



Report by the Lord Chief Justice's Sentencing Group

December 2012

Background

The Lord Chief Justice believes that the key principles by which to judge the mechanisms of providing sentencing guidance to the judiciary in Northern Ireland are transparency, consistency and community engagement. For that reason, in October 2009 the Lord Chief Justice asked the Right Honourable Lord Justice Girvan to convene a Judicial Sentencing Working Group of judges from across the sentencing tiers to consider Northern Ireland's system of providing sentencing guidelines. The purpose was to assess what, if any, improvements could be made to the sentencing guideline arrangements in Northern Ireland. The Working Group reported to the Lord Chief Justice in June 2010 and made a number of recommendations, building on existing practice, which the Lord Chief Justice welcomed and accepted.

One of the proposals in the Report was that there should be a Sentencing Group comprised of representatives from each tier of the criminal courts judiciary and chaired by a Lord Justice of Appeal. The Lord Chief Justice established such a Sentencing Group¹ with the function to:

- (a) advise the Lord Chief Justice as to topics for his 'Programme of Action on Sentencing';
- (b) consider and advise sentencing guidelines for the Magistrates' Courts in Northern Ireland;

¹ A full list of the members of the Lord Chief Justice's Sentencing Group can be found at Annex A

- (c) consider judgments of the Court of Appeal and advise the Judicial Studies Board as to their suitability for inclusion on the Judicial Studies Board Sentencing Guidelines and Guidance website;
- (c) consider first instance judgments of the Crown Court and advise the Judicial Studies Board as to their suitability for inclusion on the Judicial Studies Board Sentencing Guidelines and Guidance website;
- (d) liaise with the Judicial Studies Board as to the training of the judiciary on sentencing practice and the dissemination of sentencing guidelines;
- (e) make such other proposals and carry forward such other programmes of action relating to sentencing guidelines and practice as may seem fit to them after consultation of the Lord Chief Justice.

Court of Appeal Sentencing Guidelines

The Sentencing Group conducted a review of all judgments published on the 'Sentencing Guidelines' section of the JSB website and removed all those guidelines which had been superseded by subsequent judgments of the Court of Appeal.

The Sentencing Group also periodically reviewed new judgments being issued by the Court of Appeal and, where the Group considered that the judgment formed the basis of a sentencing guideline, had the judgment published on the JSB website. To date 25 new Court of Appeal sentencing guidelines have been published².

Crown Court Sentencing Guidance

One of the issues raised by the initial Report to the Lord Chief Justice in 2010 was the limited ability of the Court of Appeal to target specific offences for issuing sentencing guidelines where the offence has been recently created, in infrequent crimes or where a similar offence is unlikely to come before the Court of Appeal frequently. To combat this problem, especially in relation to those offences now contained in the Lord Chief Justice's Programme of Action, the Sentencing Group has recommended that the Presiding County Court Judge be able to issue 'guidance judgments' when sitting in the Crown Court. These are comprehensive sentencing judgments giving general guidance to the Crown Court judiciary in relation to sentencing for the given offence. The guidance can then be used as an interim measure pending a suitable case coming before the Court of Appeal allowing sentencing guidelines to be issued.

Staff in the Lord Chief Justice's Office have put in place a procedure whereby local Crown Court offices identify cases which fall within the 'Programme of Action' and where a plea of guilty has been entered. These cases are then transferred to Belfast and placed in the Presiding County Court Judge's list for him to issue a guidance judgment. To date the Presiding County Court Judge has issued 2 guidance judgments, namely:

² A full list of these judgments, together with keywords, can be found at Annex B

Case	Citation	Keywords	Section	Date uploaded
R v Matyas Pis	[2012] NICC 12	First instance sentencing remarks - guidance pending Court of Appeal deliberation - trafficking offences - Hungarian - controlling activities of another for purposes of prostitution for gain contrary to Article 63 of Sexual Offences (NI) Order 2008 - assisting in management of brothel Article 64(1) of Sexual Offences (NI) Order 2008 - trafficking two persons into UK for the purposes of sexual exploitation contrary to Section 57(1)(a) of Sexual Offences Act 2003	Sexual Offences	11/05/2012
R v J M W Farm Limited	[2012] NICC 17	First instance sentencing remarks - guidance pending Court of Appeal deliberation - corporate manslaughter - adoption of Sentencing Council guidelines	Manslaughter - Corporate Manslaughter	07/06/2012

