

# Sentencing Council

**Confidence and Communications Sub-group meeting**

**7 December 2015, 9 – 10:30am**

**By phone: Dial 08444 737373 PIN 021323**

## **Agenda**

**Intro (MC - 2 mins)**

**1. Impact of spending restrictions on comms/risks and budget (HS – 10 mins)**

**2. Action log (HS – 10 mins)**

Paper 1: 2015-12-07 Action log DEC

**3. Victims (NM - 15 mins)**

*- update on progress*

**4. Digital (HS - 20 mins)**

Paper 2: 2015-12-07 Digital paper

*- web stats and online survey*

*- members' area document store*

*- further developments on the online MCSG*

*- Crown Court guidelines*

**5. Media handling (NM - 30 mins)**

Paper 3: 2015-12-07 Forthcoming guidelines

*- Looking forward to: allocation, imposition, robbery and guilty pleas*

**AOB (All - 3 mins)**

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Action Log at March 2015								
Line Item	RAG rating	Priority /urgency	Area	Action/comment	Comment/progress	Next action	Resp	Sub-grp sponsor
1		1. High	Publish guidelines & materials/ Digital capability	Maintain online <b>MCSG content</b> , working with colleagues, users, partners and digital agency to achieve this	Online MCSG has been delivered. Additional functionality being added to fines calculator to accommodate multiple fines. Offline version has been tested and is being refined. New guidelines (theft and H&S) have been added.	Continue to review and amend. Get costings for new calculators. Launch offline version. Allocation guideline will be added on 10.12 in the 'updates' section. It will replace the current version on 01.03.16	HS	Jill/ Julian
2	0	1. High	Working with partner orgs	Continued promotion of the <b>victims materials</b> - film, leaflets and tent cards.	Distribution system set up with CAB re ongoing supply of the victims materials to them. Meeting held with VS head of comms. Further meeting planned to take forward collaborative work.	Materials will be supplied to the WS as required. Meeting to be set up with VS's new head of comms. In light of spending restrictions, video/film projects will be reviewed to consider low or no cost options such as collaboration with partners.	NM	Michael
3	0	1. High	Public and victims of crime	Review <b>victim</b> -focused info on website	Website has been reviewed and updated	Review in light of any further suggestions made by VS	NM	Lynne
4		2. Medium	Digital capability	Gather feedback via a <b>web survey</b>	Survey went live w/b 19.10.15. Pop up now implemented and tweet sent to get more responses.	Analyse feedback after 3007 responses have been received.	GS	Julian
5		2. Medium	Digital capability	Maintain a <b>members' area</b> of the website for Council members to use to access Council papers, induction materials and other information regarding meetings of the Council and sub-groups. Develop and launch a tool to facilitate online collaboration on documents.	Members' area delivered. Document store launched and demos completed to office staff. User guide completed.	Gather feedback from subgroup and demo to Council (Dec). The Dangerous Dogs consultation response paper will be the first to use this tool.	GS	Julian
6		2. Medium	Public and victims of crime	<b>Police</b> engagement and education.	Meeting with APCC snr policy manager. HS has sent materials to him. NB there is some cross-over in this area with victims work...	Explore opportunities for articles and blogs highlighting one year since the sexual offences was published (01.12). Investigate possibility of including sentencing information on sentencing in NPCC toolkits. Build on initial contact with APCC and make contact with their comms lead.	HS	Lynne
7		2. Medium	Publish guidelines & materials	Maintain focus on <b>implementation of guidelines</b> . Issue summary briefing on new definitive guidelines for each agency.	All agencies receive and distribute articles regarding every consultation and definitive guideline launch.	<b>NM</b> to consider this as part of his planning for future guidelines. Send additional reminders to internal contacts regarding 'in force' dates: H&S and theft on 01.02.16 and allocation on 01.03.16	NM	Jill
