

Scottish
Sentencing
Council



Scottish Sentencing Council

Annual Report 2018/19

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Chair's foreword

Rt Hon Lady Dorrian, Lord Justice Clerk, Chair of the Scottish Sentencing Council



I am pleased to introduce the Scottish Sentencing Council's fourth annual report, covering the period 1 April 2018 – 31 March 2019, which tracks our progress and key achievements over the past year.

The most notable achievement has been the High Court's approval of the Council's – and Scotland's – first sentencing guideline, "Principles and purposes of sentencing". This general guideline, which came into force in November 2018 and applies to all sentencing decisions, sets out for the first time those fundamental principles which underpin sentencing in Scotland and the purposes which sentencing may seek to achieve. It is our hope that this guideline will be of particular use to the public, as well as assisting the judiciary and encouraging consistency in how sentencing is approached.

Two other general guidelines, on the sentencing process and the sentencing of young people, are nearing completion and we intend to issue these for public consultation in 2019. Our first offence guidelines, including in relation to causing death by driving offences, are at an earlier stage of development but good progress is being made. We have also now finalised a methodology for guideline development, setting out the various stages which the Council goes through in creating sentencing guidelines. This is intended to both assist the Council in taking a consistent approach, and inform the public of exactly how we go about our work and why each part of the process is important in creating guidelines which are robust and evidence-based.

The Council's second business plan, covering the period 2018-21, was also published this year. In developing this, we took account of lessons learned in our work to date and the views of a wide variety of interested organisations and individuals. Of particular note, we announced our intention to begin the development of sentencing guidelines in relation to sentencing discounting and sexual offences. Guidelines in both areas have considerable potential to assist the judiciary in making what can be complex sentencing decisions, and to improve public understanding.

Engagement and research continued to be a priority over 2018/19. In June 2018, we held a stakeholder conference on sexual offences, which allowed us to canvass views on the difficulties which can arise when sentencing such cases and explore

how sentencing guidelines might be able to assist. This event was invaluable in informing our decision to include sexual offences in our business plan for 2018-21, and in suggesting what areas we might wish to consider as a priority. We have also initiated research into public perceptions of sentencing, and have engaged constructively with the judiciary throughout the year to help ensure that our guidelines are helpful and usable by those taking sentencing decisions.

In relation to promoting public awareness and understanding of sentencing, our website has continued to develop, with the notable addition of material which can be used as part of the Modern Studies curriculum in schools. We have also taken steps to improve the transparency of our work, including through the creation of a guideline tracker which shows the current stage of development each of our guidelines is at.

Overall, this past year has been a busy and positive start to the 2018-21 business plan period. The approval of our first sentencing guideline marked a significant transition for the Council, from the necessary work involved in establishing the organisation and determining how we would work, to focusing fully on the development of guidelines and fulfilling our other statutory objectives. I look forward to continuing this progress over the coming year, and I would like to thank the Council's members – including those who departed during the year – and its secretariat for all of their work.

Rt Hon Lady Dorrian
Lord Justice Clerk and Chair of the Scottish Sentencing Council

Introduction



Introduction

The Scottish Sentencing Council was established on 19 October 2015 under Part 1 of the [Criminal Justice and Licensing \(Scotland\) Act 2010](#) (“the 2010 Act”).

This annual report, which covers the period 01 April 2018 – 31 March 2019, describes the Council’s work in relation to the development of sentencing guidelines, its key achievements and work in progress, its expenditure, and other information relating to its work over the course of the year.

Statutory objectives and functions

The Council is an independent advisory body with the following **statutory objectives**:

- to promote consistency in sentencing practice
- to assist the development of policy in relation to sentencing
- to promote greater awareness and understanding of sentencing policy and practice

The Council’s **functions** include:

- preparing sentencing guidelines for the Scottish courts
- publishing guideline judgments issued by the Scottish courts

- publishing information about sentences imposed by the courts

It also has powers to **publish information** about, and **conduct research** into, sentencing and to **provide advice and guidance** of a general nature on sentencing matters.

Sentencing guidelines

The Council must prepare sentencing guidelines for the consideration of the High Court of Justiciary, Scotland’s supreme criminal court. If the High Court approves the guidelines, it may do so in whole or in part, and with or without modifications.

