



Ministry
of Justice

Sentencing
Council



We are looking for two outstanding individuals for the posts of

Sentencing Council for England and Wales

One Non-Judicial Member

Reference number: PAT160032

(please use the above reference in all correspondence)

Location: This role is based in The Royal Courts of Justice, London

Term of appointment: Three years

Time commitment: 36 days per year

Remuneration: £12,000 per annum

Expected start date of role: July 2022

Closing date for applications is 9am on Tuesday 8 February.

Applications should be submitted to the Ministry of Justice (MoJ) Public Appointments Team via PublicAppointmentsTeam@justice.gov.uk.

Guidance on how to write a successful application is provided at (Appendix 2).

Alternative format versions of this candidate information pack are available on request from the Public Appointments Team, contact details as above.

 [Twitter](#) Follow us to keep up to date with public appointments vacancies.

All public appointments are advertised on the Cabinet Office's Public Appointments website (<http://publicappointments.cabinetoffice.gov.uk/>) and the Public Appointments Twitter feed (@publicappts).



1. A Message from the Chairman of the Sentencing Council

Dear Candidate,

Thank you for your interest in becoming a member of the Sentencing Council for England and Wales. I am looking for an exceptional candidate to fill this member role and welcome applicants from the widest possible field.

The Council is responsible for developing sentencing guidelines and monitoring their use, assessing the impact of guidelines on sentencing practice, promoting the understanding of and increasing public confidence in sentencing and the criminal justice system.

I am looking for one non-judicial member with experience of the criminal justice sector, specifically in criminal defence. These roles are intellectually demanding but ultimately rewarding, where the right candidate will have the rare opportunity to review complex issues concerning the approach to sentencing and the guidance to be issued to courts.

The affairs of the Council are very much in the public eye, and I am looking for candidates who will bring their experience and judgement to apply their understanding of sentencing, in an objective and collaborative approach.

You may already have some idea about the important work of the Sentencing Council and the following pages will tell you more about the Council and the nature of the role advertised.

If you have further questions about this post, you are welcome to contact Steve Wade, Head of the Office of the Sentencing Council on 020 7071 5779.

If you have questions about the appointment process, you can contact the Public Appointments Team at: PublicAppointmentsTeam@Justice.gov.uk , or call Kathy Malvo on 07889 415 433.

If you believe you have the experience and qualities we are seeking, I do hope you will consider applying for this important position.

Sincerely,

The Right Honourable Lord Justice Holroyde
Chairman of the Sentencing Council

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2. About the Sentencing Council

Background

The Sentencing Council for England and Wales was set up by Part 4 of the Coroners and Justice Act 2009 to promote greater transparency and consistency in sentencing, whilst maintaining the independence of the judiciary.

The Sentencing Council is an independent, non-departmental public body of the Ministry of Justice, and currently has [14 members](#). It replaced the Sentencing Guidelines Council and the Sentencing Advisory Panel.

The Sentencing Council for England and Wales:

- promotes a clear, fair and consistent approach to sentencing;
- produces analysis and research on sentencing;
- works to improve public confidence in sentencing.

The Council fulfils the following functions contained in the Coroners and Justice Act 2009:

- prepares sentencing guidelines;
- prepares a resource assessment to accompany new guidelines;
- publishes the resource implications in respect of the guidelines it drafts and issues;
- monitors the operation and effect of its sentencing guidelines and draws conclusions;
- promotes awareness of sentencing and sentencing practice;
- publishes an annual report that includes the effect of sentencing practice and non-sentencing factors.

The primary role of the Council is to issue guidelines on sentencing which the courts must follow, unless the court is satisfied in a particular case, that it would be contrary to the interests of justice to do so.

Functions

The Sentencing Council has responsibility for:

- **developing sentencing guidelines** and monitoring their use;
- assessing **the impact of guidelines on sentencing practice**. It may also be required to consider the impact of policy and legislative proposals relating to sentencing, when requested by the Government; and
- **promoting awareness amongst the public** regarding the realities of sentencing and publishing information regarding sentencing practice in Magistrates courts' and the Crown court.

