



Criminal Justice and Courts Act 2015

2015 CHAPTER 2

PART 1

CRIMINAL JUSTICE

Dangerous offenders

1 Maximum sentence for certain offences to be life imprisonment

- (1) In section 4 of the Explosive Substances Act 1883 (making or possession of explosive under suspicious circumstances)—
 - (a) in subsection (1), for the words from “guilty” to the end substitute “ guilty of an offence ”, and
 - (b) after that subsection insert—
 - “(1A) A person who is guilty of an offence under subsection (1) is liable, on conviction on indictment, to imprisonment for life.
 - (1B) Where a person is convicted of an offence under subsection (1) the explosive substance is to be forfeited.”
- (2) In section 54(6)(a) of the Terrorism Act 2000 (penalty on conviction on indictment of offence involving weapons training for terrorism), for “imprisonment for a term not exceeding ten years” substitute “ imprisonment for life ”.
- (3) In section 6(5)(a) of the Terrorism Act 2006 (penalty on conviction on indictment of offence involving training for terrorism), for “imprisonment for a term not exceeding 10 years” substitute “ imprisonment for life ”.
- (4) The amendments made by this section apply only in relation to an offence committed on or after the day on which they come into force.
- (5) 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 subsection (4) to have been committed on the last of those days.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Cross Heading: Dangerous offenders. (See end of Document for details)

Commencement Information

II S. 1 in force at 13.4.2015 by S.I. 2015/778, art. 3, Sch. 1 para. 1

2 Specified offences

(1) Schedule 15 to the Criminal Justice Act 2003 (specified offences for purposes of Chapter 5 of Part 12 of that Act) is amended as follows.

(2) After paragraph 22 (offence under section 3 of the Explosive Substances Act 1883) insert—

“22A An offence under section 4 of that Act (making or possession of explosive under suspicious circumstances).”

(3) For paragraph 64 (accessories and inchoate offences: violent offences) substitute—

“64 (1) Aiding, abetting, counselling or procuring the commission of an offence specified in the preceding paragraphs of this Part of this Schedule.
 (2) An attempt to commit such an offence.
 (3) Conspiracy to commit such an offence.
 (4) Incitement to commit such an offence.
 (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which an offence specified in the preceding paragraphs of this Part of this Schedule is the offence (or one of the offences) which the person intended or believed would be committed.”

(4) For paragraph 65 (attempt or conspiracy to commit murder) substitute—

“65 (1) An attempt to commit murder.
 (2) Conspiracy to commit murder.
 (3) Incitement to commit murder.
 (4) An offence under Part 2 of the Serious Crime Act 2007 in relation to which murder is the offence (or one of the offences) which the person intended or believed would be committed.”

(5) Omit paragraph 92 (offence of keeping a brothel under section 33 of the Sexual Offences Act 1956).

(6) After that paragraph insert—

“92A An offence under section 33A of that Act (keeping a brothel used for prostitution).”

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Cross Heading: Dangerous offenders. (See end of Document for details)

(7) For paragraph 153 (accessories and inchoate offences: sexual offences) substitute—

- “¹⁵³
- (1) Aiding, abetting, counselling or procuring the commission of an offence specified in this Part of this Schedule.
 - (2) An attempt to commit such an offence.
 - (3) Conspiracy to commit such an offence.
 - (4) Incitement to commit such an offence.
 - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which an offence specified in this Part of this Schedule is the offence (or one of the offences) which the person intended or believed would be committed.”

(8) The amendments made by this section apply in relation to a person sentenced for an offence on or after the day on which they come into force, whenever the offence was committed.

(9) But subsection (8) does not apply for the purposes of the provisions referred to in subsection (10).

(10) For the purposes of sections 225(1)(a) and 226(1)(a) of the Criminal Justice Act 2003 and sections 219(1)(b) and 221(1)(b) of the Armed Forces Act 2006, the amendments made by subsections (2) and (4) apply only in relation to a person sentenced for an offence that was committed on or after the day on which they come into force.

(11) 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 subsection (10) to have been committed on the last of those days.

Commencement Information

I2 S. 2 in force at 13.4.2015 by S.I. 2015/778, art. 3, Sch. 1 para. 2

^{F13} Schedule 15B offences

Textual Amendments

F1 S. 3 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

4 Parole Board release when serving extended sentences

(1) Section 246A of the Criminal Justice Act 2003 (release on licence of prisoners serving extended sentences under section 226A or 226B) is amended as follows.

(2) In subsection (2) (automatic release at the end of requisite custodial period), for the words from “unless” to the end substitute “if—

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- (a) the sentence was imposed before the coming into force of section 4 of the Criminal Justice and Courts Act 2015,
- (b) the appropriate custodial term is less than 10 years, and
- (c) the sentence was not imposed in respect of an offence listed in Parts 1 to 3 of Schedule 15B or in respect of offences that include one or more offences listed in those Parts of that Schedule.”

(3) In subsection (3) (release following Parole Board direction), for “If either or both of those conditions are met” substitute “ In any other case ”.

Commencement Information

I3 S. 4 in force at 13.4.2015 by S.I. 2015/778, art. 3, Sch. 1 para. 4

5 Minor amendments

^{F2}(1)

^{F2}(2)

(3) In section 218A of the Armed Forces Act 2006 (life sentence for second listed offence), at the end insert—

“(8) Where an offence is found to have been committed over a period of two or more days, or at some time during a period of two or more days, it must be taken for the purposes of subsections (1)(c) and (5)(a) to have been committed on the last of those days.”

Textual Amendments

F2 S. 5(1)(2) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

C1 S. 5 modified in part (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2) (3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), ss. 1, 5(2)(3); S.I. 2012/1236, reg. 2

Commencement Information

I4 S. 5 in force at 13.4.2015 by S.I. 2015/778, art. 3, Sch. 1 para. 5

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015,
Cross Heading: Dangerous offenders.