



# Counter-Terrorism and Sentencing Act 2021

## CHAPTER 11

### COUNTER-TERRORISM AND SENTENCING ACT 2021

#### PART 1

##### SENTENCING OF TERRORIST AND CERTAIN OTHER OFFENDERS

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- 1 Offences aggravated by terrorist connection
- 2 Meaning of “serious terrorism offence”: England and Wales
- 3 Offences relevant for provisions of this Act relating to Northern Ireland

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- 4 Serious terrorism sentence for adults aged under 21: England and Wales
- 5 Serious terrorism sentence for adults aged 21 or over: England and Wales
- 6 Serious terrorism sentence: Scotland
- 7 Serious terrorism sentence: Northern Ireland

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

- 8 Reduction in appropriate custodial term for guilty pleas: England and Wales
- 9 Reduction in appropriate custodial term for guilty pleas: Scotland
- 10 Reduction in appropriate custodial term for assistance to prosecution: England and Wales

*Life or indeterminate sentences for serious terrorism offences*

- 11 Minimum term order for serious terrorism offenders: England and Wales
- 12 Minimum punishment part for serious terrorism offenders: Scotland
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Northern Ireland
- 14 Minimum custodial period for serious terrorism offenders given  
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- 15 Additional offences attracting extended sentence: England and Wales
- 16 Increase in extension period for serious terrorism offenders aged under  
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- 17 Increase in extension period for adult serious terrorism offenders aged  
under 21: England and Wales
- 18 Increase in extension period for serious terrorism offenders aged 21 or  
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- 19 Additional terrorism offences attracting extended sentence: Scotland
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- 21 Offences attracting special custodial sentence for offenders of particular  
concern: England and Wales
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at time of offence: England and Wales
- 23 Terrorism sentence with fixed licence period: Scotland
- 24 Terrorism sentence with fixed licence period: Northern Ireland

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PART 1 — SERIOUS TERRORISM SENTENCES ETC

- 1 The Armed Forces Act 2006 is amended as follows.
  - 2 Serious terrorism sentence for services offences
  - 3 Reduction in appropriate custodial term for guilty plea
  - 4 Minimum term orders for serious terrorism offenders in cases of service offences
  - 5 Reduction in appropriate custodial term for assistance to prosecution
- PART 2 — OFFENCES ATTRACTING SPECIAL CUSTODIAL SENTENCE
- 6 In section 224A of the Armed Forces Act 2006 (special...)
- PART 3 — SPECIAL CUSTODIAL SENTENCE FOR TERRORIST OFFENDERS OF PARTICULAR CONCERN AGED UNDER 18 AT TIME OF OFFENCE
- 7 The Armed Forces Act 2006 is amended as follows.
  - 8 (1) Section 224A (special custodial sentence for offenders of particular...)
  - 9 After section 224A insert— Special sentence of detention for terrorist...

SCHEDULE 9 — Offences carrying restricted eligibility of terrorist prisoners for release on licence: England and Wales

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SCHEDULE 11 — Release on licence of repatriated terrorist prisoners

- 1 The Schedule to the Repatriation of Prisoners Act 1984 is...
- 2 In paragraph 2 (application of early release provisions), as it...
- 3 (1) Paragraph 2 (application of early release provisions), as it...
- 4 (1) Paragraph 2 (application of early release provisions), as it...
- 5 In paragraph 2A (application of early release provisions to prisoners...

SCHEDULE 12 — Serious crime prevention orders: power for police to apply in terrorism-related cases

- 1 The Serious Crime Act 2007 is amended as follows.
- 2 (1) Section 8 (authorities that can apply for a serious...
- 3 After section 8 insert— Serious crime prevention orders that are...
- 4 (1) Section 10(4) (definition of “relevant applicant authority”) is amended...
- 5 (1) Section 17 (variation of orders) is amended as follows....
- 6 (1) Section 18 (discharge of orders) is amended as follows....
- 7 (1) Section 27 (powers to wind up companies etc: England...
- 8 (1) Section 27A (powers to wind up companies etc: Scotland)...
- 9 (1) Section 28 (powers to wind up companies etc: Northern...
- 10 In section 43 (index of defined expressions for Part 1),...
- 11 (1) Schedule 2 (functions of applicant authorities under Part 1)...

SCHEDULE 13 — Consequential and related amendments

PART 1 — OFFENCES AGGRAVATED BY TERRORIST CONNECTION

- 1 Terrorism Act 2000 (c. 11)
- 2 Counter-Terrorism Act 2008 (c. 28)
- 3 Counter-Terrorism and Security Act 2015 (c. 6)
- 4 Space Industry Act 2018 (c. 5)
- 5 Counter-Terrorism and Border Security Act 2019 (c. 3)
- 6 Sentencing Act 2020 (c. 17)

PART 2 — SERIOUS TERRORISM SENTENCE: ENGLAND AND WALES

- 7 Criminal Justice Act 1982 (c. 48)
- 8 Mental Health Act 1983 (c. 20)
- 9 Criminal Justice Act 2003 (c. 44)
- 10 Offender Management Act 2007 (c. 21)
- 11 Sentencing Act 2020 (c. 17)

