

Scottish
Sentencing
Council



Scottish Sentencing Council

Annual Report

2024-25

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Chair's foreword

The Right Hon Lord Beckett, Lord Justice Clerk, Chair of the Scottish Sentencing Council



It is with great pleasure that I present the Scottish Sentencing Council's tenth annual report, which details our activities and achievements from 1 April 2024 to 31 March 2025.

This is my first report since becoming Chair, following the retirement of my predecessor, the Right Honourable Lady Dorrian, in February 2025. I would like to congratulate Lady Dorrian on her retirement and pay tribute to her foundational leadership of the Council between 2016 and 2025. During her time as Chair, she oversaw the launch of Scotland's first ever sentencing guidelines, which provide a framework for every

sentencing decision in our courts, and the establishment of an evidence-based approach to the Council's work, involving pioneering research into sentencing in Scotland, including on the views of victims and the general public. It is a privilege to follow in Lady Dorrian's footsteps, and I look forward to building on her enduring legacy as the Council enters its second decade.

Since assuming the role of Chair, I have been greatly impressed by the breadth and depth of the Council's work and how this encompasses each of our statutory objectives: promoting consistency in sentencing, assisting the development of sentencing policy, and promoting greater awareness and understanding of sentencing.

Perhaps our primary way of fulfilling these objectives is through the development of sentencing guidelines. A key development in this context during 2024-25 was a public consultation seeking views on draft guidelines covering offences of rape. These are very serious offences of significant public concern. The public consultation was a vitally important step in ensuring the guidelines will be fit for purpose. We are grateful to everyone who participated and we took great care in considering each response. Responses have helped us reach key decisions about the final content of the guidelines, paving the way for them to be submitted to the High Court for approval later in 2025.

Importantly, the results of the consultation also helped to inform the ongoing development of our guideline on domestic abuse offences, which is nearing the stage of public consultation, as well as those on sexual assault and indecent images offences. I am also pleased to note that good progress was made on a guideline covering sentencing after a guilty plea and that work resumed on guidelines covering environmental and wildlife crimes.

Our key focus in terms of assisting policy development in 2024-25 was on the sentencing of people with mental health conditions and related issues. We carried out a wide range of research and engagement on this topic, resulting in two significant publications. The first was an issues paper exploring the views and experiences of the judiciary. The second summarised discussions at a stakeholder conference held in August 2024, which I was pleased to attend in my capacity as a High Court judge. It was a highly informative and thought-provoking event, that brought together legal and medical practitioners and others with relevant expertise. Both publications highlight a range of complex challenges relating to mental health and sentencing. As well as informing our own work, we hope that they will assist policy makers and service providers in system-wide efforts to bring about improvements across the criminal justice and mental health systems.

We took a significant step in November with the publication of our fourth business plan, setting out an ambitious programme of work for the period 2024-27. It announced that we will begin work on a guideline on the sentencing of people with mental health conditions and related issues and a guideline on assault offences, signalling our ongoing commitment to address crimes of violence. It also confirmed that we will continue work on the guidelines already in development and that a second national survey on public perceptions of sentencing will take place in 2025, building on the first from 2019.

Alongside the business plan, we published a new communications and engagement strategy for 2024-27. It gives particular focus to raising awareness of sexual offences and gender-based violence, sentencing practice, and mental health and sentencing. We added to our existing array of public education materials in 2024-25 by releasing a well-received short video on prison sentencing and launching a new podcast, *Scottish Sentencing Conversations*, with episodes covering community and prison sentences. We also published comprehensive information packs for the public and the media, explaining the sentencing process and the different types of sentences available to courts, and a new interactive case study on death by dangerous driving. These and the other materials on our website help to make the Council an authoritative and accessible source of information on sentencing.

An essential component of our work is our research programme, providing the evidence-base for our guidelines. It is also one of the main ways we raise awareness and understanding of sentencing. We published the findings of several important projects during the year, including reports exploring the views of victims across Scotland on the sentencing of rape and other sexual offences and on domestic abuse sentencing. We also published literature reviews on sentencing for stalking and firearms offences and a report on public attitudes towards sentence reductions following a guilty plea.

Our in-house research included data gathering and analysis to inform the development and review of guidelines, resulting in the publication of draft impact assessments on the rape guidelines –

providing extensive information on the sentencing of these offences – and a report on the routine review of the operation of the sentencing young people guideline during its first year in effect.

As we look ahead to marking the Council's tenth anniversary in 2025-26, this report provides an opportunity to reflect on a range of achievements, providing a solid foundation for the years ahead.

I sincerely thank the Council members and advisors who served on the Council and its committees over the past year, each of whom volunteered their time and expertise, and made invaluable contributions to the various facets of the Council's work. I also wish to thank the Council's secretariat for the professionalism and dedication with which they have supported the Council, ensuring its smooth running. We could not operate without them.

The Right Hon Lord Beckett
Lord Justice Clerk and Chair of the Scottish Sentencing Council



Introduction

Introduction

The Scottish Sentencing Council was established on 19 October 2015 under Part 1 of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#).

This annual report, which covers the period 01 April 2024 to 31 March 2025, describes the Council's work on the development of sentencing guidelines, its key achievements and work in progress, its expenditure, and other information about its work over the course of the year.

Statutory objectives and functions

The Council is an independent advisory body with the following **statutory objectives**:

- to promote consistency in sentencing practice
- to assist the development of policy in relation to sentencing
- to promote greater awareness and understanding of sentencing policy and practice

The Council's **functions** include:

- preparing sentencing guidelines for the courts
- publishing guideline judgments issued by the courts
- publishing information about sentences imposed by the courts

It also has powers to **publish information** about, and **conduct research** into, sentencing and to **provide advice and guidance** of a general nature on sentencing matters.

Sentencing guidelines

The Council must prepare sentencing guidelines for the consideration of the High Court of Justiciary, Scotland's highest criminal court. If the High Court approves the guidelines, it may do so in whole or in part, and with or without modifications.

