



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 7

#### SENTENCING AND RELEASE

#### CHAPTER 1

##### CUSTODIAL SENTENCES

##### *Penalties for offences involving children or vulnerable adults*

### **123    Penalty for causing or allowing a child or vulnerable adult to die or suffer serious physical harm**

- (1) Section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing a child or vulnerable adult to die or suffer serious harm) is amended in accordance with subsections (2) and (3).
- (2) In subsection (7) (penalty in the case of a person's death), for the words "liable on conviction on indictment" substitute "liable—
  - (a) on conviction on indictment in England and Wales, to imprisonment for life or to a fine, or to both;
  - (b) on conviction on indictment in Northern Ireland,".
- (3) In subsection (8) (penalty in the case of serious physical harm), for the words "liable on conviction on indictment" substitute "liable—
  - (a) on conviction on indictment in England and Wales, to imprisonment for a term not exceeding 14 years or to a fine, or to both;
  - (b) on conviction on indictment in Northern Ireland,".

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**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 123. (See end of Document for details)

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- (4) Subsections (2) and (3) apply only in relation to offences where the unlawful act to which the offence relates is an act that occurs, or so much of such an act as occurs, on or after the day on which this section comes into force.
- (5) In Schedule 19 to the Sentencing Code (list of certain specified offences carrying maximum sentence on indictment of imprisonment for life), after paragraph 20 insert—

*“Domestic Violence, Crime and Victims Act 2004*

20A (1) An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 that meets the conditions in sub-paragraph (2).

(2) The conditions are that—

- (a) the unlawful act to which the offence relates was an act that occurred, or so much of an act as occurred, on or after the day on which section 123 of the Police, Crime, Sentencing and Courts Act 2022 came into force, and
- (b) the offender is liable on conviction on indictment to imprisonment for life.”

#### Commencement Information

**II** S. 123 in force at 28.6.2022, see s. 208(5)(j)

**Changes to legislation:**

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 123.