

Sentencing Academy News

May 2021

Sentencing Academy launches an internship in partnership with the Kalisher Trust

The Sentencing Academy is delighted to be partnering with the Kalisher Trust to provide a part-time, 30 week paid internship with us, starting this autumn. The intern will work with us for a minimum of 15 hours per week for the duration of the internship and they will provide research assistance, produce a larger piece of their own research and also conduct other work for us. This internship is designed for aspiring criminal barristers whose success would further the Kalisher Trust's aims for greater social mobility and diversity at the criminal bar.

Applications are open until 5pm on 25 June 2021 and further details about this internship are available [here](#).

Other News

Sentencing Council to revise child sexual offences sentencing guidelines

Following the Court of Appeal's judgment in *Privett and Others* [2020] EWCA Crim 557, which provided guidance to sentencers on the approach to the assessment of harm for child sexual offences in cases where there is no actual child victim, the Sentencing Council has decided to update the relevant guidance for sentencing cases where sexual activity was incited but did not take place. The revised guideline will focus sentencers' attention to the intended sexual harm to a child victim, irrespective of whether the sexual activity took place or, indeed, whether the child victim actually existed. This consultation considers not only the proposed updates to existing guidelines but also the creation of a new guideline for the offence of sexual communication with a child (section 15A of the Sexual Offences Act 2003).

The consultation is open until 13 August 2021 and further details can be found [here](#).

Sentencing Council publishes revised guidelines for assault offences and attempted murder

After a consultation last year, the Sentencing Council has published revised guidelines for assault offences, including a new guideline for the offence of assault on emergency workers and a significant update to the guideline for attempted murder that was published by the Sentencing Council's predecessor body, the Sentencing Guidelines Council, in 2009. The revised guidelines come into effect on 1 July 2021 and can be found [here](#).

Accompanying the publication of the revised guidelines, the Sentencing Council has also published some helpful data tables for assault offences, which can be found [here](#).

Counter-Terrorism and Sentencing Act 2021 receives Royal Assent

On 29 April 2021, the Counter-Terrorism and Sentencing Act 2021 received Royal Assent and this legislation introduces important sentencing reforms for offenders convicted of terrorist offences. Perhaps the most significant aspect is the introduction of a new type of sentence, the 'serious terrorism sentence', for all adult offenders who are deemed to be dangerous and have been convicted of a terrorism offence that 'was very likely to result in or contribute to (whether directly or indirectly) the deaths of at least two people'. Where a court does not impose a life sentence in such cases, unless there are exceptional circumstances it must impose a sentence of at least 14 years' imprisonment with an extension period on licence of not less than seven years but no greater than 25 years. This is by far the longest mandatory minimum sentence for any type of offence and, crucially, the full custodial period must be served in custody. Furthermore, the maximum reduction for a guilty plea for a 'serious terrorism sentence' will be one-fifth rather than the usual maximum reduction of one-third.

Other sentencing reforms introduced by this Act include the removal of early release for offenders serving an Extended Determinate Sentence for a terrorism offence that carries a maximum penalty of life imprisonment, who now must serve their full custodial sentence in custody rather than being eligible for release by the Parole Board at the two-thirds stage of their custodial sentence; increasing the maximum penalty from 10 to 14 years for three terrorism-related offences (membership of a proscribed organisation, supporting a proscribed organisation and attendance at a place used for terrorist training); and an amendment to the Sentencing Code to require courts when sentencing for a non-terrorism offence with a maximum penalty of more than two years in a case where it appears that the offence was committed in the course of an act of terrorism, or for the purpose of terrorism, to consider whether

the offence had a terrorist connection and whether the sentence should be aggravated as a consequence.

Bishop of Gloucester event on the Police, Crime, Sentencing and Courts Bill

On 12 May 2021, the Bishop of Gloucester, the Anglican Bishop for Prisons in England and Wales, hosted an online event to discuss the sentencing provisions in the Police, Crime, Sentencing and Courts Bill in advance of the Bill's arrival in the House of Lords. This wide-ranging discussion featured Sir John Saunders, Professor Andrew Ashworth, His Honour Peter Rook QC, Umar Azmeh and Chris Fry as speakers and it highlighted some of the issues of concern with the Bill's sentencing provisions. The event was recorded and can be viewed [here](#).



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