



A study of sentencing and its outcomes

The Council and the Home Office (later Ministry of Justice) jointly commissioned the University of Cambridge to undertake a research study of sentencing and its outcomes. The main objectives of the research were to:

- (i) inform the development of sentencing guidelines by providing detailed information about offence characteristics and factors that influence sentencing decisions; and
- (ii) examine the relative effectiveness and cost effectiveness of different sentences.

The study was also intended to provide a baseline of information prior to the sentencing reforms introduced by the Criminal Justice Act 2003 and of the Council's sentencing guidelines to enable future research to properly evaluate any changes. Court files were to be used as the main data source.

A pilot was conducted to assess the feasibility of conducting the study. The pilot demonstrated that the practicalities of identifying records, collecting data and managing procedures could be successfully undertaken. However, it also highlighted a number of issues; in particular, it was found that:

- data on aggravating and mitigating factors were absent to a degree which would impact significantly on any conclusions that could be drawn;
- the types of sentenced offences varied considerably by court and area making it difficult to identify a truly representative sample for the 18 offences of interest;
- the destruction of court files for 2004 and for some of 2005 in accordance with standard record keeping policy made the establishment of a true baseline study difficult.

Since it had become clear that the research would not meet its original objectives, it was decided not to continue the study beyond the pilot phase. The Council and the MOJ continue to investigate alternative methods for obtaining relevant information.

The pilot report is attached and may be a useful source for others wishing to embark on any court-based research.

The Ministry of Justice and the Sentencing Guidelines Council would like to thank the Institute of Criminology at the University of Cambridge for its work.