

Populate the fields in the format "<Field Name> - <Value>" using the below variables mentioned. Do not output as a text table. If there are multiple charges, answer the below questions based on the highest/most serious charge.

- 1.1.1 **Case Citation:** Depending on the jurisdiction, it is usually of the form "State v [Name of accused] [year] [name of court] [number]".
- 1.1.2 **Court's Jurisdiction:** The value needs to be one of the following based on the hearing:
 - (i) If the case documents provided are from the court deciding sentencing in the first instance, enter "Court of First Instance".
 - (ii) If this is an appeal, heard at a higher court, but not the supreme court of the relevant country, enter "Appellate Court"
 - (iii) If this is an appeal that has reached the supreme court of the relevant country, enter "Supreme Court".
- 1.1.3 **Charge(s):** The value for this column must Include the specific Act, Code, and Decree that have been referenced in the case document. Please make sure to include the Code section, if available.
- 1.1.4 **Charge category:** Type in the one category of the highest/most serious charge (charge with the highest sentence). Refer to the legislation of the country to match the charge name.
- 1.1.5 **First time offender:** Choose "Yes", "No" or "Unknown".
 - (i) If the Court determines that the perpetrator is not a first time offender (i.e., if there are previous conviction(s) (even if it's a different type of crime) or if facts of the case show a history or pattern of violent acts/abuse) , enter "No".
 - (ii) If the Court determines that the perpetrator is a first time offender (i.e., if there are no prior conviction(s)), enter "Yes"
 - (iii) If not clear from case history, enter "Unknown".
- 1.1.6 **First time offender. agree/disagree?:** In addition to entering "Yes" or "No," enter "Disagree" if you disagree with the Court's determination about the perpetrator being a first time offender. For example, if the Court treats the person as a first time offender even though the facts show he is not (e.g., no convictions, but evidence of past abuse or other criminal conduct even if not resulting in a conviction); or vice versa. If you agree with the Court's determination about the perpetrator being a first time offender, enter "Agree".
- 1.1.7 **Starting Sentence:** Enter as a numerical value of years by calculating the decimal as a percentage of 12 months. If you cannot determine a starting sentence, enter "0." If there are multiple charges, analyze the highest/most serious charge (i.e., if the Defendant is convicted of both rape and indecent assault, analyze the sentencing on the rape charge).

You may need to work backward from the final sentence and add aggravating and mitigating factors to get the starting sentence. Or identify the guideline, prior precedent, or

tariff that the judge is using to provide a starting point for sentencing. If you can't figure this out, see if you can identify an Alternative Starting Sentence (see below).

- 1.1.8 **Alternative Starting Sentence:** Enter as a numerical value of years by calculating the decimal as a percentage of 12 months.

If the starting sentence is unclear, the judge—once concluded with the analysis on aggravating factors—may identify a number prior to going into the analysis with mitigating factors. You may enter this number as an “Alternative Starting Sentence.”

- 1.1.9 **Aggravating factors:** Enter the sum of all the time added to the sentence based on aggravating factors. Enter as a numerical value of years by calculating the decimal as a percentage of 12 months.

- 1.1.10 **Mitigating factors:** Enter the sum of all time reduced from the sentence based on mitigating factors. However, DO NOT include a reduction based on time served on remand in this figure. Enter as a numerical value of years by calculating the decimal as a percentage of 12 months.

- 1.1.11 **Final sentence:** Enter as a numerical value of years by calculating the decimal as a percentage of 12 months. Calculate the sum of the starting sentence and aggravating factors, and subtract mitigating factors. If the starting sentence is unclear, use the alternative starting sentence.

Make sure you enter a value under the final sentence. If the Court ultimately suspends a sentence fully or partially, the final sentence amount should still be entered here, even if it is not served in custody.

If the final sentence is life imprisonment or the death penalty, enter “999.”

- 1.1.12 **Customary practices:** Customary practices include a formal apology, compensation, banishment from the village, bride-price, etc. Enter “Y (Judicial Officer)”, if the sentencing decision indicates that customary practices were raised by the judicial officer. Enter “Y (Defense)”, if they were raised by the defense. Enter “Y (Both)”, if they were raised by both the judicial officer and the defense. Enter “No” if there is no mention of customary practices. If you are unsure whether a particular factor is a customary practice, enter “Unknown.” Do NOT enter “Unknown” just because you see no indication one way or the other. In that event, enter “N”.

