

MEETING OF THE SCOTTISH SENTENCING COUNCIL
05 DECEMBER 2025
SOUTH LANARKSHIRE COUNCIL HEADQUARTERS, HAMILTON
DRAFT MINUTES

- Members present:** Lord Beckett, the Lord Justice Clerk (Chair)
Sheriff Iain Fleming (judicial member)
Sheriff Scott Pattison (judicial member)
Summary Sheriff Joanna McDonald (judicial member)
Lindsey Miller (prosecutor member)
Victoria Young (advocate member)
Lynn Burns (victims expert member)
Dr Jay Gormley (lay member)
- Attendees:** Sheriff Principal Aisha Anwar (advisor to the Council)
Sheriff Amel Elfallah (advisor to the Council)
- Secretariat:** Ondine Tennant (director)
David Dickson (principal legal officer)
Valerie MacGregor (principal policy officer - engagement)
David Ross (principal policy officer - corporate)
Dr Nicole Vidal (principal research officer)
Hannah Downey (senior research officer)
Jane Rice (senior policy officer)
Vicky Weldon (head of communications and engagement)
Caroline Bellinger (communications manager)
Richard Smith (business manager)
Clarke Spence (assistant business manager)
- Apologies:** Summary Sheriff Alison Michie (judicial member)
Joanne McMillan (solicitor member)
Deputy Chief Constable Bex Smith (constable member)

1. PROCEEDINGS

Item 1.1: Introduction and welcome

1. The Chair opened the meeting and welcomed Sheriff Principal Aisha Anwar, who was attending her first meeting since her appointment as a Council advisor in September for a two-year term.
2. The Chair also noted that this was Sheriff Amel Elfallah's last meeting as an advisor as her term ends on 31 December 2025.

Note of thanks:

On behalf of the Council, the Chair thanked Sheriff Elfallah for her contribution to the Council's work both as a shrieval member and Chair of the then Communications Committee, and latterly as an advisor to the Council. He thanked her for her significant contribution to the Council's public output in particular and thanked her for her continued willingness to act as an advisor to the Communications and Engagement and the Domestic Abuse Committees.

3. Apologies had been received from Summary Sheriff Alison Michie, DCC Bex Smith and Joanne McMillan.

Item 1.2: Previous meeting minutes [Paper 1.2]

4. The Council approved the draft minutes of the previous meeting of 03 October 2025 provided at **paper 1.2**.

Item 1.3: Progress of actions since last meeting [Paper 1.3]

5. The Council noted the update of the progress of actions provided at **paper 1.3**.

Item 1.4: Private papers [Oral update]

6. The Council agreed not to publish the following papers: 1.3, 1.5, 2.1, 2.2, 3.1, 3.1A, 3.1B, 3.1C, 3.1D, 3.2, 3.2A, 3.3, 3.3A, 3.3B, 3.4, 3.4A, 3.5, 3.5A, 4.3, 5.1, 5.1A, 5.2, 5.2A, 5.3, 5.4, 6.1, 7.1, 7.2, 7.2A, 7.2B, 7.2C, 7.3B, 7.3C, and 7.4.

Item 1.5: Update on Council and committee membership [Paper 1.5]

7. The Council noted the update on Council and committee membership provided at **paper 1.5** and the appointment of Sheriff Principal Anwar as an advisor to the Sentencing After a Guilty Plea Committee.
8. The Chair updated the Council on some changes to chairing duties which had taken place in recent months, noting that Sheriff Pattison was now Chair of the Communications Committee, Summary Sheriff McDonald Chair of the Domestic Abuse Committee and Sheriff Fleming Chair of the Sentencing After a Guilty Plea Committee. He thanked Joanne McMillan and Lindsey Miller for acting as interim Chair of the Communications and Engagement and the Domestic Abuse Committees respectively, following the previous Chairs' departures from the Council.
9. The Chair further noted that the Sexual Offences Committee was currently without a chair, following the end of Lord Matthew's tenure on the Council.

2. BUSINESS PLANNING

Item 2.1: 2026/27 Budget update [Paper 2.1]

10. Ondine Tennant provided an update on the Council's budget bid for 2026/27 with reference to **paper 2.1**. This has now been submitted to the Scottish Government. The bid also includes an indication of needs for the years 2027/28 and 2028/29. She noted that the delivery of the Council's business plan depends on sufficient funding being secured.

Item 2.2: Report on 10-year conference [paper 2.2]

11. The Chair provided an overview of the discussions at the Council's 10-year anniversary conference that took place in November with reference to **paper 2.2**. He noted that the feedback received to date had been positive and that the day had generated considerable support for much of the Council's ongoing work as well as suggestions for new areas of focus. Members who were in attendance offered their own observations from the day's events.
12. The Council noted the invitation from the Lord President's contribute to the open justice agenda, the secretariat's intention to prepare recommendations on how to incorporate the day's discussions into its current and future work programme and prepare a public-facing report on the conference outputs.