Guidelines do not have effect unless approved by the Court.

The Council has **broad discretion** as to the format and subject matter of sentencing guidelines. In particular, guidelines may cover:

- the principles and purposes of sentencing
- sentencing levels
- the particular types of sentence that are appropriate for particular offences or offenders
- circumstances in which guidelines may be departed from

Membership



The Scottish Sentencing Council is made up of **12 members**. The categories of membership are provided for in the 2010 Act.

Three changes in membership took place during 2018/19. Summary Sheriff Jillian Martin-Brown was appointed as the Council's new summary sheriff member on 4 June 2018. This followed a recruitment exercise to find a replacement for Summary Sheriff Andrew McIntyre, whose membership ceased on his appointment as a sheriff in January 2018.

The tenures of Gillian Thomson JP and John Scott QC ended on 18 October 2018. Following a recruitment exercise, Susan Fallone JP and Krista Johnston were appointed as, respectively, the Council's new justice of the peace and solicitor members on 11 December 2018.

All three new members have been appointed for 5 year terms and will serve on the Council until 2023.

Council membership during 2018-19 is set out at pages 9-10.

Staff

During 2018/19, the Council's Secretariat comprised the following posts:

- Secretary to the Scottish Sentencing Council
- Principal Legal Officer
- Principal Research Officer
- Senior Policy Officer
- Communications Officer
- Business Manager

Category	Position	Title
Chair	The Lord Justice Clerk, by virtue of that office	The Rt Hon Lady Dorrian
Judicial members Appointed by the Lord Justice General, having consulted the Scottish Ministers	One first instance High Court judge	The Rt Hon Lord Turnbull
	One sheriff	Sheriff Norman McFadyen
	Two persons holding the office of summary sheriff or justice of the peace	Summary Sheriff Jillian Martin-Brown (from 4 June 2018)
		Gillian Thomson JP (until 18 October 2018) Susan Fallone JP (from 11 December 2018)
	One further eligible judicial member or a sheriff principal	Sheriff Principal Ian R Abercrombie QC

Category	Position	Title
Legal members Appointed by the Lord Justice General, having consulted the Scottish Ministers	One prosecutor	David Harvie Crown Agent for Scotland
	One advocate	Stephen O'Rourke QC
	One solicitor	John Scott QC (until 18 October 2018) Krista Johnston (from 11 December 2018)
Lay members Appointed by the Scottish Ministers, having consulted the Lord Justice General	One constable	Chief Constable Iain Livingstone
	One person with knowledge of victims' issues	Sue Moody
	One other person who is not qualified as a judicial or legal member	Professor Neil Hutton

Committees

The Council has two types of committee: standing committees and working group committees. Standing committees are established on a long term basis to handle particular areas of ongoing work. Working group committees are established for a defined period of time and will generally focus on the development of a particular guideline, lasting only until this work is finished.

Standing committees

The Council's two standing committees, the Communications Committee and the Research Committee, were established in 2016.

The **Communications Committee** leads on promotional and public awareness work. A key part of this involves engaging with organisations and individuals to raise awareness and understanding of sentencing, and to encourage participation in the Council's work.

The committee's membership during 2018-19 was as follows:

- Sheriff Norman McFadyen (Chair)
- Summary Sheriff Jillian Martin-Brown (from 11 June 2018)
- John Scott QC (until October 2018)
- Krista Johnston (from March 2019)
- Sue Moody

The **Research Committee** advises the Council on the commissioning, progress, and dissemination of research projects.

Its membership during 2018-19 was as follows:

- Professor Neil Hutton (Chair)
- The Rt Hon Lord Turnbull
- Gillian Thomson JP (until October 2018)
- Susan Fallone JP (from March 2019)
- Stephen O'Rourke QC

In addition, Sheriff Frank Crowe acted as an advisor to the Committee throughout 2018/19.

Working group committees

These committees support the development of specific sentencing guidelines, including making recommendations to the Council as to the scope, content, and approach of its work, reviewing draft guidelines, supporting engagement with relevant stakeholders, and overseeing the guideline consultation process.

Working group committees are currently in place to support the Council's work to develop guidelines on the sentencing process, sentencing young people, causing death by driving, and environmental and wildlife offences.

