

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 am content for this response to be published and attributed to me or my organisation

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).

Linda McDonald

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 supportive

Please explain the reasons for your response.

Whole life sentence gives justice for victims and families who have suffered at the hands of these violent, sick, dangerous criminals. It gives reassurance that the public are safe. Gives us confidence that life means the whole of their life and there is the acceptance that these category dangerous criminals cannot be rehabilitated so stay behind bars.

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

Significantly more confident in the justice system

Please explain the reasons for your response

If dangerous killers are not given a second chance, and released, they cannot get the opportunity to kill again.

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

The murder of two or more persons, where each murder involves any of (1) a substantial degree of premeditation or planning, (2) the abduction of the victim, or (3) sexual or sadistic conduct

The murder of a child if involving the abduction of the child or sexual or sadistic motivation

The murder of a police or prison officer in the course of their duty

A murder carried out for the purpose of advancing a political, religious, racial or ideological cause

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

A murder by an offender previously convicted of murder

Please explain the reasons for your response

It's my opinion that these types of murderers should be held accountable and face the consequences. Killers displaying such violence and sickening desires are too dangerous to be released and tested on the public, no matter how long they stay behind bars for punishment part of their sentence. The risk of releasing them is too high a price to pay when they kill or try and kill again.

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

Rape of two or more persons

Rape of a young child

Sexual assault on a young child by penetration

Causing a young child to participate in a sexual activity

Please explain the reasons for this response.

Anyone who commits such a disgusting crime is a sick controlling individual. It is especially evil to hurt a child. It's unacceptable

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- only murder and certain sexual offences should attract a Whole Life Custody Sentence

Please explain the reason for your response.

No. Just the most dangerous and heinous criminals need to stay behind bars for the whole of their life to keep our children and public safe.

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 be an option for any adult offender (aged 16 or over) or for children over the age of criminal responsibility (at the time the offence was committed)

Please explain the reasons for your response.

I believe if teenagers are committing such heinous crimes and displaying so much violence at a young age then there is something fundamentally wrong with their brain and they pose a high risk if ever released, no matter how many decades they stay in prison.

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 think it either costs to keep these evil murders behind bars for the whole of their life or it costs agencies in the community, who try and monitor them when released, after serving punishment part. Also, the cost is too high when these dangerous category criminals are released and go on to kill again and ruin another families life. We need to put victims and families human rights before dangerous criminals rights.

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?

Positive

Please explain the reasons for your response.

I think it is only fair that the voices of victims, families and the public are listened to and safety will be the priority. This Bill is putting things in place for law and order and what the public want. We need to have faith in our laws and a clear message to these dangerous criminals that they are held accountable and serve a whole life sentence.

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?

Yes

Please explain the reasons for your response.

Yes. If criminals who commit petty crime can be given community pay back orders then it would avoid the revolving door of these criminals going in to prison. It's my opinion that these short prison sentences have no impact on these criminals as they may be addicts, have social problems or have mental health issues that causes these individuald to commit offences. They need help and support from community agencies to try and turn their life around.

General

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

No Response