

MEETING OF THE SENTENCING COUNCIL

18 JULY 2014

MINUTES

Members present:

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

Apologies:

Lynne Owens
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

Michelle Crotty (Head of Office)
Mandy Banks
Mary Jones
Robin Linacre
Lissa Matthews
Victoria Obudulu
Ruth Pope
Trevor Steeples

1. WELCOME AND APOLOGIES FOR ABSENCE

- 1.1 Apologies were received as set out above.
- 1.2 The Chairman welcomed the new Circuit Judge member of the Council, HHJ Julian Goose, the Recorder of Sheffield to his first meeting.

2. MINUTES OF LAST MEETING

- 2.1. The minutes from the meeting of 20 June 2014 were agreed.

3. MATTERS ARISING

- 3.1 The Chairman updated the Council on a positive meeting he had recently had with Baroness Newlove where she welcomed the approach of the Council to victims.
- 3.2 The Chairman had also recently met with the new Chief Executive of Victim Support, Mark Castle who was equally supportive of the Council's approach to victims. He is keen to develop Victim Support's relationship with the Council.
- 3.3 The Council were updated on the significant amount of media coverage generated by the Environmental guideline coming in to force on 1 July.

4. DISCUSSION ON ROBBERY – PRESENTED BY LISSA MATTHEWS, OFFICE OF THE SENTENCING COUNCIL

- 4.1 A short discussion was held on the approach to assessing harm at step one of the street robbery guideline. It was decided that the consultation will include two approaches; one that is based solely on the harm caused to the victim and the other that includes both the harm caused to the victim and the financial value of the goods stolen.

5. DISCUSSION ON CORPORATE MANSLAUGHTER – PRESENTED BY MARY JONES, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council discussed a revised draft of the corporate manslaughter guideline and agreed the proposed drafting for assessing the seriousness of the offence. The Council reviewed appropriate aggravating and mitigating factors and agreed factors for the purpose of consultation.
- 5.2 The Council considered the principles underlying sentencing for corporate manslaughter cases and the sentences that had been

handed down in the small number of corporate manslaughter cases sentenced to date. The Council reviewed the appropriate relationship between corporate manslaughter fines and fines for the most serious health and safety offences involving death in order to finalise starting points and ranges for the purpose of consultation.

**6. DISCUSSION ON FOOD HYGIENE AND SAFETY OFFENCES
– PRESENTED BY MARY JONES, OFFICE OF THE SENTENCING
COUNCIL**

6.1 The Council considered a first complete draft of a food safety and hygiene guideline. The Council considered the number of convictions for relevant offences and the structure of those offences to agree the coverage of the guideline for the purposes of consultation.

6.2 The Council discussed features of food safety and hygiene offences and the appropriate approach to assessing harm and culpability, and aggravating and mitigating factors. The Council asked to see updated drafting on the points raised in the September meeting.

**7. DISCUSSION ON THEFT AND HANDLING STOLEN GOODS –
PRESENTED BY MANDY BANKS, OFFICE OF THE SENTENCING
COUNCIL**

7.1 This was the first discussion following the recent consultation on the draft theft guideline. At the meeting the Council considered consultation responses regarding the draft culpability factors across the guidelines, and the groupings of the offences within the draft guideline.

7.2 The Council discussed and agreed a number of minor amendments to the culpability factors across the guidelines. Over the forthcoming meetings the Council will consider the consultation responses in relation to harm, sentencing, aggravating and mitigating factors and lastly the overall coherence and final content of the guideline prior to publication of the definitive guideline.