

Scottish Sentencing Council



3RD EDITION

Spotlight on Sentencing Circular

Welcome by the Council's Communications Committee



Welcome to the third edition of the **Spotlight on Sentencing Circular** (SSC). Before we update you on our work since our last edition, we note the news that the Chair of the Scottish Sentencing Council, Lady Dorrian, the Lord Justice Clerk, has announced her intention to retire next year. You can [read more on the announcement here](#). We would like to express our gratitude to Lady Dorrian for her leadership of the Council since she became its chair in April 2016.



We also welcome to the Council DCC Bex Smith who joins as our new constable member.

Our work over the last few months at the Council has culminated in the launch of our **public consultation** on draft sentencing guidelines for rape offences. A broad spectrum of research and engagement work has gone into developing the draft guidelines, and we now look forward to hearing from a wide range of people and organisations to ensure they are fit for purpose.

Our newly launched podcast, **Scottish Sentencing Conversations**, focusses on community sentencing and offers insights into different aspects of sentencing in Scotland and the work of the Council.

To further increase awareness and understanding of our death by driving sentencing guideline, which came into effect in January, we've added to our interactive 'you be the judge' case studies. This gives people the chance to play the role of a judge in a death by dangerous driving scenario.

Work has been ongoing to progress our other guidelines in development, including domestic abuse, indecent images of children, and sentence discounting where there is a guilty plea. Work has also resumed in respect of the development of guidelines on environmental and wildlife crime, following a pause to allow a focus on sexual offences guidelines.

We hope you find our newsletter interesting and informative and, as ever, are keen to hear any feedback you may have, including suggestions for features. Please get in touch with your comments and follow our social media accounts for the latest news.



For more information on the Council, visit our website www.scottishsentencingcouncil.org.uk.

Latest News

Public consultation on draft sentencing guidelines for rape offences

The Council is seeking views on draft sentencing guidelines for rape offences.

A public consultation on the draft guidelines is underway and people from all backgrounds, legal or otherwise, are being urged to offer their views to help ensure that the guidelines are fit for purpose.

The consultation will run for 12 weeks, and is available on the Council website.

The draft guidelines provide a matrix which sets out sentencing ranges of imprisonment relating to the seriousness of the offence. They also include discussion of sentences designed to protect the public into the future. These are extended sentences where supervision continues in the community following release from prison, and orders for lifelong restriction, a form of life sentence, which involves risk management for the rest of the offender's life. These guidelines should be read alongside the Council's guidelines 'Principles and purposes of sentencing', 'The sentencing process' and, where applicable, 'Sentencing young people'.

The deadline for responding to the consultation is Friday, 18 October.

[Respond to the consultation](#)

New podcast launched



The Council has launched a new podcast on sentencing in Scotland, with the first episode focussing on community sentencing.

The Scottish Sentencing Conversations podcast aims to offer insights into different aspects of sentencing in Scotland and the work of the Council.

The first episode includes interviews with an offender who has been sentenced to a community payback order (CPO) and the Council's former victims' expert, Sue Moody, who describes how community disposals are often viewed by those impacted by crime.

Leading academic Fergus McNeill, professor of criminology and social work at the University of Glasgow, also offers some detail on what is involved in a CPO, while Sheriff Krista Johnston talks about how sentencing decisions are reached.

The podcast is available on our website or wherever you get your podcasts

New 'you be the judge' interactive scenario on death by driving



The Council has developed a new interactive scenario on death by dangerous driving – offering people the chance to play the role of a judge.

The 'If you were the judge' activity follows the case of Tom, a motorist who has been convicted of causing death by dangerous driving.

Participants can select different scenarios and answer questions to reach a sentencing decision before finding out if it matches the sentence likely to be imposed in court.

The new scenario is the latest addition to the 'If you were the judge' activities, which also include cases of robbery and speeding.

[Try the new death by driving interactive case study](#)

Research and Engagement

Scottish Sentencing Research Symposium videos



The Council, in collaboration with the Sentencing Academy and the University of Glasgow, hosted the inaugural Scottish Sentencing Research Symposium in November.

The event saw academics and experts from across the UK lead sessions on sentencing and young people; sentencing and mental health; and community sentencing and rehabilitation.

Videos from the sessions and a report on the event are now available to view on the Council website and YouTube channel.

[Watch the videos](#)

[Read the report](#)

New report examines how victims of sexual offences view sentencing

New research examining the views of victims of sexual offences has found that they often experience a lack of information, communication and understanding during and after the sentencing process.

The study, commissioned by the Council and carried out by the Scottish Centre for Crime and Justice Research (SCCJR), heard from 14 women with experience of sexual violence and gathered their views about, and attitudes towards, sentencing.

Most of the participants described having little or no information ahead of the sentencing hearing and facing difficulty in understanding the sentence imposed.

They felt there was a lack of information on the actual sentence that would be served, the judge's reasons for the decision, and how the sentence related to individual victims and offences.

The Council would like to record our thanks to the researchers who conducted this piece of work and to the participants who shared their experiences as victim-survivors.

A report on the research is available on our website.

[Read the report](#)



Education resources

The Council has a range of resources available on its website aimed at different education establishments. These include pre-recorded lectures, lesson plans, case studies and videos.

[Find out more](#)

Guideline latest

Table of progress

Guideline	Stage 1: Initial consideration of the guideline topic	Stage 2: Development of a draft guideline	Stage 3: Seeking the views of judges	Stage 4: Consulting on the guideline	Stage 5: Finalising the guideline	Stage 6: Submitting the guideline for approval	Stage 7: Raising awareness about the guideline	Stage 8 - Monitoring and review
Sentencing process	✓	✓	✓	✓	✓	✓	✓	In progress
Sentencing young people	✓	✓	✓	✓	✓	✓	✓	In progress
Death by driving	✓	✓	✓	✓	✓	✓	✓	In progress
Sexual assault	✓	In progress						
Rape	✓	✓	✓	In progress				
Indecent images of children	✓	In progress						
Domestic abuse	✓	In progress						
Environmental and wildlife crime	In progress							
Discounting	✓	In progress						



For more information, visit the page on our website.

Minutes from latest meeting

The draft minutes of the Council meetings on 22 March 2024 and 7 June 2024 are now available.

[Read the minutes from 22 March 2024](#)

[Read the minutes from 7 June 2024](#)



Upcoming meetings

04 October 2024

The 34th meeting of the Scottish Sentencing Council will take place on Friday 4 October 2024.

06 December 2024

The 35th meeting of the Scottish Sentencing Council will take place on Friday 6 December 2024.

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