The membership of each committee during 2018/19 was as follows:

Sentencing Process Committee

- The Rt. Hon. Lord Turnbull (Chair)
- Sheriff Norman McFadyen
- Professor Neil Hutton

Sentencing Young People Committee

- Sheriff Principal Ian Abercrombie QC (Chair)
- David Harvie
- Krista Johnston (from March 2019)
- Sue Moody
- John Scott QC (a member until October 2018, and thereafter an advisor to the committee by invitation of the Council)

Death by Driving Committee

- David Harvie (Chair)
- Sheriff Norman McFadyen
- Professor Neil Hutton

Environmental and Wildlife Crime Committee

- Stephen O'Rourke QC (Chair)
- Gillian Thomson JP (until October 2018)
- Summary Sheriff Jillian Martin-Brown (from 11 June 2018)
- Susan Fallone JP (from March 2019)

Sentencing guidelines



Sentencing guidelines

Under the 2010 Act, the High Court and the Sheriff Appeal Court may require the Council to prepare or review sentencing guidelines when issuing a guideline judgment under the relevant provisions of the Criminal Procedure (Scotland) Act 1995.

The Scottish Ministers may request that the Council consider preparing or reviewing sentencing guidelines. The Council must have regard to such a request but is not obliged to comply with one.

No statutory requests for guidelines were made of the Council in the period to 31 March 2019.

Guidelines approved during 2018/19

The Council submitted its first guideline, "[Principles and purposes of sentencing](#)", to the High Court on 24 September 2018.

This guideline was approved by the High Court on 30 October 2018, and came into force on 26 November 2018, applying to all sentencing decisions on or after that date.

The guideline sets out an overarching principle of “fairness and proportionality” and a series of supporting principles which contribute to this. The guideline also outlines the purposes which sentencing may seek to achieve, including protection of the public; punishment; rehabilitation of offenders; giving the offender the opportunity to make amends; and expressing disapproval of offending behaviour.

As the general principles and purposes of sentencing have never before been expressly defined in Scotland, it is our hope that this guideline will be of significant benefit to the public in particular, in explaining what considerations underlie sentencing decisions, as well as assisting the judiciary and encouraging consistency in how sentencing is approached.

The guideline can be found on the Council's website.

Guideline development

The “Principles and purposes of sentencing” guideline is the first in a set of three general guidelines. The second of those guidelines, on the sentencing process, will be issued for public consultation in mid-2019 (we had originally hoped to begin the consultation process during 2018/19, but finalising this guideline has taken slightly longer than expected). We aim

to submit that guideline to the High Court for approval in 2019/20, though the exact timing is largely dependent on the outcome of the consultation exercise.

We are also making good progress on a guideline on sentencing young people. It is intended that this should be the subject of public consultation in late 2019.

In addition to these general guidelines, we have taken forward work on our first offence guidelines (guidelines which relate to particular offences). In particular, we have continued to work on guidelines relating to offences of causing death by driving, and environmental and wildlife offences.

We have also taken a decision to commence the development of guidelines in respect of sexual offences and on sentence discounting. In the light of that decision, we are considering how best to prioritise our work on offence guidelines.

Methodology for guideline development

Since its establishment, the Council has given considerable thought to how guidelines should be developed, taking into account experience in other jurisdictions and lessons learned during the development of the “Principles and purposes of sentencing” guideline.

One of the key tasks contained in our first business plan was the development of a methodology setting out how we will take forward the work to prepare individual guidelines. This was published in October 2018 and is now available on our website.

The methodology sets out the process for guideline preparation, and explains the various steps the Council takes to ensure guidelines are robust, evidence based, and useful to both the public and the judiciary.

The guideline development process commences with consideration of possible guideline topics. Once the Council has agreed to proceed with a guideline, it will engage with stakeholders and those with an interest or expertise in the area.

As the Council is committed to an evidence-based approach to guideline development, it will also gather information about the guideline topic.

This might include new research, evidence about current sentencing practice, or a review of research and information available from other sources.