In addition to these, the Sentencing Group also identified two previous sentencing decisions issued in the Crown Court which it viewed as being of particular assistance to sentences, namely:

Case	Citation	Keywords	Section	Date uploaded
R v John Hunter	[2002] NICC 14	First instance sentencing decision - evasion of duty - importation of large quantity of fuel across Irish border - need to address the prevalence of such activity - assessment of role of defendant - English Guideline case of Dosanjh considered	Theft and other dishonesty offences	12/04/2011

R v Mullan	[2008] NICC 40	First instance decision – offender with lengthy history of severe alcoholism, depression and delirium tremens – consideration of English guideline cases dealing with diminished responsibility	Manslaughter	15/04/2011
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Magistrates’ Courts Sentencing Guidelines:

Most of the sentencing guidelines in Northern Ireland relate to Crown Court cases. That is a simple consequence of the fact that an appeal from the Magistrates’ Court is to the County Court, and cases from the summary jurisdiction will only come before the Court of Appeal by way of case stated. The Sentencing Group has considered a number of mechanisms for capturing good sentencing practice and giving guidance for the Magistrates’ Courts. This is more difficult than in the Crown Court because of the fast-moving and on-the-day nature of summary justice. The Sentencing Group has, therefore, established a judicial sub-committee chaired by the Presiding District Judge (Magistrates’ Courts) to look at the most significant categories of “volume offending” in the Magistrates’ Courts³. This committee has been set the task of drawing up sets of sentencing guidelines for these offences, which will be discussed and agreed by the district judges as a body as representing existing good practice. These guidelines are published on the JSB website, and are accessible to members of the judiciary, the legal profession and the public, with the aim both of enhancing consistency and of improving public information about sentencing. Although the guidelines do not have the force of law, they are relevant to the decision-making exercise undertaken by a Magistrates’ Court when sentencing an offender and will, therefore, be taken into consideration by the court. They are also applicable where a County Court is sentencing an offender on appeal from a Magistrates’ Court, or where the Crown Court is sentencing an offender for a summary offence joined on indictment⁴. They are guidelines, not tramlines, and sentencers may, as with all sentencing guidelines, depart from them in exceptional circumstances.

Sentencing guidelines have been published for a total of 79 individual offences in the Magistrates’ Courts covering animal, assaults, environmental, dishonesty, drugs, planning law, public order, road traffic and sexual offences⁵. The sub-committee’s current work programme includes creating sentencing guidelines in respect of farming offences.

³ A full list of the members of the sub-committee can be found at Annex C

⁴ These guidelines are not applicable to the Youth Court.

⁵ A full list of all the offences for which sentencing guidelines have been published can be found at Annex D

Judicial Studies Board:

The following events were organised by the Judicial Studies Board following a request from the Sentencing Group or as a consequence of matters being pursued by the Group:

1. Sentencing Workshop – Road Traffic Offences, 22nd February 2011 (Tiers: County Court, DJ(MC) & Deputy DJ(MC));
2. Media Training, Alison Houston, 28th March 2011. This was not a sentencing event *per se* however, a media awareness event was proposed by the Sentencing Group. (Tiers: All Judiciary including Deputies);
3. Environmental Law, Prof. Sharon Turner QUB, 29th September 2011 - Priority area within the Lord Chief Justice's Programme of Action. (Tiers: Court of Judicature, County Court, DJ(MC) & Deputy DJ(MC));
4. Magistrates' Courts Sentencing Guidelines Workshop – Various Offences, 22nd November 2011. (Tiers: County Court, DJ(MC) & Deputy DJ(MC))
5. Launch of the New Magistrates' Court Sentencing Guidelines, CPD Events, 9th & 17th May 2012 in Belfast and Londonderry. (Invitees: PPS, Bar & Law Society). This event was designed to introduce the new sentencing guideline templates to the legal profession and to explain how they are intended to be used by the legal profession and sentencers in the Magistrates' Courts.

