

## MEETING OF THE SENTENCING COUNCIL

24 JANUARY 2025

### MINUTES

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Members present:

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

Apologies:

Rob Nixon

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  
Vicky Hunt  
Ruth Pope  
Ollie Simpson  
Jessie Stanbrook

## **1. MINUTES OF LAST MEETING**

- 1.1 The minutes from the meeting of 20 December 2024 were agreed.

## **2. MATTERS ARISING**

- 2.1 The Chairman commented on the successful Sentencing Seminar jointly hosted by the Sentencing Council, the Sentencing Academy and the City Law School on 10 January. This had coincided with the Council submitting evidence to the Independent Sentencing Review and the chairman of the Review and several panel members had taken part in the event.

## **3. DISCUSSION ON HOUSING OFFENCES – PRESENTED BY OLLIE SIMPSON, OFFICE OF THE SENTENCING COUNCIL**

- 3.1 The Council looked at the scope of offences to be included in the project on housing, aside from the draft guidelines on unlawful eviction which had been signed off for consultation.
- 3.2 The Council agreed to continue to refine the scope, as well as the general approach to take, while noting that volumes for the offences potentially in scope were very low.

## **4. DISCUSSION ON AMENDMENTS TO SCHEDULE 21 – PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL**

- 4.1 The Council discussed a draft Statutory Instrument which would introduce two additional statutory aggravating factors to Schedule 21 to the Sentencing Act 2020 - for murders involving strangulation and for those connected with the end of a relationship. The Government was consulting the Council on the amendment in accordance with paragraph 19(2) of Schedule 23 to the Sentencing Act 2020 which permits Schedule 21 to that Act to be amended by secondary legislation subject to the affirmative resolution procedure and following consultation with the Sentencing Council.
- 4.2 The Council was of the view that the proposals were unnecessary and potentially counter-productive and agreed to respond to the Government setting out the reasons for these conclusions and suggesting that any further amendments to Schedule 21 should await the Law Commission's review of the law of homicide.

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

- 5.1 The Council signed off the final package of new and revised guidelines for aggravated vehicle taking offences, vehicle registration fraud, driver disqualification and various minor amendments related to motoring guidelines.

**6. DISCUSSION ON MISCELLANEOUS AMENDMENTS – PRESENTED BY RUTH POPE, OFFICE OF THE SENTENCING COUNCIL**

- 6.1 The Council considered responses to the remaining questions in the consultation relating to careless driving, sentencing children, totality, mandatory minimum terms and domestic abuse.
- 6.2 The Council found the responses to the proposed changes to the Careless driving guideline to be helpful and made some modifications to the proposals.
- 6.3 Regarding the proposals to change the name of all guidelines for sentencing under 18s to use the term ‘children’ rather than ‘children and young people’ – the Council noted that there were two opposing viewpoints. The Council considered the responses carefully and noted that the concerns of those who opposed to the change could largely be dealt with by clarifying the purpose and scope of the change. The Council agreed to make some changes to some of the details of the proposals in the light of the consultation responses.
- 6.4 The proposed changes to the Totality guideline were generally welcomed but there were a number of suggestions to clarify the wording which the Council agreed to adopt.
- 6.5 The Council also discussed consultation responses relating to a proposed small change to the wording relating to minimum terms in relevant sentencing guidelines, and to a proposal to add an aggravating factor relating to domestic abuse to more guidelines. The Council agreed to adopt the proposals with some changes to the wording relating to minimum sentences suggested by respondents.

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

- 7.1 The Council considered and discussed some proposed amendments to the Facilitation guideline, specifically in relation to the harm model. After a period of discussion the Council suggested some further changes which will now be made, tested and brought back for Council’s consideration in February.
- 7.2 In addition the Council discussed and agreed some minor changes to the deception guideline and possession of false identity documents with improper intention guideline.

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

- 8.1 The Council agreed proposed amendments to the text regarding female offenders from an ethnic minority background and young adult offenders from an ethnic minority background. The Council agreed to a

simplified, revised flow chart and agreed to separate it from the main guideline.

- 8.2 The Council considered the resource implications of the guideline and a high level overview of the upcoming resource assessment, as well as plans for sentencer training, engagement and communication activities as part of the guideline's launch. Having agreed to various final minor amendments throughout the guideline, the Council approved the final content in full and signed off the guideline for publication in March.
- 8.3 Finally, the Council agreed new content for the community order and custodial sentence drop downs that appear in all relevant offence specific guidelines based on the content of the revised Imposition guideline.