



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART I

POWERS EXERCISABLE BEFORE SENTENCE

Committal to Crown Court for sentence

[^{F1}3A Committal for sentence of dangerous adult offenders

- (1) This section applies where on the summary trial of a specified offence triable either way a person aged 18 or over is convicted of the offence.
- (2) If, in relation to the offence, it appears to the court that the criteria for the imposition of a sentence under section 225(3) or 227(2) of the Criminal Justice Act 2003 would be met, the court must commit the offender in custody or on bail to the Crown Court for sentence in accordance with section 5(1) below.
- (3) Where the court commits a person under subsection (2) above, section 6 below (which enables a magistrates' court, where it commits a person under this section in respect of an offence, also to commit him to the Crown Court to be dealt with in respect of certain other offences) shall apply accordingly.
- (4) In reaching any decision under or taking any step contemplated by this section—
 - (a) the court shall not be bound by any indication of sentence given in respect of the offence under section 20 of the Magistrates' Courts Act 1980 (procedure where summary trial appears more suitable); and
 - (b) nothing the court does under this section may be challenged or be the subject of any appeal in any court on the ground that it is not consistent with an indication of sentence.

Status: Point in time view as at 05/11/2012. This version of this provision has been superseded.

Changes to legislation: *Powers of Criminal Courts (Sentencing) Act 2000, Section 3A is up to date with all changes known to be in force on or before 22 April 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) Nothing in this section shall prevent the court from committing [^{F2}an offender convicted of a specified offence] to the Crown Court for sentence under section 3 above if the provisions of that section are satisfied.
- (6) In this section, references to a specified offence are to a specified offence within the meaning of section 224 of the Criminal Justice Act 2003.]

Textual Amendments

- F1** Ss. 3A-3C inserted (4.4.2005 for the purpose of the insertion of s. 3C) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 3 para. 23](#); S.I. 2005/950, art. 2(1), [Sch. 1 para. 29\(b\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), [Sch. 26 para. 78](#), [Sch. 28 Pt. 2](#); [S.I. 2008/1586](#), [Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), [Sch. 14 para. 17](#); [S.I. 2012/2906](#), art. 2(1))
- F2** S. 3A amendment to earlier affecting provision [2003 c. 44](#), [Sch. 3 para. 23](#) (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(1)(a), [Sch. 13 para. 9](#)

Status:

Point in time view as at 05/11/2012. This version of this provision has been superseded.

Changes to legislation:

Powers of Criminal Courts (Sentencing) Act 2000, Section 3A is up to date with all changes known to be in force on or before 22 April 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.