

# Proposed Whole Life Custody (Scotland) Bill

## Introduction

A proposal for a Bill to give Scottish courts the power to sentence the worst criminals to custody for the rest of their lives. The consultation runs from 29 May 2019 to 30 August 2019. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (\*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation document](#) [Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

## About you

Please choose whether you are responding as an individual or on behalf of an organisation. Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I would like this response to be published anonymously

Please provide your name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

## Aim and approach

Q1. Which of the following best expresses your view of giving Scottish courts the power to sentence the worst criminals to custody for the rest of their lives?

Fully opposed

**Please explain the reasons for your response.**

I believe that the proposed sentencing completely ignores the current intentions of our justice system, to provide rehabilitation for offenders, and harks back to the bad old days of punitive justice. I do not wish to see offenders, however serious their crimes may be, jailed for life with no recourse if and when they have atoned for their crimes.

Q2. How would introducing Whole Life Custody Sentences affect your level of confidence in the Scottish justice system?

Slightly less confident in the justice system

**Please explain the reasons for your response**

I believe allowing these sentences puts far more power into the hands of sentencing judges, and gives them control over the rest of people's lives, regardless of their rehabilitation.

Q3. Which types of murder should have a Whole Life Custody Sentence as the starting point for sentencing? (Choose all that apply)

None of the above

**Please explain the reasons for your response**

I do not believe that Whole Life Custody should be allowed in any case.

Q4. Which sexual offences should have a Whole Life Custody Sentence as the starting point for sentencing? (Choose all that apply)

None of the above

Q4. Which sexual offences should have a Whole Life Custody Sentence as the starting point for sentencing? (Choose all that apply)

**Please explain the reasons for this response.**

As before, I do not believe Whole Life Custody should be an option.

Q5. Are there any other types of offence (other than murder or certain sexual offences) which should attract a Whole Life Custody Sentence as a 'starting point' for sentencing?

No- no offences (including murder or sexual offences) should attract a Whole Life Custody Sentence

**Please explain the reason for your response.**

Again, Whole Life Custody sentences should not be allowed.

Q6. Which of the following best expresses your view on whether whole life custody should be a sentencing option for younger offenders?

Whole life custody should not be an option for any offender, regardless of age

## Financial Implications

Q7. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have? Please explain the reasons for your response.

I believe that allowing Whole Life Custody sentencing would incur additional expense over allowing rehabilitated offenders to leave prison, as the taxpayer would have to fund the rest of their life in prison.

## Equalities

Q8. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, maternity and pregnancy, marriage and civil partnership, race, religion or belief, sex, sexual orientation?

Slightly negative

**Please explain the reasons for your response.**

I believe the bill would have a negative impact on the protected characteristics, as it is more likely that people of different races, religions and beliefs are given harsher sentencing in the current system, which would only be exacerbated under the proposed legalisation of Whole Life Custody sentencing.

## Sustainability

Q9. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

No

**Please explain the reasons for your response.**

Locking people up for the rest of their lives fundamentally undermines the rehabilitative nature of our current justice system and would have a disproportionate impact on our society.

## General

Q10. Do you have any other comments or suggestions on the proposal?

It's unsurprising that a Tory has proposed this, since they all seem to want to return us to the dark ages anyway.