

Scottish Sentencing Council

10TH EDITION - NOVEMBER 2026

Spotlight on Sentencing Circular

Scottish Sentencing Council

Welcome from the Council's Communications and Engagement Committee



Welcome to the tenth edition of the **Spotlight on Sentencing Circular (SSC)**, our final issue for 2026.

Over the past few months, we have published our **Annual Report 2025-26**, which sets out our recent progress and achievements. We have also revised our **guidelines on rape offences** to take into account amendments to legislation passed by the Scottish Parliament.

As part of our work in supporting public understanding of sentencing and the criminal justice system in Scotland, we published our **sentencing information fact file**. This educational resource provides information on key sentencing terms in easy to understand, bite-sized chunks.

In September, we again took part in annual Doors Open Day events at both the High Court in Glasgow and the Supreme Courts at Parliament House in Edinburgh. At this year's events we hosted interactive workshops where participants were taken through a realistic case and asked to consider the sentencing decision.

After last year's successful essay competition with the Modern Studies Association (MSA), the Council set a question for secondary school pupils across Scotland. The competition is now closed and we are in the process of reviewing entries, with the winner to be announced in due course. It has been great to see the level of entries from students.

Finally, we welcomed **Sheriff Principal Miller** as an advisor to the Council in August. His knowledge and experience will be important as we continue to develop a range of sentencing guidelines.

You can read more about our recent work below and, as always, stay updated on our latest news and information via our social media channels and **website.**

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Latest News



Revisions to guidelines for sentencing rape offences approved by High Court

The Council's sentencing guidelines on rape offences have been revised to take into account amendments to legislation passed by the Scottish Parliament. The revised guidelines were approved by the High Court on 20 August and took effect on 1 September 2026.

The legislative amendments relate to the court's consideration of non-harassment orders (NHOs) for these offences and are introduced by sections 107 and 108 of the **Victims, Witnesses, and Justice Reform (Scotland) Act 2025**.

The new legislation creates a presumption that an NHO be granted for these offences without an application from the prosecutor (as is currently the case). This will broadly follow the same procedure for NHOs in domestic abuse offences.

The amendments also mean that where the offence is against a partner or ex-partner, the court will take into account any previous bail conditions restricting contact with the victim or victims when considering an NHO.

As legislation requires, Scottish Ministers and the Lord Advocate were consulted in advance on the revised guidelines ahead of their submission to the High Court.

For more information on these changes or to view the updated sentencing guidelines, please visit the Council's **website**.

Read more about the revised guidelines

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Sheriff Principal appointed as Council's new advisor

Sheriff Principal Andrew Miller was appointed to the Council as an advisor in August. He is currently Sheriff Principal of Grampian, Highland and Islands after being appointed in March 2026.

Council Chair Lord Beckett welcomed the new appointment, saying: “I am pleased to welcome Sheriff Principal Miller to the Council and look forward to working with him. He brings with him a wealth of knowledge and experience of both the Sheriff Court and High Court, which will be very welcome as we continue to develop our sentencing guidelines.”

Sheriff Principal Miller joined the Council on 24 August 2026.

Find out more about our Council membership

Council member Sheriff Pattison provides evidence at Criminal Justice Committee



On 30 September, Sheriff Pattison attended the Criminal Justice Committee at the Scottish Parliament on behalf of the Council.

The session examined the strategic balance between custodial and community sentences, recent trends and delivery requirements. Sheriff Pattison took part in a panel providing evidence from his experience as a sheriff and on behalf of the Council.

Find out more about the Criminal Justice Committee meeting

Council holds its essay competition for second year



Last year's winner Lia Dymkovska met with Lord Beckett, Lord Justice Clerk

Following the success of last year's school essay competition, the Council and the Modern Studies Association (MSA) have again teamed up to host a further competition for secondary school pupils.

Open to pupils in secondary years 4 to 6, the competition asked entrants to write an essay answering the following question:

'Justice must not only be done, but must be seen to be done.' To what extent does the Scottish legal system ensure open and transparent sentencing?

The winner and runners up will be announced soon, with the overall winner receiving £100 and the opportunity to spend the day in Parliament House, including meeting with one of Scotland's most senior judges.

