

Name

Publication consent

Publish response only (without name)

Q1) Do you agree or disagree with the Council's approach to the distinction between a 'principle' and a 'purpose' of sentencing?

Agree

Please provide any reasons for your response.

However, lay people (for whom this exercise is designed to improve transparency) may not appreciate the difference between a principal & a purpose

Q2) Should there be an overarching principle of "fairness and proportionality"?

No, there should not be an overarching principle

Please provide any reasons for your response.

The overarching principal should be to protect the public from becoming victims of further crime.

Q3) Are the supporting principles which underlie the overarching principle of fairness and proportionality (as listed at paragraph 2(i)-(vi)) appropriate?

Yes

Please provide any reasons for your response.

Fairness & proportionality as discribed should be a goal but the protection of the public or the victim should never by compromised.

Q4) Are the supporting principles expressed clearly and accurately?

Yes

Please provide any reasons for your response.

Q5) Are there any other supporting principles which should be included at paragraph 2?

supporting principal 2(i)

Only objective evidence should be considered. For example At the moment, a plea of remorse appears to reduce a sentence but the perception (& personal experience) is that victim statements have little impact of the sentence.

Loss of quality of life of the convicted person arising from the sentence should be considered in proportion to the loss of quality of life of the victim and their family or business eg loss of driving licence for life is appropriate for causing death or life long disability.

Q6) Do you agree or disagree with the approach to the purposes of sentencing as set out at paragraph 4 of the draft guideline?

Agree

Please provide any reasons for your response.

Agree subject to the protection of the public and victim not being compromised.

Q7) Are the purposes as listed at paragraph 5(a)-(d) appropriate?

No

Please provide any reasons for your response.

Only (a) Punishment & (b) reduction of crime should be core purposes. Regrettably, there are some aspects of illegal behaviour which are socially acceptable or perceived to be trivial e.g. tax evasion, insurance fraud and many road traffic offences. However they are destructive to society. Consider how public opinion has changed on drink driving and inequality over the last decade. Sentencing policy needs to provide a clear message that all crime is destructive and will be appropriately punished.

Q8) Are the purposes expressed clearly and accurately?

Yes

Please provide any reasons for your response.

Q9) Are there any other purposes which should be included?

Protect the public and victim from recurrence of the same or similar offences.

Q10) Do you agree or disagree with the approach set out at paragraph 6 of the draft guideline in relation to the efficient use of public resources?

Agree

Please provide any reasons for your response.

Banning orders and loss of licences cost the state nothing but can be more effective in protection the public. They also give the convicted person the opportunity to continue to contribute to society. In contrast, incarceration costs ~£33,000pa, has not been proven to help reform and prevents the criminal from working.

Q11) Is it appropriate to consider efficient use of public resources during the sentencing process?

Yes

Please provide any reasons for your response.

Q12) Do you agree or disagree that the guideline would lead to an increase in public understanding of how sentencing decisions are made?

Agree

Please provide any reasons for your response.

Q13) Do you agree or disagree that the guideline would lead to an increase in public confidence in sentencing?

Agree

Please provide any reasons for your response.

Q14) What costs (financial or otherwise) do you see arising from the introduction of this guideline, if any?

Potential appeals on previous decisions.

Q15) What benefits do you see arising from the introduction of this guideline, if any?

Transparency

Q16) Would you like to make any other comments in relation to any matter arising from this consultation?

Overarching principals should be

1. To protect the public
2. To deter further offending by giving a clear message to the public that crime is not socially acceptable and destroys lives
3. To punish the criminal