Sentencing – Aggravating and Mitigating Factors

At a sentencing hearing the judge considers all the facts about the crime, the offender, and the victim in order to determine the appropriate sentence.

Aggravating factors: Circumstances that increase the severity of the sentence

Mitigating factors: Circumstances that decrease the severity of the sentence

**Fill in the following charts using the list provided.**

|  |  |
| --- | --- |
| Factors with respect to the **Offender** | |
| Aggravating | Mitigating |
|  |  |

* premeditated or planned his act
* acted impulsively
* has previous criminal record
* is a young or first-time offender
* pled guilty
* made large profits from the offence
* involved others in the offence
* “ring leader” of the group that committed the crime
* unremorseful
* continuing offence over time
* cooperating with police
* mental or physical disability
* short life expectancy
* is sorry

|  |  |
| --- | --- |
| Factors with respect to the **Offence** | |
| Aggravating | Mitigating |
|  |  |

* violent offence
* minor offence
* large number of victims
* small number of victims
* needs a deterrent
* time spent in custody
* delay in trial