

AIMS OF SENTENCING

- s142 Criminal Justice Act 2003 outlines five main aims of sentencing:
- **Retribution:** This is a way of punishing the offender and ensuring an element of blame lies with them.
 - **Deterrence:** This is where either the individual offender is deterred from offending again or general society is deterred from offending because an example has been made of the offender, showing others what the consequences are.
 - **Protection of society:** This is where the sentence given will protect the public from the offender.
 - **Rehabilitation:** This is where the offender is given a sentence which will rehabilitate their behaviour and stop them from offending again.
 - **Reparation:** This means paying back to society what you have taken away, in the form of compensation or unpaid work.

SENTENCING POWERS

- Magistrates' Court
- £5,000 fine (or unlimited in some cases)
 - 6 months imprisonment
 - Youth Detention and Training Order up to 2 years.
- Crown Court
- Unlimited fine
 - Maximum life imprisonment.

YOUTH SENTENCING

- Aim:** Primary aim is to prevent reoffending and rehabilitate the offender, whilst 'repairing' the damage caused to society.
- Out of court disposals:**
- Youth restorative disposal
 - Youth caution
 - Youth conditional caution
 - Youth Rehabilitation Order – s147 Criminal Justice Act 2003

YOUTH SENTENCING

- First Tier Sentencing:**
- Referral Order
 - Reparation Order
 - Parenting Order
 - Conditional Discharge
 - Absolute Discharge.
- Custodial Sentences:**
- **Detention and Training Order** – s100-106 Powers of the Criminal Courts (Sentencing) Act 2000
 - **Life imprisonment** – s90-91 Powers of the Criminal Courts (Sentencing) Act 2000.

ADULT SENTENCING

- Aim:** Primary aim is to punish the offender and protect society.
- Court Disposals**
- Absolute discharge
 - Conditional discharge
 - Fine
 - Suspended sentence
 - Community Order.
- Custodial Sentences:**
- Determinate sentences
- Indeterminate sentences
 - Mandatory life sentences
 - Whole life orders.
- Out of Court Disposals:**
- Penalty notice for disorder
 - Conditional Cautions
 - Cautions.

Evaluation

	Retribution	Deterrence	Rehabilitation	Protection of Society
+	<ul style="list-style-type: none">• Public/victim satisfaction• Justice seen to be done as society gets 'revenge'• Prevents vigilantes – people taking the law into their own hands• Sends a clear message to society	<ul style="list-style-type: none">• Helps society by preventing re-offending• Short, sharp shock can instil fear into the offender which can lead to reformed behaviour	<ul style="list-style-type: none">• Helps the offender/society in the long term• Recognises that there are causes of crime• Allows for second chances• Saves taxpayers' money	<ul style="list-style-type: none">• Helps to protect society and prevent re-offending• Element of satisfaction in knowing we are safe• Prevents re-offending within the community
-	<ul style="list-style-type: none">• Usually involves custody – note criticisms of prisons• Arguably two wrongs don't make a right• Not a constructive aim of punishment – what happens when the offender goes back into society?	<ul style="list-style-type: none">• No guarantee that it'll work• Prisons as 'academies of crime'• Short periods of custody are ineffective• High re-offending rates (44% of adults are re-convicted within one year)• Assumes that an offender will stop to think of the consequences	<ul style="list-style-type: none">• Seen as a soft option by some• Less satisfaction/ revenge• Needs of the victim arguably not considered• No guarantee it will work• Can be costly to educate	<ul style="list-style-type: none">• Very costly to detain in prison - around £35,000 per year• No element of education or help with offending behaviour