8		2. Medium	Working with partner orgs	After the May 2015 General Election work will continue to engage <b>parliamentarians</b> via new MPs and members of the Justice Committee will be contacted with information about the Council and its work	Research on all members of the Justice Committee completed, short biogs created and letters sent to members of the Justice Committee. All those active on twitter now being followed. Colman has met Bob Neill MP, Kit Malthouse MP and Philip Davies MP. We now follow all justice and shadow justice ministers who have twitter accounts	Develop options (and share with colleagues, sub-group and CT) for a possible future parliamentary event	HS	Michael
9		2. Medium	Public and victims of crime	Engage with <b>women</b> as a specific group on sentencing via a feature on a Council member in a women's magazine	No progress has been made in this area - we have approached a wide range of titles but no bids have come in.	Given the number of guideline and consultation launches coming up, Anthony's departure and the ongoing work on victims and witnesses, it is proposed that this action is de-prioritised for now.	HS	Lynne
10		2. Medium	Public and victims of crime	<b>Educational materials</b> for A level students	Framework, glossary, simplified guideline and scenarios developed in conjunction with MoJ and submitted to the Association of Citizenship Teachers.	ACT have now approved the materials and have suggested some minor amendments to polish them. Once this is complete then they can be published on the Council site and we will discuss with ACT how they will be promoting them via their channels.	NM	Lynne
11		2. Medium	Digital capability	Maintain or increase number of <b>visits to website</b> .	Webstats show that visitor numbers are back up to the level we expected.	Continue to monitor visitor numbers - ongoing	HS/GS	Julian
12		2. Medium	Digital capability	Use of <b>Twitter</b> has been expanded to ensure regular activity through more active sourcing of content to tweet, along with engagement with other Twitter users where appropriate.	Target of 3,000 followers has been achieved. There has been more regular activity on Twitter with the team ensuring that content is generated within the office or sourced from elsewhere. Increased focus on using twitter handles @SentencingCCL and # to attract more followers.	Continue to build on existing content - ongoing.	NM	Julian
13		2. Medium	Working with partner orgs	Research opportunities for SC involvement in <b>talks/events</b> to ensure we meet our commitment to 20 outings in the 15/16 financial year.	Members of the Sentencing Council and OSC have spoken at 13 events this year already with one more in the diary.	Continue to ask members for speaking opportunities and remind them to contact us to let us know about events they are attending. Circulate the text of Colman's speech to the Criminal Law Review to Council members - could there be further opportunities with this speech?	HS	Michael
14		2. Medium	Digital capability	<b>Syndicate web-content</b> on sentencing on partner websites.	A link to guidelines has been added to home page of Judicial portal. Continue to review existing content on other partner sites including Open Justice (MoJ) and GOV.UK. Revised content now on the CPS site with links to our site.	Ongoing	HS	Julian
15		3. Low	Working with partner orgs	Work with MOJ Technology team and Law Commission to develop a new <b>stakeholder management tool</b> to allow us to keep a central record of all interactions with stakeholders as well as the nature of our relationship, their supportiveness, influence etc.	A list of the details of stakeholders has been drawn up in a spreadsheet. The details of our requirements are now going through the process of being sent to potential suppliers	Continue to work with the Law Commission and MOJ Technology to get realistic quotes for the work. The next step will be a business case setting out how this tool will result in real benefits for the organisation.	HS	Michael

