



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

Mitigating factors

73 Reduction in sentence for guilty plea

- (1) This section applies where a court is determining what sentence to pass on an offender who has pleaded guilty to an offence in proceedings before that or another court.
- (2) The court must take into account the following matters—
 - (a) the stage in the proceedings for the offence at which the offender indicated the intention to plead guilty, and
 - (b) the circumstances in which the indication was given.
- (3) If—
 - (a) a mandatory sentence requirement applies in relation to the offence (see section 399) by virtue of a provision mentioned in subsection (4), and
 - (b) the offender is aged 18 or over when convicted,the mandatory sentence requirement does not prevent the court, after taking into account any matter referred to in subsection (2), from imposing any sentence which is not less than 80 per cent of the sentence which would otherwise be required by that requirement.
- (4) The provisions referred to in subsection (3)(a) are—

Status: This is the original version (as it was originally enacted).

- (a) section 312 (minimum sentence for threatening with weapon or bladed article);
 - (b) section 313 (minimum of 7 years for third class A drug trafficking offence);
 - (c) section 314 (minimum of 3 years for third domestic burglary);
 - (d) section 315 (minimum sentence for repeat offence involving weapon or bladed article).
- (5) If—
- (a) a mandatory sentence requirement applies in relation to the offence by virtue of—
 - (i) section 312, or
 - (ii) section 315, and
 - (b) the offender is aged 16 or 17 when convicted,
- the mandatory sentence requirement does not prevent the court from imposing any sentence that it considers appropriate after taking into account any matter referred to in subsection (2).