Guidelines do not have effect unless approved by the High Court.

The Council has **broad discretion** as to the format and subject matter of sentencing guidelines. Guidelines may cover:

- the principles and purposes of sentencing
- sentencing levels
- the particular types of sentence that are appropriate for particular types of offence or offender



Membership

The Scottish Sentencing Council is made up of **12 members**. The categories of membership are [provided for in the 2010 Act](#).

The Lord Justice General is responsible for appointing the judicial and legal members, after consulting the Scottish Ministers.

The Scottish Ministers are responsible for appointing the lay members, after consulting the Lord Justice General.

The following changes in membership took place during 2024-25:

- The Right Honourable Lady Dorrian retired as Lord Justice Clerk in February 2025, which resulted in the end of her tenure as Chair of the Council. The Right Honourable Lord Beckett became Chair of the Council in February 2025 as a result of his appointment as Lord Justice Clerk.
- Summary Sheriff Amel Elfallah's term of office ended in April 2024 due to her installation as a sheriff in that month. She was appointed as an advisor to the Council in May 2024.
- Deputy Chief Constable Malcolm Graham retired in April 2024, which resulted in the end of his tenure as the constable member. Deputy Chief Constable Bex Smith was appointed as the new constable member in June 2024.
- Dr Hannah Graham's term of office as a lay member of the Council ended in December 2024. She was appointed as an advisor to the Council from then until her successor as a lay member, Dr Jay Gormley, was appointed in February 2025.

Council membership during 2024-25 is set out at page 9.

Staff

During 2024-25, the Council's secretariat comprised the following posts:

- Director
- Principal legal officer
- Principal research officer
- Principal policy officer (corporate)
- Principal policy officer (engagement)
- Senior policy officer
- Senior communications manager (temporary)
- Senior researcher (temporary)
- Communications manager
- Business manager

CATEGORY	POSITION	TITLE
Chair	The Lord Justice Clerk, by virtue of that office	The Right Hon Lady Dorrian (until February 2025)
		The Right Hon Lord Beckett (from February 2025)
Judicial members Appointed by the Lord Justice General, after consulting the Scottish Ministers	One other person holding the office of judge who normally sits as a judge of the Outer House of the Court of Session or the High Court of Justiciary	The Right Hon Lord Matthews
	One sheriff	Sheriff Iain Fleming
	Two persons holding the office of summary sheriff or justice of the peace	Summary Sheriff Amel Elfallah (until April 2024)
		Vacant
	One further eligible judicial member or a sheriff principal	The Hon Lord Colbeck
Legal members Appointed by the Lord Justice General, after consulting the Scottish Ministers	One prosecutor	Lindsey Miller, Deputy Crown Agent
	One advocate	Victoria Young
	One solicitor	Joanne McMillan
Lay members Appointed by the Scottish Ministers, after consulting the Lord Justice General	One constable	Deputy Chief Constable Malcolm Graham (until April 2024)
		Deputy Chief Constable Bex Smith (from June 2024)
	One person with knowledge of issues faced by victims of crime	Lynn Burns
	One other person who is not qualified as a judicial or legal member	Dr Hannah Graham (until December 2024)
		Dr Jay Gormley (from February 2025)

Committees

The Council has two types of committee: standing committees and working group committees. Standing committees are established on a long-term basis to handle particular areas of ongoing work. Working group committees are established for a defined period of time and will generally focus on the development of a particular guideline, lasting only until this work is finished.

The 2010 Act provides that only members of the Council can be members of its committees. However, under the Council's standing orders, committees can appoint advisors who are not members of the Council, subject to the approval of the Chair of the Council.

Standing committees

The Council's two standing committees, the Communications Committee and the Research Committee, were established in 2016. In October 2024, it was agreed that the Communications Committee should be renamed as the Communications and Engagement Committee to reflect the full range of its work.

The **Communications and Engagement Committee** leads on promotional and public awareness work. A key part of this involves engaging with organisations and individuals to raise awareness and understanding of sentencing, and to encourage participation in the Council's work.

The Committee met four times in 2024-25. Among other activities, it oversaw: the development of the Council's communications and engagement strategy for 2024-27; a comprehensive information pack designed to help victims and the public better understand sentencing, as well as a related pack for the media; the launch of a new podcast series on sentencing in Scotland; and a range of educational materials, including a video on prison sentencing, classroom lesson plans on community and prison sentencing, and an interactive case study on death by driving offences.

The agendas and minutes of its meetings, along with its remit and terms of reference, can be found [here](#).

Further information about communications and engagement activities can be found at pages 22-29 of this report.

The Committee's membership during 2024-25 was as follows:

- Summary Sheriff Amel Elfallah (chair) (until April 2024)
- Dr Hannah Graham (until December 2024)
- Lindsey Miller
- Joanne McMillan (interim chair from May 2024)

- Lynn Burns

The Committee's advisors in 2024-25 were:

- Sheriff Krista Johnston (former solicitor member of the Council – until August 2024)
- Sheriff Paul Brown (former judicial member of the Council)
- Sheriff Amel Elfallah (former judicial member of the Council – from May 2024)

The **Research Committee** advises the Council on the commissioning, progress, and dissemination of research projects. It met twice in 2024-25 and also considered a number of matters by correspondence. It oversaw a range of commissioned research projects carried out throughout the year, including a second national survey on public attitudes towards sentencing, as well as in-house projects such as the first stage in the routine monitoring and review of the sentencing young people guideline and the findings of a judicial survey on mental health and sentencing. The Committee also considered research priorities and projects for 2024-27.

The agendas and minutes of its meetings, along with its remit and terms of reference, can be found [here](#).

Further information about research carried out by the Council can be found at pages 30-31 of this report.

The Committee's membership during 2024-25 was as follows:

- Dr Hannah Graham (chair) (until December 2024)
- Sheriff Iain Fleming
- Dr Jay Gormley (from March 2025)

The Committee had one advisor in 2024-25:

- Sheriff Louise Arrol KC (former advocate member of the Council)

Working group committees

These committees support the development of specific sentencing guidelines, including making recommendations to the Council as to the scope, content, and approach of this work, reviewing draft guidelines, supporting engagement with relevant stakeholders, and overseeing the guideline consultation process.

