



SUPREME COURT
277 MAIN STREET
GIBRALTAR
Tel: (+350) 200 75608 (Registry) 200 78808 (Registrar)
Fax: (+350) 200 77118

CIRCULAR TO ALL CHAMBERS

20 May 2026

Circ. 3 of 2026

SENTENCING GUIDELINE – SUSPENDED SENTENCES

The Chief Justice has issued a sentencing guideline pursuant to section 484 of the Criminal Procedure and Evidence Act, a copy of which is attached.

The guideline directs that the courts shall continue to apply the parts of the Sentencing Council of England and Wales guideline on the Imposition of Community and Custodial Sentences applicable to offenders convicted before 22 March 2026, and shall not apply the amendments introduced by the Sentencing Act 2026 of England and Wales.

The guideline takes effect immediately.

A handwritten signature in blue ink, appearing to read 'Karl Tonna'.

Karl Tonna
Registrar

SENTENCING GUIDELINE ISSUED PURSUANT TO SECTION 484 OF THE CRIMINAL PROCEDURE AND EVIDENCE ACT

Issued on the 20th day of May 2026

Application of the Sentencing Council for England and Wales Guideline on the Imposition of Community and Custodial Sentences

Pursuant to section 484 of the Criminal Procedure and Evidence Act, and following consultation with the Minister for Justice, the following guideline is issued in relation to the sentencing of offenders in Gibraltar.

In accordance with section 484(4) of the Criminal Procedure and Evidence Act, except where the circumstances of Gibraltar are such that it would not be appropriate to do so, the courts have regard to the sentencing guidelines issued by the Sentencing Council of England and Wales.

The Sentencing Act 2026 of England and Wales introduced amendments affecting the approach to the imposition of suspended sentence orders and related custodial sentencing provisions.

In consequence of those legislative changes, and pending any legislative reform in Gibraltar addressing the same subject matter, the courts of Gibraltar shall, when applying the Sentencing Council guideline entitled “Imposition of Community and Custodial Sentences” (in respect of both the Crown Court and Magistrates’ Court) continue to apply and have regard to those parts of the guideline applicable in England and Wales to offenders convicted before 22 March 2026.

This guideline shall take effect immediately and shall remain in force unless and until revoked or amended.

Anthony Dudley

Chief Justice