ACTION POINTS

- AP1:** *Secretariat to prepare recommendations on how to incorporate the discussions at the 10-year anniversary conference into the Council's current and future work programme.*
- AP2:** *Secretariat to prepare a report about the 10-year anniversary conference for publication on the Council's website.*

3. SENTENCING GUIDELINES

Item 3.1: Draft domestic abuse guideline and public consultation [Papers 3.1 and 3.1A-D]

13. Summary Sheriff McDonald provided an update on the development of the draft domestic abuse guideline and plans for a public consultation on the draft guideline, with reference to **papers 3.1** and **3.1A-D**.
14. The Council considered the papers and approved the proposed amendments to the draft guideline. It also agreed updates and additional references to be added to the consultation document.
15. It was considered that efforts should be made to finalise the draft guideline and accompanying consultation documents as soon as practicable in the new year and it was noted that the Council's workshop in February 2026 would offer an opportunity to discuss the terms of these documents further if they could not be agreed in advance of then.

ACTION POINTS

- AP3:** *Secretariat to amend the draft domestic abuse sentencing guideline and consultation document as approved and submit to the Domestic Abuse Committee for consideration at its January meeting.*

Item 3.2: Rape guidelines brief - discussion [Papers 3.2 and 3.2A]

16. Lindsey Miller introduced **papers 3.2** and **3.2A**, which concerned proposed additions to materials to support publication of the rape guidelines and ongoing awareness-raising activities. The Council considered the papers and approved the additions.

Item 3.3: Sexual assault guideline PID and project plan [Papers 3.3 and 3.3A-B]

17. Lindsey Miller introduced a revised project initiation document (**paper 3.3A**) and an updated project plan (**paper 3.3B**) for the development of sexual assault guidelines.
18. The Council approved the revised project initiation document and noted the project plan.

Item 3.4: Draft sentencing after a guilty plea guideline [Papers 3.4 and 3.4A]

19. Sheriff Fleming presented **papers 3.4** and **3.4A**, which were, respectively, the Sentencing After a Guilty Plea Committee's rationale behind the drafting of a guideline on sentencing after a guilty plea, and the draft guideline itself.
20. The Council discussed the issues raised in **paper 3.4** and **3.4A** and agreed that the Committee should continue to develop the draft guideline, with a view to judicial engagement.

Item 3.5: Guideline on environmental offences [Papers 3.5 and 3.5A]

21. Sheriff Fleming presented **papers 3.5** and **3.5A**, on the development of a draft guideline on environmental offences. He explained that the Environmental and Wildlife Crime Committee had recently considered a revised draft of the guideline and wished to seek the Council's view on several issues relating to its scope and future development.
22. The Council indicated that it was content with the Committee's proposals to explore the issues through judicial and stakeholder engagement alongside further research and data gathering.

Item 3.6: Guideline committees update [Oral update]

23. Lindsey Miller provided an update on the work of the Sexual Offences Committee. She noted that:
 - The Committee's last meeting was on 18 November 2025, when it considered the draft guideline on offences involving indecent images of children.
 - The Committee hoped to meet again in late January or early February 2026 to continue consideration of the draft guideline.
24. Summary Sheriff McDonald provided an update on the Domestic Abuse Committee. In addition to the matters discussed under item 3.1, she noted that:
 - The Committee last met on 19 November 2025.

- The next meeting of the Committee will be at the end of January 2026.

25. Sheriff Fleming provided an update on the work of the Environmental and Wildlife Crime Committee. He noted that:

- The Committee last met on 20 November 2025. As well as matters already discussed under item 3.5, the Committee considered the final report 'Public attitudes to sentences for environmental and wildlife offences', which was published on the Council's website on 02 December.
- The Committee hoped to meet again in early February 2026 to continue consideration of the draft environmental offences guideline.

4. RESEARCH

Item 4.1: Research Committee update [Oral update]

26. Jay Gormley provided an update on the work of the Research Committee. In particular, he noted that:

- The Committee last met on 28 August 2025, with the next meeting scheduled to take place on 15 December 2026.
- At the next meeting, the Committee will discuss proposals for carrying out qualitative research as part of the three-year review of the sentencing young people guideline and consider the findings of the second national survey.

Item 4.2: Research projects update [Oral update]

Item 4.3: Research projects and priorities [Paper 4.3]

27. Items 4.2 and 4.3 were taken together, with Nicole Vidal noting that an update on current and future research projects was covered by papers under item 4.3. Nicole gave an overview of **paper 4.3**, which updated the Council on research projects and priorities for the remainder of 2025/26 and provided a forecast of research priorities and proposed projects during 2026/27.