During 2024-25, working group committees were in place to support the Council's work to develop guidelines on the offences of rape and sexual assault, offences involving indecent images of children, domestic abuse, sentencing after a guilty plea, and environmental and wildlife offences. A

committee that oversaw the development of the guideline on statutory offences of causing death by driving remained in place for a short period after that guideline came into effect in January 2024.

Details of each committee's work, membership, and advisors during 2024-25 are provided below.

Death by Driving Committee

The Death by Driving Committee did not meet during 2024-25. In accordance with its terms of reference, the Committee was wound up in July 2024, six months after the guideline on statutory offences of causing death by driving offences came into force.

The Committee's membership during 2024-25 was as follows:

- Lord Matthews (chair)

The Committee's advisors in 2024-25 were:

- Sheriff David Harvie (former prosecutor member of the Council)
- Sheriff Norman McFadyen (former judicial member of the Council)

Sexual Offences Committee

The Sexual Offences Committee met four times during 2024-25 and also considered a range of matters by correspondence in that period. Its main focus was overseeing the launch of, and considering responses to, a public consultation on draft guidelines on rape offences.

The Committee's membership during 2024-25 was as follows:

- Lord Matthews (chair)
- Lindsey Miller
- Deputy Chief Constable Malcolm Graham (until April 2024)
- Deputy Chief Constable Bex Smith (from June 2024)

The Committee's advisors in 2024-25 were:

- Sheriff Krista Johnston (former solicitor member of the Council – until August 2024)
- Sheriff Matt Jackson KC (former advocate member of the Council)
- Sheriff Andrew McIntyre (former judicial member of the Council)

Domestic Abuse Committee

The Domestic Abuse Committee met three times during 2024-25 and also considered a range of matters by correspondence in that period. It focussed on determining the scope of the domestic

abuse guideline and oversaw initial engagement with stakeholders in respect of this.

The Committee's membership during 2024-25 was as follows:

- Lord Colbeck (chair)
- Summary Sheriff Amel Elfallah (until April 2024)
- Lindsey Miller
- Joanne McMillan (from September 2023)

The Committee's advisors in 2024-25 were:

- Sheriff Paul Brown (former judicial member of the Council)
- Sheriff Amel Elfallah (former judicial member of the Council – from May 2024)

Sentencing After a Guilty Plea Committee

The Sentencing After a Guilty Plea Committee did not meet during 2024-25 but oversaw development of a draft guideline during that period by correspondence, paving the way for meetings early in 2025-26.

The Committee's membership during 2024-25 was as follows:

- Lord Colbeck (chair)
- Sheriff Iain Fleming
- Dr Hannah Graham (until December 2024)
- Dr Jay Gormley (from March 2025)

The Committee had one advisor in 2024-25:

- Sheriff Matt Jackson KC (former judicial member of the Council – from April 2024)

Environmental and Wildlife Crime Committee

The Environmental and Wildlife Crime Committee resumed its work in 2024-25 after this was deferred to allow for greater focus on sexual offences, meeting in May to consider the scope and approach of guidelines on environmental and wildlife offences.

The Committee's membership during 2024-25 was as follows:

- Sheriff Iain Fleming (chair)
- Victoria Young
- Deputy Chief Constable Malcolm Graham (until April 2024)
- Deputy Chief Constable Bex Smith (from June 2024)



Sentencing guidelines

Sentencing guidelines

Under the 2010 Act, the High Court and the Sheriff Appeal Court may require the Council to prepare or review sentencing guidelines when issuing a guideline judgment under the relevant provisions of the Criminal Procedure (Scotland) Act 1995.

The Scottish Ministers may request that the Council consider preparing or reviewing sentencing guidelines. The Council must have regard to such a request but is not obliged to comply.

No statutory requests to prepare or review guidelines were made of the Council in the period 01 April 2024 to 31 March 2025.

The Council has a statutory duty under the 2010 Act to review its sentencing guidelines from time to time. We have developed a [methodology for the monitoring and review of guidelines](#) once they have been approved by the High Court and are in-force.

Guideline development

A key priority in 2024-25 was the development of **two draft sentencing guidelines on rape offences**. The first is on the offence of rape under section 1 of the Sexual Offences (Scotland) Act 2009, and its common law equivalent, while the second covers the offence of rape of a young child (someone under the age of 13) under section 18 of the Act, and its common law equivalent. At the start of the year, we finalised drafts of the guidelines for the purpose of a [public consultation exercise](#).

Both draft guidelines were informed by engagement with practitioners and professionals across the justice system and with interest groups, and by extensive research, including a study on the views of victims and an analysis of sentencing practice.

Offences of rape involve a wide range of circumstances. By listing features of seriousness, sentencing ranges, and other factors to be considered, we believe that the guidelines, if approved once finalised, will assist courts in reaching what, at times, can be difficult sentencing decisions. We believe they will promote greater consistency and predictability in sentencing for these offences.

The public consultation on the draft guidelines was open between July and October 2024, when we turned our attention to considering the responses. Towards the end of the year, we reached key decisions about the final content of the guidelines.

Further information about the public consultation on the draft rape guidelines is provided in the [Key achievements and work in progress](#) section of this report.

Sexual offences, including rape, are an area of public concern and account for a rising proportion of sentencing in Scottish courts. For this reason, the draft rape guidelines will be the first in a series of guidelines covering a range of different sexual offences. The important work carried out on the draft rape guidelines during the year accordingly helped to inform our approach to the ongoing development of draft guidelines on **sexual assault** and **offences involving indecent images of children**.

In respect of the other guidelines in development, significant progress was made on a draft guideline on **domestic abuse offences**, including initial engagement with a range of stakeholders from across the justice system and third sector and preparations for a judicial survey, which launched in April 2025, shortly after the period covered by this report.

