
**MEETING OF THE SENTENCING COUNCIL
14 October 2011
MINUTES**

<u>Members present:</u>	Brian Leveson (Chairman) Anne Arnold John Crawforth Siobhain Egan Henry Globe Anthony Hughes Alistair McCreath Anne Rafferty Katharine Rainsford Keir Starmer Colman Treacy
<u>Apologies:</u>	Tim Godwin Gillian Guy Julian Roberts
<u>Advisors present:</u>	Paul Cavadino Paul Wiles
<u>Non-members present:</u>	Helen Judge, Director Sentencing & Rehabilitation Ministry of Justice
<u>Observers:</u>	Christina Pride – Private Secretary to Lord Chief Justice
<u>Members of Office in Attendance:</u>	Rosalind Campion Vanessa Watling Michelle Crotty Trevor Steeples Nigel Patrick Jackie Burney Helen Stear Nick Mann Robin Linacre Emma Marshall Marcie Malcolm Jessica Queenan

1. WELCOME AND APOLOGIES FOR ABSENCE

- 1.1. Apologies were received as set out above.

2. MINUTES OF LAST MEETING

- 2.1. Minutes of the meeting of 16 September 2011 were agreed.

3. ACTION LOG

- 3.1. The actions from the previous meeting were reviewed.
- 3.2. The Council was informed that work on the dangerous dogs draft guideline was continuing. Papers on the sexual offences and drugs guidelines were to be considered by Council in this meeting.

4. DISCUSSION ON THE BURGLARY LAUNCH AND FORTHCOMING PUBLICATIONS INTRODUCED BY HELEN STEAR

- 4.1. The Council was updated on recent communications activities, setting out the broadly positive media coverage of the publication of the definitive guideline on burglary on Thursday 13 October.
- 4.2. The Chairman recorded the thanks of Council to its spokespeople Colman Treacy, Katharine Rainsford and Gillian Guy. Each had been interviewed on numerous national and regional media channels including BBC Radio 4 Today programme, Five Live Radio, Sky News and BBC News 24.
- 4.3. Victim Support, NACRO and the Criminal Justice Alliance all commented positively in the media on the guideline.
- 4.4. There was discussion about the distribution of the guideline.
- 4.5. The Council will publish a number of documents on 18 October 2011: its Annual Report; the section 132 Suspended Sentences report and the Crown Court Sentencing Survey official statistics. The annual report will also be laid before Parliament on that date.
- 4.6. The Crown Court Sentencing Survey official statistics are being released in conjunction with the Ministry of Justice. A press briefing will be taking place with Sentencing Council Officials and the head of profession for statistics for the Ministry of Justice and its arms length bodies.

5. DISCUSSION ON DRUGS INTRODUCED BY JACKIE BURNEY

- 5.1. The Council discussed the amended draft guideline for supply offences and considered in particular, the harm and culpability factors. It was agreed that further refinement of some of the language describing the role of the offender would be appropriate. It was agreed that the approach taken with regard to quantity should be further refined.
- 5.2. It was agreed that a further road testing exercise with sentencers would be carried out to support the further refinement of the draft guideline.
- 5.3. The Council reviewed the content of the draft consultation response paper and agreed that this is to be completed once amendments to the draft guideline are finalised.

ACTION: DRAFT GUIDELINE TO BE BROUGHT TO NOVEMBER COUNCIL

6. DISCUSSION ON SEXUAL OFFENCES INTRODUCED BY VANESSA WATLING

- 6.1. The Council agreed that the three stage approach outlined in the paper is suitable for voyeurism and exposure.
- 6.2. The Council discussed the inclusion of mitigating factors in the guidelines. It was agreed that further work would be carried out in this area and mitigation would be something that would be returned to as further offences were considered by Council.
- 6.3. The Council also examined current sentencing practice for both voyeurism and exposure.

ACTION: GUIDELINES WOULD BE REVISED IN THE LIGHT OF THE DISCUSSION AND FURTHER CONSIDERED BY COUNCIL AT ITS NOVEMBER MEETING.

7. DISCUSSION ON DANGEROUS DOGS RESEARCH INTRODUCED BY TREVOR STEEPLES

- 7.1. The Council was updated about the results of the research on dangerous dogs conducted with magistrates and District Judges.
- 7.2. The results would be used to assist in the formulation of the draft guideline which Council will consider at its next meeting.

ACTION: DRAFT GUIDELINE TO BE CONSIDERED AT NOVEMBER MEETING