Additional Functions

In addition to the functions above, the Council must:

- consider the impact of sentencing decisions on **victims**;
- monitor the **application of the guidelines**, and
- when developing guidelines, promote understanding of, and **public confidence** in, sentencing and the criminal justice system.

3. The role of a Non-Judicial Member

Members are expected to play an active role on the Sentencing Council. The responsibilities of members are to:

- Deal with complex issues concerning the approach to sentencing and the guidance to be issued to courts. This may be guidance for sentencing particular types of offences (for example, burglary, motoring or terrorism offences) or for crosscutting issues (for example, the significance of previous convictions, or guidance on sentencing domestic abuse offences).
- Members will also need to contribute to discussion about the identification and analysis of relevant research and data.
- Members are expected to make a positive contribution to the efficient and effective delivery of the Council's statutory functions and the priorities identified in its business plans and to support the Chair.
- Members will have reached a senior level in their particular area, will have a high level of credibility with their peers and will be able to demonstrate both that they have a sound knowledge of issues relevant to the work of the Council and that they have the capacity to develop that understanding further quickly and effectively.
- Members with professional skills or experience in governance; analysis and research methodologies; or communications, confidence and media relations may be expected to attend and participate in one or more of the sub-groups of the Council which focus on these issues.

Essential Criteria

- Current and ongoing experience of criminal defence practice, preferably in both the Crown and magistrates' courts;
- An understanding of the five core principles of sentencing: punishment, reduction of crime, reparation, rehabilitation and public protection;
- A demonstrable commitment to upholding the Seven Principles of Public Life "the Nolan Principles";
- The ability to serve in a personal capacity, drawing on your knowledge and experience, and not as a representative of particular professional associations or viewpoints, to be objective and open-minded, and be able and willing to work as part of a team under the general direction of the Chair, as well as supporting the Chair; and
- The ability to retain the confidence of the Sentencing Council Chair, Ministers, Parliament, the judiciary, other professional bodies in the criminal justice system and the public.

Desirable Criteria

- The ability to work with others, make decisions and recommendations as a group, and hold collective responsibility.

Eligibility

There must be no employment restrictions, or time limit on your permitted stay in the UK.

4. Other important appointment information

Tenure: Public appointments are offered on a fixed term basis. We do this to ensure that the leadership of our public bodies is regularly refreshed, and the Sentencing Council can benefit from new perspectives and ideas.

The appointment will run for three years with the possibility of reappointment for a further term subject to satisfactory appraisal and at the discretion of Ministers.

In line with the Governance Code for Public Appointments, there is a strong presumption that no individual should serve more than two terms or serve in any one post for more than ten years.

Remuneration, Allowances and Abatement: Members receive a remuneration of £12,000 p.a.

Reasonable standard travel expenses will be payable. Remuneration will be subject to PAYE tax and National Insurance Contributions.

For members who receive a full salary from the public purse the remuneration otherwise payable to members is abated. Therefore, in these circumstances there will not be any remuneration in respect of appointment.

The role is not pensionable and your remuneration may be abated if you receive a public service pension - *any queries you may have about how this may affect you, will need to be taken up by you, with your pension provider.*

Time Commitment: Members are required to commit to 36 days a year. Three days per month will be for Council work, with 10 or 11 of these days each year to attend Council meetings.

Meetings are normally held at the Royal Courts of Justice in London. These have recently been held virtually due to social distancing restrictions. It is not necessary to be based in London to apply.

Members are expected to read and consider papers outside meetings as well as attend subgroups as required. Meetings may not be evenly spaced but will as much as is possible be fixed well in advance.

Members will be expected to undertake additional pieces of work on an ad hoc basis as required, including the potential requirement to travel around the country to raise awareness of the Council's work.

