✓	✓	✓	✓
Taxi touting/soliciting for hire (Revised 2017)	✓	✓	n/a	✓	✓	n/a	✓	✓
Theft – general	✓	✓	✓	✓	✓	✓	✓	✓
Theft from a shop or stall	✓	✓	✓	✓	✓	✓	✓	✓
Threatening behaviour – fear or provocation of violence/ Racially or religiously aggravated threatening behaviour – fear or provocation of violence	✓	✓	✓	✓	✓	n/a	✓	✓
Threats to destroy or damage property	✓	✓	✓	✓	✓	✓	✓	✓
Threats to kill	✓	✓	✓	✓	✓	✓	✓	✓
Trespass with intent to commit a sexual offence	✓	✓	✓	n/a	n/a	✓	✓	✓
TV licence payment evasion (Revised 2017)	✓	✓	✓	n/a	n/a	n/a	n/a	n/a
Unfit through drink or drugs (drive/ attempt to drive) (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Unfit through drink or drugs (in charge) (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Unlawful act manslaughter	✓	✓	✓	✓	✓	n/a	✓	✓
Vehicle interference (Revised 2017)	✓	n/a	✓	✓	✓	n/a	✓	✓
Vehicle licence/registration fraud	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle taking (aggravated). Damage caused to property other than the vehicle in accident or damage caused to vehicle	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle taking (aggravated). Dangerous driving or accident causing injury	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle taking, without consent (Revised 2017)	✓	✓	✓	✓	✓	n/a	✓	✓
Violent disorder	✓	✓	✓	✓	✓	n/a	✓	✓
Voyeurism	✓	✓	✓	n/a	n/a	✓	✓	✓
Witness Intimidation	✓	✓	✓	✓	✓	✓	✓	✓
<b>Overarching guideline</b>								
General guideline	✓	✓	✓	✓	✓	✓	✓	✓

