

Allocation,
Offences Taken Into
Consideration and
Totality
Response to Consultation

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Foreword



On behalf of the Sentencing Council, I would like to thank everyone who responded to our consultation on the overarching draft guidelines for allocation, offences taken into consideration and totality. I would also like to thank those who attended our consultation events and who contributed to the consultation process in that way as well as those who participated in our research. The consultation exercise was primarily targeted at magistrates, judges and other legal professionals and the Council was pleased with the number of responses received from these groups.

The consultation exercise attracted 83 responses and the comments and feedback received have been very valuable in producing definitive guidelines. I am very pleased that the consultation and draft guidelines were well received by the professional groups who took the time to take part in the consultation and I am grateful to all of the respondents for the contributions to the formulation of the definitive guidelines.

The Rt Hon Lord Justice Leveson
Chairman of the Sentencing Council

Introduction

The Sentencing Council, set up in April 2010, is the independent body responsible for developing sentencing guidelines and promoting greater transparency and consistency in sentencing, whilst maintaining the independence of the judiciary.

Section 125(1) (a) of the Coroners and Justice Act 2009 provides that:

“Every court –

- (a) must, in sentencing an offender, follow any sentencing guideline which is relevant to the offender’s case, and
- (b) must, in exercising any other function relating to the sentencing of offenders, follow any sentencing guidelines which are relevant to the exercise of the function

unless the court is satisfied that it would be contrary to the interests of justice to do so.”

The guidelines will apply to all cases dealt with on or after 11 June 2012, regardless of the date of the offence. The duty of the court in relation to the guideline differs depending on whether the offence was committed before or after 6 April

2010. When sentencing offences committed *after* 6 April 2010 the court must follow the guideline unless it is satisfied that it would be contrary to the interests of justice to do so. When sentencing offences committed *prior* to 6 April 2010, the court is to have regard to the guideline.

In September 2011, in accordance with sections 120 and 121(2) of the Coroners and Justice Act 2009, the Sentencing Council published a consultation on draft guidelines on allocation, offences taken into consideration and totality. The Coroners and Justice Act 2009 set out the following matters which the Council must have regard to when preparing sentencing guidelines:

- the sentences imposed by courts in England and Wales for offences;
- the need to promote consistency in sentencing;
- the impact of sentencing decisions on victims of offences;
- the need to promote public confidence in the criminal justice system;
- the cost of different sentences and their relative effectiveness in preventing re-offending; and
- the results of monitoring the operation and effects of its sentencing guidelines.¹

¹ s.120(11) Coroners and Justice Act 2009

The Council primarily sought views on the draft guidelines from members of the judiciary, legal practitioners and organisations involved in the criminal justice system. However, the consultation was also accompanied by a set of short guides on each of the topics to facilitate a wider public understanding of these areas. A number of consultation events were arranged between September and December involving magistrates and other legal professionals. Furthermore, research to explore the potential impact of the draft allocation guideline on practitioner behaviour and to gain a greater understanding of current practice was undertaken during the consultation period. The research took the form of 23 qualitative interviews with magistrates, district judges and legal advisers.

At the same time as publishing its consultation paper containing the draft guidelines, the Council also published a draft resource assessment and an equality impact assessment. The consultation period closed on 8 December. This report summarises the responses to the questions asked in the consultation documents as well as those expressed during the consultation events, and sets out the Sentencing Council's decisions on key points raised and the next steps for the guidelines.

