

2019

*Eastern Caribbean Supreme Court  
(Sentencing Guidelines) Rules  
Practice Direction 8B*

SRO. 20

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GRENADA

STATUTORY RULES AND ORDERS NO. 20 OF 2019

**EASTERN CARIBBEAN SUPREME COURT  
(SENTENCING GUIDELINES) RULES 2019**

**PRACTICE DIRECTION 8B  
NO. 2 OF 2019**

**THE STEPS TO CONSTRUCTING A SENTENCE**

THIS PRACTICE DIRECTION IS MADE PURSUANT TO RULE 7(1) OF THE EASTERN CARIBBEAN SUPREME COURT (SENTENCING GUIDELINES) RULES 2019 AND SUPPLEMENTS RULE 8(3).

(Gazetted 18th September, 2019).

**Introduction**

This Practice Direction highlights the steps which it is expected that every court must follow, with each step being identified to the offender in public before the sentence is passed.

**Step 1**

Consider the seriousness of the offence. Find the starting point by consulting the guideline and the grid at stage 3 of step 1. Then adjust the figure within the range for the aggravating and mitigating factors of the offence.

**Step 2**

Adjust the figure within the range for the aggravating and mitigating factors affecting the offender.

**Step 3**

Adjust the figure on assessing discount for any plea of guilty, if applicable.

**Step 4**

Adjust the figure on assessing the totality if sentencing for more than one offence.

**Step 5**

Give credit for time served on remand.

**Step 6**

Finally, consider ancillary orders, confiscation, compensation, etc.

**Passing The Sentence**

Having followed the steps, the court must give reasons explaining the construction of the sentence in a way that can be readily understood by the defendant, in particular justifying any departure from the guideline.

**Effective Date**

This Practice Direction will come into effect on the 1st day of October, 2019.

Made this 10th day of September, 2019.

DAME JANICE M. PEREIRA, DBE  
*Chief Justice.*

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