



Sentencing Act 2020

2020 CHAPTER 17

SECOND GROUP OF PARTS Provisions applying to sentencing courts generally

PART 4

EXERCISE OF COURT'S DISCRETION

CHAPTER 3

SERIOUSNESS AND DETERMINING SENTENCE

Aggravating factors

68 Emergency workers for the purposes of section 67

- (1) In section 67, “emergency worker” means—
- (a) a constable;
 - (b) a person (other than a constable) who has the powers of a constable or is otherwise employed for police purposes or is engaged to provide services for police purposes;
 - (c) a National Crime Agency officer;
 - (d) a prison officer;
 - (e) a person (other than a prison officer) employed or engaged to carry out functions in a custodial institution of a corresponding kind to those carried out by a prison officer;
 - (f) a prisoner custody officer, so far as relating to the exercise of escort functions;
 - (g) a custody officer, so far as relating to the exercise of escort functions;
 - (h) a person employed for the purposes of providing, or engaged to provide, fire services or fire and rescue services;
 - (i) a person employed for the purposes of providing, or engaged to provide, search services or rescue services (or both);
 - (j) a person employed for the purposes of providing, or engaged to provide—

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Section 68 is up to date with all changes known to be in force on or before 20 July 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)

- (i) NHS health services, or
 - (ii) services in the support of the provision of NHS health services, and whose general activities in doing so involve face to face interaction with individuals receiving the services or with other members of the public.
- (2) It is immaterial for the purposes of subsection (1) whether the employment or engagement is paid or unpaid.
- (3) In this section—
- “custodial institution” means any of the following—
 - (a) a prison;
 - (b) a young offender institution, secure training centre or secure college;
 - (c) a removal centre, a short-term holding facility or pre-departure accommodation, as defined by section 147 of the Immigration and Asylum Act 1999;
 - (d) services custody premises, as defined by section 300(7) of the Armed Forces Act 2006;
 - “custody officer” has the meaning given by section 12(3) of the Criminal Justice and Public Order Act 1994;
 - “escort functions”—
 - (a) in the case of a prisoner custody officer, means the functions specified in section 80(1) of the Criminal Justice Act 1991;
 - (b) in the case of a custody officer, means the functions specified in paragraph 1 of Schedule 1 to the Criminal Justice and Public Order Act 1994;
 - “NHS health services” means any kind of health services provided as part of the health service continued under section 1(1) of the National Health Service Act 2006 and under section 1(1) of the National Health Service (Wales) Act 2006;
 - “prisoner custody officer” has the meaning given by section 89(1) of the Criminal Justice Act 1991.

Commencement Information

II S. 68 in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

Status:

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