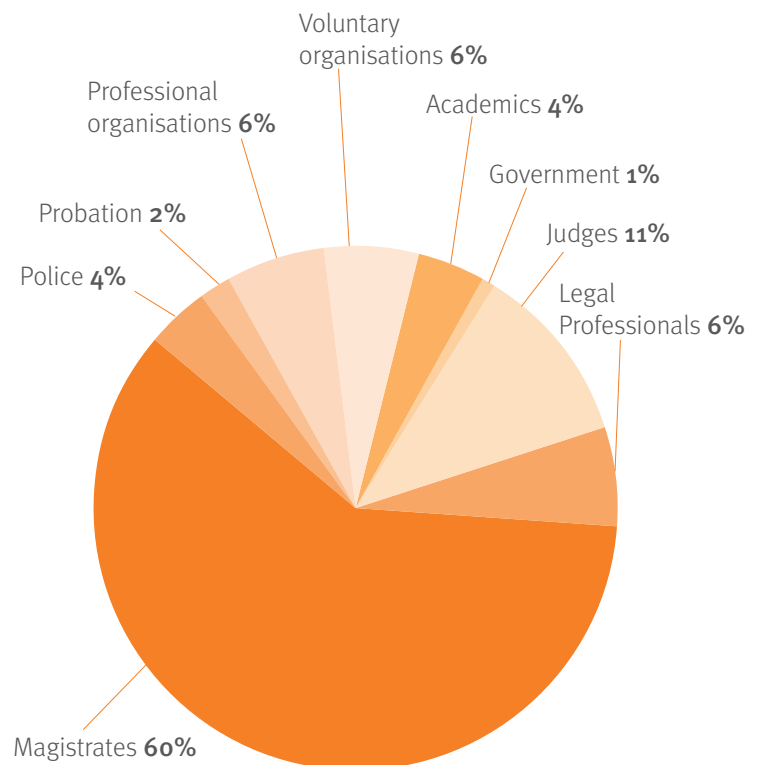
Summary of Responses

In contrast to earlier consultations conducted by the Council which have focussed on offence specific draft guidelines, this consultation sought views on three overarching draft guidelines:

- allocation;
- offences taken into consideration (TICs); and
- totality.

The consultation covered the structure and content of each guideline, their impact on, and consideration of, victims along with equality and diversity matters for each.

A total of 83 responses were received. Consultees included members of the full time judiciary, the magistracy and other professionals within the criminal justice system. The breakdown of responses is shown here.



Category	Number of Responses
Academics	3
Government	1
Judges	9
Legal professionals	5
Magistrates	50
Police	3
Probation	2
Professional organisations	5
Voluntary Organisations	5
Total responses	83

A more detailed breakdown of responses can be found at Annex A.

The consultation was accompanied by a set of short guides on each of the topics to increase public understanding of these areas. These are available on the Sentencing Council website: www.sentencingcouncil.org.uk.

A number of consultation events were held with magistrates, district judges and legal advisors which provided valuable feedback for the Council in relation to all three draft guidelines but particularly with regard to the draft allocation guideline. The in-house research team also conducted research with a selection of magistrates, district judges and legal advisors about the draft allocation guideline. The research has been published and is available on the Sentencing Council website: www.sentencingcouncil.org.uk.

Allocation

The majority of respondents to the consultation agreed that the draft guideline provided sufficient guidance to enable courts to make consistent, appropriate allocation decisions because it was well structured and easy to understand. The main proposal in the draft was a change in emphasis in the way in which magistrates approach assessing the strength of a case – it proposed a move away from taking the prosecution case at its highest and substituted a direction to courts to take all aspects of the case into account, including facts advanced by the defence. The majority of respondents also welcomed the proposed amendments to the allocation sections of the Magistrates' Court Sentencing Guidelines (MCSG) and the recommended changes to the Consolidated Criminal Practice Direction (CCPD).

Offences taken into consideration (TICs)

The draft guideline did not propose any changes to the current system of dealing with TICs but aimed to provide a single source of guidance to the courts about the approach they should take to the sentencing of cases involving TICs. There was a general consensus that the guideline provided greater clarity about the current process and

would support consistent sentencing. Although the overwhelming number of respondents agreed with the Council's proposal that TICs should generally be regarded as an aggravating factor at step two of the decision making process, some respondents were concerned that the guideline should also be clearer that there are circumstances when they can also operate as a mitigating factor. This could occur in situations where the offender made admissions to offences which otherwise would have gone undetected. The Council considered this very carefully and the results of its deliberations are discussed in more detail in the next section.

Totality

This guideline did not set out to bring about any change in sentencing practice but to bring greater clarity and transparency to the sentencing process where a court is sentencing an offender for multiple offences. Whilst many of those practicing in the Crown Court felt that the principles of totality were sufficiently well understood as not to require a guideline, many other respondents welcomed the clear statement of both the general principles and the specific applications of totality to various types of sentences.

Format of guidelines

As with its other guidelines, the Council recognises the need to ensure a consistency of approach across all the courts that will be using these guidelines, whilst being careful not to include material that would rarely or never be used in one or other jurisdiction. For this reason, the Crown Court version of the guideline will not include the allocation guideline and the version of the totality guideline for inclusion in the MCSG will not include the specific application sections on extended sentences for public protection or indeterminate sentences, as magistrates cannot pass these sentences.

