Quiz- assault and violence:

**What types of sentencing are there?**

•discharge

•fine

•community sentence

•prison sentence

**What does it mean when you are discharged? And what are the two types of discharge?**

When the court decides someone is guilty, but decides not to punish them further at this time, they will be given a 'discharge'.

Discharges are given for minor offences.

There are two types of discharge:

•an 'absolute discharge' means that no more action will be taken

•a 'conditional discharge' means that the offender will not be punished - unless they commit another offence within a set period of time.

**Community service- what is it?**

When a court imposes a community sentence, the offender doesn't go to prison. But the court says there are specific things the offender can, can't and must do.

Community sentences place 'requirements' on offenders that they must meet while serving their sentences.

The magistrate or judge will decide which combination of these 'requirements' will most effectively punish the offender for their crime, while also reducing the risk of them offending again.

Community sentences are designed to make sure the reasons for the offence are addressed - and prevent more offences in the future.

In many cases, offenders have to do unpaid work in the community, to repay their neighbourhood for their crimes. This is called 'Community Payback'.

Offenders who get community sentences can be ordered to:

•carry out between 40 and 300 hours unpaid work as 'Community Payback'; this requires them to work hard and lose much of their free time

•get training so they can find a job

•complete a treatment programme - to deal with anger control, drug or alcohol abuse, for example

•avoid specific activities, like visiting pubs or football matches

•live within a curfew that restricts the times they can leave their homes, monitored by wearing an electronic tag

•live at a specific place

•get mental health treatment, if they agree

•have regular meetings with a probation officer to check their progress

•go to an attendance centre, where 18 to 24 year-olds take part in group activities to help them live responsibly in the community

A magistrate or judge can order an offender to carry out as many of these as they believe suitable, dependent on the type of crime the offender committed and their previous history.

If an offender doesn't meet the terms of their community sentence, they can be sent back to court and given an additional punishment. In some cases they are sentenced to prison.

**What types of prison sentence are there?**

**•Suspended sentences-**  A court may give an offender a 'suspended' prison sentence if the time they would otherwise spend in prison is under 12 months.

With a suspended sentence, the offender doesn't go directly to prison - but they do have to meet conditions in the community, set by the court.

For example, the offender on a suspended sentence may have to:

•live within a curfew, which restricts the times they can go outside

•do unpaid work for the community (called Community Payback)

•be supervised by a probation officer

•stay away from certain places or areas

•have treatment for drug, alcohol or mental health problems.

These conditions can last for up to two years. If the offender breaks these conditions, or commits another offence, they will usually have to serve the original sentence in prison.

**•Determinate sentences-** When an offender is given a determinate sentence, half of the sentence is served in custody and half of the sentence in the community.

Offenders sentenced to 12 months or longer in prison will be put on licence when they are serving the second part of their sentence. This licence is supervised by the Probation Service and includes conditions that offenders must meet, like not having contact with victims. If the offender doesn't meet the terms of their licence, they might have to go back to prison for the rest of their sentence

**•Indeterminate sentences (including life sentences)**

Court can give a sentence setting the minimum time the offender must spend in prison - but not an end point. This is called an 'indeterminate' sentence. For example, a judge may say an offender must go to prison 'for a minimum of ten years'. This minimum period set by the judge is called a 'tariff'.

These sentences are usually given for violent and sexual offences and where the court thinks the offender is a risk to the public. If an offender is given an indeterminate sentence, they have no automatic right to be released. They will always serve the 'minimum' sentence set by the court.

When the minimum time in prison **is over, an independent body (the Parole Board) will decide if it is safe to release an offender.**

**What are the most common offences, which incur a fine?**

* driving and road traffic offences, like speeding
* minor offences of theft or criminal damage
* not having a TV licence

**Does someone’s financial status affect how much money the fine would be?**

Yes…

How much someone is fined depends on:

•how serious a crime is

•the offender's ability to pay

If the offence causes harm to a victim, the offender can also be required to make a compensation payment. They will also have to pay towards the cost of the court hearing.

If someone says they cannot pay a fine straight away, they can ask the court if they can pay in instalments. The court may or may not agree to this.

**If someone is unable to make a payment-, what other options are available?**

**•**further court hearings

•clamping and possibly selling an offender's car

•taking money directly from an offender's wages or benefits

•bailiffs coming to an offender's home to seize possessions

In extreme cases where a person continues to not pay their fine, they may be sent to prison.