



# Counter-Terrorism and Sentencing Act 2021

## 2021 CHAPTER 11

### PART 1

#### SENTENCING OF TERRORIST AND CERTAIN OTHER OFFENDERS

##### *Serious terrorism sentences: supplementary provision*

#### **8 Reduction in appropriate custodial term for guilty pleas: England and Wales**

In section 73 of the Sentencing Code (reduction in sentences for guilty pleas), after subsection (2) insert—

“(2A) If the court imposes a serious terrorism sentence in relation to the offence, nothing in section 268C(2) or, as the case may be, 282C(2) prevents the court, after taking into account any matter referred to in subsection (2), from imposing as the appropriate custodial term a term of any length which is not less than 80 per cent of the term which would otherwise be required.”

#### **9 Reduction in appropriate custodial term for guilty pleas: Scotland**

In section 196 of the Criminal Procedure (Scotland) Act 1995 (sentence following guilty plea), after subsection (1A) insert—

“(1B) Subsection (1C) applies where—

- (a) the court is making an order for lifelong restriction to which section 205ZB applies in respect of an offender or imposing on an offender—
  - (i) a serious terrorism sentence of imprisonment under section 205ZA(2),
  - (ii) a serious terrorism sentence of detention under section 205ZA(6),

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*Status: This is the original version (as it was originally enacted).*

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- (iii) a sentence of imprisonment for life to which section 205ZB applies, or
  - (iv) a sentence of detention for life to which section 205ZB applies, and
- (b) the offender has pled guilty to the offence for which the offender is being sentenced.

(1C) The court may, after taking into account the matters mentioned in paragraphs (a) and (b) of subsection (1), impose as the appropriate custodial term or, as the case may be, specify as the punishment part, a term of any length which is not less than 80 per cent of the term which would otherwise be required.”

## **10 Reduction in appropriate custodial term for assistance to prosecution: England and Wales**

In section 74 of the Sentencing Code (reduction in sentence for assistance to prosecution), after subsection (4) insert—

“(4A) Nothing in section 268C(2) or 282C(2) (minimum appropriate custodial term for serious terrorism sentences) affects the court’s power under subsection (2) so far it relates to determining the appropriate custodial term.”