Status: Point in time view as at 01/12/2020. This version of this provision has been superseded.
*Changes to legislation: Sentencing Act 2020, Section 85 is up to date with all changes known to be in force
on or before 20 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)*

Sentencing Act 2020

2020 CHAPTER 17

THIRD GROUP OF PARTSDisposals

PART 6

ORDERS RELATING TO CONDUCT

CHAPTER 1

REFERRAL ORDERS FOR OFFENDERS AGED UNDER 18

Making referral orders

85   Duty and power to make referral order

(1) Where a referral order is available—

    (a)   the court must make a referral order if the compulsory referral conditions are met;

    (b)   otherwise, the court may make a referral order.

(2) The compulsory referral conditions are met where—

    (a)   the offence is an imprisonable offence,

    (b)   the offender pleaded guilty to the offence and to any connected offence, and

    (c)   the offender has never been—

        (i) convicted by or before a court in the United Kingdom of any offence other than the offence and any connected offence, or

        (ii) convicted by or before a court in another member State of any offence.

(3) For the effect of making a referral order on the court's other sentencing powers, see section 89.

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Sentencing Act 2020 (c. 17)
PART 6 – Orders relating to conduct
CHAPTER 1 – Referral orders for offenders aged under 18
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