Iterative drafting of a guideline on **sentencing after a guilty plea** continued throughout the year, alongside judicial engagement seeking feedback on an early draft of the guideline.

Work on guidelines in respect of **environmental and wildlife offences** resumed, with the Council reaching a decision, in principle, on the scope of the guidelines. A research project exploring public perceptions of these crimes was also carried out, with a view to informing the guideline development process.

Each guideline's current stage of development is [shown on our website](#).

Methodology for guideline development

Since its establishment, the Council has given considerable thought to how guidelines should be developed, taking into account experience in other jurisdictions and lessons learned during the development of the 'Principles and purposes of sentencing' guideline.

One of the key tasks contained in our first business plan was the development of a methodology setting out how we will take forward the work to prepare individual guidelines. This was published in October 2018. As part of its statutory duty to review guidelines in force, the Council began work developing a detailed approach for monitoring and review in autumn 2022. This was approved in December 2022 and updated in December 2024. The [revised methodology](#) is published on our website and is summarised below.

The methodology sets out the process for guideline preparation and explains the various steps the Council takes to ensure guidelines are robust, evidence based, and useful for both the public and the judiciary.

The guideline development process commences with consideration of possible guideline topics. Once the Council has agreed to proceed with a guideline, it will engage with stakeholders and those with an interest or expertise in the area.

As the Council is committed to an evidence-based approach to guideline development, it will also gather information about the guideline topic. This might be through new research, evidence about current sentencing practice, or a review of research and information available from other sources.

Development of a draft guideline then takes place, based on the information gathered. Thereafter, the Council seeks the views of judges, and once the draft guideline has been further adjusted, it will consult widely on its terms. The Council has made a commitment to carry out a full public consultation on each of its guidelines, and is keen to hear from all those who wish to comment on a guideline. It must also, by law, consult the Scottish Ministers and the Lord Advocate. When the consultation has finished, the Council will analyse the responses and carefully consider what changes may need to be made to the guideline.

The Council's guidelines only take effect if they are approved by the High Court. Once a guideline has been finalised, it will be submitted to the High Court, together with an assessment of the guideline's anticipated impact on the criminal justice system. If the High Court approves a guideline, the Council will publish it, along with the impact assessment, as soon as it can, together with details of when the guideline is to come into force.

Although the development process takes time, it is essential in ensuring that guidelines are fit for purpose and that they do not have any unintended or unhelpful consequences for the criminal justice system.

The Council takes steps to raise awareness of each new guideline once it has been approved, and must review each guideline from time to time.

The various steps in the guideline development process are summarised in the table on the following page.

Stage 1 – Initial consideration of the guideline topic

We will agree the aims and scope of a guideline and a plan for its development. We will also establish a committee to oversee the work involved.

Stage 2 – Development of a draft guideline

We will focus on stakeholder engagement and evidence gathering when developing early drafts of the guideline.

Stage 3 – Seeking the views of judges

We will seek the views of judges on current sentencing practice and any areas of difficulty in which guidance would be helpful. This will help to ensure that the guideline is useful and that potential impacts are identified.

Stage 4 – Consulting on the guideline

We will take a broad range of views into account in developing guidelines. To that end, we will carry out public consultation on all our guidelines. We are also required to consult the Scottish Ministers and the Lord Advocate.

Stage 5 – Finalising the guideline

We will take into account what we have heard during consultation, and make any necessary revisions to the draft guideline and accompanying impact assessment.

Stage 6 – Submitting the guideline for approval

The High Court requires to approve our guidelines before they can take effect. When approving a guideline, the High Court will also specify when it is to come into force.

Stage 7 – Raising awareness about the guideline

We will take steps to raise awareness of each new guideline once it has been approved. We will work to ensure that all those who have an interest in, or are affected by, a guideline are prepared for it.

Stage 8 – Monitoring and review

We must review each guideline from time to time. We have developed a staged approach to this, enabling us to react promptly to any unexpected or undesirable consequences while establishing a solid evidence base for longer term reviews.



Key achievements and work in progress

Key achievements and work in progress

Consultation on draft sentencing guidelines for rape offences

One of our most important achievements in 2024-25 was a [public consultation](#) held between July and October seeking views on the form and content of draft sentencing guidelines for rape offences. This marked perhaps the most significant stage yet in the development of these guidelines. It was vital to seek the widest possible range of views through public consultation to help us ensure that the guidelines will be fit for purpose.

In developing the draft guidelines prior to consultation, we engaged with a wide range of organisations and people, including the judiciary, legal profession, and interest groups. We also carried out extensive research, including a study exploring the views of victims of rape and other sexual offences and an analysis of sentencing data on rape offences.

Following the close of the consultation, each response was carefully considered as part of an independent analysis. At our meeting in March 2025, we considered the analysis, approved amendments to the draft guidelines to address some of the issues raised, and began work on finalisation of the associated impact assessments, paving the way for the submission of the guidelines to the High Court later in 2025.

Each offence of rape is different and the circumstances can vary widely. We believe that the guidelines will assist judges in making what can be challenging sentencing decisions, and also help those involved in such cases, and the public, to understand those decisions better.

The work carried out on the draft rape guidelines in 2024-25 was also significant for our development of a series of guidelines on sexual offences. They account for a growing proportion of sentencing in Scottish courts and are an area of public concern. The decisions reached in finalising the draft rape guidelines will help to inform the content and approach of our guidelines on sexual assault and offences involving indecent images of children. They have also informed the development of the domestic abuse guideline.

Business Plan 2024-27

Our [fourth business plan](#), setting out our priorities and work programme for the period 2024-27, was laid before the Scottish Parliament on 23 October 2024 and published on 13 November 2024. It outlines significant new guidelines and research initiatives aimed at enhancing Scotland's sentencing framework.

In respect of new guidelines, we announced that we will begin work on a guideline on the sentencing of people with mental health conditions and related issues, recognising the complex challenges faced by courts in such cases (see below for further information on this topic). We also announced that we will develop guidelines on assault offences, reflecting our continued focus on crimes of violence.