Development of a draft guideline then takes place, based on the information gathered. Thereafter, the Council seeks the views of judges, and once the draft guideline has been further adjusted it will consult widely on its terms. The Council has made a commitment to carry out a full public

consultation on each of its guidelines, and is keen to hear from all those who wish to comment on a guideline. It must also, by law, consult the Scottish Ministers and the Lord Advocate. When the consultation has finished, the Council will analyse the responses and carefully consider what changes need to be made to the guideline.

The Council's guidelines only take effect if they have been approved by the High Court. So once a guideline has been finalised, it will be submitted to the High Court, together with an assessment of the guideline's anticipated impact on the criminal justice system. And if the High Court approves a guideline the Council will publish it, and the impact assessment, as soon as we can, together with details of when the guideline is to come into force.

Once a guideline is in force all Scottish courts must have regard to it when sentencing in a case to which the guideline applies. The Council will review each of its guidelines from time to time.

Although this process takes time, it is essential in ensuring that guidelines are fit for purpose and that they do not have any unintended or unhelpful consequences for the criminal justice system.

The various steps in the guideline development process are summarised in the table on page 17.

In order to increase the transparency of the Council's work, the stage which each of the guidelines currently under development is at is indicated on our website.

Stage 1 – Initial consideration of the guideline topic

We will agree the aims and scope of a guideline and a plan for its development. We will also establish a committee to oversee the work involved.

Stage 2 – Development of a draft guideline

We will focus on stakeholder engagement and evidence gathering when developing early drafts of the guideline.

Stage 3 – Seeking the views of judges

We will seek the views of judges on current sentencing practice and any areas of difficulty in which guidance would be helpful. This will help to ensure that the guideline is useful and that potential impacts are identified.

Stage 4 – Consulting on the guideline

We will take a broad range of views into account in developing guidelines. To that end, we will carry out public consultation on all our guidelines. We are also required to consult the Scottish Ministers and the Lord Advocate.

Stage 5 – Finalising the guideline

We will take into account what we have heard during consultation, and make any necessary revisions to the draft guideline and accompanying impact assessment.

Stage 6 – Submitting the guideline for approval

The High Court requires to approve our guidelines before they can take effect. When approving a guideline, the High Court will also specify when it is to come into force.

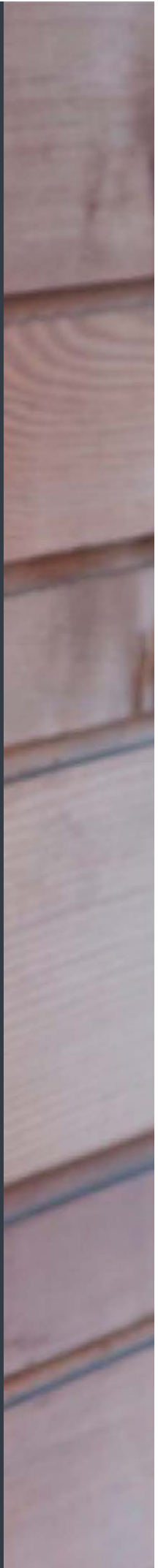
Stage 7 – Raising awareness about the guideline

We will take steps to raise awareness of each new guideline once it has been approved. We will work to ensure that all those who have an interest in, or are affected by, a guideline are prepared for it.

Stage 8 – Monitoring and review

We must review each guideline from time to time. We will monitor the operation of guidelines to help us decide whether we need to review or update the terms of the guideline.

Key achievements and work in progress

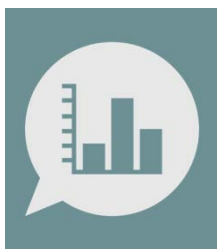


Key achievements and work in progress

Sentencing guidelines

As noted previously, the Council's first sentencing guideline, "[Principles and purposes of sentencing](#)", was approved by the High Court on 30 October 2018 and came into force on 26 November 2018.

Research and information



The Council's first final impact assessment, in support of the "Principles and purposes of sentencing" guideline, was published in late 2018. This drew together data gathered from engagement with key stakeholders to examine the likely costs and benefits of the guideline and its likely effect on the criminal justice system more generally, as well as considering the responses to the

Council's public consultation exercise on this guideline.

