



Sentencing Act 2020

2020 CHAPTER 17

SECOND GROUP OF PARTS Provisions applying to sentencing courts generally

PART 4

EXERCISE OF COURT'S DISCRETION

CHAPTER 2

SENTENCING GUIDELINES

60 Sentencing guidelines: determination of sentence

- (1) This section applies where—
 - (a) a court is deciding what sentence to impose on an offender for an offence, and
 - (b) offence-specific guidelines have been issued in relation to the offence.
- (2) The principal guidelines duty includes a duty to impose on the offender, in accordance with the offence-specific guidelines, a sentence which is within the offence range.
- (3) Subsection (2) is subject to—
 - (a) section 73 (reduction in sentences for guilty pleas),
 - (b) sections 74, 387 and 388 (assistance by offenders: reduction or review of sentence) and any other rule of law by virtue of which an offender may receive a discounted sentence in consequence of assistance given (or offered to be given) by the offender to the prosecutor or investigator of an offence, and
 - (c) any rule of law as to the totality of sentences.
- (4) If the offence-specific guidelines describe different seriousness categories—
 - (a) the principal guidelines duty also includes a duty to decide which of the categories most resembles the offender's case in order to identify the sentencing starting point in the offence range, but
 - (b) nothing in this section imposes on the court a separate duty to impose a sentence which is within the category range.

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Section 60 is up to date with all changes known to be in force on or before 23 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. (See end of Document for details)

- (5) Subsection (4) does not apply if the court is of the opinion that, for the purpose of identifying the sentence within the offence range which is the appropriate starting point, none of the categories sufficiently resembles the offender's case.
- (6) Subsections (2) and (4) (except as applied by section 61) are subject to any power a court has to impose an extended sentence.

Commencement Information

II S. 60 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

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