Alongside this work, the business plan confirmed that we will advance several ongoing projects, including finalising guidelines on rape offences and progressing work on domestic abuse and environmental and wildlife crime guidelines, as well as guidelines on other sexual offences.

In respect of research, the business plan notes that a second national survey on public perceptions of sentencing will report in 2025, coinciding with the Council's tenth anniversary, and building on the first such survey from 2019. This research will help establish a longitudinal dataset to measure the Council's contribution to public understanding over time. It will examine the following new topics: understanding of sentencing; community sentencing; mental health, cognitive differences and related issues; domestic abuse; and media consumption and understanding of sentencing.

See page 22 below for our new communications and engagement strategy 2024-27, which was developed to complement the business plan.

Mental health conditions and related issues in sentencing

We fulfilled a commitment in our business plan 2021-24 by carrying out a range of research and engagement during the year on the sentencing of people with mental health conditions and related issues. This resulted in two significant publications: [Judicial perspectives of mental health and sentencing](#), presenting the findings of research we carried out in late 2023 and early 2024 with members of the judiciary; and [Mental health, neurodivergence, and learning disability in sentencing](#), which summarises discussions at a stakeholder conference we held in August 2024.

This work was wide ranging and encompassed each of our statutory objectives by:

- informing our decision to develop a guideline on sentencing people with mental health conditions and related issues, which we believe will promote greater consistency in this area
- helping to raise awareness and understanding of sentencing in this area
- assisting policymakers and service providers by exploring judicial views and experiences and highlighting a range of complex challenges and potential ways to address them.

This work is also discussed in the [Openness and engagement](#), [Research and information](#), and [Assisting policy development](#) sections of this report.

Promoting awareness and understanding

One of our key roles is to promote awareness and understanding of sentencing. In November, we published our new [communications and engagement strategy](#), covering the period 2024-27. The strategy sets out a number of aims and objectives, which are to:

- continue to bolster the Council's ongoing communications activity, including increased engagement with stakeholders, media and the Parliament
- continue to improve understanding and awareness of the sentencing process generally and in relation to specific offence guidelines in effect and under development
- deliver opportunities to increase understanding and awareness of different types of disposals and evaluate their effectiveness
- continue to increase the Council's reputation as an independent voice on sentencing.

On publication of the new strategy, we began to give particular focus to the following specific matters in our communications:

- **Sexual offences and gender-based violence** – sexual offending and gender-based violence remain an area of public concern and account for a high proportion of sentencing, often involving difficult decisions in complex circumstances. Through the ongoing development of sentencing guidelines for offences involving rape, sexual assault and indecent images of children, as well as a guideline on domestic abuse, we will continue to raise awareness of the issues involved in sentencing these offences.
- **Sentencing practice** – as we continue to publish both general and offence-based guidelines, it is important to make clear how these guidelines interact, and the role that they play in the sentencing process. We will aim to raise awareness of that process, including the considerations taken into account, amongst those with an interest in sentencing, as well as more generally. With the intention of improving understanding of sentences imposed and to assist the wider development of sentencing policy, we will also aim to publish increased data around the sentences imposed by the Scottish courts.
- **Mental health and sentencing** – alongside and as part of the development of a guideline on the sentencing of people with mental health conditions and related issues, we will raise awareness of the issues involved in sentencing those with mental health conditions.

In all of its communications and engagement work, the Council is supported by the Communications and Engagement Committee.

Openness and engagement

We are committed to demonstrating transparency in our work. We seek out and listen to views across the justice system and beyond and welcome input from a wide range of interested organisations and individuals.

Public engagement is an essential part of this. Over the course of the year, we attended a number of schools, colleges and universities to deliver a series of presentations and lectures, opening up discussion about the Council's work and progress on guideline development.

We developed lesson plans on community and prison sentencing for secondary school students, adding to a range of educational resources, including teacher guides and lectures, available on our website [here](#).

We published further editions of our well-received newsletter, [Spotlight on Sentencing Circular](#), during the year. It offers news and information about each aspect of our work including the sentencing guidelines currently in development. Two editions were published in the year, the [first in August](#) and the [second in December](#), these being, respectively, the third and fourth editions overall. To subscribe to the newsletter, follow the instructions [here](#).

In July, we launched a new podcast, [Scottish Sentencing Conversations](#), with the first episode focussing on community sentencing. The podcast aims to offer insights into different aspects of sentencing in Scotland and the work of the Council. The second episode, on prison sentencing, was published in February. The podcast is available on our website and through third party podcasting platforms.

In September, we again held **Doors Open Day** events in Glasgow and Edinburgh. Members of the public took part in interactive sessions about the Council's role and work in general and sentencing guidelines.

In October, we published a comprehensive [information pack](#) designed to help the public, and in particular victims, better understand how sentencing works in Scotland's courts. The pack provides clear explanations of the sentencing process, including who is involved, how decisions are made, and the different types of sentences available to courts. It also covers topics such as victim statements, and prison release arrangements. Following this, we published a [media information pack](#) in January, and continue to work on other accessible materials aimed at explaining sentencing to a wide range of audiences.

Engagement with sentencers, practitioners and professionals across Scotland's criminal justice system and beyond was extremely important for the Council throughout the year. A key engagement event came in August, when – as previously noted – we held a stakeholder conference in order to learn more about the nature, prevalence, and effect of mental illnesses, learning disabilities,

and developmental conditions among the offending population and their relevance in sentencing. Conference delegates included sentencers, medical practitioners, lawyers, social workers, government officials and many others with relevant skills and knowledge, who all took part in group discussions. There were presentations by a number of expert speakers and discussion of whether a sentencing guideline would bring benefits for the courts, practitioners, and the wider criminal justice system. Recordings of the conference presentations are available [here](#).

Before our [December meeting](#), we made a fact-finding visit to the Orchard Clinic and Islay Centre at the Royal Edinburgh Hospital, followed by a discussion with senior clinicians. The visit and discussion provided an opportunity to learn more about the services provided for offenders with mental health conditions or intellectual disability, further informing our ongoing work in this area.