We also published the results of a literature review on death by driving offences which was commissioned to support the Council's development of a guideline on this topic. In addition, we commissioned three further literature reviews during the year, covering environmental and wildlife offences, the sentencing of young people, and sentence discounting. These reviews will support our work to develop guidelines in each of these areas and will be published in due course.

Throughout the year, we have taken steps to explore public opinion on and understanding of sentencing in Scotland. In particular, we commissioned a nationally representative survey exploring public understanding of sentencing. This work included questions designed to explore both abstract opinions on sentencing in general and public opinions when considering particular sentencing scenarios. Results from this project will be used to support our work across multiple guidelines, and a report will be published after the research is complete.

We have also commissioned more targeted qualitative research which seeks to explore in-depth public views on causing death by driving offences and sexual offences. This work is being undertaken through a mixed methods design and includes work

specifically designed to understand the views and experiences of victims and families of victims. The results from these research projects will inform our work around the development of guidelines on sexual offence and causing death by driving.

In relation to our sentencing young people guideline, we held a small focus group with members of the Scottish Youth Parliament, to explore various issues currently under consideration.

We have continued to engage with the Scottish Graduate School of Social Sciences' Ph.D. internship scheme, with three Ph.D. interns coming to work with the Council over 2018-19. These three month long projects looked at the current academic understanding of sexual offences, explored the pattern of fines imposed on environmental and wildlife offences, and considered the aggravating and mitigating factors in sexual offending. In addition to assisting the Council's work programme, these projects give early career researchers valuable experience along with encouraging them to consider sentencing research as a professional interest.

We have continued to undertake direct research with judges across the country, seeking their views on sentencing. This year, we have spoken to a number of judges at courts across Scotland about death by driving offences, exploring the factors

considered in sentencing these offences and how a final decision is reached. We have also worked with groups of judges to discuss the sentencing of sexual offences.

Engagement has also continued with members of the academic and research communities through direct meetings and conference attendance.

Looking forward, the Council has agreed an external research plan for 2019-20 and will be proceeding with a number of projects in the next year.

In all of its research activity, the Council is supported by the Research Committee, which took a lead role in most of the work mentioned.

Promoting awareness and understanding

Throughout the year, we have continued to promote awareness and understanding of sentencing, primarily through the ongoing development of the Council's website and through engagement activity. Most of this work was carried out in-house during 2018/19, with minimal external costs incurred. In all of its communications work, the Council is supported by the Communications Committee.

Ongoing website development

The resources available on the Council's website have been further expanded this year, with the addition of material for use as part of the Modern Studies curriculum in schools. The engaging and user-friendly material, which includes quizzes, classroom activities, and assignments, can be used for S1-S3, National 4, National 5, Higher and Advanced Higher course work. The resources received very positive feedback at the Modern Studies Association Conference in Glasgow in late 2018.

In addition, new sentencing guideline pages were added to inform the public of how guidelines are developed and which guidelines we are currently working on, as well as what progress has been made on each guideline to date.

There were just under 60,000 visitors to the website during 2018-19. This was a 20% increase on the previous year.

Openness and engagement

We made an early commitment to demonstrate transparency and to work productively with others.

In June 2018, we held a stakeholder conference on the topic of sentencing sexual offences, to assist us in our

consideration of whether to develop sentencing guidelines in this area and, if so, what these should be focused on. The conference, which involved presentations and interactive workshop discussions, was attended by a wide range of stakeholders, including criminal justice bodies, victim support organisations, members of the judiciary, and academics. The event was extremely useful in informing our decision later in the year to commit to developing guidelines on sexual offences.

Given increasing parliamentary interest in our work, representatives from the Communications Committee met with a number of MSPs during the year, focusing initially on members of the Scottish Parliament's Justice Committee, to discuss the role of the Council, our work to date, and our plans for the 2018-21 period. Regular meetings have also been held at official level with the Scottish Government, and the Chair of the Council met the Cabinet Secretary for Justice in February 2019 to discuss the work of the Council in general.

Parliament House Doors Open Day at the end of September provided another opportunity for us to raise public awareness of sentencing and of the Council's work. Over 2000 people attended on the day, with many taking part in the "You be the judge" interactive session as part of the behind the scenes tour.

We have continued to engage with judiciary from around the world to share best practice. In September, we were delighted to welcome a delegation of judges from Taiwan to discuss our experiences in establishing the Council, and in March we met with two judges from the USA to discuss their experiences of problem solving courts.

