

MEETING OF THE SENTENCING COUNCIL

15 NOVEMBER 2024

MINUTES

Members present:

Bill Davis (Chairman)
Simon Drew
Elaine Freer
Tim Holroyde
Jo King
Stephen Leake
Juliet May
Rob Nixon
Stephen Parkinson
Amanda Rippon
Johanna Robinson
Beverley Thompson
Mark Wall

Rosa Dean (former member for item 3 only)

Apologies:

Richard Wright

Representatives:

Claire Fielder for the Lord Chancellor (Director,
Youth Justice and Offender Policy)
Jacqueline Beard for the Lady Chief Justice (Legal
Adviser to the Head of Criminal Justice)

Members of Office in
attendance:

Steve Wade
Mandy Banks
Vicky Hunt
Ollie Simpson
Jessie Stanbrook
Lisa Frost

Observers:

Diane Armand, Sentencing & Parole Unit, MoJ

1. MINUTES OF LAST MEETING

- 1.1 The minutes from the meeting of 11 October 2024 were agreed.

2. MATTERS ARISING

- 2.1 The Chairman noted that he had met Sir Nic Dakin the new sentencing minister and they had discussed what the Council may be able to do to support the upcoming sentencing review.

3. DISCUSSION ON STRANGULATION AND SUFFOCATION – PRESENTED BY LISA FROST, OFFICE OF THE SENTENCING COUNCIL

- 3.1 The Council undertook its final consideration of consultation responses to the draft guideline for strangulation and suffocation offences.
- 3.2 The Council considered the final resource assessment for the guideline, and agreed that amendments to culpability and harm factors made previously would ensure appropriate seriousness assessments for offences. It was agreed that an additional aggravating factor of 'victim pregnant at time of offence' should be included.
- 3.3 The Council noted that no equality and diversity issues were identified in respect of the guideline by consultation respondents.
- 3.4 The Council agreed that publication of the guideline should be expedited and the guideline brought into force on 1 January 2025.

4. DISCUSSION ON AGGRAVATED VEHICLE TAKING ETC – PRESENTED BY OLLIE SIMPSON, OFFICE OF THE SENTENCING COUNCIL

- 4.1 The Council considered consultation responses related to the proposed overarching guideline on driving disqualifications, as well as various minor and technical amendments to motoring related guidelines.

5. DISCUSSION ON IMMIGRATION – PRESENTED BY VICKY HUNT, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council discussed and agreed to some changes to the sentences within the Facilitation guideline. They also considered for the first time post consultation, the guidelines on Breach of deportation order, Deception, Possession of false identity documents with improper intention and Possession of false identity documents without reasonable excuse.
- 5.2 The Council made a number of changes to the factors at step 1 and 2 of those guidelines. It is anticipated that the full package of guidelines will be finalised by the Council in January 2025 for publication in March.

6. DISCUSSION ON HARE COURISING – PRESENTED BY OLLIE SIMPSON, OFFICE OF THE SENTENCING COUNCIL

- 6.1 The Council signed off the draft guideline on hare coursing, alongside the consultation-stage resource assessment, with a view to consultation in early 2025.

7. DISCUSSION ON DRUGS REVIEW – PRESENTED BY VICKY HUNT, OFFICE OF THE SENTENCING COUNCIL

- 7.1 The Council published the revised drugs guidelines in 2021 and at the same time committed to reviewing the list of drugs that appears at Step 1 (Harm) every three years. The purpose of a review is to ensure the drugs listed within the guidelines are still the most relevant and that the quantities are still appropriate.

- 7.2 After some initial discussions with key stakeholders it appears that there are no significant changes required to the list at this time. However the Council would like to explore wider issues with the guidelines and has added this to the workplan for full consideration as soon as time and resources allow.

8. DISCUSSION ON IMPOSITION – PRESENTED BY JESSIE STANBROOK, OFFICE OF THE SENTENCING COUNCIL

- 8.1 The Council considered further consultation responses on the Imposition guideline. This paper focused on the Imposition of custodial orders and Suspended sentence order sections.

- 8.2 The Council agreed to various amendments to these sections including restructuring of text under the three questions in the Imposition of custodial orders section and some minor additions. It also agreed to minor amendments to the table of factors indicating that it may or may not be appropriate to suspend a custodial sentence and additional information on requirements on a suspended sentence order.

- 8.3 Finally, the Council agreed to amendments to the drop downs on determining the operational and supervision periods of a suspended sentence order and the length of a community order, as well as several new lines providing more guidance on the level of fines throughout the guideline.

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