

ANNEX G

PROPOSED STRUCTURE OF RESPONSE TO CONSULTATION ON THEFT OFFENCES

FOREWORD

To be agreed with Chairman

INTRODUCTION

Outline of why a new definitive theft guideline is being produced, to: provide updated guidance for a very high volume offence within one document; the existing theft SGC guideline contains the out of date burglary guideline; and to provide guidance for offences for which currently no guidance exists such as bike/car theft.

- Scope of offences/what is covered by the offences and rationale for groupings
- Applicability of guidelines
- Research
- How consultation was run (online/hardcopy/events)

SUMMARY OF RESPONSES

- Who responded and how
- General themes – e.g. positive responses to the proposed increased focus on the additional impact of thefts on victims other than just the financial value of the item
- A revised approach to the assessment of harm through the guidelines (merging of harm A and B) in order to make the process simpler, in light of concerns raised that the process was too complex
- Rewording of some of the culpability factors across the guidelines which responses showed had caused confusion
- Responses to key questions for each guideline, on culpability, harm, step two factors, sentence levels
- Rationale of approach taken to definitive guideline i.e. where position maintained despite requests for the proposals to be re considered (e.g prevalence wording)
- and where proposals suggested during the consultation were adopted (e.g additional wording now included regarding alcohol and mental health treatment orders)
- Explanation for the new placement of, and revised wording, regarding previous convictions within shop theft, and the removal of the wording within the rest of the guidelines from the consultation version
- A focus on avoiding escalation in sentencing, explanation regarding the new wording in shop theft to remind courts that all sentencing options are open, even if previous diversionary work with offenders before court had already been undertaken.

ANNEX A

Summary of consultation questions

ANNEX B

List of respondents

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