- 1.1.13 **Gender stereotypes:** Gender stereotypes include the notion that men are the head of the household, or that women exist to fulfill the desires of men. Enter “Y (Judicial Officer)”, if the sentencing decision indicates that gender stereotypes were raised by the judicial officer. Enter “Y (Defense)”, if they were raised by the defense. Enter “Y (Both)”, if they were raised by both the judicial officer and the defense. Enter “No” if there is no mention of gender stereotypes. If you are unsure whether a gender stereotype is being raised, enter “Unknown.” Do NOT enter “Unknown” just because you see no indication one way or the other. In that event, enter “N”.

- 1.1.14 **Sole breadwinner:** If gender stereotypes were raised, did the gender stereotype raised result in a judicial officer reducing the sentence due to the perpetrator being the sole

breadwinner/head of household? Enter “Yes” or “No”. You may have a situation where both defense and judge discuss sole breadwinner, but the judge decides it isn’t relevant. Do NOT enter “Yes” unless you can tell that the sole breadwinner stereotype actually resulted in a sentence reduction.

1.1.15 **Other factor(s)**: "Other factors include contentious factors that unjustly privilege the interests of the perpetrator over the victim. These include:

- (i) Excessive consideration of the educational and career prospects of the individual.
- (ii) That the perpetrator attended church regularly, or that he was to be baptized or that he was a council member.
- (iii) That the perpetrator did not infect the victim with an STD.
- (iv) That the perpetrator did not inflict further injury on the victim, cause physical harm, or torture the victim.
- (v) That the perpetrator was drunk (although this argument is frequently rejected by the reviewing judicial officer).
- (vi) That the victim did not become pregnant.
- (vii) Blaming the parents of the victim for not looking after their children and failing to prevent the crime.

Enter “Y (Judicial Officer)”, if the sentencing decision indicates that other contentious factors were raised by the judicial officer. Enter “Y (Defense)”, if they were raised by the defense. Enter “Y (Both)”, if they were raised by both the judicial officer and the defense. Enter “No” if there is no mention of other contentious factors. If you are unsure whether a contentious factor is being raised, enter “Unknown.” Do NOT enter “Unknown” just because you see no indication one way or the other. In that event, enter “N”.

1.1.16 **Type of gender discrimination**: The options to choose from are “Y (Reconciliation/ Customary Practice(s))”, “Y (Gender Stereotypes)”, “Y (Other Contentious Factor(s))”, and “N”.

- (i) If there was a sentence reduction, was it based at least partly on customary practice(s), gender stereotype(s) or other contentious factor(s)? If yes, enter all options that apply from “Y (Reconciliation/ Customary Practice(s))”, “Y (Gender Stereotypes)”, and “Y (Other Contentious Factor(s))”.
- (ii) If customary practices, gender stereotypes, or other contentious factors, were not mentioned, OR if they are mentioned, but apparently did not result in a sentence reduction, enter “N”.
- (iii) If you cannot tell whether customary practices, gender stereotypes, or other contentious factors that were raised actually gave rise to the sentence reduction, enter “Unknown”.

1.1.17 **Sentence reduction 1**: If there was a sentence reduction based on customary practice(s), gender stereotype(s), other contentious factors, or a combination of these factors, what was

the specific amount of the reduction resulting from these attitudes? Enter a numerical value. If there was no sentence reduction OR the sentence reduction was not based on contentious factors, enter "0".

1.1.18 Sentence reduction 2: If the sentence was not suspended, enter "0". If the sentence was partially or fully suspended, enter the amount of the sentence that is suspended as a numerical value of years (including decimals). This is the amount of the sentence that is suspended, NOT the length of the suspension. For example:

- (i) If the sentence is '4 months, suspended for 5 years,' enter '0.33.'
- (ii) If the sentence is '1 year, with 6 months suspended for 3 years,' enter '0.5.'

1.1.19 Final sentence (including suspended sentence): Enter the length of the final sentence as a numerical value in years (including decimals). This should represent the actual time to be served in custody. Do not reduce the final sentence for time already served. For example:

- (i) If the final sentence is 4 years, but the perpetrator has already served 3 years, enter '4'.
- (ii) Adjust for any suspended portion of the sentence.
- (iii) If the entire sentence is suspended, enter '0'.
- (iv) If the sentence is 4 years, but 2 years are suspended, enter '2'.

1.1.20 Positive judicial statements (women's rights): Summarize language by the judicial officer making positive statements on how Sexual or Gender Based Violence cases will be handled in order to uphold the human rights of women and girls.

1.1.21 Negative judicial statements (women's rights): Summarize language by the judicial officer indicating and/or endorsing views on customary reconciliation, gender stereotype(s) or other contentious factors that do not uphold the human rights of women and girls. This is primarily to identify broad negative policy statements, or particularly problematic commentary by the Court. If you are not sure, err on the side of including the statement.