

MEETING OF THE SENTENCING COUNCIL

1 MARCH 2024

MINUTES

<u>Members present:</u>	Bill Davis (Chairman) Rosa Dean Simon Drew Elaine Freer Tim Holroyde Jo King Stephen Leake Juliet May Rob Nixon Stephen Parkinson Johanna Robinson Beverley Thompson Mark Wall Richard Wright
<u>President:</u>	Lady Chief Justice, Sue Carr
<u>Representatives:</u>	Claire Fielder for the Lord Chancellor (Director, Youth Justice and Offender Policy) Jacqueline Beard for the Lady Chief Justice (Legal Adviser to the Head of Criminal Justice)
<u>Observers:</u>	Larni Rose, Lawyer, Criminal Appeal Office Phillipa Mullins, Senior Policy Advisor, Bail, Sentencing & Release Policy team at MoJ Laura Caplan, Specialist Prosecutor in the Director of Legal Services team at the CPS
<u>Members of Office in attendance:</u>	Steve Wade Mandy Banks Lisa Frost Vicky Hunt Ruth Pope Ollie Simpson Jessie Stanbrook

1. MINUTES OF LAST MEETING

- 1.1 The minutes from the meeting of 26 January 2024 were agreed.

2. MATTERS ARISING

- 2.1 The Chairman welcomed Sue Carr, the Lady Chief Justice and President of the Council who was attending for part of the meeting.

3. DISCUSSION ON HOUSING OFFENCES – PRESENTED BY JESSIE STANBROOK, OFFICE OF THE SENTENCING COUNCIL

- 3.1 The Council considered housing offences focussing on unlawful eviction and unlawful harassment offences under the Protection from Eviction Act 1977.
- 3.2 The Council considered some of the complexities around prosecuting the nine offences under this Act which can cause substantial harm to victims.
- 3.3 The Council gave their preliminary approval for a guideline covering unlawful eviction and harassment, and also suggested developing a separate guideline for the offence of using violence to secure entry under the Criminal Law Act 1977.

4. DISCUSSION ON NON-FATAL STRANGULATION – PRESENTED BY LISA FROST, OFFICE OF THE SENTENCING COUNCIL

- 4.1 The Council considered the findings of work undertaken to identify the types of offences being charged and the sentences currently being imposed.
- 4.2 The Council agreed the draft guideline seriousness assessment, including culpability and harm factors, and sentence levels. It was agreed that the final guideline and resource assessment should be considered at the next meeting to enable a consultation to commence in May 2024.

5. DISCUSSION ON WILDLIFE OFFENCES – PRESENTED BY OLLIE SIMPSON, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council discussed the options for a guideline for wildlife offences following early discussions with stakeholders. The Council agreed that the right focus remained an offence specific guideline for hare coursing, and that an early draft could be considered with magistrates who may have had experience of sentencing hare coursing offences.

6. DISCUSSION ON INTIMATE IMAGES – PRESENTED BY MANDY BANKS, OFFICE OF THE SENTENCING COUNCIL

6.1 The Council discussed the new and forthcoming intimate image offences, and agreed that developing guidelines for these new offences was a priority. It was agreed that work would begin shortly after all the offences commenced.

6.2 The Council also discussed other potential areas of work going forwards.

7. DISCUSSION ON ANCILLARY ORDERS – PRESENTED BY VICKY HUNT AND RUTH POPE, OFFICE OF THE SENTENCING COUNCIL

7.1 The Council agreed that all guidelines should have a link to general information on ancillary orders and that some guidelines should include information on specific ancillary orders that are relevant to the guideline.

7.2 The Council also agreed that the general ancillary order page will now be available in a section of the website called 'supplementary information' (formerly known as explanatory materials), and that it will contain 'drop downs' of further information on the majority of ancillary orders that are available in magistrates' courts or the Crown Court.