The next section discusses the responses to specific questions and sets out in more detail the decisions reached by the Council as a result of views received during the consultation.

Responses to specific questions

ALLOCATION

Q1 **Do you think that the structure of the guideline provides sufficient guidance to magistrates to assist them in making consistent, appropriate allocation decisions?**

The Council was given a specific power to draft this guideline by virtue of section 122(2) of the Coroners and Justice Act 2009. The Council's decision to produce a draft guideline in relation to allocation decisions was informed by some confusion in relation to the existing guidance in a number of different places. For example, the CCPD contains a section on allocation/mode of trial, but much of its content had been replaced as a result of the introduction of the MCSG in 2008. The MCSG contains a small section on allocation in its introduction but also refers to changes to the procedure anticipated in the Criminal Justice Act 2003 that have not been implemented. The principal objective of the guideline is to ensure that, insofar as possible, all cases are heard in the most suitable court. Encouragingly, 76 per cent of respondents agreed that the draft guideline provided sufficient guidance to enable courts to achieve this objective.

"The guidelines are well structured, clear to read and easy to understand, so should achieve the desired objective." Croydon Magistrates

"We agree that it is desirable that essential information should be in one place and that in respect of allocation the MCSG is the appropriate place." Council of HM Circuit Judges

In light of the level of approval from respondents, the Council will be maintaining the structure proposed in the consultation.

Q2 Do you agree with the approach the guideline takes to assessing the suitability of cases for magistrates' court trial and the emphasis it places on taking a balanced initial view?

The most important way in which the Council sought to achieve its aim of ensuring that all cases are heard in the most suitable court was to direct courts to “assess the likely sentence in light of the facts alleged by the prosecution case, taking into account all aspects of the case including those advanced by the defence”. This is a shift in emphasis from the approach currently applied by the courts, when they “assume for the purpose of deciding mode of trial² that the prosecution version of facts is correct”³.

Overall, 70 per cent of respondents agreed that the proposed approach was the best way to assess whether a case was suitable for magistrates' court trial on the basis that it was well structured, clear and easy to understand. A number of respondents were of the opinion that some magistrates were already adopting this approach. This view in relation to current practice was also found amongst some participants from the research conducted with magistrates, district judges and legal advisors.

“We agree with the emphasis on the need to take a balanced view.” The Criminal Bar Association

A small number of respondents raised concerns that the requirement for the court to take a balanced view could lead to a preliminary litigation of issues of fact where a dispute arose between the prosecution and the defence. The Council considered this issue very carefully but decided to retain the approach proposed in the draft guideline. This was for two reasons: first, the statutory provisions dealing with allocation provide that: ‘the court shall give the prosecutor and the accused the opportunity to make representations as to which court is more suitable for the conduct of the trial’⁴ (the approach in the draft guideline reminds the

judiciary of this duty and rebalances the weight to be given to the prosecution case); secondly, the Council has faith in the courts' ability to achieve a proper balance between the prosecution and defence case because this is the approach the court successfully adopts when deciding bail applications.

Given the strong support for the proposed approach, the Council will retain it in the definitive guideline.

Q3 Are there further matters that the guideline might usefully cover?

Around half of all respondents, including the Ministry of Justice and Council of HM Circuit Judges, felt that no further guidance was required.

However, there were requests for additional guidance on how the court should resolve any dispute between the prosecution and defence. The Council is of the view that such guidance is unnecessary given that, as set out above, the court is accustomed to resolving disputes in the context of bail decisions, which also occur at an early stage in the proceedings.

There was also a request for guidance on how the court should treat previous convictions for the purpose of the allocation decision. The current practice of the courts is not to refer to the defendant's previous convictions at this stage. There were proposed amendments to section 19 of the Magistrates' Courts Act 1980 which would specifically have allowed the court to consider such previous convictions but these have not been implemented. As the current practice will continue, the Council will not include additional guidance on this topic.

² The original name for the allocation decision under s.19 Magistrates' Courts Act 1980

³ Paragraph V.51 of the Consolidated Criminal Practice Direction

⁴ s 19(2) Magistrates' Courts Act 1980

Q4 Do you agree to the amendment proposed to the introduction of the MCSG?