The Judicial Studies Board also upgraded its website in September 2011 to improve searchability and ease of access for users. All sentencing guidelines are hosted on this public-facing website to ensure that they are readily available to practitioners and members of the public and the guidelines are presented under categories which should facilitate research into sentencing for specific offences or in relation to specific sentencing issues. All newly issued guidelines are added to the website as they become available to ensure that the available guidance there is up-to-date.

Other Materials:

The Sentencing Group became conscious of the fact that not all topics on the Lord Chief Justice's Programme of Action could be captured by the combination of Court of Appeal guideline judgments, Crown Court guidance judgments and JSB presentations and papers. The Sentencing Group has, to this end, begun to issue 'Sentencing Case Compendia' which provides a 'one stop shop' for sentencers in relation to the given topic. These compendia are published on the judicial intranet only.

To date sentencing case compendia have been published for the following topics:

- (i) Tiger kidnapping
- (ii) Fuel/Tobacco smuggling

Participation in outreach events

While not an explicit part of our Terms of Reference, the Lord Chief Justice wishes the Sentencing Group to play its part where possible in helping to enhance public understanding of sentencing and the role of the court. To that end, members of the group have participated in public events, namely:

1. His Honour Judge Burgess gave a speech entitled “Domestic Violence and Abuse: How can our policing and justice systems help?” at the Journey to Justice Conference (Belfast City Hall, 26th January 2011);
2. Terence Dunlop represented the Group at a Craigavon Community Forum event (Craigavon Civic Centre, 15th June 2011);
3. Claire Archbold gave a briefing to the NI Assembly’s Justice Committee (Stormont, 29th September 2011);
4. Paul Conway gave a lecture entitled “Sentencing Guidelines – Magistrates’ Courts” to students at the Institute of Professional Legal Studies (Queen’s University Belfast, 10th February 2012);
5. District Judge (MC) Bagnall gave a lecture entitled “Sentencing Guidelines – Magistrates’ Courts) to solicitors, barristers and public prosecutors (Hilton Hotel, Belfast, 9th May 2012);
6. Paul Conway gave a lecture entitled “Sentencing Guidelines – Magistrates’ Courts) to solicitors, barristers and public prosecutors (Everglades Hotel, Belfast, 17th May 2012); and
7. Claire Archbold represented the Group at the Environment Minister’s “Environmental Summit” (25th June 2012).
8. Claire Archbold represented the Group at a Dungannon Community Forum event (21st September 2012)

Lord Chief Justice’s Programme of Action on Sentencing:

Following public consultation the Lord Chief Justice listed the following offences/areas as being of particular need for review for sentencing guidelines:

Offences

1. Domestic violence;
2. Serious sexual offences (ie those dealt with in the Crown Court), including offences against children;
3. Human trafficking;
4. Attacks on public workers, including police officers;
5. Attacks on vulnerable people, including the elderly;

5. Duty evasion and smuggling;
6. Environmental crime in the Crown Court;
7. Honour-based crime;
8. Tiger kidnapping;
9. Intellectual property crime;
10. Road Traffic Offences;
11. Hate crime;
12. Health and safety offences causing death;
13. The recently reformed law of manslaughter;
14. Child cruelty and neglect and serious assaults on children.

General Principles

15. Offences taken into consideration;
16. Breach of a court order or licence;
17. Extended and indeterminate sentences for dangerous offenders.

Annex E gives a summary of how the Sentencing Group has addressed the Lord Chief Justice's Programme of Action. Within the first 18 months of activity, we have achieved outputs in almost three quarters of the areas targeted, and action is planned in relation to those offences/topics yet to be addressed.

