

Scottish Sentencing Council

If you were the judge

CASE STUDY: SPEEDING



Gillian is 20 years old and has been charged with a speeding offence. Follow her case at Oban Justice of the Peace Court and use the interactive buttons to make choices about what happens next. Then decide what sentence you would give her - if you were the Justice of the Peace.

Gillian is charged by the police with driving a Vauxhall Corsa at 87 mph on a 60 mph road, and must now appear in court. In Scotland, the prosecutor, called a procurator fiscal, decides in which court a case is heard. This could be the High Court (for the most serious cases), the sheriff court, or the justice of the peace court (for the least serious cases). For further details, see our [What the Law Says](#) page or watch our video.

Gillian's case is heard at the justice of the peace court. The offence took place in Argyll and the case is heard in Oban.

A date is set for her case which will be held in open court where the public can attend. You can read more how about how court hearings work on the [Scottish Courts and Tribunals website](#).

When Gillian appears at the Court on the date given, she can accept the charges against her and plead 'guilty', or she can deny the charges and plead 'not guilty'.

If you think Gillian should plead guilty, turn to page 2. If you think she should plead not guilty, turn to page 3.

Because Gillian pled guilty to the offence, there is no trial. In court, the prosecutor summarises the evidence gathered by the police.

The prosecutor says that Gillian was stopped by police officers who were using a roadside speed camera. She was recorded travelling at 87 mph in a 60 mph limit. A child was in the back seat at the time. The road conditions were dry.

The Prosecutor tells the Justice of the Peace that Gillian has committed a road traffic offence before. Nine months ago, she was caught speeding and driving without insurance. She was fined and received 6 penalty points on her licence. This is called a previous conviction.

Gillian now has the chance to tell the Justice of the Peace about her personal circumstances and any other factors that she wants to be considered when the sentence is decided.

To choose if Gillian was speeding to get her father to hospital, turn to page 4. To choose if Gillian was speeding to get to the shop before it closed, turn to page 5.

Gillian decides to defend the case herself without a lawyer. A trial is held in court before a Justice of the Peace who sits without a jury. The prosecutor presents the case against Gillian.

At the trial, police witnesses say that they stopped Gillian when she was caught travelling at 87 mph in a 60 mph limit by a roadside speed camera. A child was in the back seat at the time. The road conditions were dry.

Gillian also chooses to give evidence. What does she tell the Court?

To choose if Gillian was speeding to get her father to the hospital, turn to page 6. To choose if Gillian was speeding to get to the shop before it closed, turn to page 7.

Gillian is defended by a lawyer, called a solicitor. The solicitor tells the Justice of the Peace that Gillian visited her father with her 2-year-old daughter on a Monday afternoon to drive him to a routine hospital appointment. The daughter did not want to go and had a tantrum. This delayed them and Gillian worried they would be late for the appointment. During the journey her daughter continued to complain and fuss, which was distracting. The speedometer in the car was also broken and Gillian did not realise how fast she was driving.

Does Gillian have a job? If yes, turn to page 8. If she's unemployed, turn to page 9.

In Court, Gillian is defended by a lawyer, called a solicitor. The solicitor tells the Justice of the Peace that Gillian visited her father with her 2-year-old daughter on a Monday evening. Gillian decided to drive her father to a grocery shop. The daughter did not want to go and had a tantrum. This delayed them and Gillian worried the shop would close. During the journey her daughter continued to complain and fuss, which was distracting. The speedometer in the car was also broken and Gillian did not realise how fast she was driving.

Does Gillian have a job? If yes, turn to page 10. If she's unemployed, turn to page 11.

Gillian testifies that she visited her father with her 2-year-old daughter on a Monday afternoon to drive him to a routine hospital appointment. The daughter did not want to go and had a tantrum. This delayed them and Gillian worried they would be late for the appointment. During the journey her daughter continued to complain and fuss, which was distracting. The speedometer in the car was also broken and Gillian did not realise how fast she was driving.

After the witnesses finish giving evidence, both the prosecutor and Gillian summarise their arguments. Based on the evidence, the Justice of the Peace finds Gillian guilty. The Justice of the Peace says that Gillian's reasons for speeding do not excuse the offence.

The Prosecutor says that Gillian has committed a road traffic offence before. Nine months ago, she was caught speeding and driving without insurance. She was fined and received 6 penalty points on her licence. This is called a previous conviction.

Does Gillian have a job? If yes, turn to page 12. If she's unemployed, turn to page 13.

