

POLICY NOTE

THE SCOTTISH SENTENCING COUNCIL (SUBMISSION OF BUSINESS PLAN) ORDER 2016

SSI 2016/55

1. The above instrument was made by Scottish Ministers in exercise of the powers conferred by section 12(2) of the Criminal Justice and Licensing (Scotland) Act 2010 (“the 2010 Act”) and all other powers enabling them to do so. The instrument is subject to negative procedure.

Policy Objectives

2. This instrument provides that the date before which the Scottish Sentencing Council (“the Council”) must prepare and submit, to Scottish Ministers, the initial business plan of the Council, is 26 September 2016.

Summary

3. The 2010 Act requires the Council to submit a 3 year plan, to the Scottish Ministers, describing how it plans to carry out its functions for that period, including setting out the subject matters that the Council intends to prepare guidelines about and such other information as it considers appropriate.

4. The Council was fully established on 19 October 2015.

5. The central objective of the Council is a focus on the promotion of consistency in and a greater understanding of sentencing. It is for the Council to decide how best to meet its objectives.

6. Section 12 of the 2010 Act provides that the day by which the initial business plan for the Council must be submitted to the Scottish Ministers is that specified by order made by the Scottish Ministers. The date of 26 September 2016 has been determined to allow for sufficient time for the Council to develop a business plan and engage with the requirements for statutory consultation as laid down in section 12(6) of the 2010 Act.

Impact Assessments

7. Equality Impact Assessment (EQIA) is a tool to assist in considering how policy may impact, either positively or negatively, on different sectors of the population in different ways.

8. We have considered the impact of policy on particular groups of people (their age, race, gender, sexual orientation, religion or belief or whether disabled or not). We are not aware of any evidence that any of the equality strands will be affected by these regulations.

Criminal Justice Division
January 2016