



**Swyddfa
Farnwrol**

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Via email SeneddEquality@Senedd.Wales

Chair, Equality and Social Justice Committee
Welsh Parliament
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Dear Chair,

Experiences of the criminal justice system

Thank you for your letter dated 15 January seeking to understand judicial reasoning behind sentencing and remand practices in Wales, particularly for cases involving women offenders. I am responding on behalf of the Lady Chief Justice as Chief Executive of the Judicial Office, which supports the independent judiciary and advises the Lady Chief Justice on her statutory responsibilities and leadership of the courts judiciary in England and Wales.

Whilst I am unable to comment on individual judges' decision making it may be useful to point to the guidance available to all judges and magistrates. The Sentencing Guidelines for the Crown Court and Magistrates' Court are available on the [Sentencing Council website](#). Judges and magistrates must follow any relevant sentencing guidelines, unless they are satisfied it would be contrary to the interests of justice to do so. This is in the context of the purposes of sentencing as reflected in the Guidelines and set out in section 57 of the Sentencing Act 2020 (as amended). Reasons for sentencing decisions will also be given in open court.

The [General guideline: overarching principles](#), other relevant overarching guidelines and the individual guidelines set out factors the court must follow when sentencing. The General guideline provides a stepped approach to determining the appropriate sentence, including consideration of any relevant factors which may increase or reduce seriousness, or which may reflect personal mitigation, such as primary caring responsibilities or pregnancy, childbirth and post-natal care. The Sentencing Council links directly to the [Equal Treatment Bench Book](#) which highlights the impact of custody specifically on women.

As far as remand considerations are concerned, judges and magistrates will follow structured decision-making processes as set out in the [Bail Act 1976](#).

Changes resulting from the Sentencing Act 2026, including a presumption to suspend short custodial sentences and amendments to remand decision-making, will be reflected in updated guidance and training.

Yours sincerely

Michelle Crotty