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# Sentencing Council

**Sub-group meeting:** 7 December 2015  
**Paper:** Digital  
**Lead official:** Helen Stear 020 7071 5788

## **1 ISSUE**

- 1.1 There are a number of strands of digital work going on and the subgroup is asked to have an overview of them and provide feedback and challenge to ensure opportunities are maximised and risks avoided.

## **2 RECOMMENDATION**

- 2.1 That subgroup notes the progress made on the different strands of work, noting the web stats and progress on the survey as well as proactively engaging with the new online document store in the members' area, proposed changes to the digital MCSG and plans to engage with Crown Court judges on their requirements for digital guidelines.

## **3 CONSIDERATION**

### **3.1 - WEB STATS**

The average number of daily unique visitors for October was 1,195 and for November was 1,484. In May this figure was just 718 so we are seeing the number of unique visitors heading in the right direction. There was a spike of unique visitors on the day the health and safety guideline was launched to 3,060. So far the health and safety guideline publication page has been viewed 4,332 times.

Since the launch of the digital MCSG on 11 September the MCSG landing page has had 26,008 page views, compared to 10,704 page views for the MCSG pdf page. The 'offences' landing page for searching the MCSG has had 24,978 page views since that date.

### **3.2 - SURVEY**

We have a survey up on the website and a pop-up box has just been put in place to prompt users to complete it. We have also tweeted a link to the homepage, encouraging followers to complete it. So far, numbers are low but we will keep it open until we have a useful number of responses. As a guide, we received just over 300 responses to the survey we ran four years ago.

### **3.3 - ONLINE DOCUMENT STORE**

The online document store is now live on the members' area of the website. Sub-group members are asked to proactively engage with this new digital tool and encourage their Council colleagues to use it as requested by office staff.

The purpose of this new tool is to allow online collaboration on Council documents. Users can add their comments and track their changes to documents, saving their changes to an online version which subsequent users can then access. Colleagues collecting input from several Council members can therefore collate these comments in one place, visible to all, rather than have to collect multiple versions of the same document. Council members will also be able to see one another's comments and either agree rather than making the same comment again, or make clear any differences of opinion.

A user guide is attached at Annex A.

**PLEASE LOG IN TO THE MEMBERS' AREA WHILE WE ARE ON THE CONFERENCE CALL SO WE CAN DISCUSS THIS ON THE CALL.**

**Question:** Do sub-group members have any questions about how to use the online document store? Are there any other comments?

### **3.4 – CHANGES TO THE DIGITAL MCSG**

We have gathered feedback on the online MCSG and plan to update the fines calculator to allow magistrates to enter more than one fine. Demand for additional tools such as a disqualifications calculator and axel weights tool is high enough to warrant further work in this area as well and we are in the process of costing these.

We are also due to launch our offline version in December having received extensive feedback as part of the user testing. This will allow magistrates to access the MCSG without wifi.

The additional work on the fines calculator and the offline version comes within our existing cost estimate for digital work as we had allowed for a 'stage 2' of the digital development.

### **3.5 – ONLINE SENTENCING GUIDELINES FOR THE CROWN COURT**

I am in the process of gathering together a virtual group of Crown Court judges to consult with on how their requirements for online guidelines may differ from those already delivered for magistrates. I have already approached the Head of Analysis and Research to ask whether we could use any of the judges who are part of our research pool. I plan to approach them with a brief explanation of what we have provided for magistrates and a couple of questions on what they themselves would require.

**Question:** Does the group agree that communications with Crown Court judges on this subject should go from Julian Goose as the Crown Court representative on the communications sub-group?

Does the group have any other comments on this area of work, particularly with regard to what Crown Court judges may require?

## Annex A

### Using the online document store

Log in to the members' area by using your Word Press username and password. You will see the document store on the members' area homepage.

**Sentencing Council**

[Members' Area](#) [Meetings](#) [Council and Sub-groups](#) [Induction](#) [Claim forms](#)

### Members' Area

Welcome to the members' area of the Sentencing Council website. These pages are not visible to members of the public – only members of the Council and office staff have access to these pages. You will find meeting papers, induction materials and information about meetings and events.

#### Meetings

- [Analysis and Research sub-group: December 2015](#) - 2 December, London
- [Confidence and Comms sub-group: December 2015](#) - 7 December,
- [Sentencing Council: December 2015](#) - 18 December, London
- [Sentencing Council: January 2016](#) - 29 January, London

[View all meetings](#)

#### Council and Sub Groups

A general overview of the membership and meetings of the Sentencing Council and its three sub-groups

#### Document store

- [Imposition consultation document](#) 1 min ago by helenstear
- [Allocation response document](#) 1 min ago by helenstear
- [Guilty plea resource assessment](#) 5 mins ago by helenstear

#### Induction

A source of information designed for members about the Council and your role in it

[View induction materials](#)

#### Claim forms



Click on the document you want to edit and it will take you to the 'back end' of the site.

If you are going to be working on the document for some time, you need to lock the document to avoid someone else downloading the document at the same time and simultaneously making changes. This would result in two versions of the document which is what we want to avoid.

Once you have locked it, you can download and save it to your own device so you can work on it.

