



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 4

SENTENCING

CHAPTER 1

SENTENCING COUNCIL FOR ENGLAND AND WALES

Guidelines

120 Sentencing guidelines

- (1) In this Chapter “sentencing guidelines” means guidelines relating to the sentencing of offenders.
- (2) A sentencing guideline may be general in nature or limited to a particular offence, particular category of offence or particular category of offender.
- (3) The Council must prepare—
 - (a) sentencing guidelines about the discharge of a court's duty under [F¹section 73 of the Sentencing Code] (reduction in sentences for guilty pleas), and
 - (b) sentencing guidelines about the application of any rule of law as to the totality of sentences.
- (4) The Council may prepare sentencing guidelines about any other matter.
- (5) Where the Council has prepared guidelines under subsection (3) or (4), it must publish them as draft guidelines.
- (6) The Council must consult the following persons about the draft guidelines—
 - (a) the Lord Chancellor;
 - (b) such persons as the Lord Chancellor may direct;

Changes to legislation: *Coroners and Justice Act 2009, Section 120 is up to date with all changes known to be in force on or before 24 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) View outstanding changes*

- (c) the Justice Select Committee of the House of Commons (or, if there ceases to be a committee of that name, such committee of the House of Commons as the Lord Chancellor directs);
 - (d) such other persons as the Council considers appropriate.
- (7) In the case of guidelines within subsection (3), the Council must, after making any amendments of the guidelines which it considers appropriate, issue them as definitive guidelines.
- (8) In any other case, the Council may, after making such amendments, issue them as definitive guidelines.
- (9) The Council may, from time to time, review the sentencing guidelines issued under this section, and may revise them.
- (10) Subsections (5), (6) and (8) apply to a revision of the guidelines as they apply to their preparation (and subsection (8) applies even if the guidelines being revised are within subsection (3)).
- (11) When exercising functions under this section, the Council must have regard to the following matters—
- (a) the sentences imposed by courts in England and Wales for offences;
 - (b) the need to promote consistency in sentencing;
 - (c) the impact of sentencing decisions on victims of offences;
 - (d) the need to promote public confidence in the criminal justice system;
 - (e) the cost of different sentences and their relative effectiveness in preventing re-offending;
 - (f) the results of the monitoring carried out under section 128.

Textual Amendments

- F1** Words in s. 120(3)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 277](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Commencement Information

- I1** S. 120 in force at 6.4.2010 by [S.I. 2010/816](#), art. 2, [Sch. para. 8](#) (with art. 7) (as amended (11.3.2011) by [S.I. 2011/722](#), art. 2)

Changes to legislation:

Coroners and Justice Act 2009, Section 120 is up to date with all changes known to be in force on or before 24 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)