
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Paragraph 11. (See end of Document for details)

SCHEDULES

SCHEDULE 12

SERIOUS CRIME PREVENTION ORDERS: POWER FOR POLICE TO APPLY IN TERRORISM-RELATED CASES

- 11 (1) Schedule 2 (functions of applicant authorities under Part 1) is amended as follows.
(2) After paragraph 15 insert—

“Chief officers of police in England and Wales

- 15A The functions of a chief officer of police of a police force in England and Wales (referred to in this paragraph and paragraph 15B as a “chief officer”) are—
- (a) to have the conduct of applications for serious crime prevention orders in England and Wales that are terrorism-related or for their variation or discharge;
 - (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in England and Wales that is terrorism-related;
 - (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders in England and Wales that are terrorism-related (whether proceedings on appeal, by virtue of section 27 or otherwise);
 - (d) to give advice in connection with any proceedings or possible proceedings in connection with serious crime prevention orders in England and Wales that are terrorism-related; and
 - (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).
- 15B (1) A chief officer may, to such extent as they may decide, delegate the exercise of their functions under this Part to any police officer of at least the rank of superintendent.
- (2) References in this Part to a chief officer are accordingly to be read, so far as necessary for the purposes of sub-paragraph (1), as references to a chief officer or any police officer of at least the rank of superintendent.

The chief constable of the Police Service of Scotland

- 15C The functions of the chief constable of the Police Service of Scotland are—
- (a) to have the conduct of applications for serious crime prevention orders in Scotland that are terrorism-related and are made to the Court of Session, or for their variation or discharge;

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- (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in Scotland that is terrorism-related;
- (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders in Scotland that are terrorism-related (whether proceedings on appeal, by virtue of section 27A or otherwise);
- (d) to give advice in connection with any proceedings or possible proceedings in connection with serious crime prevention orders in Scotland that are terrorism-related; and
- (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).

15D(1) The chief constable of the Police Service of Scotland (“the chief constable”) may, to such extent as they may decide, delegate the exercise of their functions under this Part to any police officer of at least the rank of superintendent.

(2) References in this Part to the chief constable are accordingly to be read, so far as necessary for the purposes of sub-paragraph (1), as references to the chief constable or any police officer of at least the rank of superintendent.”

(3) After paragraph 20 insert—

“The Chief Constable of the Police Service of Northern Ireland

20A The functions of the Chief Constable of the Police Service of Northern Ireland are—

- (a) to have the conduct of applications for serious crime prevention orders in Northern Ireland that are terrorism-related or for their variation or discharge;
- (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in Northern Ireland that is terrorism-related;
- (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders in Northern Ireland that are terrorism-related (whether proceedings on appeal, by virtue of section 28 or otherwise);
- (d) to give advice in connection with any proceedings or possible proceedings in connection with serious crime prevention orders in Northern Ireland that are terrorism-related; and
- (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).

20B(1) The Chief Constable of the Police Service of Northern Ireland (“the Chief Constable”) may, to such extent as they may decide, delegate the exercise of their functions under this Part to any police officer of at least the rank of superintendent.

(2) References in this Part to the Chief Constable are accordingly to be read, so far as necessary for the purposes of sub-paragraph (1), as references to the Chief Constable or any police officer of at least the rank of superintendent.”

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