The screenshot shows the 'Edit Document' interface for a document titled 'Guilty plea resource assessment'. At the top, there is a green notification bar stating: 'You currently have this file checked out. No other user can edit this document so long as you remain on this page.' Below this, the document title is displayed in a search bar. A permalink is shown: 'http://www.sentencingcouncil.org.uk/documents/2015/11/test.docx', with buttons for 'Edit', 'View Document', and 'Get Shortlink'. The 'Document Reservation' section features a red 'Lock document' button with a lock icon, highlighted by a yellow box. The text next to it says 'Document not reserved' and explains that the document is currently checked out to the user. The 'Document' section shows the 'Latest Version of the Document' with a 'Download' link highlighted by a yellow box, and notes it was checked in '2 mins ago by helenstear'. There are buttons for 'Edit on Desktop' and 'Upload New Version'. The 'Revision Log' section contains a table with columns for 'Modified', 'User', 'Summary', and 'Actions'. The 'Actions' column includes 'Restore' links for each revision. On the right-hand side, there are several panels: 'Document Widgets' with a 'Configure Widgets' button; 'Publish' with a 'Preview Changes' button and status information (Status: Published, Visibility: Public, Revisions: 4, Published on: 27 Nov 2015 @ 11:59); 'Workflow State' with a dropdown menu set to 'Under Review'; and 'Owner' with a dropdown menu set to 'ruthpope'.

Screen Options Help

### Edit Document [Add Document](#)

You currently have this file checked out. No other user can edit this document so long as you remain on this page.

#### Guilty plea resource assessment

Permalink: <http://www.sentencingcouncil.org.uk/documents/2015/11/test.docx> [Edit](#) [View Document](#) [Get Shortlink](#)

#### Document Reservation

[Lock document](#) Document not reserved  
This document is currently checked out to you, but only as long as this window remains open. Click this button to reserve the document, preventing other people from editing it.

#### Document

Latest Version of the Document: [Download](#)  
Checked in 2 mins ago by helenstear [Edit on Desktop](#) [Upload New Version](#)

#### Revision Log

Modified	User	Summary	Actions
<a href="#">2 mins</a>	helenstear		
<a href="#">2 mins</a>	helenstear		<a href="#">Restore</a>
<a href="#">13 mins</a>	helenstear		<a href="#">Restore</a>
<a href="#">25 mins</a>	marc		<a href="#">Restore</a>
<a href="#">3 days</a>	marc		<a href="#">Restore</a>

[RSS Feed](#)

#### Document Widgets **BAND**

This template has 2 page-specific widget areas.  
[Configure Widgets](#)

#### Publish

[Preview Changes](#)

Status: **Published** [Edit](#)

Visibility: **Public** [Edit](#)

Revisions: 4 [Browse](#)

Published on: 27 Nov 2015 @ 11:59 [Edit](#)

[Move to Bin](#) [Update](#)

#### Workflow State

Current State:  
[Under Review](#)

#### Owner

Document Owner:  
[ruthpope](#)

Once you have made your changes - using track changes and comments - you need to upload your version to the document store so the next user can see what you have said about it and add their own comments.

The screenshot shows a document editing interface for a document titled "Guilty plea resource assessment". The interface includes a document reservation section, a document version section, a revision log, and a document metadata section. The "Upload New Version" button is highlighted in yellow.

**Edit Document** [Add Document](#) Screen Options Help

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#### Document

Latest Version of the Document: [Download](#)  
Checked in *2 mins ago* by *helenstear* [Edit on Desktop](#) [Upload New Version](#)

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Modified	User	Summary	Actions
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[RSS Feed](#)

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Revisions: **4** [Browse](#)  
Published on: 27 Nov 2015 @ 11:59 [Edit](#)  
[Move to Bin](#) [Update](#)

