



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITIONS COMMITTEE

By Email:

Lord Justice Clerk

Chair

Scottish Sentencing Council

sentencingcouncil@scotcourts.gov.uk

All correspondence c/o:

Public Petitions Clerks
Room T3.40

The Scottish Parliament
Edinburgh
EH99 1SP

Tel: 0131 348 5178

petitions@scottish.parliament.uk

23rd September 2015

Dear Lord Justice Clerk,

CONSIDERATION OF PETITION [PE1572](#)

Calling on the Scottish Parliament to urge the Scottish Government to change the law of evidence so that in cases where a person is tried for a crime that has no connection to his/her occupation, his/her occupation should be dealt with by the courts as an irrelevant and non-aggravating factor.

The Committee considered the above petition on 22nd September 2015. At that meeting, the Committee agreed to write to the Scottish Sentencing Council seeking its view on the issues raised by the petition.

The petition can be viewed [online](#). The [Official Report](#) of the meeting will be published by 6pm on Wednesday, 30th September 2015. In the meantime, a video recording is already available to view on the Scottish [Parliament's TV service](#).

Submissions can be submitted electronically to the mailbox listed above. The Committee publishes submissions in accordance with the Scottish Parliament's [policy on the treatment of written evidence](#).

I would be grateful to receive your response by **20th October 2015**. The Committee asks that this deadline is met to allow sufficient time for the petitioner to comment on your written response and for consideration of the petition to continue as timetabled. Should you be unable to meet the deadline, please contact me as soon as possible.

On behalf of the Committee, thank you for your assistance.

Yours sincerely

Ms Sigrid Robinson
Assistant Clerk
Public Petitions Committee



The Right Honourable Lord Carloway
The Lord Justice Clerk

Parliament House
Edinburgh, EH1 1RQ

5 October 2015

By email: petitions@scottish.parliament.uk

Ms Sigrid Robinson,
Assistant Clerk,
Public Petitions Committee,
Public Petitions Clerks,
Room T3.40,
The Scottish Parliament,
Edinburgh. EH99 1SP

PETITION PE1572 - OCCUPATIONAL DISCLOSURE IN TRIALS AND SENTENCING

The Scottish Sentencing Council will be formally established on 19 October this year, once the Criminal Justice and Licensing (Scotland) Act 2010 (Commencement No. 13) and the Courts Reform (Scotland) Act 2014 (Commencement No. 4) Order 2015 enters into force.

I regret to advise that the Scottish Sentencing Council will therefore not be able to provide a response to your request before the deadline of 20 October 2015.

Good progress has been made towards the Council's creation in October. Recruitment of members is currently underway and I expect to be able to announce membership in the coming weeks. It is intended to hold a launch event during November to mark the Council's establishment, and a first meeting is scheduled for December. A Secretary, two policy officers and a communications officer have been appointed, with further Secretariat staff currently being recruited, to support the Council in carrying out its statutory functions.

A website has been launched so that interested parties and members of the public can keep up to date with plans and progress for the Council's creation, and can be accessed at www.scottishsentencingcouncil.org.uk.

The Council's first key tasks will include consideration of how it should carry out its statutory functions and the priorities for its programme of work. As well as deciding what topics to prepare sentencing guidelines on, it will need to consider the most appropriate format for guidelines and the methodology for developing their content. These will be critical pieces of work, which will be fundamental to the successful delivery of the Council's statutory objectives.

I will however ensure that the Council is made aware of this petition and correspondence when it meets in December and will write to you again once the Council is able to consider these matters.