PART 3 — OFFENCES ATTRACTING SPECIAL CUSTODIAL SENTENCE:  
ENGLAND AND WALES

- 12 Sentencing Act 2020 (c. 17)

PART 4 — SENTENCE FOR OFFENDERS OF PARTICULAR CONCERN AGED  
UNDER 18 AT TIME OF OFFENCE: ENGLAND AND WALES

- 13 Rehabilitation of Offenders Act 1974 (c. 53)
- 14 Magistrates' Courts Act 1980 (c. 43)
- 15 Mental Health Act 1983 (c. 20)
- 16 Criminal Justice and Public Order Act 1994 (c. 33)
- 17 Crime and Disorder Act 1998 (c. 37)
- 18 Criminal Justice and Court Services Act 2000 (c. 43)
- 19 Proceeds of Crime Act 2002 (c. 29)
- 20 Sexual Offences Act 2003 (c. 42)
- 21 Criminal Justice Act 2003 (c. 44)
- 22 Domestic Violence, Crime and Victims Act 2004 (c. 28)
- 23 Armed Forces Act 2006 (c. 52)
- 24 Offender Management Act 2007 (c. 21)
- 25 Counter-Terrorism Act 2008 (c. 28)
- 26 Sentencing Act 2020 (c. 17)
- 27 Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505)
- 28 Youth Justice Board for England and Wales Order 2000 (S.I. 2000/1160)
- 29 Child Benefit (General) Regulations 2006 (S.I. 2006/223)
- 30 Employment and Support Allowance Regulations 2008 (S.I. 2008/794)
- 31 Employment and Support Allowance Regulations 2013 (S.I. 2013/379)
- 32 Children (Secure Accommodation) (Wales) Regulations 2015 (S.I. 2015/1988 (W. 298))

PART 5 — AMENDMENTS IN RELATION TO SENTENCING UNDER SERVICE  
LAW

- 33 Rehabilitation of Offenders Act 1974 (c. 53)
- 34 (1) The Rehabilitation of Offenders Act 1974 as it forms...
- 35 Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))
- 36 Criminal Justice Act 1982 (c. 48)
- 37 Crime and Disorder Act 1998 (c. 37)
- 38 Criminal Justice and Court Services Act 2000 (c. 43)
- 39 Sexual Offences Act 2003 (c. 42)
- 40 Criminal Justice Act 2003 (c. 44)
- 41 Armed Forces Act 2006 (c. 52)
- 42 Counter-Terrorism Act 2008 (c. 28)

- 43 Sentencing Act 2020 (c. 17)  
PART 6 — AMENDMENTS IN RELATION TO RELEASE: ENGLAND AND WALES
- 44 Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)
- 45 Criminal Justice Act 2003 (c. 44)
- 46 Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)  
PART 7 — CONSEQUENTIAL AND RELATED AMENDMENTS: SCOTLAND
- 47 Social Work (Scotland) Act 1968 (c. 49)
- 48 Rehabilitation of Offenders Act 1974 (c. 53)
- 49 In section 5 of the Rehabilitation of Offenders Act 1974...
- 50 Repatriation of Prisoners Act 1984 (c. 47)
- 51 Prisons (Scotland) Act 1989 (c. 45)
- 52 Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)
- 53 Criminal Procedure (Scotland Act) 1995 (c. 46)
- 54 Crime (Sentences) Act 1997 (c. 43)
- 55 International Criminal Court (Scotland) Act 2001 (asp 13)
- 56 Extradition Act 2003 (c. 41)
- 57 Sexual Offences Act 2003 (c. 42)
- 58 Custodial Sentences and Weapons (Scotland) Act 2007 (asp 17)
- 59 Counter-Terrorism Act 2008 (c. 28)
- 60 Terrorist Offenders (Restriction of Early Release) Act 2020 (c. 3)  
PART 8 — SERIOUS TERRORISM SENTENCE AND EXTENDED CUSTODIAL  
SENTENCE: NORTHERN IRELAND
- 61 Treatment of Offenders Act (Northern Ireland) 1968 (c. 29 (N.I.))
- 62 Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I.  
1978/1908 (N.I. 27))
- 63 Mental Health (Northern Ireland) Order 1986 (S.I. 1985/595 (N.I. 4))
- 64 Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I.  
24))
- 65 Counter-Terrorism Act 2008 (c. 28)
- 66 Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))  
PART 9 — TERRORISM SENTENCE WITH FIXED LICENCE PERIOD: NORTHERN  
IRELAND
- 67 Treatment of Offenders Act (Northern Ireland) 1968 (c. 29 (N.I.))
- 68 Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I.  
1978/1908 (N.I. 27))
- 69 Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I.  
24))
- 70 Sexual Offences Act 2003 (c. 42)
- 71 Counter-Terrorism Act 2008 (c. 28)
- 72 Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))  
PART 10 — RELEASE ON LICENCE: NORTHERN IRELAND
- 73 Extradition Act 2003 (c. 41)
- 74 Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))
- 75 Justice Act (Northern Ireland) 2016 (c. 21 (N.I.))
- 76 Parole Commissioners' Rules (Northern Ireland) 2009 (S.R. (N.I.) 2009  
No. 82)