



# Sentencing Act 2020

## 2020 CHAPTER 17

### SECOND GROUP OF PARTS Provisions applying to sentencing courts generally

#### PART 4

##### EXERCISE OF COURT'S DISCRETION

#### CHAPTER 3

##### SERIOUSNESS AND DETERMINING SENTENCE

##### *Aggravating factors*

#### 69 Terrorist connection

- (1) This section applies where a court is considering the seriousness of an offence [<sup>F1</sup>specified in Schedule 1 (offences where terrorist connection to be considered)] [<sup>F1</sup>within subsection (4) or (5)].
- (2) If the offence has a terrorist connection, the court—
  - (a) must treat that fact as an aggravating factor, and
  - (b) must state in open court that the offence is so aggravated.
- (3) For the purposes of this section, an offence has a terrorist connection if the offence—
  - (a) is, or takes place in the course of, an act of terrorism, or
  - (b) is committed for the purposes of terrorism.

For this purpose, “terrorism” has the same meaning as in the Terrorism Act 2000 (see section 1 of that Act).

- [<sup>F2</sup>(4) An offence is within this subsection if it—
- (a) was committed on or after the day on which section 1 of the Counter-Terrorism and Sentencing Act 2021 came into force,
  - (b) is punishable on indictment with imprisonment for more than 2 years, and

*Status: Point in time view as at 24/05/2024.*

*Changes to legislation: Sentencing Act 2020, Section 69 is up to date with all changes known to be in force on or before 10 July 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)*

- (c) is not specified in Schedule A1.
- (5) An offence is within this subsection if it—
- (a) was committed before the day on which section 1 of the Counter-Terrorism and Sentencing Act 2021 came into force, and
  - (b) is specified in Schedule 1.
- (6) Where an offence is found to have been committed over a period of 2 or more days, or at some time during a period of 2 or more days, it must be taken for the purposes of subsections (4) and (5) to have been committed on the last of those days.]

#### Textual Amendments

- F1** Words in s. 69(1) substituted (29.6.2021 for specified purposes) by [Counter-Terrorism and Sentencing Act 2021 \(c. 11\)](#), **ss. 1(2)(a)**, 50(2)(a)(3)(a)
- F2** S. 69(4)-(6) inserted (29.6.2021 for specified purposes) by [Counter-Terrorism and Sentencing Act 2021 \(c. 11\)](#), **ss. 1(2)(b)**, 50(2)(a)(3)(a)

#### Modifications etc. (not altering text)

- C1** S. 69 modified by 2006 c. 52, s. 238(6) (as inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 25 para. 53** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

#### Commencement Information

- I1** S. 69 in force at 1.12.2020 by [S.I. 2020/1236](#), **reg. 2**

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