The consultation proposed that Part 2 of the MCSG, *Introduction and User Guide*, should be replaced with a new Part 2 in order to remove the section dealing with restrictions on the court's ability to commit an offender to the Crown Court for sentence after trial. When the MCSG was published in 2008, it was anticipated that amendments contained within the Criminal Justice Act 2003 (removing the power of the court to commit for sentence once they had accepted that the case was suitable for trial in the magistrates' court) would be introduced. They have not been introduced in the intervening four years and therefore the statement in the MCSG is misleading in relation to magistrates' powers to commit cases to the Crown Court for sentence.

The majority of respondents agreed with the proposed amendment and a new Part 2 will be issued which will include the definitive guideline.

"We agree that the amendment would be sensible as it would remove the current misleading reference to magistrates' ability to commit offenders to the Crown Court for sentence after trial being limited." Crown Prosecution Service

OFFENCES TAKEN INTO CONSIDERATION (TICs)

Q5 Do you agree with the proposed general principles?

The Council's aim in producing this draft guideline was to support consistency of approach in the application of TICs and to provide clarity to all those involved in the process.

As set out in the consultation, the practice of taking offences into consideration has been a long-standing convention in the criminal justice system and given statutory footing in 2003 where the presence of 'associated offences' can increase the seriousness of an offence and merit a more severe sentence.⁵

The draft guideline set out two general principles for a court dealing with an offender who requests other offences to be taken into consideration. First, that the sentence should reflect all the offending behaviour. Secondly, that the sentence should be just and proportionate and should not exceed the statutory maximum for the conviction offence.

The majority of respondents welcomed the clarity of the guideline, 86 per cent recognising that it accorded with current good practice.

"It will bring about a more consistent way of dealing with TICs and ensuring that victims and offenders see that an appropriate sentence is imposed addressing all of the matters brought before the court." The Magistrates' Association

"The Society broadly supports the proposals as far as TICs are concerned." The Justices' Clerks' Society

⁵ s.148, 152 and 153, Criminal Justice Act 2003

Q6 Do you agree with the proposals as to the types of offences that should not be the subject of TICs?

The draft guideline reinforced the court's discretion as to whether or not to take TICs into account. It also set out a set of exceptions, drawn from case law and the Sentencing Advisory Panel's recommendations, when it would be undesirable for TICs to be accepted by the court.⁶

Respondents, including the Law Society, the Magistrates' Association and the Council of HM Circuit Judges agreed with the exceptions and the level of detail provided.

“What is set out reflects long established practice with which we agree.” The Council of HM Circuit Judges

It was suggested that the exceptions should also include offences for which the offender would attract a minimum mandatory custodial sentence by reason of previous convictions. The Council considered including this but considered that this was covered in the exception, “where the offender would avoid a prohibition, ancillary order or *similar consequence* which it would have been desirable to impose on conviction”.

Therefore, the definitive guideline will reflect the wording set out in the draft guideline.

Q7 Do you agree with the proposed procedural safeguards?

The Council was aware that, in the past, there had been instances of bad practice adopted by criminal justice agencies and occasionally involving the courts. Part of its aim in producing the draft guideline and consultation was to set out in one place the minimum procedures, derived from case law, which the court should follow before it agreed to take offences into consideration.

Respondents to the consultation were largely in agreement with the safeguards proposed in the draft guideline as they provided clarity and certainty about the process. However, the Law Society raised concerns in relation to defendants with “learning difficulties, who often cannot read, signing large lists of TICs”. They sought an additional safeguard that all defendants should be offered legal representation before they agreed to sign a schedule of TICs. The circumstances in which legal advice should be available is a practice matter outside the remit of the Council's work and it has not been included this as an additional requirement. However, the Council has considered the important principles raised in relation to vulnerable and unrepresented defendants. It has amended the proposed safeguards to remind courts that special care should be taken to ensure that such defendants understand the consequences of admitting TICs. The additional wording is included in italics below:

“if there is any doubt about the admission of a particular offence, it should not be accepted as a TIC. *Special care should be taken with vulnerable and/or unrepresented defendants*”.

⁶ Recommendation 4, *Offences Taken Into Consideration*, Sentencing Advisory Panel.