In November, we were delighted to attend the Four Corners Conference involving the sentencing bodies of the UK and Ireland, which was hosted by The Judicial Council of Ireland in Dublin. We were also pleased to engage with the Judicial Institute for Scotland throughout the year on areas of mutual interest.

As in previous years, we also published agendas and minutes of all meetings of the Council and its standing committees, the Communications and Engagement Committee and the Research Committee.

Website and social media

Our [website](#) is our most important platform for conveying and explaining the full range and nature of our work.

We aim for our website to be an accessible and engaging resource for people who wish to learn more about sentencing and related issues, as well as about the Council's role and responsibilities. It is updated regularly with news of Council activities, including research publications, engagement work, educational resources, consultations, and minutes of meetings. The website is also the definitive source of [approved sentencing guidelines](#).

In May, we published a [new interactive case study on death by dangerous driving](#), offering people the chance to play the role of a judge in the case of a motorist who has been charged with 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 handed down in court. The case study also contains information on our [death by driving sentencing guideline](#), which helps to guide participants towards the appropriate sentence – just as it does for judges.

The website also hosts our [Spotlight on sentencing blog](#), which features contributions from Council members and staff as well as guest authors. In September, we published a blog explaining the

complex issue of the [sentencing of offenders who reoffend after being released early from prison](#), followed in February by a blog about key insights gained from [a visit to the European Society of Criminology conference](#) in September 2024.

Our website was viewed a total of 225,145 times in 2024-25. The top five most viewed pages on our website after the home page were:

- [Jargon buster](#) - 18,593 views
- [Custodial sentences](#) - 14,024 views
- [Sex offenders register explained blog](#) - 11,156 views
- [Community sentences](#) - 9,389 views
- [Maximum and minimum sentences](#) - 7,273 views

As a key part of meeting our statutory duty to inform and educate the public about sentencing, we were active on social media throughout the year. On our [Facebook](#) and [LinkedIn](#) pages and our [Instagram](#) and [X](#) accounts, we posted frequent updates and details about our work and the sentencing guidelines currently in development, as well as a series called Friday Facts.

We added to the range of educational videos on our [YouTube channel](#) with the launch in October of a well-received [new video on prison sentencing](#). This short film features people who have knowledge of the prison system from a variety of perspectives, including a judge, a senior manager in the Scottish Prison Service, a victims expert, an academic, and a person currently serving a prison sentence.

The video, along with [related resources](#) on our website, is intended to assist people's understanding of prison sentencing. It is the second in a series of videos about sentencing in Scotland, the first being on [community sentencing](#). Work on a third video, focussing on the sentencing process, began in the final quarter of 2024-25. It will be finalised and published in 2025-26.

Media

Throughout the year, we engaged constructively with the media, offering comment on sentencing issues where appropriate. In particular, we engaged widely with the media around the launch of the public consultation on draft sentencing guidelines for rape offences. This included broadcast interviews with the Chair of the Council and articles by Council members in national media. And, as mentioned earlier in this report, we also prepared and published an [information pack for the media](#).

Presentations, conferences, seminars, and visits

The following table details some of the presentations delivered and conferences, seminars, and visits attended by Council members and staff:

PRESENTATIONS, CONFERENCES, SEMINARS, AND VISITS	DATE
Edinburgh University Law School's Crime, Justice & Society Seminar Series – 'Negotiated Identities, Parallel Lives'	03 April 2024
SCTS and Judicial Institute event on the future of Open Justice in Scotland	22 April 2024
UpFamilies Network – online event on the impact of prison, including on families	24 April 2024
Presentation on the sentencing of domestic abuse in Scotland to students at the University of Surrey	29 April 2024
Lecture on the work of the Council for law students at the City of Glasgow College	30 April 2024
Lecture by Gavin Dingwall, Sentencing Academy, University of Edinburgh – 'Contingency, Creativity and Researching 'Closed' Environments During the COVID-19 Lockdown'	07 May 2024
Scottish Centre for Crime & Justice Research webinar – 'The fascination with the unlawful: The portrayal of crime and role of media'	07 May 2024
Garden Court Chambers – 'Upholding Children's Rights? The Implementation of the UNCRC: A Comparison of England, Wales, Scotland and Northern Ireland'	14 May 2024
Scottish Centre for Crime & Justice Research webinar – 'Punishment Futures, Justice Reimagined'	16 May 2024
Scottish Centre for Crime & Justice Research webinar – 'How is Human Trafficking Regulated in the UK?'	24 May 2024
Supporting Autistic People and People with a Learning Disability Conference	06 June 2024
The Open University online panel – 'Alcohol, Violence and Harm'	12 June 2024
Royal Society of Edinburgh – Criminal Justice in Crisis Conference	18 June 2024

PRESENTATIONS, CONFERENCES, SEMINARS, AND VISITS	DATE
National Youth Justice Conference 2024 – ‘Implementing Change and Protecting Rights’	19-20 June 2024
University of Surrey webinar - ‘Empowering Policy: The Role of Data in Modern Sentencing’	25 June 2024
The Scottish Public Services Ombudsman’s Child Friendly Complaints online launch event	16 July 2024
Community Justice Division workshop – ‘Launch of consultation on long-term prisoner release process’	26 July and 06 August 2024
Scottish Association for the Study of Offending seminar – ‘Shattered lives, stolen futures: The Jay Review of Criminally Exploited Children’	21 August 2024
Children and Young People’s Centre for Justice (CYCJ) webinar – ‘Ending the use of Young Offender Institutions for Children’	22 August 2024
The Fair Justice System for Scotland (FJSS) Group - Justice Sector Equalities Conference 2024	29 August 2024
Muslim Women’s Resource Centre - Amina Helpline 20th anniversary event	10 September 2024
Scottish Prison Service and The Scottish Centre for Crime & Justice Research event, SPS College	10 September 2024
EROS – EuroCrim Conference 2024	11-14 September 2024
Sentencing Academy Roundtable on Children’s Knowledge and Opinion of Sentencing and Public Knowledge and Opinion of Imprisonment	16 September 2024
Thriving Survivors Annual Conference	10 October 2024
CYCJ and Black Box lecture by Grace Robinson on child criminal exploitation	15 October 2024
“Addressing Institutional Racism in the Scottish Justice System”, held at the University of Edinburgh and organised by the Scottish Centre for Crime and Justice Research and the Scottish Institute for Policing Research	24 October 2024
ASSIST 20th anniversary conference	24 October 2024