Gillian testifies that she visited her father with her 2-year-old daughter on a Monday evening. She says she decided to drive her father to a grocery shop. The daughter did not want to go and had a tantrum. This delayed them and Gillian worried the shop would close. During the journey her daughter continued to complain and fuss, which was distracting. The speedometer in the car was also broken and Gillian did not realise how fast she was driving.

After the witnesses finish giving evidence, both the prosecutor and Gillian summarise their arguments. Based on the evidence, the Justice of the Peace finds Gillian guilty. The Justice of the Peace says that Gillian's reasons for speeding do not excuse the offence.

The Prosecutor says that Gillian has committed a road traffic offence before. Nine months ago, she was caught speeding and driving without insurance. She was fined and received 6 penalty points on her licence. This is called a previous conviction.

Does Gillian have a job? If yes, turn to page 14. If Gillian is unemployed, turn to page 15.

The solicitor also tells the Justice of the Peace that Gillian is a single parent who works part-time as a taxi driver, while her father looks after her child. If she loses her licence she will lose her only income.

The Justice of the Peace must now make a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 16.

The solicitor also tells the Justice of the Peace that Gillian is unemployed and in receipt of benefits. She has a small income that could be put towards a fine.

The Justice of the Peace now has a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 17.

The solicitor also tells the Justice of the Peace that Gillian is a single parent who works part-time as a taxi driver, while her father looks after her child. If she loses her licence she will lose her only income.

The Justice of the Peace must now make a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 18.

The solicitor also tells the Justice of the Peace that Gillian is unemployed and in receipt of benefits. She has a small income that could be put towards a fine.

The Justice of the Peace now has a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 19.

Gillian tells the Justice of the Peace that she is a single parent who works part-time as a taxi driver, while her father looks after her child. If she loses her licence she will lose her only income.

The Justice of the Peace must now make a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 20.

Gillian tells the Justice of the Peace that she is unemployed and in receipt of benefits. She has a small income that could be put towards a fine.

The Justice of the Peace now has a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 21.

Gillian tells the Justice of the Peace that she is a single parent who works part-time as a taxi driver, while her father looks after her child. If she loses her licence she will lose her only income.

The Justice of the Peace must now make a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 22.

Gillian tells the Justice of the Peace that she is unemployed and in receipt of benefits. She has a small income that could be put towards a fine.

The Justice of the Peace now has a difficult decision. Before deciding the sentence, the Justice of the Peace must weigh up all the factors.

To decide what factors might be considered in sentencing, turn to page 23.

What 4 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian pled guilty to the charge
- Gillian is a woman driver
- A toddler was in the car
- Gillian has a previous conviction
- Gillian should be better organised

Turn to page 24 to check your answers.

What 4 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian pled guilty to the charge
- Gillian is a woman driver
- A toddler was in the car
- Gillian has a previous conviction
- Gillian should be better organised

Turn to page 25 to check your answers.

What 4 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian pled guilty to the charge
- Gillian is a woman driver
- A toddler was in the car
- Gillian has a previous conviction
- Gillian should be better organised

Turn to page 26 to check your answers.

What 4 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian pled guilty to the charge
- Gillian is a woman driver
- A toddler was in the car
- Gillian has a previous conviction
- Gillian should be better organised

Turn to page 27 to check your answers.

What 3 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian is a woman driver
- Gillian should be better organised
- Gillian has a previous conviction
- A toddler was in the car

Turn to page 28 to check your answers.

What 3 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing

- The speedometer in the car wasn't working

- Gillian is young

- A toddler was in the car

- Gillian is a woman driver

- Gillian has a previous conviction

- Gillian should be better organised

Turn to page 29 to check your answers.

What 3 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian is a woman driver
- A toddler was in the car
- Gillian has a previous conviction
- Gillian should be better organised

Turn to page 30 to check your answers.

What 3 factors might be considered in sentencing Gillian?

- Gillian was distracted by her daughters fussing
- The speedometer in the car wasn't working
- Gillian is young
- Gillian is a woman driver
- A toddler was in the car
- Gillian has a previous conviction
- Gillian should be better organised

Turn to page 31 to check your answers.

What 4 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian pled guilty to the charge

The Justice of the Peace must take into account an early guilty plea. This shows that Gillian accepts she committed the offence. It also means that a trial does not need to be held. This frees up court time to deal with other cases and saves witnesses, such as police officers, from having to give evidence in court. A reduction of up to one-third can be given for a guilty plea made at an early stage of a case depending on the offence, while a smaller reduction is normally given for a guilty plea made at a later stage. It is up to the Justice of the Peace to decide by how much to reduce the sentence.



Gillian is a woman driver

This would not make any difference to the sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 32 to decide what sentence to give Gillian.