Q8 Do you agree with the proposed approach to the application of TICs?

The draft guideline confirmed the Council's earlier decision to treat TICs as an aggravating factor at step two of the decision making process. This enables the court to place the conviction offence into context and assists the court in deciding the defendant's overall criminality. This approach allows the court to treat TICs as an aggravating feature that falls to be considered after the court has determined the appropriate starting point for the conviction offence; where appropriate, this can take the sentence outside the identified category range.

In total, 71 per cent of respondents (including the Magistrates' Association, the Criminal Bar Association and the Ministry of Justice) agreed with the treatment of TICs as an aggravating factor at step two. Many referred to and agreed with the Council's rationale that TICs are comparable to previous convictions as both assist with the assessment of the overall criminality of the offender and consequently the seriousness of the offence. Additional guidance was sought from some magistrates in the form of an identification of the number of TICs that would potentially justify a departure from the identified category range. The Council recognises that the impact of the number and nature of TICs will vary in individual cases and are therefore best left to sentencers to assess on the facts of the case before them.

The Council of District Judges disagreed with the proposed approach, submitting that TICs form such an important aspect of an assessing an offender's culpability and harm that they should be considered at step one in order to determine the appropriate starting point. The Council had previously considered this approach but concluded that because this would be likely to lead to a higher starting point for the conviction

offence, this would result in injustice. Given the level of support for inclusion of TICs at step two, the Council will adopt this recommended approach.

A number of those who did not agree with the approach did so on the basis that the guideline does not make clear that in some circumstances, such as where the offender has admitted offences that would otherwise have gone undetected, TICs can operate as a factor reducing the overall sentence.

"The Association again reiterates that in certain instances where offences are cleared up by the police when they otherwise may have gone undetected must, at times, provide the offender with a reasonable degree of mitigation." The London Criminal Courts' Solicitors Association

The Council considered that the commission of a series of additional offences could not, as a matter of principle, operate to reduce the seriousness of an offender's overall criminality and consequent sentence. However, it does recognise that the frank admission by an offender of offences that would otherwise remain unsolved by the police, could provide evidence of an offender's remorse or determination to address their offending behaviour, both of which are mitigating factors. Therefore, the definitive guideline will include additional wording to remind sentencers of this effect of TICs in exceptional circumstances.

TOTALITY

Q9 Do you agree with this definition of totality?

Although a number of respondents queried the need for a guideline on this overarching principle of sentencing, the Council is mandated by statute to provide such a guideline.⁷

The Council did not propose any changes to current sentencing practice in this area but to bring clarity and transparency to the sentencing of multiple offences by setting out the general principles and specific applications of those principles in one place.

The key principle is that the court must impose a sentence that reflects the seriousness of the totality of the offending behaviour. The existence of multiple offences generally increases the seriousness of the criminality and so can increase the severity of the sentence. However, the Council proposed a wide construction of the definition of totality to ensure that when sentencing for multiple offences, the overall sentence should be just and proportionate. This would mean that the principle could result in an increase to, or reduction of, the overall sentence or to constituent parts of it.

The majority of those who submitted a response agreed with the Council's proposed definition of totality. These included the Criminal Bar Association, the Justices' Clerks' Society and the Council of HM Circuit Judges.

"The principle is well known and further detail would obscure the simple message." Judge

Q10 Do you agree with the proposed general principles of totality?

The draft guideline set out two elements of the concept of totality. The first element emphasised the importance of the total sentence reflecting **all** the offending behaviour, regardless of whether a concurrent or consecutive sentence is passed by the court. The second recognised that a just and proportionate sentence for multiple offending cannot be determined simply by adding together notional single sentences.

There was further strong support for these, with 89 per cent of respondents welcoming the way that the statement of the principles will encourage sentencers to approach these types of sentences in a fair and balanced manner.

"What is set out reflects long established practice with which we agree." The Council of HM Circuit Judges

⁷ s.120(3) Coroners and Justice Act 2009

Q11 Do you agree with the circumstances in which concurrent and consecutive sentences are likely be passed, recognising there is no inflexible rule?

The draft guideline set out the approaches adopted in current sentencing practice as to when concurrent and consecutive sentences are generally appropriate whilst making it clear that there is no inflexible rule as to how a sentencer should structure a sentence.

