

We want to hear what you think about sentencing for Drug Offences



Part 1 - Why are we looking at Drug Offences?



An easyread version of
Drug Offences Guideline Public consultation

www.sentencingcouncil.org.uk

Some words in this paper may be hard to understand.

We have written these words in **bold blue** text and have put a list of these words on page 9.



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What is the Sentencing Council?

Sentencing
Council



The **Sentencing Council** for England and Wales is **independent**.

Independent means that we are not part of government or anyone else.



Our job is to help the public understand how the law courts work.



We check that the system is fair.



We make sure that courts in one part of the country treat people the same as courts in a different part of the country.

We want to hear your views



We want to know what you think about the way the courts treat people who have committed **drug offences**.



In this paper we ask you some questions about this.

Please send your answers to:



Katharina Walsh
Office of the Sentencing Council
Steel House, 11 Tothill Street
London
SW1 9LJ



Or email:

consultation@sentencingcouncil.gsi.gov.uk

Sentencing Council



If you want to find out more, there is a longer consultation paper at:

www.sentencingcouncil.org.uk



We are also talking to people face-to-face about this. To find out when and where email:



info@sentencingcouncil.gsi.gov.uk



We plan to list the names of people who give us their views in our final report.



If you do not want your name included please get in touch with us first.

June 2011						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1	2	3	4	5
6	7	8	9	10	11	12
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We need to hear from you by **Monday, 20th June 2011** at the latest.



Why are we looking at drug offences?

At the moment there are no guidelines for **Crown Courts** when it comes to sentencing **drug offenders**.



1 Year

This means that a person appearing in one court may get a longer or shorter **sentence** than someone in another court who has committed the same offence.



2 Year



Once we have heard everyone's views we will publish guidelines to help the courts make sure people who are **found guilty** of the same offence are treated in the same way.



These new **drug offences** guidelines will be used in **Crown Courts** (where the more serious offences are heard) and local **magistrates' courts**.

What offences are we talking about?

1. “Importation offences”

This means bringing an **illegal** drug into this country.

It also includes sending an **illegal** drug out of this country.



2. “Supply offences”

This is when someone gives or sells an **illegal** drug to someone else.

Or they have an **illegal** drug which they plan to give or sell to someone else.



They are still breaking the law even if they are not paid in any way for the drugs.

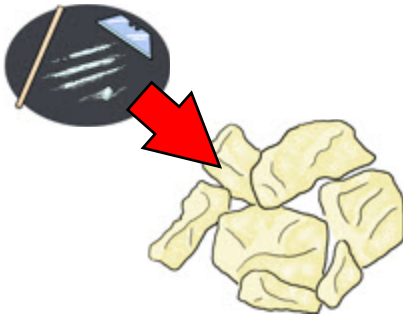
And it is still an offence even if they do not have the drugs on them when they are caught.





3. “Production / cultivation offences”

“Production” is when someone has taken part in making an **illegal** drug.



This includes making “crack” from cocaine.



It is also an offence to grow any kind of cannabis plants. This is known as a “cultivation offence”.



4. “Permitting premises to be used”

This is when someone allows their place to be used for drugs.



5. “Possession of a controlled drug”

Possession means someone has an **illegal** drug but they do not plan to give or sell it to someone else.

To be an offence they must know they had the drugs.

What drugs are illegal?



Under the law, **illegal** drugs are either Class A, Class B or Class C.

Class A drugs cause the most harm.

Drugs in Class A include:



- Heroin
- Cocaine
- Crack cocaine
- Ecstasy.



Drugs in Class B include:

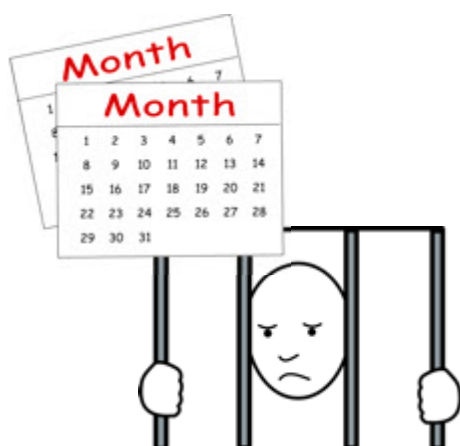
- Amphetamines
- Cannabis.



Drugs in Class C include:

- Ketamine
- Tranquilisers.

Sentencing and the class of drug



The **Sentencing Council** believes that the **sentence** an **offender** gets should depend on what class of drug they were involved with.



We believe this would make things clearer for everyone.



The Council wants to make sure that Class A, Class B and Class C drugs are looked at differently.



Question 1

Do you agree that Class A, Class B and Class C drugs are looked at differently?

What some of the words mean

Class A drugs	The most harmful drugs. These include heroin, cocaine, ecstasy, and crack.
Class B Drugs	Drugs that are harmful, but not as harmful as Class A drugs. These include amphetamines and cannabis.
Class C Drugs	The least harmful illegal drugs. These include tranquilisers and ketamine.
Crown Court	A higher court where more important cases are held.
Drug Offences	Crimes that have to do with drugs.
Drug Offenders	People who have committed a crime that had something to do with drugs.
Found guilty	When the court decides that someone has done the crime.
Illegal	When something is against the law.
Importation Offences	Crimes that have to do with bringing drugs into the UK or taking drugs out of the UK.
Magistrates' Court	A lower court where most cases are held.
Offender	Someone who has committed a crime.

What some of the words mean

Permitting premises	Letting your place be used for drugs crimes.
Possession of a controlled drug	Crimes that have to do with carrying drugs or having them with you.
Production / cultivation offences	Crimes that have to do with making or growing drugs.
Sentence	Something that someone must do because of a crime they have committed. They might need to pay money, go to prison, or have a High Level Community Order.
Sentencing Council	An independent organisation that helps make sure sentencing works the same across all courts, and that the public understand sentencing better.
Supply offences	Crimes that have to do with selling drugs.



This paper has been checked by the Making it Easier Group.



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