

Name

John Fyfe

Publication consent

Publish response with 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.

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

Yes

Please provide any reasons for your response.

Sentences should be proportional to the crime. A typical sentence of a five year driving ban for causing death by dangerous driving is not proportional.

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.

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?

Subjective evidence such as “showing remorse” should not be taken into account to reduce a sentence and this could be “put on” and not be genuine.

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

Yes

Please provide any reasons for your response.

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

No

Please provide any reasons for your response.

5a and 5b are ok.

5c not sure of society disapproval – e.g. For years drinking and driving was considering acceptable. It is only recently that this has become socially unacceptable.

5d community service is not an acceptable punishment for more serious crimes.

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?

No

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.

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

Yes

Please provide any reasons for your response.

Removing a driving licence for life would cost nothing and it would be a stark reminder to irresponsible drivers and would improve the standard of driving dramatically.

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.

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.

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

Don't know

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

Sentencing should be more transparent

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

Not enough emphasis on victim impact statements.

Too much emphasis put on social workers reports.

Too easy for perpetrator to claim post traumatic stress/remorse/hardship most/all of which was self inflicted.