



# Sentencing Act 2020

## 2020 CHAPTER 17

### THIRD GROUP OF PARTS Disposals

#### PART 10

##### CUSTODIAL SENTENCES

#### CHAPTER 2

##### OFFENDERS AGED UNDER 18

##### *Detention and training orders*

#### **235 Exercise of power to make a detention and training order**

- (1) This section applies where a detention and training order is available.
- (2) The court may not make a detention and training order if it imposes—
  - (a) a sentence of detention under section 250, or
  - (b) an extended sentence of detention under section 254,in respect of the offence.
- (3) If the offender is aged under 15 when convicted the court may not make a detention and training order unless it is of the opinion that the offender is a persistent offender.
- (4) The court's power to make a detention and training order is subject to (in particular) section 230 (threshold for imposing discretionary custodial sentence).

#### **Commencement Information**

**II** S. 235 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

**Status:**

Point in time view as at 06/04/2022.

**Changes to legislation:**

Sentencing Act 2020, Section 235 is up to date with all changes known to be in force on or before 24 June 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.