

# Lindhurst wants sentencing guidelines without delay

## Sentencing guidelines must not face more delay, says Lothian MSP.

Lothian MSP Gordon Lindhurst who worked as an advocate at the Scottish Bar before being elected, has called for sentencing guidelines “without further undue delay” in a Scottish Parliament debate this afternoon.

He was speaking during an opposition debate when MSPs debated the perceived lack of transparency and consistency in sentences being handed down by Scottish Courts.

It follows some high profile cases recently, including that of 18-year old Christopher Daniel who was convicted of sexually assaulting a six-year old girl but was given an absolute discharge, meaning he will have no criminal record and avoided a jail term or a community sentence.

The Scottish Sentencing Council, which was formed in October 2015, was criticised throughout the debate, including by the government, of having produced only one set of sentencing guidelines in it’s three and a half years.



Gordon Lindhurst MSP Photo – Andrew Cowan/Scottish Parliament

Speaking during the debate, Gordon said: "The Scottish Sentencing Council was set up more than three years ago but is yet to issue any substantive guidelines.

"While those guidelines should of course be properly considered and tested, what is to happen in the interim?

"There is a saying that "Justice delayed is justice denied."

"While the same motto may not apply strictly to sentencing guidelines, if it is agreed that these can provide a useful framework then it would be helpful for them to be provided without further undue delay."

The Scottish Conservatives also called for more work to be done when it comes to the Crown's ability to appeal sentences, decisions which are based on tests of undue leniency. In the Daniels case, the sentence was considered to fall within that test.

Speaking after the debate, Lindhurst said: "It is clear that there is a current lack of public confidence in our justice system.

"A number of cases have been raised today where sentences are perceived to have failed the victims who want justice to be served. The public outcry at these cases is quite telling.

"I hope that this debate will encourage the Sentencing Council in its work and expeditious progress in the issuing of guidelines."