Performance Appraisal: You will be assessed annually on your performance by the Chair

Standards in Public Life: Public appointees are required to uphold the Committee on Standards. [Seven Principles of Public Life](#) You are also expected to adhere to the [Code of Conduct for Board Members of Public Bodies](#)

It will be important that a non-judicial member's other commitments do not cast any doubt on their ability to act independently and impartially in discharging the role; any potential conflicts of interest must be declared in your application.

5. Advisory Assessment Panel (AAP) membership

The Panel will be:

- Christina Pride, Deputy Director of the Youth Justice and Offender Policy, (Panel Chair);
- The Rt Hon Lord Justice Holroyde, Chair of the Sentencing Council; and
- Oliver Mosley, (Independent Panel Member).

The Advisory Assessment Panel Chair will report to Ministers on the outcome of the interviews.

6. The appointment process and timeline

These appointments will be made by the Lord Chancellor in consultation with the Lord Chief Justice (LCJ). <https://www.legislation.gov.uk/ukpga/2009/25/schedule/15> .

The [Commissioner for Public Appointments](#) ensures that appointments are made in accordance with the Governance Code and the principles of public appointments. All appointments follow a recruitment process set out in the [Governance Code for Public Appointments](#).

Key stages and timings in the campaign process:

APPLICATION Personal Statement, CV and supporting documents must be sent by the closing date.	Tuesday 8 February
SIFT The Panel will meet to assess the applications. Candidates will be informed of the outcome by e-mail approximately 2 weeks prior to the interview date.	Monday 21 March
INTERVIEWS Shortlisted candidates will be interviewed by the Panel. References will be taken before interview.	Monday 9 May
INTERVIEW RESULTS Candidates will be informed of the outcome by e-mail. Candidates will be updated if there are any changes to this timetable.	Late June
ANNOUNCEMENT Appointments are publicly announced and security checks started	July
EXPECTED START DATE OF ROLE:	July

Feedback

Please note that it is not possible to provide specific, individually tailored feedback following the sift stage, but we will provide, on request, feedback to those who are interviewed.

Interviews

Interviews may take place via MS Teams. If you accept an invitation to interview, we will take two references in advance of the interview. By providing the details of two referees, you are consenting to us approaching them for this purpose.

If you cannot attend an interview on one of the dates shown, please advise the PublicAppointmentsTeam@Justice.go.uk us as soon as you can. It may be possible to arrange an alternative date at the discretion of the AAP. **Please note, if travel is required to attend interviews, travel expenses are not reimbursed.**

The Secretary of State or another Minister may ask to meet each of the candidates before or after interview.

If called for interview, the AAP will explore your experience and expertise to determine whether you meet the essential criteria for the role.

You may be asked to deliver a short presentation at the start of the interview. This will be confirmed in your invitation to interview letter.

Security Clearance

For the successful candidates, confirmation of appointment will be subject to security checks, covering confirmation of identity and right to work in the UK plus a criminal record check. This will involve completion of several paper and electronic forms and can take up to five weeks to process following completion of the forms.

The post requires Security Clearance (SC) level and you will be asked to complete an online vetting form, which can take a **further seven weeks** to complete the process. If you are called for interview and already hold current SC clearance, please provide evidence when you attend for interview.

7. How to apply

To make an application, please send:

- **A CV (maximum two sides of A4)** detailing your qualifications, employment history and any appointments or offices you hold. Please also provide your preferred contact number and email address.
- **A personal statement (maximum two sides of A4)** providing evidence against the role criteria and your suitability for the post. Please consider the role and criteria carefully in preparing your statements.

Information from AAPs indicates that applications which offer specific and tailored examples against the criteria, making clear the candidate's role in achieving an outcome are often the strongest. Structuring the statement around the criteria using relevant headings also aids clarity.

- **Guidance on how to write a successful application can be found at (Appendix 1).**

Supporting Documents form (attached separately on cabinet office website)

Please also complete and return the Supporting Documents form which seeks the following information:

- Conflicts of interest and Previous Conduct: If you have any interests that might be relevant to the work of non-lay member and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your supporting documents.

Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of Parliament and the public. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment, or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the AAP. Please provide details of the issue/s in your supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media.

The AAP may explore any issues with you before they make a recommendation on the appointment. Failure to disclose such information could result in an appointment either not being made or being terminated

Conflicts might arise from a variety of sources such as financial interests or share ownership, membership of, or association with, particular bodies or the activities of relatives or partners. If you need further advice, please contact Steve Wade at steve.wade@sentencingcouncil.gov.uk

- Significant Political Activity
- Number of other public appointments held
- Referee details – please give names/contact details of two referees (who will be contacted if you are shortlisted for interview)

Diversity monitoring - Please complete this online form. Information is requested for monitoring purposes only and plays no part in the selection process. It will be kept confidential and will not be seen by the AAP.

Please send your CV, personal statement and supporting documents to: PublicAppointmentsTeam@justice.gov.uk quoting reference PAT 160032 in the subject line of your email. We will acknowledge receipt.

If you have any questions about any aspects of this post, you are welcome to contact Kathy Malvo by email at PublicAppointmentsTeam@justice.gov.uk.

8. Diversity and inclusivity

We want to ensure any appointee to the Department's arm's length bodies is committed to promoting diversity, in its broadest possible sense. This will include embedding a commitment to the principles of levelling up and championing opportunity for all across the organisation, helping to ensure that the organisation is one in which a genuinely diverse range of views can be expressed, without fear or favour.

We encourage applications from all candidates regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Arrangements for candidates with a disability:

An offer of an interview will be given to candidates with disabilities who meet the minimum selection criteria for the role.

Reasonable Adjustments:

If you have a disability and require any arrangements or adjustments for any part of the recruitment or selection process, please state clearly on your form and contact Kathy Malvo on 07849 854567 (quote PAT160022 in any correspondence) or by e-mail to: PublicAppointmentsTeam@justice.gov.uk

Further information can be found via this link:

<https://publicappointments.cabinetoffice.gov.uk/recording-whether-or-not-you-have-a-disability/>

9. Complaints Process

If you have a complaint about any aspect of the way your application has been handled, we would like to hear from you. In the first instance please e-mail the Public Appointments Team at the e-mail address given below quoting the appropriate reference number.

Maggie Garrett, Ministry of Justice, Head of the Public Appointments Team, ALB Centre of Expertise, Ministry of Justice. E-mail address: PublicAppointmentsTeam@justice.gov.uk

Complaints must be received by the Public Appointments Team within 12 calendar months of the issue or the closure of the recruitment competition, whichever is the later.

We will acknowledge your complaint within two working days of receipt and reply within 20 working days of receipt. We will tell you if we cannot meet this deadline for any reason and provide an expected reply date.

Taking it further: If you are still concerned after receiving your reply you can write to:

Commissioner for Public Appointments, Room G/8, Ground Floor, 1 Horse Guards Road, London, SW1A 2HQ: publicappointments@csc.gov.uk

The Commissioner for Public Appointments (CPA) regulates and monitors appointments to public bodies to ensure procedures are fair. More information about the role of the Commissioner, the Governance Code for Public Appointments and the complaints process is available at <http://publicappointmentscommissioner.independent.gov.uk/>.

Alternatively, please contact the Commissioner's office on 020 7271 6729, or 0207 271 3305 for a printed copy of the complaints process.

10. Checklist

Please refer to the table below to ensure you send us all the necessary information.

Documents to be completed and sent:	Tick
Your CV (<i>maximum two side of A4</i>)	
Supporting Statement (<i>maximum two side of A4</i>)	
Supporting Documents form which includes: <ul style="list-style-type: none">• Conflicts of Interest and previous conduct;• Significant political activity;• Number of other public appointments held; and• Please also supply details of your referee's.	
Diversity monitoring form (via Microsoft forms link)	

11. Your personal Information

In accordance with the Public Appointments Order in Council 2019(4)(5), we will process your application in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Ministry of Justice's Information Charter, which can be found at <https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter>.