To raise awareness of the Council's work and encourage engagement with interested parties, meetings have been held with a wide variety of stakeholders over the course of the year, including during the development of our business plan for 2018-21.

As in previous years, we also published details of all Council meetings, including agendas and minutes.

Media

Throughout the year, we continued to engage constructively with the media, offering comment on sentencing issues where appropriate and providing interviews in relation to the "Principles and purposes of sentencing' guideline", the 2018-21 business plan, and the visit by the judges from the USA.

Presentations, conferences, seminars, and visits

The following details some of the presentations delivered and conferences, seminars, and visits attended by Council members or staff:

Presentations, conferences, seminars, and visits	Date
Attendance at Adverse Childhood Experiences: Learning from Research for Better Policy and Practice in Scotland, NHS Health Scotland	June 2018
Attendance at National Youth Justice Conference 2018, Centre for Youth & Criminal Justice (CYCJ), Education Scotland, and the National Youth Justice Advisory Group (NYJAG)	June 2018
Attendance at SCCJR Prisons Commission Conference	June 2018
Attendance at 2018 National Association of Sentencing Commissions (NASC) Conference	August 2018
Attendance at The Passions of Criminal Justice: Love, Law & Legitimacy, Centre for Law, Crime & Justice, University of Strathclyde	September 2018
Visit by delegation of judges from Taiwan	September 2018
Attendance at Making Scotland the World's First ACE-Aware Nation conference	September 2018
Presentation and interactive session at Doors Open Day, Parliament House	September 2018
Presentation at sheriffdom of South Strathclyde, Dumfries and Galloway Justice of the Peace training event	October 2018
Attendance at New Questions, Methods, and Data in Sentencing Research - University of Leeds	October 2018
Presentation and discussion at Tayside, Central and Fife sheriffdom conference	October 2018

Presentations, conferences, seminars, and visits	Date
Keynote speech at SASO annual conference	November 2018
Attendance at ACEs event and screening of 'Resilience', Children 1 st and Harper McLeod	November 2018
Presentation and discussion at Grampian, Highland and Islands sheriffdom conference	November 2018
Presentation and discussion at North Strathclyde sheriffdom conference	November 2018
Attendance at Safeguarding children when sentencing mothers, Prison Reform Trust and Community Justice Scotland	January 2019
Attendance at consultation event on Scottish hate crime legislation, Scottish Government	January 2019
Attendance at Presiding with Kindness; making criminal justice trauma informed, Medics against Violence	March 2019
Presentation to Victims Taskforce	March 2019
Attendance at The Blame Game – Domestic abuse in society, policy and practice, Scottish Women's Aid	March 2019
Visit by Judges Victoria Pratt and Ginger Lerner-Wren, Parliament House	March 2019
Attendance at Learning from UK studies of ACEs, NHS Health Scotland	March 2019
Attendance at Delivering Effective Justice in Scotland	March 2019

Assisting policy development

One of the Council's statutory objectives is, in carrying out its functions, to seek to assist the development of policy in relation to sentencing. Our views on what this role involves are set out on the [Council's website](#).

We noted in our first business plan that any policy issues considered would be noted in our annual reports.

During 2018/19, three substantive policy matters were considered.

In June 2018, representatives from the Council gave evidence to the Scottish Parliament's Justice Committee at Stage 1 of the Management of Offenders (Scotland) Bill, particularly with regard to proposals around electronic monitoring. As in our response to the public consultation on this topic, we generally supported proposals which would allow a more flexible and tailored approach to electronic monitoring, while noting that careful consideration would be required around how best to use this technology most effectively to manage offenders in the community. The official report of this evidence session is available on the [Scottish Parliament's website](#).

In February 2019, we responded to a Scottish Government consultation on proposals to amend hate crime legislation, which arose from Lord Bracadale's [independent review](#).

Our response was focused specifically on whether or not courts should continue to be required to state the extent to which the relevant statutory aggravations have altered the length of sentence. We supported Lord Bracadale's suggestion that this requirement be removed, on the basis that disaggregating sentences in this way is not always realistic or helpful. In our view, sentencing is ultimately a matter of judgement; requiring a court, in arriving at a total sentence which is fair and proportionate, to provide a precise calculation of the difference that a statutory aggravation makes runs the risk of turning the court's exercise of its sentencing function into an artificial and arithmetical exercise.