Summary and Conclusions

In short, since the Sentencing Group was set up in September 2010, we have worked with the judiciary and Judicial Studies Board to target those areas in your Programme of Action, to:

- Upgrade the JSB website to optimise public access to the Sentencing Guidelines;
- Review and streamline the collection of Court of Appeal guidelines;
- Create a mechanism for identification and publication of first instance guidance judgments in the Crown Court for crimes on which the Court of Appeal will have infrequent opportunity to issue guidelines;
- Identify and publish four Crown Court guidance cases;
- Create a mechanism for creation and publication of Magistrates' Court guidelines;
- Oversee publication of 17 new Court of Appeal sentencing guidelines;
- Identify and oversee publication of 9 existing guideline cases which had not been previously published;
- Create and publish 79 Magistrates' Court guidelines, with 9 more presently under consideration;
- Run four JSB seminars on issues relevant to sentencing law for judiciary;
- Run two JSB seminars for the legal profession on the Magistrates' Court guidelines;

- Create and publish two case compendia;
- Members of the Group have participated in 'outreach' events which have included speeches, lectures and participation at community forums.

The Rt. Hon. Lord Justice Girvan
18 December 2012

Membership of the Sentencing Group:

The Right Honourable Lord Justice Girvan, Chairperson
The Honourable Mr Justice Weir⁶
[The Honourable Mr Justice Hart]⁷
His Honour Judge McFarland, Presiding County Court Judge⁸
[His Honour Judge Burgess, Presiding County Court Judge]⁹
Her Honour Judge Philpott QC, Deputy Recorder of Belfast¹⁰
His Honour Judge Miller QC, Tutor Judge¹¹
District Judge (Magistrates' Court) Bagnall, Presiding District Judge (Magistrates'
Court)
District Judge (Magistrates' Court) McNally
Ms Claire Archbold, Legal Secretary to the Lord Chief Justice
Mr Terence Dunlop, Secretary to the Judicial Studies Board
Mr Paul Conway, Secretary
Mrs Andrea Dick, Assistant Secretary

⁶ Upon the retirement of the Hon. Mr Justice Hart in January 2012.

⁷ The Hon. Mr Justice Hart retired in January 2012.

⁸ Upon his appointment as Presiding County Court Judge in September 2012. Prior to this, Judge McFarland was a member of the Group in his capacity as the Tutor Judge).

⁹ His Honour Judge Burgess retired in September 2012.

¹⁰ Upon her appointment as Deputy Recorder of Belfast in September 2012.

¹¹ Upon his appointment as Tutor Judge in September 2012.

Annex B*Court of Appeal Sentencing Guideline Judgments*

<u>Case</u>	<u>Citation</u>	<u>Keywords</u>	<u>Section</u>	<u>Date uploaded</u>
R v Thomas Corrigan	[2010] NICA 23	Handling stolen goods - English Guideline case of Webbe approved in this jurisdiction - aggravating factors identified	Theft and other dishonesty offences	01/04/2011
Director of Public Prosecution's References (Nos. 2 and 3) of 2010	[2010] NICA 36	Section 18 OAPA 1861 - infliction of wanton violence by young males - kicking victim while on the ground - consideration of recent Sentencing Council (E&W) Consultation	Violent Offences	23/11/2010
R v SG	[2010] NICA 32	Unlawful carnal knowledge of a girl under 14 contrary to Section 4 the Criminal Law Amendment Act 1885 - indecent assault on a female child - gross indecency with a child - consensual - appellant 19 years, victim 13 years at the time - assistance to be derived from final report of the Sentencing Guidelines Council (E&W) on Sexual Offences Act 2003	Sexual Offences	23/11/2010
R v EB	[2010] NICA 40	Sexual assaults - Criminal Justice (NI) Order 2008 - assessment of dangerousness - English case of Lang adopted - whether sentences may depart from PSR in assessing dangerousness - extended custodial sentence.	Sexual Offences/Dangerous offenders under the Criminal Justice (NI) Order 2008	01/04/2011