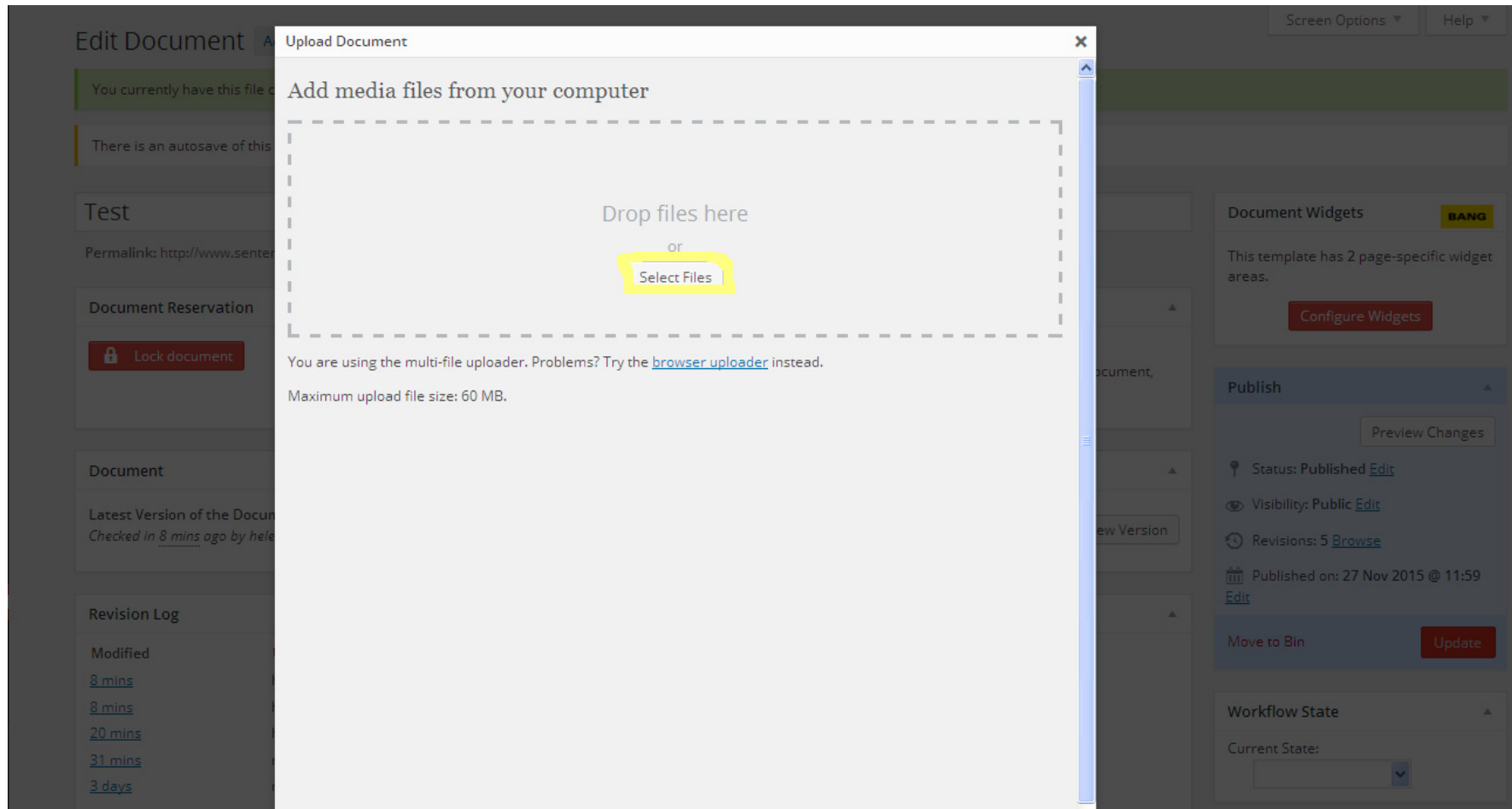
#### Workflow State

Current State:  
**Under Review** [▼](#)

#### Owner

Document Owner:  
**ruthpope** [▼](#)

You will be prompted to select your file from your computer – simply select the file you have saved and it will be uploaded.



Once your new version has been uploaded, you can make a note of the main changes you have made in the revision summary. This will appear in the revision log and assist the document owner in keeping track of who has changed what.

**Edit Document** [Add Document](#)

You currently have this file checked out. No other user can edit this document so long as you remain on this page.

File uploaded successfully. Add a revision summary below (optional) or press **Update** to save your changes.

Test

Permalink: <http://www.sentencingcouncil.org.uk/documents/2015/11/test.docx> [Edit](#) [View Document](#) [Get Shortlink](#)

**Document Reservation**

[Lock document](#) Document not reserved  
This document is currently checked out to you, but only as long as this window remains open. Click this button to reserve the document, preventing other people from editing it.