The competition is now closed, with entries currently being reviewed.

Sentencing fact file released to help promote understanding

What does an extended sentence mean? What is the difference between an aggravating and mitigating factor?

The Council has created a new sentencing fact file which breaks down key sentencing terms used in Scottish courts into clear and bite-sized information. The resource aims to explain legal jargon and help with public understanding.

To access the fact file and to view more of our sentencing resources, visit our **website.**





Open justice: Council joins Doors Open Days events in Glasgow and Edinburgh

The Council invited the public to put themselves in the shoes of a judge at Doors Open Days in Glasgow and Edinburgh in September.

As part of the national event, the Council hosted interactive workshops where participants were taken through a realistic case and asked to consider the sentencing decision. Developed in partnership with Scots Law Talks, the workshops enabled participants to experience the decision-making process followed by judges, guiding them towards informed judicial reasoning. The audience received information in stages, allowing them to reflect on how each new piece of information influenced their understanding.

The workshops were developed as part of the Council's aims to improve public understanding of how sentencing decisions are reached in Scotland.

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Publications and research



Council releases its 2025-26 annual report

The Council released its **11th annual report** for the period 2025-26. During this time it made significant progress in the development of sentencing guidelines, including the approval of two guidelines on rape offences.

The report also highlighted a wide range of other key achievements and activities during 2025-26, including:

- a **conference to commemorate the Council's tenth anniversary** attended by over 100 justice professionals from across Scotland
- contributions to our **spotlight on sentencing blogs** from Council and staff members as well as multiple guest authors
- in-house data gathering and analysis to inform the development and review of guidelines including reviews of the **Sentencing Young People guideline** after three years in effect, and the **Death by Driving guideline** after one year in effect
- the development and publication of a new easy read guide, '**Sentencing of Crimes in Scotland'**, which aims to provide simple and accessible explanations on how a court decides a sentence and the different sentencing options which are available
- general awareness raising activities and public engagement with presentations at a range of educational institutions and Doors Open Days in Edinburgh and Glasgow
- a wide range of work to **develop sentencing guidelines** on domestic abuse, indecent images, environmental and wildlife offences, sexual assault offences and sentencing after a guilty plea
- the publication of **free interactive lesson plans** for secondary school students on community and prison sentencing, designed on behalf of the Council by a modern studies teacher

Read the full report

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Spotlight on sentencing blogs

Public attitudes and perceptions of sentencing environmental and wildlife offences

Last year, the Council released its research report focussing on public attitudes to sentences for environmental and wildlife offences. The research found that there were concerns on whether current sentences were sufficient enough to achieve intended aims and found a lack of transparency in sentencing these offences.

In this blog, Dr Jay Gormley, Lecturer at the University of Glasgow, School of Law; and Cyrus Tata, Professor of Law and Criminal Justice at the Law School, University of Strathclyde discuss the key findings highlighted in the report and next steps.

Read the blog

Community Payback Orders (CPO) explained



The community payback order (CPO) was introduced to replace forms of non-custodial sentencing. There are many types of requirements that can be given as part of a CPO, and a judge will decide these, depending on the offences committed and the individual offender.

To break this down, Julia Duffy, Postgraduate Research Intern with the Council, explains what a CPO is and the requirements that can be imposed on offenders.

Read the blog

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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
Rape	✓	✓	✓	✓	✓	✓	✓	✓
Domestic abuse	✓	✓	✓	✓				
Sexual assault	✓	✓						
Indecent images of children	✓	✓						
Sentencing after a guilty plea	✓	✓						
Environmental and wildlife crime	✓	✓						
Statutory offences of causing death by driving	✓	✓	✓	✓	✓	✓	✓	✓
Sentencing young people	✓	✓	✓	✓	✓	✓	✓	✓
The sentencing process	✓	✓	✓	✓	✓	✓	✓	✓
Principles and purposes of sentencing	✓	✓	✓	✓	✓	✓	✓	✓

Read more about our guidelines on our website

Minutes from the latest meeting

The minutes of the Council meeting on 2 October 2026 are now available and published on our website.

Read the minutes from the latest Council meeting

Upcoming meetings

4 December 2026

The next meeting of the Scottish Sentencing Council will take place on Friday 4 December 2026.

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