The majority of respondents welcomed the summary of relevant principles and felt that the provision of examples contributed to the clarity and structured approach of the guideline.

The Council of District Judges raised a concern that the guideline recommended that where “there is a series of offences of the same or similar kind, especially when committed against the same person”, a concurrent sentence will ordinarily be appropriate. They argued that this could cause injustice in a domestic violence situation where an offender may be charged with a series of separate common assaults on their partner – individually the offences are relatively minor but taken overall, they provide a different picture of the offender’s culpability and harm which should be taken into account at step one when considering the category and consequent starting point. The Council considered this submission and concluded that the potential injustice could be resolved by making it clear that in such situations, a consecutive sentence would ordinarily be more appropriate. Therefore, it has included this as a further specific example in the section headed ‘*offences that are of the same or similar kind but where the overall criminality will not sufficiently be reflected by concurrent sentences*’.

Q12 Do you agree with the guidance provided on ensuring the sentence is just and appropriate?

Where the court has decided to impose concurrent sentences, the draft guideline reinforced the principle that the sentence should reflect the overall criminality involved and that the sentences should be appropriately aggravated by the presence of associated offences.

Where the court has decided to impose consecutive sentences, the draft guideline directed the court to consider whether the aggregate length of the sentence is just and proportionate. Where the court believes that the sentence is not just and proportionate, it is directed to reduce the length of the aggregate sentence. In its consultation discussion, the Council confirmed that it did not believe that a mathematical approach to any such reduction should be applied. Instead, it proposed including examples of approaches to be taken in differing circumstances in order to assist the courts in achieving consistency of approach.

A number of respondents did not address this question but 89 per cent of responses were in agreement with this and no changes are recommended as a result of the consultation.

“It would not have been appropriate to provide a sentencing formula and the guidance provided allows for flexibility but within a structured approach.” The Magistrates’ Association

Q13 Should the guideline provide further detail on how sentences are adjusted in relation to totality, and if so how might this be done?

The guideline recommended a number of ways in which adjustments to the sentence could be achieved, including reducing all offences proportionately or, where possible, identifying the most serious principal offence and reducing the other sentences proportionately. Although some respondents requested additional detail in this section of the guideline in the form of additional examples, the majority of respondents felt there was no need for further guidance, as the consultation draft provided an appropriate balance of sufficient detail without being overly prescriptive. The Council is confident that the examples given in the draft guideline are sufficient for the purposes of the guideline.

Q14 Are there further specific considerations that the guideline could usefully cover relating to the sentencing of multiple offences?

The format and detail of the specific applications section was generally welcomed, particularly by those dealing with fines and compensation. More than half of respondents (56 per cent) felt that there was sufficient detail in the draft guideline; some magistrates argued that there was already too much detail for their jurisdiction and requested that they not be provided with guidance which would only apply in the Crown Court. As a result, the version for inclusion in the MCSG will not include guidance on multiple extended sentences for public protection or indeterminate sentences.

GENERAL CONSIDERATIONS

Q15 Are there further ways in which you think victims can or should be considered, in relation to:

- (a) allocation?**
- (b) offences taken into consideration?**
- (c) totality?**

There were no suggestions by respondents as to how this could be achieved in any of the guidelines. There were requests to make the use of victim impact statements mandatory but this is not within the power of the Council. It was also suggested that there should be increased and better engagement between core criminal justice agencies such as the police and the CPS with victims, particularly in relation to the explanation of TICs. Whilst such co-operation is obviously desirable, it does not fall within the statutory remit of the Sentencing Council.

Q16 Are there any equality or diversity matters that the Council should consider, in relation to:

- (a) allocation?**
- (b) offences taken into consideration?**
- (c) totality?**

The Council published an equality impact assessment to accompany the consultation but did not identify any equality matters.

No equality or diversity issues were identified by respondents that need to be considered in relation to any of the three draft guidelines.

Q17 Are there any further comments you wish to make?

