

Infamous 'two-tier' sentencing guidelines based on David Lammy report – 'Labour's fingerprints are all over this!'

From [GB News](#)

The sentencing guidelines at the [centre of a "two-tier justice" row](#) were based on a report written by [David Lammy](#), it has emerged.



The Sentencing Council said the changes were influenced by several sources of research, including a review carried out in 2017 by David Lammy, now the foreign secretary

DAN KITWOOD/REUTERS

New guidance issued by the Sentencing Council, coming in on April 1, tells judges to consider factors like ethnicity and religion in a pre-sentencing background report when deciding convicted criminals' fates. The council said its new guidance was influenced by several pieces of research – including a

[2017 review by Lammy](#), a new report by [The Times has revealed](#).

The future Foreign Secretary found “widespread” racial discrimination in the criminal justice system, and put forward changes to improve outcomes for “black, Asian and minority ethnic” offenders.

In his review, Lammy called for more scrutiny of sentencing decisions – and said judges must be equipped with more information about offenders’ backgrounds.

The Tottenham MP also urged for more use of pre-sentence reports, which are compiled by the Probation Service to give judges extra information about offenders’ character and circumstances.

Another source of information that influenced the Sentencing Council’s update was a report by the chief inspector of probation in 2021 that found members of ethnic minorities were given “more punitive sentences” owing to poorer pre-sentencing reports that failed to consider “all relevant factors”.

Jenrick said: “Labour’s fingerprints are all over this two-tier sentencing guidance. Lammy’s report failed to establish conclusive evidence of direct discrimination in sentencing decisions. Now it’s being used to justify abandoning the foundational principle of equal treatment under the law.”

Lammy has not responded to a request for comment.

Justice Secretary [Shabana Mahmood has vowed to overrule the Sentencing Council](#) if it fails to reverse the guidelines “as soon as possible”, and has requested an urgent meeting to discuss the controversy.

Mahmood said she would consider stripping the council of its power to set sentencing guidelines entirely – and has raised the prospect of Ministers taking an active role in setting the

guidance.

But her shadow counterpart [Robert Jenrick](#) has kicked off legal proceedings in an attempt to axe the advice through a judicial review – calling the guidelines “anti-white and anti-Christian”.

He later added: “Labour’s fingerprints are all over this two-tier sentencing guidance. Lammy’s report failed to establish conclusive evidence of direct discrimination in sentencing decisions. Now it’s being used to justify abandoning the foundational principle of equal treatment under the law.”