

MEETING OF THE SENTENCING COUNCIL

21 NOVEMBER 2014

MINUTES

Members present:

Colman Treacy (Chairman)
Michael Caplan
John Crawford
Henry Globe
Julian Goose
Heather Hallett
Javed Khan
Sarah Munro
Lynne Owens
Katharine Rainsford
Julian Roberts
Alison Saunders
John Saunders
Richard Williams

Apologies:

William Davis

Advisers present:

Paul Wiles

Representatives:

Stephen Muers for the Ministry of Justice (Director,
Sentencing and Rehabilitation)

Sophie Marlow for the Lord Chief Justice (Legal
Advisor to the Lord Chief Justice, Criminal Justice
Team)

Members of Office in
Attendance

Claire Fielder (Head of Office)
Robin Linacre
Lissa Matthews
Ruth Pope
Mandy Banks

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 24 October 2014 were agreed following some minor amendments.

3. MATTERS ARISING

- 3.1 The Council noted that today's meeting would be Robin Linacre's last as the Office Economist after four years in the post. The Chairman thanked him for his excellent work as a key member of the analysis and research team and for his enormous contribution to the work of the Council.
- 3.2 The Chairman updated members on his recent meeting with Simon Hughes MP. The meeting was positive and provided a good opportunity for a more general discussion about the role of sentencing in the criminal justice system and the Council's work programme and priorities.

4. DISCUSSION ON HEALTH AND SAFETY LAUNCH – PRESENTED BY HELEN STEAR, OFFICE OF THE SENTENCING COUNCIL

- 4.1 The Council were informed that the launch of the Health and Safety, Corporate Manslaughter and Food Safety and Hygiene consultation had achieved very good coverage in trade and practitioner media, the key target audience for this consultation, covering all the desired sectors. It also achieved some significant coverage in national media.

5. DISCUSSION ON THE MAGISTRATES' COURT SENTENCING GUIDELINES (MCSG) - PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council were given a brief update on the plans to seek feedback from key stakeholders on the plans to update the explanatory materials section of the MCSG.
- 5.2 At the same time feedback will be sought on the plans to digitise the MCSG. The Council stressed the importance of ensuring that magistrates are kept fully informed of plans and that their views are taken into account.

- 5.3 The Council agreed that the MCSG working group should be asked to undertake an extensive review of those guidelines in the MCSG which have not yet been review by the Council.

6. DISCUSSION ON GUILTY PLEAS - PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL

- 6.1 The Council were reminded that work on the guilty plea guideline had been put on hold pending the PQBD's review of efficiency in criminal proceedings, changes to the early guilty plea scheme and changes to criminal legal aid.
- 6.2 The Council agreed that the next consideration of the guideline should be at the March 2015 meeting with a view to consulting on the proposals in the summer of 2015.

7. DISCUSSION ON ROBBERY – PRESENTED BY LISSA MATTHEWS AND ROBIN LINACRE, OFFICE OF THE SENTENCING COUNCIL

- 7.1 A paper was presented on the findings from a research exercise conducted by the Office on the potential impact of the robbery guideline that is currently out to public consultation. Work will continue during and after the consultation closes to further understand the impact the guidelines might have on sentencing levels and on consistency. The Council agreed it was important to conduct this work and will consider the findings in March.

8. DISCUSSION ON DANGEROUS DOGS – PRESENTED BY MANDY BANKS, OFFICE OF THE SENTENCING COUNCIL

- 8.1 This was the third discussion on the revisions to the dangerous dog guideline, following the changes to the dangerous dog legislation. At the meeting council considered the draft guidelines which had been revised since the September Council meeting. The Council considered the culpability factors, assessment of harm, and draft sentence ranges within the draft guidelines, and proposed a number of further changes. It was agreed that these changes will be made for the Council to consider revised guidelines at the December meeting, ahead of a planned consultation on the guidelines next year.

9. DISCUSSION ON YOUTHS – PRESENTED BY LISSA MATTHEWS, OFFICE OF THE SENTENCING COUNCIL

- 9.1 At the September meeting the Council agreed to undertake three strands of work on youths - a review of the overarching principles; offence specific guidelines; and thematic guidance on issues particularly impacting young people.

- 9.2 The Council considered which offences might be the most beneficial to provide specific guidance on. It was agreed that initially robbery, sexual offences, possession of a bladed article or offensive weapon and burglary in a dwelling should be included. The detail of which sexual offences to include will be considered at a later meeting once statistics are available. Robbery will be grouped as one guideline as in the current SGC guideline for youths.