28. The Council noted the update and the upcoming research priorities.

5. COMMUNICATIONS AND ENGAGEMENT

Item 5.1: Easy read information pack [Papers 5.1 and 5.1A]

29. Sheriff Pattison invited the Council to consider and approve an easy read version of the sentencing information pack. He noted that this had been approved in principle by the Communications and Engagement Committee and in consultation with the SOLD Network, an organisation which supports offenders with communication support needs.
30. The Council approved the Easy Read Information Pack and agreed that it should be published on the website.

ACTION POINT

AP4: Secretariat to publish the Easy Read sentencing information pack as soon as is practicable.

Item 5.2: Communications activity update [paper 5.2 and 5.2A]

31. Sheriff Pattison provided an update on communications activity since the last Council meeting, referencing **paper 5.2**. He noted in particular that:

- The Communications and Engagement Committee last met on 28 October 2025.
- Two blogs had been published on the Council's website, the first by the Venture Trust on supporting rehabilitation through the power of the outdoors, and the second by Council member Dr Jay Gormley and Professor Cyrus Tata discussing recent research findings on public attitudes towards sentencing following a guilty plea.
- A communications plan for the public consultation on the domestic abuse guideline had been prepared and was provided for consideration and approval at **paper 5.2A**.

32. The Council noted the update and approved the communications plan for the public consultation on the domestic abuse guideline.

Items 5.3: Social media and digital report [Paper 5.3]

33. The Council noted **paper 5.2**, which provided a report on media, social media and other communications coverage relating to the Council.
34. The Chair also noted the feedback and coverage received on the rape sentencing guidelines which were approved by the High Court on 03 December 2025.
35. The Council noted the update.

Items 5.4: Recent and upcoming engagement activity [Papers 5.4 and 5.4A]

36. The Council noted **papers 5.4** and **5.4A**, which provided updates on recent and upcoming engagement activity.

6. POLICY DEVELOPMENT

Item 6.1: Policy update [Paper 6.1]

37. The Council noted **paper 6.1** which outlined a number of recent policy developments relevant to the Council's work.

7. GOVERNANCE AND REPORTS

Item 7.1: Reviewing of standing orders [Paper 7.1]

38. David Dickson introduced **paper 7.1**, which concerned the annual review of the Council's standing orders. He noted a proposed amendment in respect of the procedure governing the consideration of items by correspondence.
39. The Council agreed the amendment to its standing orders.

ACTION POINT

AP5: Secretariat to publish the revised standing orders as soon as is practicable.

Item 7.2: Review of records management plan and other governance documents [paper 7.2 and 7.2A-C]

40. David Ross introduced **paper 7.2**, which updated the Council on the annual review of its records management plan and other governance documents.
41. The Council:
- approved the proposed changes to the records management plan and information asset register;
 - approved a change to the process for approving expenses for guest speakers and attendees at Council events;
 - noted that the expenses scheme for members is under review by the relevant persons;

- noted the minor amendments to the privacy notice and guide to information and publication scheme; and
- noted that no changes to the complaints handling procedure were considered necessary.

Item 7.3: Standing papers: correspondence, FOISA, and complaints; finance overview; guideline timetable [Papers 7.1A-C]

42. The Council noted the content of **papers 7.1A-C**.

Item 7.4: Decisions by correspondence [Oral Update]

43. The Council noted that three decisions had been made by correspondence since the last Council meeting. These were to:
- approve amendments to the rape guidelines and the report on the consultation of the guidelines;
 - approve the final impact assessments on the guidelines covering rape and rape of a young child; and
 - approve a response to the Scottish Government's consultation on parole reform.

8. AOB

44. Sheriff Pattison noted that, following on from the recent successful essay competition for secondary school pupils which the Council had run in partnership with the Modern Studies Association, it was proposed to run the competition annually. The Modern Studies Association would similarly need to endorse the proposal if it is to be held jointly and its decision is anticipated in the new year.
45. The Council agreed that, should the Modern Studies Association be in agreement, the essay competition should be an annual event.

ACTION POINT

AP6: *Subject to the decision of the MSA, secretariat to take forward arrangements to make the essay competition an annual event.*

9. FUTURE MEETING DATES

46. The Council noted dates scheduled for 2026:

- Workshop: Friday 06 February 2026
- Council meeting: Friday 27 March 2026
- Council meeting: Friday 12 June 2026
- Workshop: Friday 28 August 2026
- Council meeting: Friday 02 October 2026
- Council meeting: Friday 04 December 2026

Scottish Sentencing Council Secretariat

December 2025

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