
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 12

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

- 2 (1) Section 8 (authorities that can apply for a serious crime prevention order) is amended as follows.
- (2) The existing text becomes subsection (1).
- (3) In that subsection (1)—
- (a) in paragraph (a)—
 - (i) omit the “or” before sub-paragraph (iii);
 - (ii) at the end of that sub-paragraph insert “or
(iv) subject to subsection (2), a chief officer of police;”;
 - (b) in paragraph (aa), for “, the Lord Advocate” substitute “—
 - (i) the Lord Advocate; or
 - (ii) subject to subsection (2), the chief officer of police;”;
 - (c) in paragraph (b), for “, the Director of Public Prosecutions for Northern Ireland” substitute “—
 - (i) the Director of Public Prosecutions for Northern Ireland; or
 - (ii) subject to subsection (2), the chief officer of police.”
- (4) After subsection (1) insert—
- “(2) A chief officer of police may make an application for a serious crime prevention order only if—
- (a) it is an application for an order under section 1 that is terrorism-related (see section 8A);
 - (b) the chief officer has consulted—
 - (i) the Director of Public Prosecutions, in the case of an order in England and Wales;
 - (ii) the Lord Advocate, in the case of an order in Scotland; or
 - (iii) the Director for Public Prosecutions for Northern Ireland, in the case of an order in Northern Ireland; and
 - (c) in the case of an application by the chief constable of the Police Service of Scotland, it is made to the Court of Session (and not to the sheriff).
- (3) In this section “chief officer of police”—

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- (a) in relation to England and Wales, means the chief officer of police of a police force in England and Wales;
- (b) in relation to Scotland, means the chief constable of the Police Service of Scotland;
- (c) in relation to Northern Ireland, means the Chief Constable of the Police Service of Northern Ireland.”

Changes to legislation:

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