

# Sentencing Council

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## MEETING OF THE SENTENCING COUNCIL

18 DECEMBER 2015

### MINUTES

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<u>Members present:</u>	Colman Treacy (Chairman) Michael Caplan Mark Castle Jill Gramann Heather Hallett Tim Holroyde Sarah Munro Lynne Owens Julian Roberts Alison Saunders John Saunders Richard Williams
<u>Apologies:</u>	Julian Goose Martin Graham
<u>Advisers present:</u>	Paul Wiles
<u>Representatives:</u>	Stephen Muers for the Ministry of Justice (Director, Criminal Justice Policy) Ceri Hopewell for the Lord Chief Justice (Legal Advisor to the Lord Chief Justice, Criminal Justice Team)
<u>Members of Office in Attendance</u>	Claire Fielder (Head of Office) Lisa Frost Vicky Hunt Ruth Pope Helen Stear

**1. WELCOME AND APOLOGIES FOR ABSENCE**

1.1 Apologies were received as set out above.

**2. MINUTES OF LAST MEETING**

2.1. The minutes from the meeting of 20 November 2015 were agreed.

**3. MATTERS ARISING**

3.1 The Chairman welcomed the Lord Chief Justice who was observing the Council meeting.

3.2 The Chairman informed the Council that he had delivered a speech to the Criminal Law Review conference on 3 December.

3.3 The Chairman expressed thanks to Julian Roberts, who had given presentations on the Council and its guidelines to senior prosecutors and members of the Beijing Supreme Court; and also to faculty and students at the Maurer Law School in Indiana.

**4. DISCUSSION ON GUILTY PLEA – PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL**

4.1 The Council considered two drafts of the resource assessment for the draft guilty plea guideline and decided that the clearest and most helpful way of presenting the information was by using 'optimistic' and 'pessimistic' scenarios to illustrate the potential resource implications.

**5. DISCUSSION ON YOUTH – PRESENTED BY VICKY HUNT, OFFICE OF THE SENTENCING COUNCIL**

5.1 The Council considered the latest drafts of the sexual offences and robbery youth guidelines and agreed to a new structure. It noted that it would be invited to sign off the guidelines at the January 2016 meeting ready for consultation in the spring.

**6. DISCUSSION ON SENTENCING MOTHERS – PRESENTED BY CLAIRE FIELDER, OFFICE OF THE SENTENCING COUNCIL**

6.1 The Council discussed the issues raised by two recommendations addressed to it in a recent publication by the Prison Reform Trust. It noted the authors' concerns about the potential impact of a custodial sentence on offenders' children and decided to make an amendment to the draft guideline on imposition of community and custodial sentences to remind the court in appropriate circumstances, where there is a sole carer of either sex, to consider the impact of a possible custodial

sentence on any dependants. It noted the recommendation to undertake or support more targeted research, which was not possible with the Council's current resources.

**7. DISCUSSION ON IMPOSITION OF COMMUNITY AND CUSTODIAL SENTENCES – PRESENTED BY LISA FROST, OFFICE OF THE SENTENCING COUNCIL**

- 7.1 The Council reviewed a revised draft guideline for the imposition of community and custodial sentences. The draft guideline was signed off for consultation, subject to a number of revisions discussed at the meeting. A short, targeted consultation on the draft guideline would be launched on 14 January and run until 25 February.

**8. UPDATE ON MEMBERS' AREA – PRESENTED BY HELEN STEAR, OFFICE OF THE SENTENCING COUNCIL**

- 8.1 The Council watched a demonstration of the new online document store on the members' area of the Sentencing Council website. The store will allow Council members and staff to make changes to documents in a shared online space.

**9. UPDATE ON WORKPLAN – PRESENTED BY CLAIRE FIELDER, OFFICE OF THE SENTENCING COUNCIL**

- 9.1 The Council was updated on minor changes to the work plan in light of its decision to postpone revision of the assault guideline.