R v William Brady	[2011] NICA 4	Social security fraud - review of sentencing decisions in this area - imposition of compensation order	Theft and other dishonesty offences	01/04/2011
R v Eamonn Coyle	[2010] NICA 40	Offender pleaded guilty to manslaughter at commencement of retrial for murder (of his grandfather) - aged 16 at the time - went to grandfather's home to get money - grabbed grandfather by neck probably causing death - offender armed with a knife - two puncture wounds on deceased's neck	Manslaughter	15/04/2011
R v Kennedy	[2011] NICA 42	Common assault contrary to Section 47 of OAPA 1861 - modest level of physical violence - offence triable summarily - whether sentence out of all proportion to what the magistrate would have done	Violent Offences	26/10/2011
R v PH	[2011] NICA 64	Common assault contrary to Section 47 of OAPA 1861 - domestic violence - 7 aggravating features - offence triable summarily - sentence to be in proportion to what magistrates' court would have done - magistrates' courts guidelines approved	Violent Offences	26/10/2011
R v Morrin	[2011] NICA 24	Further guidance on the steps to take in assessing the appropriate minimum term in mandatory life sentences	Life Sentences - Mandatory	09/01/2012
R v Grew and Others	[2011] NICA 31	Fraudulent evasion of duty contrary to section 170(2) of the Customs and Excise Management Act 1979 -	Theft and other Dishonesty Offences/ Orders Ancillary to	09/01/2012

		cigarette smuggling operations - whether trial judges erred in imposing confiscation order - appropriateness of custodial sentences for these offences	Sentence	
R v Crollly	[2011] NICA 58	Guidance on the correct approach to sentencing for manslaughter on the basis of diminished responsibility	Manslaughter/Life Sentences - Discretionary	09/01/2012
R v. James John Stewart Caswell	[2011] NICA 71	Causing grievous bodily injury by dangerous driving - need for sentencing court to establish factual basis of plea - proper approach to use of Guidelines - culpability rarely judged by consequence being serious injury rather than death	Road Traffic Offences/Guilty Pleas	10/01/2012
R v Leon Owens	[2011] NICA 48	Assault occasioning Actual Bodily Harm - extended custodial sentence - whether sentence manifestly excessive - test for dangerousness under Article 15 of 2008 Order not met	Dangerous Offenders	28/06/2012
R v Ming Chen	[2012] NICA 17	Possession of Class B drugs - intent to supply and possession of criminal property - cannabis - sentence entitled to have regard to surrounding circumstances especially cultivation	Drug Offences	16/07/2012
R v Allingham; R v McKenna	[2012] NICA 29	keeping controlled waste on land without a waste management licence - keeping controlled waste on land in a manner likely to cause pollution - Confiscation Order under Proceeds of Crime Act 2002 - failure to pay landfill	Environmental Offences/Proceeds of Crime	13/12/12

		tax – pecuniary benefit – calculation of recoverable sum – assessment of imprisonment in default		
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Additional Court of Appeal Judgments Identified by the Sentencing Group

<u>Case</u>	<u>Citation</u>	<u>Keywords</u>	<u>Section</u>	<u>Date uploaded</u>
R v Conrad Doole	[2010] NICA 11	Causing death by dangerous driving - Article 11A, Road Traffic (NI) Order 1995 – first guidance – assistance from Sentencing Guidelines Council Guideline	Road Traffic Offences	01/04/2011
R v Wong Sui Ching	[2010] NICA 12	Credit to be given for period of foreign detention relating to subject crime	Forms of Sentence/Life Sentences - Mandatory	01/04/2011
R v John Hunter	[2002] NICC 14	First instance sentencing decision – evasion of duty – importation of large quantity of fuel across Irish border – need to address the prevalence of such activity – assessment of role of defendant – English Guideline case of Dosanjh considered	Theft and other dishonesty offences	12/04/2011
R v Harwood	[2007] NICA 49	Death resulting from two stab wounds to front of chest – ‘deliberate and substantial violence’ – no penalty for late plea in circumstances – appropriate in certain circumstances to go outside the range of 8 to 15 years on contest for cases falling outside upper range of gravity	Manslaughter	15/04/2011