PRESENTATIONS, CONFERENCES, SEMINARS, AND VISITS	DATE
Conference hosted by the British Academy of Forensic Sciences and the Forensic Network on “Mental Health in the Criminal Justice System: It's Time for Reform”	25 October 2024
Scottish Association for the Study of Offending Annual Conference	31 October 2024
Seminar for students at the University of Glasgow	31 October 2024
Lecture to students at Glasgow Caledonian University	08 November 2024
Patients Advocacy Service Annual General Meeting	11 November 2024
Kibble’s annual conference, “Transforming Lives”	11 November 2024
“Ethnic Disparities in Sentencing in England and Wales: Taking Stock and Moving Forward”, event organised by the University of Leeds, the Sentencing Academy, and the London School of Economics	14 November 2024
Lecture to students at the University of Stirling	14 November 2024
Lecture to students at the City of Glasgow College	20 November 2024
Talk by Professor Clare Allely on Autistic Juveniles in the Criminal Justice System, organised by the Scottish Association for the Study of Offending (Glasgow and West of Scotland)	20 November 2024
Event from the Cross Justice Group on Race Data and Evidence titled, “Data First and Ethnicity in the Justice System”	21 November 2024
Modern Studies conference	27 November 2024
Online event marking the 25th anniversary of the Scottish Criminal Cases Review Commission	28 November 2024
Four Corners Conference, involving the sentencing bodies of the UK and Ireland	29 November 2024
University of Strathclyde webinar ‘Children and Young People in the Media: Positive Representation of Care Experience and Youth Justice’	05 December 2024

PRESENTATIONS, CONFERENCES, SEMINARS, AND VISITS	DATE
Event organised by the Women's Network of the Sheriffs and Summary Sheriffs Association, marking the tenure of Lady Dorrian as Lord Justice Clerk	10 December 2024
Two workshops at Our Lady's High School in Cumbernauld	16 December 2024
Perspectives on Sentencing seminar in London, hosted by the Sentencing Council for England and Wales and the Sentencing Academy	10 January 2025
Judicial Institute webinar with a presentation by Scottish Health Action on Alcohol Problems (SHAAP) on alcohol use disorder	16 January 2025
Workshop at Beeslack High School in Penicuik	23 January 2025
CYCJ webinar "I know this is a safe place for me': Triple Violence, Safe Spaces and Violence Prevention'	30 January 2025
Scottish Feminist Judgments Project - A Presentation by Professor Nicole Busby, hosted by the UK Association of Women Judges	06 February 2025
Talk by Prof Julian V Roberts KC (Hon) (University of Oxford) on 'Criminal Record Rides Again: Revisiting a 50-year-old Problem' at the Edinburgh Law School	11 February 2025
CYCJ webinar 'Understanding and contextualising social harms'	12 February 2025
CYCJ webinar by Dr Peter Yates 'Sibling sexual abuse: The implications for practice of research conducted since 1980'	25 February 2025
Presentation on the Council to the Public Defence Solicitors Office	25 February 2025
Lecture by Dr Saket Priyadashi on Tackling Drug Deaths in Scotland - The UK's First-Ever Drug Consumption Facility (The Thistle)	26 February 2025
Gendered Violence and Abuse Conference at Northumbria University	06 March 2025
Event hosted by the Empirical Legal Research Network: Dr Dominic Aitken (University of Strathclyde) 'Expertise in Criminal Justice'	11 March 2025
Holyrood's Public Sector Data Summit	13 March 2025
CYCJ webinar 'Young adults on probation'	26 March 2025

Research and information

Our research programme and related activities are of fundamental importance in helping us to fulfil our statutory objectives.

Our commissioned and in-house research provides an essential evidence base to inform the development and review of guidelines, while also assisting the Council and others in the development of sentencing policy, and improving awareness and understanding of sentencing by exploring the experiences of sentencers as well as perceptions of victims of crime and the public.

All of our research publications can be found [here](#). Our research framework, explaining the factors we take into account when deciding our research plans, can be found [here](#).

In terms of commissioned research projects, we published the following important reports in 2024-25, the first two of which had a specific focus on the views of victim-survivors:

- In May, a report on the [views and experiences of victim-survivors of sentencing for rape and other sexual offences](#), which sought the views and attitudes of 14 women who have experienced sexual violence.
- In August, a report [exploring views on sentencing for domestic abuse in Scotland](#) through interviews with 24 women from across Scotland who had experienced such offences.
- In November, a [literature review examining the sentencing of stalking offences in Scotland](#).
- In March, a study exploring [public attitudes towards sentence reductions following guilty pleas in Scotland](#).
- In March, a literature review examining the [sentencing of firearms offences in Scotland](#) and elsewhere.

Several other important research projects were either completed or neared completion in 2024-25, with the resultant reports due to be published in 2025-26:

- Focus groups exploring views on the sentencing of environmental and wildlife crimes.
- An exploratory study on unwarranted disparities in sentencing in Scotland.
- A literature review on modern slavery offences.
- A second national survey on public perceptions of sentencing.

As our new business plan for 2024-27 notes, the findings of the second national survey of public perceptions of sentencing will be published later in 2025 to coincide with the Council's tenth anniversary. Alongside the [first national survey](#) from 2019, this research will help establish a longitudinal dataset to measure the Council's contribution to public understanding over time.