What 4 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian pled guilty to the charge

The Justice of the Peace must take into account an early guilty plea. This shows that Gillian accepts she committed the offence. It also means that a trial does not need to be held. This frees up court time to deal with other cases and saves witnesses, such as police officers, from having to give evidence in court. A reduction of up to one-third can be given for a guilty plea made at an early stage of a case depending on the offence, while a smaller reduction is normally given for a guilty plea made at a later stage. It is up to the Justice of the Peace to decide by how much to reduce the sentence.



Gillian is a woman driver

This would not make any difference to the sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 33 to decide what sentence to give Gillian.

What 4 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian pled guilty to the charge

The Justice of the Peace must take into account an early guilty plea. This shows that Gillian accepts she committed the offence. It also means that a trial does not need to be held. This frees up court time to deal with other cases and saves witnesses, such as police officers, from having to give evidence in court. A reduction of up to one-third can be given for a guilty plea made at an early stage of a case depending on the offence, while a smaller reduction is normally given for a guilty plea made at a later stage. It is up to the Justice of the Peace to decide by how much to reduce the sentence.



Gillian is a woman driver

This would not make any difference to the sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian is a Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 34 to decide what sentence to give Gillian.

What 4 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian pled guilty to the charge

The Justice of the Peace must take into account an early guilty plea. This shows that Gillian accepts she committed the offence. It also means that a trial does not need to be held. This frees up court time to deal with other cases and saves witnesses, such as police officers, from having to give evidence in court. A reduction of up to one-third can be given for a guilty plea made at an early stage of a case depending on the offence, while a smaller reduction is normally given for a guilty plea made at a later stage. It is up to the Justice of the Peace to decide by how much to reduce the sentence.



Gillian thought the shop was about to close

This is not an excuse for speeding.



Gillian is a woman driver

This would not make any difference to the sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 35 to decide what sentence to give Gillian.

What 3 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian is a woman driver

This would not make any difference to the sentence.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.



Gillian is a Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.

Turn to page 36 to decide what sentence to give Gillian.

What 3 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian is a woman driver

This would not make any difference to the sentence.



Gillian is a Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 37 to decide what sentence to give Gillian.

What 3 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian is a woman driver

This would not make any difference to the sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian is a Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 38 to decide what sentence to give Gillian.

What 3 factors might be considered in sentencing Gillian?



Gillian was distracted by her daughter's fussing

This is not an excuse for speeding.



The speedometer in the car wasn't working

This is not an excuse for speeding.



Gillian is young

Young adults are often less mature than older adults and judges can take this into account when deciding the most appropriate sentence.



Gillian thought the shop was about to close

This is not an excuse for speeding.



Gillian is a woman driver

This would not make any difference to the sentence.



A toddler was in the car

Any passengers in a speeding car are put at risk through no fault of their own. Young children are more vulnerable because they are not usually able to argue with the driver to slow down. This might make the sentence more severe.



Gillian is a Gillian has a previous conviction

Committing a similar or related offence before might make a sentence more severe.



Gillian should be better organised

In this case, this would not be a relevant sentencing factor.

Turn to page 39 to decide what sentence to give Gillian.



Which of the two sentences below would you give Gillian?

(from page 24)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young and pled guilty to the offence as soon as she could. If she loses her licence, she will lose her job.

When people commit certain driving offences they will normally be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£400 fine and 6 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 40.

£350 fine and 5 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 41.



Which of the two sentences below would you give Gillian?

(from page 25)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young and pled guilty to the offence as soon as she could.

When people commit driving offences they can be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£300 fine and 6 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 42.

£270 fine and 5 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 43.



Which of the two sentences below would you give Gillian?

(from page 26)

The Justice of the Peace must weigh up the factors in this case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young and pled guilty to the offence as soon as she could. If she loses her licence she will lose her job.

When people commit certain driving offences they will normally be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£450 fine and 6 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 44.

£350 fine and 5 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 45.



Which of the two sentences below would you give Gillian?

(from page 27)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young and pled guilty to the offence as soon as she could.

When people commit driving offences they can be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£400 fine and 6 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 46.

£270 fine and 5 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 47.



Which of the two sentences below would you give Gillian?

(from page 28)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young, and if she loses her licence she will lose her job.

When people commit certain driving offences they will normally be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£300 fine and 5 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 48.

£450 fine and 6 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 49.



Which of the two sentences below would you give Gillian?

(from page 29)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young.

When people commit driving offences they can be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£250 fine and 5 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 50.

£370 fine and 6 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 51.



Which of the two sentences below would you give Gillian?

(from page 30)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young. If she loses her licence she will lose her job.

