



Sentencing Guidelines Council

20 November 2009

SGC 05/09

Council Publishes Guideline on Sentencing of Young Offenders

Principles to guide the courts in dealing with young offenders are set out today in a definitive guideline from the Sentencing Guidelines Council.

The wide-ranging guideline has been developed to deal with changes in legislation relating to youth justice to be implemented on 30 November 2009 but it also draws together the principles relating to sentencing young offenders in a single authoritative document.

Courts are advised that robust sentences are available to deal with serious or persistent offenders but they need to consider carefully the individual circumstances of offenders aged below 18, the Sentencing Guidelines Council says today in a new definitive guideline.

The guideline *Overarching Principles – Sentencing Youths* recognises that under-18s can differ significantly in maturity and the approach to sentencing young offenders should be tailored to the individual.

Courts are advised that when considering the length of any custodial sentence it is particularly important to consider maturity as well as age, in addition to the circumstances or sophistication of the offence.

The closer an offender was to 18 when the offence was committed and the greater the maturity of the offender or the sophistication of the offence, the closer the sentence is likely to be to that which would be imposed on an adult.

The guideline also deals with the approach to the new youth rehabilitation order, including the order with fostering or with intense supervision and surveillance which is an alternative to an immediate custodial sentence.

Courts are advised that they may impose a youth rehabilitation order (other than with fostering or intense supervision and surveillance) for offences that are not imprisonable – in contrast to the provisions relating to adult offenders.

The guideline also deals with enforcing the responsibilities of parents and guardians to be present when young people are sentenced.

Tim Workman, Senior District Judge and Council member said: “The separation of youth offenders from adults in the criminal justice system has a long history and the principal aim of the youth justice system is to prevent offending.

“In sentencing young people the courts should confront them with the consequences of their offending and help them develop a sense of personal responsibility. Where possible, young offenders should take part in repairing the damage caused.”

Council member, Anthony Edwards said: “The courts need to look carefully at each individual offender in coming to a decision on sentencing. Some offenders will be extremely mature, more so than some offenders who are over 18; while others will be significantly less mature.

“Flexibility is also necessary to deal with the range of problems shared by so many young people who have committed offences - problems such as mental health conditions and learning, speech and language difficulties - in order to reduce the likelihood of them offending again.”

Notes to editors:

The definitive guideline is available on the SGC website (www.sentencing-guidelines.gov.uk) along with a summary of responses to the consultation guideline.

Printed copies may be obtained from: the Sentencing Guidelines Secretariat, 4th Floor, 8-10 Great George Street, London SW1P 3AE (tel: 020 7084 8130).

Further information about the Council and Panel can be found at <http://www.sentencing-guidelines.gov.uk/about/index.html>.

For further information about this press release and the guidelines, please contact the secretariat on 020 7084 8130.

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