**Document**

Latest Version of the Document: [Download](#)  
Checked in 1 min ago by helenstear [Edit on Desktop](#) [Upload New Version](#)

**Revision Summary**

Revision summaries are optional notes to store along with this revision that allow other users to quickly and easily see what changes you made without needing to open the actual file.

**Revision Log**

Modified	User	Summary	Actions
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**Document Widgets** **BANG**

This template has 2 page-specific widget areas.

[Configure Widgets](#)

**Publish**

[Preview Changes](#)

Status: **Published** [Edit](#)

Visibility: **Public** [Edit](#)

Revisions: 8 [Browse](#)

Published on: 27 Nov 2015 @ 11:59 [Edit](#)

[Move to Bin](#) [Update](#)

**Workflow State**

Current State:

**Owner**

Last step – update and unlock!

Screen Options ▾ Help ▾

## Edit Document Add Document

You currently have this file checked out. No other user can edit this document so long as you remain on this page.

Document updated. [Download document](#)

### Test

Permalink: <http://www.sentencingcouncil.org.uk/documents/2015/11/test.docx> Edit View Document Get Shortlink

#### Document Reservation

**Lock document** Document not reserved  
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<a href="#">1 min</a>	helenstear		
<a href="#">1 min</a>	helenstear		<a href="#">Restore</a>
<a href="#">1 min</a>	helenstear	Helen's changes added	<a href="#">Restore</a>
<a href="#">19 mins</a>	helenstear		<a href="#">Restore</a>
<a href="#">30 mins</a>	helenstear		<a href="#">Restore</a>
<a href="#">42 mins</a>	marc		<a href="#">Restore</a>

#### Document Widgets BANG

This template has 2 page-specific widget areas.  
Configure Widgets

#### Publish

Preview Changes

- Status: Published [Edit](#)
- Visibility: Public [Edit](#)
- Revisions: 7 [Browse](#)
- Published on: 27 Nov 2015 @ 11:59 [Edit](#)

Move to Bin Update

#### Workflow State

Current State:

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**Sub-group meeting:** 30 November 2015  
**Paper:** Forthcoming guideline  
announcements – media approaches  
**Lead official:** Nick Mann 020 7071 5792

## **1 ISSUE**

- 1.1 There are a number of guideline announcements being made between now and February. These comprise the publication of the definitive allocation guideline in December, the consultation on a draft imposition guideline and the robbery definitive guideline in January and the consultation on the draft guilty pleas guideline in February.
- 1.2 Media activity needs to be planned in relation to each and it will vary due to the difference in the audiences for whom the subject matter will be of interest.

## **2 RECOMMENDATION**

### **2.1 Allocation definitive guideline publication**

It is recommended that this announcement is primarily aimed at legal media and CJS practitioners. A press release will be sent to legal media and news items drafted for use on CJS intranets. It will also be announced on our website and via twitter. Given that it is a rather dry subject that is highly unlikely to get any pick up, promoting the story to media like national newspapers and broadcasters will not be undertaken unless they have a legal correspondent for whom it would mainly be an “fyi”.

### **2.2 Imposition consultation publication**

Like the allocation guideline, this announcement will be of most interest to those working in the CJS and legal media, so it is recommended that the communications approach follows that for allocation.

### 2.3 Robbery definitive guideline publication

This announcement, like most offence-specific guidelines will be of interest to both legal media and to mainstream media. It is recommended that the media approach covers national print and broadcast media, legal media, and other niche media such as those catering for business sectors at risk of robbery, as was undertaken when the consultation on this guideline was launched. As with all guideline announcements, those working in the CJS will be reached with news copy written for their intranets and bulletins.

### 2.4 Guilty pleas consultation publication

2.5 While this guideline relates to a legal principle rather than an offence, the issue of sentence reductions is one that is very much of interest to mainstream media. An announcement on this subject needs to be carefully managed as it could easily be negatively reported, as it was when the idea of 50 per cent reductions was tabled in the LASPO bill.

2.6 It is recommended that comms for this announcement targets all relevant media – primarily legal media and national print and broadcasters - to ensure we manage mainstream media properly and avoid any accusation of announcing this on the quiet.

2.7 As with most guideline announcements that are of interest to national media, we will offer 1-1 briefing with key media ahead of the launch to allow them to report accurately and therefore influence subsequent coverage. We will also engage third party organisations who are likely to endorse the approach in the guideline and develop a public base of support. There may also be opportunities to collaborate with comms leads on other related programmes such as Better Case Management and Transforming Summary Justice.

