

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Paragraph 10 is up to date with all changes known to be in force on or before 04 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 21

DETERMINATION OF MINIMUM TERM IN RELATION TO MANDATORY LIFE SENTENCE FOR MURDER ETC

Aggravating and mitigating factors

- 10 Mitigating factors that may be relevant to the offence of murder include—
- (a) an intention to cause serious bodily harm rather than to kill,
 - (b) lack of premeditation,
 - (c) the fact that the offender suffered from any mental disorder or mental disability which (although not falling within section 2(1) of the Homicide Act 1957) lowered the offender's degree of culpability,
 - (d) the fact that the offender was provoked (for example, by prolonged stress) but, in the case of a murder committed before 4 October 2010, in a way not amounting to a defence of provocation,
 - (e) the fact that the offender acted to any extent in self-defence or, in the case of a murder committed on or after 4 October 2010, in fear of violence,
 - (f) a belief by the offender that the murder was an act of mercy, and
 - (g) the age of the offender.

Commencement Information

II Sch. 21 para. 10 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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