And on an ongoing basis, we are considering the potential impacts of the Scottish Government's plans to extend the current presumption against short-term sentences from 3 to 12 months, both on the criminal justice system and on the Council's future work. We expect our consideration of this topic to continue in 2019/20, particularly with regard to how the extended presumption may affect offence guidelines

Business Plan 2018-21

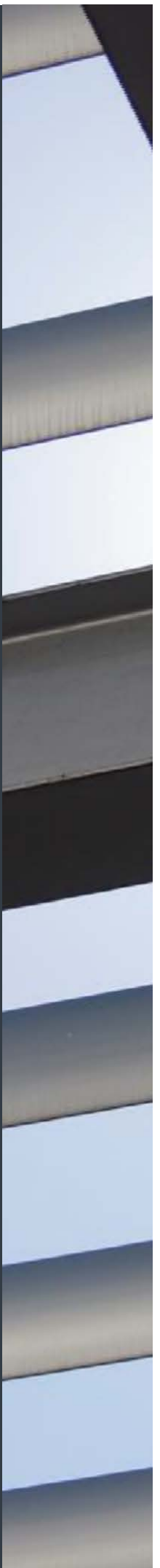
The Council's [second business plan](#) (covering the period 2018-21) was laid in the Scottish Parliament on 29 October 2018 and published on 30 October 2018.

In developing this business plan, we engaged with a wide variety of stakeholders to discuss the Council's work to date and what areas we might focus on over the next 3 years. We also, as required by the 2010 Act, consulted with the Scottish Ministers, the Lord Justice General, and the Lord Advocate.

In the business plan for 2018-21, we announced our intention to develop sentencing guidelines on sexual offences and sentence discounting, in addition to continuing work on guideline relating to the sentencing process, sentencing young people, causing death by driving, and environmental and wildlife offences.

We also noted our intention to carry out preparatory work on domestic abuse to inform a decision on whether to prepare a guideline in future, and to hold initial discussions with relevant stakeholders in relation to sentencing people with mental welfare difficulties, with a view to considering what, if any, activity the Council may undertake in this area.

Expenditure



Expenditure

The Scottish Courts and Tribunals Service (SCTS) has the statutory function of providing, or ensuring the provision of, the property, services and staff for the Council, under section 62 of the Judiciary and Courts (Scotland) Act 2008 and The Scottish Courts and Tribunals Service (Administrative Support) (Specified Persons) Order 2015. As such, the costs of the Council are borne by the SCTS and its budget is determined by the SCTS Board, which is chaired by the Lord President.

The resources available to the Council during 2018/19 were **£532,703** made up of **£335,681** for staffing costs and **£197,022** for direct expenditure.

Actual expenditure, including staffing costs, during 2018/19 is detailed on the table on page 29.

Expenditure 2018-19*		
Category	Description	£
Staffing	Staff salary costs (including pensions and national insurance contributions)	315,601
General office expenditure	Printing costs, stationery etc.	1,843
Meetings and events	Venue hire, catering and conference costs	14,937
Training and expenses	Members' and staff travel & subsistence and costs of training associated with Council business	8,828
Promoting awareness and understanding	Website development, publications, and educational resources	582
Research	Commissioned projects, consultation analysis etc.	124,920
Total		466,711

*All category figures are rounded to the nearest pound and the total provided is the sum of those rounded amounts.

SCTS associated costs

Costs relating to services and accommodation provided by SCTS are not included in the table, such as shared overheads, telephone charges, judicial travel & subsistence, and provision of data relating to sentencing.

Correspondence,
freedom of
information, and
complaints



Correspondence, freedom of information, and complaints

The Council is obliged to report on its complaints handling performance information, under schedule 2 to the SPSO Act. There were no complaints received during the period.

The following table provides information on the number of requests received under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Scottish Public Services Ombudsman Act 2002 (the SPSO Act), along with the number of items of correspondence received.

Category	Number
FOISA requests	2
Complaints	0
Items of correspondence	57

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