

New sentencing guidelines will put rehabilitation of young people first

The High Court of Justiciary has approved new rules for sentencing young people which has been proposed by the Scottish Sentencing Council.

The new approach submitted in September will use rehabilitation as the primary consideration when sentencing young people.

At a hearing this morning Lord Justice General Lord Carloway, Lord Woolman and Lord Pentland approved the new guideline which will come into effect in all Scottish courts from 26 January 2022. The rule will apply to those under the age of 25 when they make a guilty plea or on the date when convicted.

This is the third set of guidelines to be applied to all offences tried in Scottish courts to ensure consistency and with the aim of improving public understanding of sentencing.



Lady Dorrian

Lady Dorrian, Lord Justice Clerk and Chair of the Council, said: "The guideline explains in a clear and accessible way

why a young person should be sentenced differently from a fully mature adult, with rehabilitation as a primary consideration.

“Its approval by the High Court today is a significant milestone which will help to increase understanding and awareness of this complex and challenging area and, by setting out the various matters which should be taken into account when sentencing a young person, will be of assistance to sentencers and practitioners alike.

“It also marks the end of the first phase of the Council’s work. Since the Council was established in 2015, our focus has been on completing a suite of three general guidelines which will set out a high-level framework for sentencing in Scotland. The sentencing young people guideline is the final part of that framework and its approval allows us to turn our full attention to guidelines on specific offences.

“The Council is grateful to all those who have contributed to the development of this guideline, from members of the judiciary and others who engaged with us in the early stages of our research and evidence-gathering, to the individuals and organisations who responded to the public consultation.”

The sentencing young people guideline is available [here](#).

[The Scottish Sentencing Council](#) is an independent advisory body with statutory objectives to promote consistency in sentencing, assist the development of sentencing policy and to promote greater awareness and understanding of sentencing.