

What factors influence the sentence an offender gets?

For each crime there is a range of sentences available and the judge or magistrates have to decide which type of sentence is right.

The judge or magistrates will think about:

- how **serious** the offence is. The more serious, the greater the sentence. For example, a burglar who kicked down someone's front door and threatened them with a knife would be treated more seriously than a burglar who reached through an open window to steal something.
- Then there's the **harm** caused to the victim. This could be physical injury like a broken arm, psychological effects such as stress or the loss of possessions or money.
- And the offender's level of **blame**. For example, planning the offence, using a weapon or targeting a vulnerable victim, would all make the offender more blameworthy.
- **The judge or magistrates will also think about whether the offender already has a criminal record:** someone who has been found guilty of similar crimes before will be treated more harshly.
- **Personal circumstances** will also be considered – for example the offender might look after dependent relatives.
- They might have shown they are genuinely sorry, or come clean and admitted that they committed the crime and **pleaded guilty**. The earlier an offender admits their guilt the better as it will save victims and witnesses the stress of going through a trial as well as saving court costs and time.

If an offender admits to a crime, it usually means they get a lower sentence – up to a third off – when they admit it at the earliest opportunity.

The later the guilty plea, the smaller the reduction, which, when you think about it, is a good way of getting offenders to admit their guilt sooner rather than later.

Judges and magistrates will also think about what sort of sentence would be most likely to change the offender's behaviour. None of us wants to become another victim of the same offender so it is important that the sentence helps stop them committing more crime in the future.

