

Scottish  
Sentencing  
Council

---



2ND EDITION

Spotlight on Sentencing Circular

---

# Welcome by Council member Summary Sheriff Amel Elfallah

Scottish  
Sentencing  
Council



Welcome to the second edition of the **Spotlight on Sentencing Circular (SSC)**. The last few months have been a busy period for the Scottish Sentencing Council as our death by driving guideline – the first of its kind for Scotland – was approved by the High Court and brought into effect on 16 January. We also hosted

the inaugural Scottish Sentencing Research Symposium in November, bringing together academics and experts from across the UK, and launched a new Instagram page to help promote public awareness and understanding of sentencing.

In addition to this, we recently launched a new video on community sentencing which is the first in a series of videos about sentencing in Scotland and provides an overview of community payback orders from the point of view of a victims' expert, offender, and various stakeholders.

Work has also been ongoing to progress our guidelines currently in development, with wide-ranging research and engagement taking place on offences including rape, domestic abuse, indecent images of children, and environmental and wildlife crime, as well as sentence discounting.

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.



For more information on the Council, visit our website [www.scottishsentencingcouncil.org.uk](http://www.scottishsentencingcouncil.org.uk).

## Latest News



### Death by driving guideline

The death by driving guideline came into effect on 16 January 2024 following approval by the High Court of Justiciary.

It covers offences of:

- Causing death by dangerous driving
- Causing death by careless driving while intoxicated
- Causing death by careless, or inconsiderate, driving
- Causing death by driving while unlicensed, uninsured or disqualified

It is the country's first ever offence guideline and the first time that the Council has set out guidance to help courts select a specific type and level of sentence. It also aims to increase public understanding of how these highly complex and sensitive cases are dealt with by the courts. We recently hosted a webinar on the guideline for legal practitioners, with Lord Matthews, Sheriff Louise Arrol KC and Sheriff David Harvie speaking at the event. A recording of the webinar is now available.

[Read more about the guideline](#)

[View the recorded webinar](#)



## New video on community sentencing

A new video by the Scottish Sentencing Council offers an insight into community sentencing in Scotland, with various contributors sharing their views and experiences.

The short film includes interviews with an offender who has been sentenced to a community payback order (CPO) and a victims' expert who describes how community disposals are viewed by those who have been impacted by crime.

The video, the first in a series on sentencing in Scotland, also includes interviews with a sheriff, an academic and a journalist. A video on prison sentencing will be released later this year.

[Watch the video](#)

---

## Instagram launch

We recently launched a new Instagram page to help to provide public information about sentencing in Scotland. This aligns with the Council's statutory function of promoting greater awareness and understanding of sentencing. Please follow our page for regular updates on the work of the Council and sentencing in Scotland.

[Visit our Instagram page](#)



## New Council member appointed

Victoria Young has been appointed as the new advocate member of the Scottish Sentencing Council.

Victoria practises mainly in criminal law and has acted in the High Court for both prosecution and defence since being admitted to the Faculty of Advocates in 1995.

Victoria was appointed to the Council by the Lord Justice General, Lord Carloway. She has been appointed for a five year term and will serve on the Council until November 2028.

[Read more about Victoria Young](#)



## Annual report 2022-23

The Council's [annual report](#) was published in October and highlights the work done over the last year to progress sentencing guidelines currently in development.

The report notes that stakeholder engagement took place in relation to draft guidelines on rape and offences involving indecent images of children, paving the way for wider consultation in 2023-24, and that significant progress was made in determining the scope and nature of guidelines on sexual assault and domestic abuse. Development also got underway on a further general guideline on sentence discounting when a person pleads guilty, which is a step that courts are required by law to consider.

[Read more on our website](#)

# Research and Engagement



## Scottish Sentencing Research Symposium

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 will be made available on the Council website in due course.

## Latest blogs



### 10 facts about the sentencing young people guideline

Our blog on the sentencing young people guideline sets out key facts about the guideline, which came into effect on 26 January 2022.

The guideline applies in cases where the person being sentenced is 24 or under and reflects the need for a more individualistic approach when sentencing young people, giving consideration to their level of maturity.

[Read the blog](#)



### Community Justice Scotland: New training course for people involved in the delivery of unpaid work

In this blog, Community Justice Scotland's Learning, Development and Innovation Lead James Murphy explains the importance of training front line workers to support people completing community payback orders.

[Read the blog](#)



# 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's meeting held at the Police Scotland College in Tulliallan on 8 December 2023 are now available.

[Read the minutes](#)



## Upcoming meetings

### 22 March 2024

The 32nd meeting of the Scottish Sentencing Council will take place on Friday 22 March 2024.

### 07 June 2024

The 33rd meeting of the Scottish Sentencing Council will take place on Friday 7 June 2024.

### 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.

Scottish  
Sentencing  
Council

---



**FOLLOW US ON SOCIAL:**

---