Your data will be held securely and access will be restricted to those dealing with your application or involved in the recruitment process. Your data may also be shared with the Commissioner for Public Appointments and other relevant government departments, including the Cabinet Office, as part of a complaint investigation or review of the recruitment process. Cabinet Office will handle data in accordance with their Privacy Notice <https://publicappointments.cabinetoffice.gov.uk/privacy-notice>. Your data may also be disclosed as required by law or in connection with legal proceedings.

Your data will be stored for up to two years and processed for the purpose of the recruitment process, diversity monitoring and, if successful, your personal record. If appointed, your data will be stored for the duration of your tenure and may be shared with the organisation to which you are appointed, unless you specifically request us not to.

Should you wish your data to be removed from our records, please contact publicappointmentsteam@Justice.gov.uk.

Appendix 1 - The seven principles of public life

All candidates for public appointments are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service. The seven principles of public life are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix 2 – Guidance for those applying for an MoJ Public Appointment

When applying for a public appointment, we require three pieces of documentation: **Your CV, 2. Supporting Statement, 3. Supporting Documents**

This guidance gives some helpful tips on how best to present yourself to the panel who will be reviewing your application. There is no official or 'correct way' to write your CV or supporting statement, this is simply a guide that you may wish to refer to or use as a template.

1. CV

Here are a few pointers to keep in mind whilst writing or updating your CV:

- **Please write your name at the top;**
- **Do not write more than 2 pages.** We appreciate this may be a challenge and your achievements could spread across several pages. However, please appreciate that the panel may have a large number of applications to assess so brevity would be appreciated.
- **Avoid spelling and grammatical errors;**
- **Tailor it to the position you're applying for.** Make sure to draw attention to how you have met the essential and desirable criteria throughout your achievements in life. An opening paragraph at the top of the front page would be beneficial;
- **Use an updated CV.** Explain what you are currently doing or what you most recently have done that fits to the role you are applying for, including dates of the positions you have held;
- **Avoid big blocks of solid text.** Using bullet points will help those reading the CV;
- **Always explain what abbreviations stand for;**
- **Only include key information.** The panel do not need to know about your hobbies unless they specifically match the criteria of the role you are applying for. Personal details including name, address, phone number & email address should be included. There is no legal requirement for you to put your age, or other protected characteristic (under the Equality Act 2010) on your CV.

2. Supporting Statement

Your supporting statement is an opportunity to prove to the panel your reasons for applying for the role as well as highlighting your skills and attributes.

- **Do not write more than 2 pages.**
- **Use models to help structure your paragraphs.** There are two models that you may find useful when writing your supporting statements:
 - **The WHO Model** – What was your personal role? How you did it? And what was the Outcome? placing emphasis on the successful outcome.
 - **The STAR approach** – Situation: briefly describe the context and your role, Task: the specific challenge, task or job that you faced, Action: what you did, how and why you did it and Result: what you achieved through your actions.

- **Use the essential criteria as headings.** The essential criteria for roles can be found on the advert on the Cabinet Office website and within the Candidate Information Pack. It is useful to the panel when assessing your application. For example;

Demonstrate intellectual capacity with the ability to make evidence-based decisions

You would write a paragraph using evidence from your current role or from recent examples of how you have demonstrated the ability to make evidence-based decisions whilst achieving goals. You would then link this work to the public body you are applying for and how your work directly benefits the ALB and how you can be a part of the its future with your skill set.

3. Supporting Documents (attached separately on Cabinet Office website)

- Please fill in the conflict of interest declaration form honestly. If you are asked for an interview, due diligence checks will be performed by a member of the Public Appointments Team.
- Although completing the diversity monitoring form is voluntary, it helps the MoJ to build a world class organisation and recruit public appointees who are as diverse as the society they represent.