Draft Regulations laid before Parliament under section 407(7) of, and paragraph 19(4) of Schedule 23 to, the Sentencing Act 2020, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No.

CRIMINAL LAW, ENGLAND AND WALES

The Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2025

Made - - - - ***

Coming into force

The Lord Chancellor makes these Regulations in exercise of the powers conferred by paragraph 19(1) of Schedule 23 to the Sentencing Act 2020 ("the Act")(**a**).

The Lord Chancellor has consulted the Sentencing Council for England and Wales in accordance with paragraph 19(2) of Schedule 23 to the Act.

In accordance with section 407(7) of, and paragraph 19(4) of Schedule 23 to, the Act, a draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2025.

(2) These Regulations come into force 21 days after the day on which they are made.

(3) These Regulations extend to England and Wales only.

Amendment of Schedule 21 to the Sentencing Code

2.—(1) Schedule 21 to the Sentencing Code(**b**) (determination of minimum term in relation to mandatory life sentence for murder etc.) is amended as follows.

(2) In paragraph 9—

(a) after sub-paragraph (ba), insert—

"(bb) where the offence was committed on or after the day on which the Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2025 came into force, the fact that the murder was connected with—

(i) the end of the offender's intimate personal relationship with the victim,

(**a**) 2020 c. 17.
(**b**) For the meaning of "Sentencing Code", see section 1 of the Sentencing Act 2020 (c. 17).

(ii) the victim intending to bring about the end of that intimate personal relationship, or

(iii) a belief by the offender as to a thing mentioned in sub-paragraph (i) or (ii),";

(b) after sub-paragraph (c), insert—

"(ca) where the offence was committed on or after the day on which the Sentencing Act 2020 (Amendment of Schedule 21) Regulations 2025 came into force, the fact that the murder involved strangulation, suffocation or asphyxiation,".

Name
Lord Chancellor
Ministry of Justice

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend paragraph 9 of Schedule 21 to the Sentencing Code. They create two additional statutory aggravating factors in the determination of the minimum term in relation to mandatory life sentences for murder.

The new aggravating factors apply where: (1) the murder was connected with the end of the offender's intimate personal relationship with the victim, the victim intending to bring about the end of that intimate personal relationship, or a belief by the offender in those things; and (2) the murder involves strangulation, suffocation or asphyxiation.

These new aggravating factors only apply to offences committed on or after the day on which these Regulations come into force.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector and community bodies is available from www.legislation.gov.uk.

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