In-house research consisted of evidence gathering for guideline development and review, in

particular, the analysis of sentencing data for impact assessments on draft guidelines on rape offences, a report on judicial research in relation to mental health and sentencing, and the routine review of the sentencing young people guideline.

The impact assessments on the draft rape guidelines were published in July and provide extensive analyses of sentencing data for [offences of rape](#) and [offences of rape of a young child](#), covering a 12 year period, 2011-12 to 2022-23.

In December, we published an issues paper, [Judicial perspectives of mental health and sentencing](#), based on research carried out with sentencers from across Scotland – High Court judges, sheriffs, summary sheriffs, and justices of the peace – in late 2023 and early 2024. It explores judicial views and experiences of mental health and sentencing and highlights key issues we intend to explore further through future research and engagement.

In January, we published our [report on the routine review of the operation of the sentencing young people guideline](#) during its first year in force. The guideline was approved by the High Court in November 2021 and has been in force since 26 January 2022 for the sentencing of young people aged 24 and under when convicted of an offence.

The Council has a [statutory duty](#) to review guidelines from time to time. We take a [staged approach](#) to this, involving reviews after both one year and three years in force. For the one-year review of the sentencing young people guideline, we analysed sentencing data for the period 26 January 2022 to 25 January 2023, the first year of the guideline's operation, and the five preceding years. In addition to data on offenders aged 24 and under, the review also includes analysis of data on offenders aged 25 and over for an indicative comparison.

Towards the end of the year, we began to turn our attention to a one-year review of the operation of our guideline on [statutory offences of causing death by driving](#) during its first year in effect (16 January 2024 to 15 January 2025). This will be carried out alongside the three-year review of the sentencing young people guideline.

We also carried out direct research with sentencers across Scotland in respect of various guidelines under development, seeking their views on the content and approach of current drafts and sentencing practice in the relevant areas.

Throughout the year, we engaged with the academic and research communities through direct meetings and conference attendance. This included preparations for a second Scottish Sentencing Research Symposium. A report about the inaugural symposium – which was held in 2023-24 and co-hosted with the Sentencing Academy and University of Glasgow – was [published in May](#).

All of the Council's research activity is supported and overseen by the Research Committee.

Assisting policy development

In carrying out our functions, one of our statutory objectives is to assist the development of policy in relation to sentencing. Our views on what this role involves are [set out on the Council's website](#).

Our business plan for 2024-27 notes that this three-year period appears likely to see significant attention given to reform in the area of sentencing. In 2024, both the Scottish and UK governments announced a series of measures aimed at reducing the prison population in Scotland and England and Wales respectively. In addition to a range of specific initiatives being taken forward, or in contemplation, the Scottish Government also announced its intention to commission an independent review of sentencing and penal policy, now established as the Sentencing and Penal Policy Commission.

To the extent that the Commission's work, or any proposals relating to the prison population, fall within the Council's remit or have implications for its work, we will seek to provide assistance and carry out correlating activity to educate and inform where that is appropriate.

Our key focus in terms of policy development work in 2024-25 was in relation to mental health and sentencing. As noted above, this topic was explored through our research with the judiciary – something we are uniquely placed to do – and at our stakeholder conference in August. A key theme that emerged from both exercises is the impact that significant resource constraints across the criminal justice and mental health systems have on sentencing. This issue, and many others highlighted are outwith our remit and are not capable of being addressed by a guideline. We hope that the findings of both exercises, as well as ongoing research and engagement, will assist policymakers and service providers in policy development and improved service provision and delivery in this complex and challenging area. The findings will also assist us in the preparation and development of guidelines generally.

In 2024-25, we also contributed to policy development by providing views in respect of various initiatives with a bearing on sentencing, including:

- A [response](#) to the Scottish Government's consultation on proposed changes to the long-term prisoner release process.
- [Written evidence](#) to the House of Commons Speaker's Conference call for evidence on threats to candidates and elections.

The background of the slide features a close-up, shallow depth-of-field photograph of several old, leather-bound books. The spines of the books are visible, with gold lettering on black leather labels. The first book in focus has a label that reads "XXIII", "1895 - 96", and "FOURTH SERIES". The books are arranged in a row, and the lighting is warm, highlighting the texture of the leather and the metallic sheen of the gold.

Expenditure

Expenditure

The Scottish Courts and Tribunals Service (SCTS) has the statutory function of providing, or ensuring the provision of, the property, services and staff for the Council, under section 62 of the Judiciary and Courts (Scotland) Act 2008 and The Scottish Courts and Tribunals Service (Administrative Support) (Specified Persons) Order 2015. As such, the costs of the Council are borne by the SCTS.

The Council was allocated a budget of £1,025,000 for 2024-25.

The Council's staffing budget is administered by the SCTS. Staffing costs during the year were £745,982.

Actual expenditure on non-staffing costs is detailed on the table below.

EXPENDITURE 2024-25 (NON-STAFFING COSTS)*		
Category	Description	£
General office expenditure	Printing costs, stationery etc.	1,835
Meetings and events	Venue hire, catering, and conference costs	12,510
Training and expenses	Members' and staff travel and subsistence, and costs of training associated with Council business	12,884
Promoting awareness and understanding	Website development, publications, and educational resources	11,034
Research	Commissioned projects, consultation analysis etc.	188,480
Consultancy	Guideline design, website development etc.	24,072
Total		250,815

*All category figures are rounded to the nearest pound and the total provided is the sum of those rounded amounts.

SCTS associated costs

Costs relating to services and accommodation provided by SCTS are not included in the table, such as shared overheads, telephone charges, judicial travel and subsistence, and provision of data relating to sentencing.



Correspondence, freedom of information, and complaints

Correspondence, freedom of information, and complaints

The following table provides information on the number of requests received under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Scottish Public Services Ombudsman Act 2002 (the SPSO Act), along with the number of items of correspondence received.

The Council is obliged to report on its complaints handling performance information, under schedule 2 to the SPSO Act. There were no complaints received during the period.

CATEGORY	NUMBER
FOISA requests	11
Complaints	0
Items of correspondence	83

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