



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 1

### SENTENCING

#### *The Scottish Sentencing Council*

### **3 Sentencing guidelines**

- (1) The Council is from time to time to prepare, for the approval of the High Court of Justiciary, guidelines relating to the sentencing of offenders.
- (2) Such guidelines are to be known as “sentencing guidelines”.
- (3) Sentencing guidelines may in particular relate to—
  - (a) the principles and purposes of sentencing,
  - (b) sentencing levels,
  - (c) the particular types of sentence that are appropriate for particular types of offence or offender,
  - (d) the circumstances in which the guidelines may be departed from.
- (4) Sentencing guidelines may be general in nature or may relate to a particular category of offence or offender or a particular matter relating to sentencing.
- (5) The Council must, on preparing any sentencing guidelines, also prepare—
  - (a) an assessment of the costs and benefits to which the implementation of the guidelines would be likely to give rise,
  - (b) an assessment of the likely effect of the guidelines on the criminal justice system generally.
- (6) The Council—
  - (a) must from time to time review any sentencing guidelines published by it, and
  - (b) may prepare, for the approval of the High Court of Justiciary, revised guidelines.

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**Changes to legislation:** There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 3. (See end of Document for details)

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(7) In this section and sections 4 to 13, references to sentencing guidelines include references to revised sentencing guidelines.

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**Commencement Information**

**II** S. 3 in force at 19.10.2015 by [S.S.I. 2015/336](#), **art. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 3.