A number of respondents, including individual magistrates and the Magistrates' Association used this section to reinforce the need for training for magistrates in relation to all aspects of the guideline but particularly in relation to allocation. The Council will be working with the Judicial College to develop training for magistrates about the change in emphasis in the allocation guideline during the three month implementation period before the guidelines come into force. Others used this section to repeat their concerns about the physical size of the guideline and queried the need for magistrates to have all sections as some were not applicable in their jurisdiction (for example, multiple indeterminate sentences). The Council recognises that having a guideline which applies across both the magistrates' courts and the Crown Court can cause concerns about guidelines containing too much information but believes that it is important for all sentencers, and members of the public, to understand how guidelines apply across both jurisdictions. However, it recognises that these overarching guidelines are somewhat different and for that reason, the version for inclusion in the MCSG will not include the totality sections concerning extended sentences or imprisonment for public protection as magistrates do not have power to pass these sentences. The Crown Court version will not include the section on allocation as that court's powers in relation to allocation are restricted and rarely used.

Conclusion and next steps

The consultation has been an important part of the Council's consideration of these three overarching areas. Responses received from a variety of criminal justice professionals have informed changes to the TICs and totality guidelines.

The definitive guidelines will be published both in a Crown Court version and as an update to the MCSG on 6 March 2012 and implemented on 11 June 2012. The Council is working with the Judicial College to develop training for the allocation guideline; no training is required in relation to the other two guidelines as these are statements of existing principles.

The Equality Impact Assessment Initial Screening is available on the Sentencing Council website. No evidence was provided during the consultation period which suggested that the guidelines would have any adverse impact on equalities issues which would warrant a full Equality Impact Assessment.

Annex A

Consultation Responses

Hard copy responses were received from the following organisations:

Bexley Magistrates	National Bench Chairmen's Forum
Birmingham Magistrates	New Forest Magistrates
Bristol Magistrates	North and South Durham Magistrates
Cambridge Magistrates	North East Suffolk Magistrates
Central Kent Magistrates	North Lincolnshire Magistrates
Central Devon Magistrates	North Sefton Magistrates
Cleveland Magistrates	North Surrey Magistrates
Council of HM Circuit Judges	North West Essex Magistrates
Coventry Magistrates	North West Hampshire Magistrates
Criminal Bar Association	Northumbria Bench Chairmen's Forum
Criminal Justice Alliance	Oxfordshire Magistrates (Northern, Southern and Oxford City)
Crown Prosecution Service	Prison Reform Trust
Croydon Magistrates	Probation Association
District Judges (Magistrates Court)	Probation Chiefs' Association
East Dorset Magistrates	Sandwell Magistrates
Grimsby Cleethorpes Magistrates	Scarborough Magistrates
Gwent Magistrates	Sedgemoor Magistrates
Health and Safety Executive	Service Prosecuting Authority
Derbyshire Magistrates (High Peak, North East and Dales, and Southern)	Shrewsbury and North Shropshire Magistrates
The Howard League for Penal Reform	Solihull Magistrates
Hull and Holderness Magistrates	South East Northumberland Magistrates
Justices' Clerks' Society	South Sefton Magistrates
Lancashire Police	Staffordshire Central and South West Magistrates
The Law Society	Sussex Northern Magistrates
Leicester Magistrates	Taunton Deane and West Somerset Magistrates
Loughborough Magistrates	Thames Valley Police
London Criminal Courts Solicitors' Association	Trafford Magistrates
Macclesfield Magistrates	Transition to Adulthood Alliance
Magistrates' Association	Victim Support
Milton Keynes Magistrates	West Berkshire Magistrates
Ministry of Justice (incorporating response from the Home Office and the Attorney General's Office)	West Hertfordshire Magistrates
Minshull Crown Court, Manchester	West Mercia Police
	Youth Justice Board

Responses were also received from the following individuals:

Andrew Ashworth, University of Oxford
Judge Baker QC DL, Luton Crown Court
Robert Banks
Leslie Chinweze
Timothy Fancourt QC, Recorder
District Judge Gillibrand, North Hampshire Magistrates' Court
Penny Hatfield, Magistrate
Thomas Hawker, University of Cambridge
Peter Hungerford-Welch, The City Law School, City University
London
District Judge House, Bournemouth Magistrates' Court
Lisa Mason, Magistrate
District Judge McGarva, Birmingham Magistrates' Court
Nicholas Moss, Magistrate
Peter Riley, Magistrate
District Judge Simpson, Hammersmith Youth Court
Judge Stewart QC, Bradford Combined Court Centre
George Tranter, Magistrate
Judge Watson, Wolverhampton Combined Court Centre

Consultation Co-ordinator contact details

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