



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.

Status: This is the original version (as it was originally enacted).

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