		identified in Magee – 13 years not excessive on a plea		
R v Rush	[2008] NICA 43	Deceased crossing road and deliberately striking offender – offender then striking deceased – several blows ‘of moderate severity’ – public location not of offender’s choosing – offender a long term alcoholic with impaired ability to defend himself - facts distinguished from Quinn	Manslaughter	15/04/2011
R v Colin Victor McDonald	[2001] NICA 52	Attempted murder – rape – destruction of unborn child – offender repeatedly striking girlfriend with stair spindle – throwing her downstairs – dragging her upstairs by hair – multiple stabbing – raping her – later striking her with vacuum cleaner hose and stamping on her head – 22 years on a contest	Violent Offences	15/04/2011
R v Brian Anthony Edwards	[2003] NICA 11	Offender savagely attacking former girlfriend – inflicting 25 to 30 wounds to face, neck, limbs and body – 20 years on a contest – assistance derived from Practice Statement on sentencing for murder issued by Woolf LCJ on 27 August 2002	Violent Offences	15/04/2011
R v Alan Stewart	[2009] NICA 4	Offender one of three assailants – ‘savage and unprovoked’ attack on young man in Belfast City centre – previous convictions showed ‘propensity to random	Violent Offences	15/04/2011

		senseless violence' – victim suffering catastrophic injuries – CPO 14 years plus 1 (total: 15 years) on a contest		
R v Darryl John Proctor	[2009] NICA 51	Offender participating in concerted sectarian attack on group of young Roman Catholic men – one of the group left in low-level, probably vegetative state – reduced life expectancy – late plea – joint enterprise – CPO 12 years plus 1 (total: 13 years)	Violent Offences	15/04/2011
R v Alan Jones	[2001] NICA 55	s. 20 OAPA – attack on public servant – bus driver – need to ensure sentencing affords adequate protection for public servants.	Violent Offences	05/05/2011
R v Shannon	[2008] NICA 38	Sexual offences prevention order ('SOPO') - section 104 of the Sexual Offences Act 2003 – guidance on the conditions for imposing SOPOs	Sexual Offences	09/01/2012

Membership of the Magistrates' Courts Sentencing Guidelines Sub-Committee

District Judge (Magistrates' Courts) Bagnall, Chairperson
Her Honour Judge Philpott QC, Deputy Recorder of Belfast¹²
[His Honour Judge Miller QC]¹³
District Judge (Magistrates' Courts) Hamill
District Judge (Magistrates' Courts) Watters
District Judge (Magistrates' Courts) Meehan
District Judge (Magistrates' Courts) McNally
Mr Paul Conway, Secretary

¹² As of September 2012.

¹³ His Honour Judge Miller QC stepped down as the County Court judiciary's representative on the Sub-committee upon his appointment as Tutor Judge in September 2012.

List of Magistrates' Court Sentencing Guidelines

Animal Offences:

Animal Fighting
Breeding/Selling/Gifting/Advertising/Not Muzzling/Abandoning a
'Dangerous' Dog
Cruelty to Animals
Docking Dog's Tail
Dog Attack on Other Animal or Worriyng Livestock
Dog Attack on Person
Possessing a 'Dangerous' Dog

Assault Offences:

Assault Occasioning Actual Bodily Harm
Assault on Police
Common Assault (Simpliciter)
Threats to Kill
Wounding/Inflicting Grievous Bodily Harm

Dishonesty Offences:

Burglary (Dwelling)
Burglary (Non-Dwelling)
Handling/receiving stolen goods
Social Security Fraud
Theft (Breach of Trust)
Theft (Shoplifting)
Theft (Simpliciter)

Drug Offences:

Possession of Class A
Possession of Class B
Possession of Class C
Possession of Class A with intent to Supply
Possession of Class B with intent to Supply
Possession of Class C with intent to Supply
Cultivated Cannabis

Environmental Offences:

Breach of Prohibition Notice
Depositing Waste Without a Licence
Discharge or Deposit of Polluting Matter
Treating/Keeping or Disposing of Waste
Treating/Keeping or Disposing of Waste in Manner Likely to Cause Pollution

Planning Law Offences:

- Breach of a Tree Preservation Notice
- Breach of Enforcement or Stop Notice
- Damage to Tree in Conservation Area
- Damaging a Listed Building
- Non-Compliance with Planning Contravention Notice
- Working on Listed Building without Consent

Public Order Offences:

- Breach of the Peace
- Criminal Damage
- Disorderly Behaviour
- Obstructing Police
- Possession of an Offensive Weapon
- Resisting Police
- Riotous Behaviour
- Threats to Damage Property

Road Traffic Offences:

- Aggravated Vehicle Taking
- Breach of Traffic Signal
- Careless/inconsiderate driving
- Causing death by careless/inconsiderate driving
- Dangerous driving
- Driving whilst disqualified
- Driving whilst Unfit
- Driving with excess alcohol
- Driving without a Licence
- Failing to Produce Licence/Insurance
- Failing to Produce Specimen of Breath/Blood
- Failing to Stop for a Constable
- Failing to Stop/Remain/Report Injury Accident or Damage Accident
- In charge of vehicle with excess alcohol
- In charge whilst Unfit
- No Vehicle Test Certificate
- Taking Vehicle Without Consent
- Using/Causing/Permitting No Insurance
- Using Mobile Phone While Driving

Sexual Offences:

- Breach of Foreign Travel Order
- Breach of Risk of Sexual Harm Order
- Breach of Sexual Offences Notification Requirements
- Breach of Sexual Offences Prevention Order

Causing a Person to Engage in Sexual Activity Without Consent
Causing or Inciting a Child to Engage in Sexual Activity
Causing or Inciting a Child under 13 to Engage in Sexual Activity
Exposure
Gross Indecency with or towards a Child
Indecent Assault on a Female
Indecent Assault on a Male
Indecent Behaviour
Sexual Activity with a Child
Sexual Assault
Sexual Assault on a Child Under 13

Update of Lord Chief Justice's Programme of Action on Sentencing

Domestic Violence	<ol style="list-style-type: none"> 1. Magistrates' Courts Sentencing Guidelines 2. JSB Publication of Paper by HHJ Burgess 3. JSB Presentation by HHJ McFarland 4. JSB Presentation by PBNI 5. R v PH [2011] NICA 42
Serious Sexual Offences (including offences against children)	<ol style="list-style-type: none"> 1. Magistrates' Courts Sentencing Guidelines 2. R v SG [2010] NICA 32 3. R v EB [2010] NICA 40
Human Trafficking	<ol style="list-style-type: none"> 1. JSB Presentation by PSNI 2. R v Matayis Pis [2012] NICC 14
Attacks on Public Workers (including police officers)	<ol style="list-style-type: none"> 1. Magistrates' Courts Sentencing Guidelines
Attacks on Vulnerable people (including the elderly)	<ol style="list-style-type: none"> 1. Magistrates' Courts Sentencing Guidelines
Duty Evasion and Smuggling	<ol style="list-style-type: none"> 1. R v Grew; R v Mackle and others [2011] NICA 31 2. Sentencing Case Compendium
Environmental Crime	<ol style="list-style-type: none"> 1. JSB Presentation by Professor Sharon Turner 2. R v Allingham; R v McKenna [2012] NICA 29 3. Magistrates' Courts Sentencing Guidelines
Honour-based Crime	–
Tiger Kidnapping	<ol style="list-style-type: none"> 1. Sentencing Case Compendium
Intellectual Property Crime	–
Road Traffic Offences	<ol style="list-style-type: none"> 1. Magistrates' Courts Sentencing Guidelines 2. JSB Sentencing Workshop 3. R v Conrad Doole [2010] NICA 11
Hate Crime	<ol style="list-style-type: none"> 1. Magistrates' Courts Sentencing Guidelines
Health and Safety Offences Causing Death	<ol style="list-style-type: none"> 1. R v JMW Farm Ltd [2012] NICC 17
Manslaughter	<ol style="list-style-type: none"> 1. JSB Presentation by Hart J 2. R v Eamon Coyle [2010] NICA 48 3. R v Crollly [2011] NICA 58

Child Cruelty and Neglect and Serious Assaults on Children	–
Offences taken into consideration	–
Breach of a court order or licence	1. Magistrates' Courts Sentencing Guidelines
Extended and indeterminate sentences for dangerous offenders.	1. R v Leon Owens [2011] NICA 48