When people commit certain driving offences they will normally be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£400 fine and 5 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 52.

£450 fine and 6 penalty points

Gillian must pay the fine in instalments of £20 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or wages; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 53.



Which of the two sentences below would you give Gillian?

(from page 31)

The Justice of the Peace must weigh up the factors in the case.

On one hand, Gillian has been fined for a traffic offence before and it did not stop her committing a further offence. She also had a young child in the car when she was speeding.

On the other hand, Gillian is still young.

When people commit driving offences they can be given 'penalty points' on their licence. If they get 12 points in 3 years they will normally lose their licence. There can be an exception to disqualification if they can show that it would cause them 'exceptional hardship'. Gillian was given 6 penalty points on her licence 9 months ago.

What sentence would you give Gillian if you were the Justice of the Peace?

£350 fine and 5 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 11.

Go to page 54.

£370 fine and 6 penalty points

Gillian must pay the fine in instalments of £5 per week. A Fines Enforcement Officer can help her set up a payment scheme. If she does not pay the fine, money can be taken directly from her bank or benefits; or her car could be clamped. The penalty points added to her licence will give her a total of 12.

Go to page 55.

In this case, the Justice of the Peace fines Gillian £350, and orders 5 penalty points to be added to her licence. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £270, and orders 5 penalty points to be added to her licence. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £350, and orders 5 penalty points to be added to her licence. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £270 and orders 5 penalty points to be added to her licence. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

You chose £270 fine and 5 penalty points. This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 11 points on her licence which means she will not be disqualified from driving.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £450, and orders 6 penalty points to be added to her licence. Gillian will now have a total of 12 points on her licence which means a disqualification from driving for 6 months. Gillian, however, argues that she should not be disqualified because it would cause her 'exceptional hardship'. The Justice of the Peace sets a hearing date for Gillian to present evidence. At the hearing, Gillian says she would lose her job and, as a single mother, would not then be able to provide for her child. But the Justice of the Peace rules that Gillian has not presented sufficient evidence to show that she or her child would suffer exceptional hardship in this case.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 12 points on her licence which means a disqualification from driving for 6 months. Gillian, however, argues that she should not be disqualified because it would cause her 'exceptional hardship'. The Justice of the Peace sets a hearing date for Gillian to present evidence. At the hearing, Gillian says she would lose her job and, as a single mother, would not then be able to provide for her child. But the Justice of the Peace rules that Gillian has not presented sufficient evidence to show that she or her child would suffer exceptional hardship in this case.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £370, and orders 6 penalty points to be added to her licence. Gillian will now have a total of 12 points on her licence which means she will be disqualified from driving for 6 months.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 12 points on her licence which means she will be disqualified from driving for 6 months.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £450, and orders 6 penalty points to be added to her licence. Gillian will now have a total of 12 points on her licence which means a disqualification from driving for 6 months. Gillian, however, argues that she should not be disqualified because it would cause her 'exceptional hardship'. The Justice of the Peace sets a hearing date for Gillian to present evidence. At the hearing, Gillian says she would lose her job and, as a single mother, would not then be able to provide for her child. But the Justice of the Peace rules that Gillian has not presented sufficient evidence to show that she or her child would suffer exceptional hardship in this case.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence that the Justice of the Peace gives in this case. Gillian will now have a total of 12 points on her licence which means a disqualification from driving for 6 months. Gillian, however, argues that she should not be disqualified because it would cause her 'exceptional hardship'. The Justice of the Peace sets a hearing date for Gillian to present evidence. At the hearing, Gillian says she would lose her job and, as a single mother, would not then be able to provide for her child. But the Justice of the Peace rules that Gillian has not presented sufficient evidence to show that she or her child would suffer exceptional hardship in this case.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

In this case, the Justice of the Peace fines Gillian £370 fine and orders 6 penalty points to be added to her licence. Gillian will now have a total of 12 points on her licence which means she will be disqualified from driving for 6 months.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.

This is the sentence which the Justice of the Peace gives in this case. Gillian will now have a total of 12 points on her licence which means she will be disqualified from driving for 6 months.

This case scenario is fictitious and was created as a tool to help assist the understanding of how judges decide sentences. Each court case is different and will always be sentenced based on its individual factors. Every case has its own unique factors and none will be exactly like this example of Gillian's story.

See our Factors Page on our website for more information on how judges decide sentences.

See our Sentences and Appeals page for more information on the range of sentences available in Scotland.

RETURN TO THE START OF GILLIAN'S STORY TO SEE HOW THE DIFFERENT CHOICES YOU MAKE CHANGE HER SENTENCE.