

Name

Publication consent

Publish response only (without name)

Q1) Do you agree or disagree with the Council's approach to the distinction between a 'principle' and a 'purpose' of sentencing?

Agree

Please provide any reasons for your response.

I think it is clear.

Q2) Should there be an overarching principle of "fairness and proportionality"?

Yes

Please provide any reasons for your response.

The whole definition of 'justice' is to be fair and reasonable so an overarching principle of 'fairness and proportionality' reinforces that ethos.

Q3) Are the supporting principles which underlie the overarching principle of fairness and proportionality (as listed at paragraph 2(i)-(vi)) appropriate?

Yes

Please provide any reasons for your response.

As you say, no two crimes are identical. The supporting principles will ensure equality across sentencing.

Q4) Are the supporting principles expressed clearly and accurately?

Yes

Please provide any reasons for your response.

Q5) Are there any other supporting principles which should be included at paragraph 2?

Not that I can think of.

Q6) Do you agree or disagree with the approach to the purposes of sentencing as set out at paragraph 4 of the draft guideline?

Agree

Please provide any reasons for your response.

Q7) Are the purposes as listed at paragraph 5(a)-(d) appropriate?

Yes

Please provide any reasons for your response.

Although I do think there should be more emphasis on rehabilitation.

Q8) Are the purposes expressed clearly and accurately?

Yes

Please provide any reasons for your response.

Q9) Are there any other purposes which should be included?

Q10) Do you agree or disagree with the approach set out at paragraph 6 of the draft guideline in relation to the efficient use of public resources?

Agree

Please provide any reasons for your response.

The cost of prosecuting offenders should be definitely taken into account when considering sentencing, however there may be circumstances where this could be unfair.

Q11) Is it appropriate to consider efficient use of public resources during the sentencing process?

Yes

Please provide any reasons for your response.

In the case of time wasters who continually fail to appear at court or delay their cases through trivial excuses it should be made clear that their behaviour could result in increased sentencing. It would be up to the judge to decide if they felt their was significant increase in costs to warrant any increase in sentence/punishment. However, there would require to be many factors taken into account including physical and mental health, understanding of the justice process etc.

Q12) Do you agree or disagree that the guideline would lead to an increase in public understanding of how sentencing decisions are made?

Agree

Please provide any reasons for your response.

Yes, too often people are left wondering why someone who kills using a car is treated more favourably than someone who kills using a fist or knife. Full transparency where possible is beneficial to all.

Q13) Do you agree or disagree that the guideline would lead to an increase in public confidence in sentencing?

Agree

Please provide any reasons for your response.

I also believe that this may improve the behaviour of those involved in court cases i.e. lawyers, press, etc.

Q14) What costs (financial or otherwise) do you see arising from the introduction of this guideline, if any?

If this exercise is completed correctly and efficiently it will hopefully cut down on time wasting and money wasting appeals which in the long run could save money. It may also have the added benefit of educating young people about crime and the consequences which is never a bad thing.

Q15) What benefits do you see arising from the introduction of this guideline, if any?

The public will be more aware of why and how sentencing was decided. This should help to reduce some Freedom of Information requests from the general public therefore freeing up time for staff to deal with other things. It may also assist in the education of jurors.

Q16) Would you like to make any other comments in relation to any matter arising from this consultation?

This consultation has been very well put together with a lack of jargon and more plain English being used. I hope that when the guidelines are put together they will be presented in the same clear and concise manner so they can be understood by a high number of people from a variety of backgrounds. Much too often we read documents with so much legal speak that it is difficult to digest even if English is your first language.

On a further note, I think there needs to be some thought given to the way in which jury members are treated and selected. This may not seem the appropriate consultation for this, however if you have a tired and aggrieved jury then it may not matter how fair your sentencing is if the innocent are found guilty.