

Sentencing Council (Powers of Secretary of State) Bill

[AS INTRODUCED]

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- 1 Amendment of the Coroners and Justice Act 2009
- 2 Extent, commencement and short title

[AS INTRODUCED]

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B I L L

TO

Provide that the Sentencing Council may not issue sentencing guidelines without the consent of the Secretary of State; to give the Secretary of State the power to amend sentencing guidelines prepared by the Sentencing Council before they are issued; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Coroners and Justice Act 2009

- (1) Section 120 of the Coroners and Justice Act 2009 is amended as follows.
- (2) For subsections (7) and (8), substitute—
- “(7) Before issuing guidelines within subsection (3) or subsection (4) as definitive guidelines, the Council must obtain the consent of the Secretary of State. 5
- (8) The Secretary of State may—
- (a) consent to the issuing of a guideline as a definitive guideline,
- (b) refuse consent for the issuing of a guideline as a definitive guideline, or 10
- (c) direct the Council to issue a guideline in an amended form.
- (8A) Where the Secretary of State has consented to the issuing of a guideline under subsection (8)(a) or has directed the Council to issue a guideline in an amended form under subsection (8)(c), the Council must issue the guideline as a definitive guideline in the appropriate form. 15
- (8B) For the purposes of this section, a definitive guideline is a guideline which has come into effect.”.
- (3) In subsection (10)—
- (a) after “(6)” insert “, (7)”; 20
- (b) after “(8)” insert “and (8A)”; 20
- (c) omit the words from “(and)” to “subsection (3).”.

2 Extent, commencement and short title

- (1) This Act extends to England and Wales.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Sentencing Council (Powers of Secretary of State) Act 2025.

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*Presented by Robert Jenrick
supported by Mrs Kemi Badenoch, Rebecca Harris,
Dr Kieran Mullan and Helen Grant.*

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