2.8 We will be proactive with our social media, engaging audiences over a period of time rather than relying on simple ‘announcements’. We will also consider our own pieces to camera – a Council member announcing the launch and what it will do, what it stands for, what it means and doesn’t mean. We can be reactive with this format too – we could very quickly release a short clip saying specifically, “*this guideline does not mean ...*” and directly address any misrepresentations in the **media**.

2.9 Legal media and those working in the CJS will also be reached via press release and news copy.

**Comment [n1]:** Helen, you’ve mentioned this piece to camera idea in the paper for Council – is this still an option given the Design 102 issues? I’m not personally convinced this sort of video is essential.



**Question 1:** Do you agree with the approaches to the guideline announcements above?

### **3 CONSIDERATION**

#### **3.1 Allocation**

The revised allocation guideline aims to provide sentencers with guidance on whether cases should be dealt with in magistrates' courts or the Crown Court, to enable them to ensure that cases are tried and sentenced at the appropriate level. It will mean more cases will be retained for trial and sentence in magistrates' courts, resulting in greater efficiency and benefits for victims, witnesses, defendants and savings for the criminal justice system.

3.1.2 The main messages to be communicated about the guideline are

- This guideline will provide sentencers with guidance on whether cases should be dealt with in magistrates' courts or the Crown Court, to enable them to ensure that cases are tried and sentenced at the appropriate level.
- The guideline will provide clear, up-to-date and comprehensive guidance to ensure that all parties engage in the allocation process enabling courts to make decisions that reflect the reality of the cases before them.
- It will mean more cases will be retained for trial and sentence in magistrates' courts, which will result in greater efficiency and benefits for victims, witnesses and defendants and savings for the criminal justice system.
- The guideline does not influence the level of sentence given – it deals with which court deals with the case.

**Question 2:** Do you agree with the narrative and messaging for allocation?

#### **3.2 Imposition**

3.2.1 The Council is issuing updated guidance to replace the outdated SGC guideline. Detail of the guideline and top line messages are as yet unclear, but broadly it will be reminding the courts of their power to impose community and custodial sentences to ensure that they do so in a consistent manner. There are some concerns that there are some inappropriate impositions of some sentences, for example with some sentencers giving suspended

sentence orders as a way of giving a more severe community order without imposing immediate custody. The guideline will therefore reduce the complexity of sentencing as it will be clearer why sentence types are given.

### **3.3 Robbery**

- 3.3.1 The definitive robbery guideline does not appear to differ greatly from the draft guideline, so the main change from existing guidance is that it covers all types of robbery - the SGC guideline did not cover serious commercial robberies and robberies in dwellings. It also takes more account of the effect of robberies on victims and witnesses and aims to ensure it is consistent with the burglary guideline. Once the guideline is signed off, messaging will be drafted.
- 3.3.2 The subject matter is likely to be of interest to media, but it does not have the same niche audiences as some other offence areas on which guidelines have been produced.
- 3.3.3 In light of the issues emerging from the launch of the theft guideline we will need to set out very clearly what types of offences this guideline covers to avoid confusion with similar types of offences such as burglary and theft.

### **3.4 Guilty pleas**

- 3.4.1 This guideline aims to improve consistency in how reductions are applied as there is evidence that existing guideline is not always applied consistently and that levels of reductions in some cases appear to be higher than those recommended by the guideline. This is primarily due to 'first available opportunity' being interpreted differently by different judges. The guideline will also promote efficiency by encouraging more guilty defendants to plead guilty at the earliest stage of the court process.
- 3.4.2 As well as the issue of why offenders should get any reduction at all, there are a variety of questions that will need addressing in the communications for the consultation announcement. These include what reduction should be given when someone has little option other than to plead given weight of evidence, and they may even be some crossover with the courts charge that has been seen by some as causing people to plead guilty.

**Question 3:** Are there other issues to be aware of in making an announcement on this subject?

#### **4 NEXT STEPS**

- 4.1 Subject to approval, Nick will continue to work with policy colleagues to develop the comms approach to each of these announcements. An update will be provided at the next sub-group meeting.

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