



Sentencing Act 2020

2020 CHAPTER 17

THIRD GROUP OF PARTS Disposals

PART 10

CUSTODIAL SENTENCES

CHAPTER 6

DANGEROUS OFFENDERS

The assessment of dangerousness

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- (1) This section applies where it falls to a court to assess under any of the following provisions (which apply where an offender has committed a specified offence, however described) whether there is a significant risk to members of the public of serious harm occasioned by the commission by the offender of further specified offences—
 - (a) section 255, 267 or 280 (extended sentence for certain violent, sexual or terrorism offences);
 - (b) section 258, 274 or 285 (required life sentence for Schedule 19 offence).
- (2) In making that assessment, the court—
 - (a) must take into account all the information that is available to it about the nature and circumstances of the offence,
 - (b) may take into account all the information that is available to it about the nature and circumstances of any other offences of which the offender has been convicted by a court anywhere in the world,
 - (c) may take into account any information which is before it about any pattern of behaviour of which any of the offences mentioned in paragraph (a) or (b) forms part, and

Status: This is the original version (as it was originally enacted).

- (d) may take into account any information about the offender which is before it.
- (3) The reference in subsection (2)(b) to a conviction by a court includes a reference to—
- (a) a conviction of an offence in—
 - (i) any proceedings under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957 (whether before a court-martial or any other court or person authorised under any of those Acts to award a punishment in respect of any offence), or
 - (ii) any proceedings before a Standing Civilian Court;(and “conviction” here includes the recording of a finding that a charge in respect of the offence has been proved), and
 - (b) a conviction of—
 - (i) a service offence within the meaning of the Armed Forces Act 2006, or
 - (ii) an SDA offence within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059),(and “conviction” here includes anything that under section 376(1) and (2) of the Armed Forces Act 2006 is to be treated as a conviction).