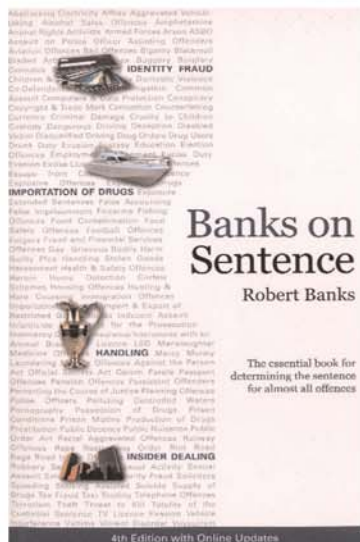




Banks for the memory

Updated guides on sentencing and precedents are valuable additions to the bookshelf



Banks on Sentence
Robert Banks
Robert Banks, £46

Fings ain't wot they used to be' as your criminal client might say. Time was when he, you and judges had an instinct fashioned by experience which led, more or less, to the right sentence.

Now criminals, advocates and courts alike are at risk of being dazzled by a plethora of not necessarily consistent sentencing factors. These include the statutory maxima that increase on particular dates, Sentencing Guidelines Council guidance, Court of Appeal guideline cases, the criteria for sentencing dangerous offenders for the public protection (before it was almost mandatory; now it is discretionary), and 'three strikes and you're out'.

Such a bewildering array of sentencing criteria, coupled with the facts of the case and mitigation, mean there is an acute risk of a judge taking his eye off the ball and delivering an unlawful and unjust sentence.

The criminal specialist surely needs to look in several different places for information on sentencing. In fact, he does not, because the fourth edition of *Banks on Sentence* has it all in one compact paperback volume.

It is trite for reviewers to say that a

textbook is indispensable. Still, *Banks on Sentence* must be essential for solicitor-advocates and Crown court judges. This is the verdict on Banks's earlier editions. A small unscientific poll, by your reviewer, revealed that eight out of nine judges who were asked, relied on Banks's third edition.

It is comprehensive and contains a large number of cases that are not found elsewhere

So why does *Banks on Sentence* merit this accolade? It is manageable and its language is clear and readable, as opposed to academic. Moreover, it is absolutely comprehensive and contains a large number of cases that are unreported and not found elsewhere.

Most notably, Banks gives

commonsense practical advice and commentary. For example, he refers to the problem of the too-short maximum sentence for dangerous driving. Such driving that causes serious injury attracts a maximum sentence of only two years, before any discount, whereas, if it causes death, the maximum sentence is 14 years. The solution is either a low sentence, or watering down the principle of discount for early plea, or both.

The new edition contains, among other changes, 110 more offences, 638 new cases, substantially expanded fraud and terrorist sections, and helpful predictions for the coming into force of new legislation. It continues Banks's imaginative hallmark of two years' statistics for the main offences.

In short, the book is excellent. Are there no negative comments? Not unless you are wedded to the loose-leaf format and file the updates promptly as they arrive. Even here, Banks is ahead of the game, because he provides updates online.

You will be on top of your game in court, with Banks in your hand. Buy it.

Duncan Adam is a solicitor, county court and district judge, and Crown court recorder