



Armed Forces Act 2006

2006 CHAPTER 52

First Group of Parts Discipline

PART 9

SENTENCING: PRINCIPLES AND PROCEDURES

CHAPTER 1

PRINCIPLES AND PROCEDURES APPLYING TO SERVICE COURTS AND SUMMARY HEARINGS

General sentencing principles

239 Reduction in sentences for guilty pleas

- (1) This section applies where an offender—
 - (a) has pleaded guilty to a service offence in proceedings before a court; or
 - (b) at a summary hearing in respect of a service offence, has admitted the offence.
- (2) In determining what sentence to pass on the offender, the court or officer dealing with him for his offence must take into account—
 - (a) the stage in the proceedings for the offence at which he indicated his intention to plead guilty or his intention to admit the offence at a summary hearing; and
 - (b) the circumstances in which this indication was given.
- (3) In subsection (2) “sentence” includes any order made when dealing with the offender in respect of his offence.
- (4) Subsection (5) applies in the case of an offence the sentence for which, as a result of section 225(2) or 226(2) of this Act (required custodial sentences), falls to be imposed under section 110(2) or 111(2) of the Sentencing Act.

Status: *This is the original version (as it was originally enacted).*

- (5) Nothing in section 110(2) or 111(2) of that Act prevents the court, after taking into account any matter mentioned in subsection (2) above, from imposing any sentence which is at least 80% of that specified in section 110(2) or 111(2) of that Act.