

SCHEDULES

SCHEDULE 6

Section 21

OFFENCES ATTRACTING SPECIAL CUSTODIAL SENTENCE FOR OFFENDERS OF PARTICULAR CONCERN: ENGLAND AND WALES

Commencement Information**II** [Sch. 6](#) in force at 30.4.2021 for specified purposes and otherwise prosp. see [s. 50\(1\)\(b\)\(3\)\(f\)](#)

This is the Schedule to be substituted for Schedule 13 to the Sentencing Code—

“SCHEDULE 13

Sections 252A, 265 and 278

SPECIAL SENTENCE FOR OFFENDERS OF PARTICULAR CONCERN: OFFENCES**PART 1****OFFENCES INVOLVING OR CONNECTED WITH TERRORISM***Terrorism Act 2000*

- 1 An offence under any of the following provisions of the Terrorism Act 2000—
- (a) section 11 (membership of a proscribed organisation);
 - (b) section 12 (inviting or expressing support for a proscribed organisation);
 - (c) section 15 (fund-raising);
 - (d) section 16 (use of money or property for terrorist purposes);
 - (e) section 17 (involvement in terrorist funding arrangements);
 - (f) section 17A (insuring payments made in response to terrorist threats);
 - (g) section 18 (laundering of terrorist property);
 - (h) section 19 (failure to disclose professional belief or suspicion about terrorist offences);
 - (i) section 21A (failure in regulated sectors to disclose knowledge or suspicion about terrorist offences);
 - (j) section 38B (failure to disclose information about acts of terrorism);
 - (k) section 39 (disclosure of information prejudicial to a terrorist investigation etc);
 - (l) section 54 (weapons training);
 - (m) section 56 (directing terrorist organisation);
 - (n) section 57 (possession of article for terrorist purposes);
 - (o) section 58 (collection of information likely to be of use to a terrorist);
 - (p) section 58A (publishing information about members of the armed forces etc);
 - (q) section 58B (entering or remaining in a designated area);

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, SCHEDULE 6. (See end of Document for details)

- (r) section 59 (inciting terrorism overseas).

Anti-terrorism, Crime and Security Act 2001

- 2 An offence under section 113 of the Anti-terrorism, Crime and Security Act 2001 (use of noxious substance or thing to cause harm or intimidate).

Terrorism Act 2006

- 3 An offence under any of the following provisions of the Terrorism Act 2006—
- (a) section 1 (encouragement of terrorism);
 - (b) section 2 (dissemination of terrorist publications);
 - (c) section 5 (preparation of terrorist acts);
 - (d) section 6 (training for terrorism);
 - (e) section 8 (attendance at a place used for terrorist training);
 - (f) section 9 (making or possession of radioactive device or material);
 - (g) section 10 (misuse of radioactive device or material for terrorist purposes etc);
 - (h) section 11 (terrorist threats relating to radioactive devices etc).

Counter-Terrorism Act 2008

- 4 An offence under section 54 of the Counter-Terrorism Act 2008 (breach of police notification requirements etc).

Terrorism Prevention and Investigation Measures 2011

- 5 An offence under section 23 of the Terrorism Prevention and Investigation Measures Act 2011 (breach of notices imposing terrorism prevention and investigation measures).

Counter-Terrorism and Security Act 2015

- 6 An offence under section 10 of the Counter-Terrorism and Security Act 2015 (breach of temporary exclusion order).

Inchoate offences

- 7 An inchoate offence in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.

Abolished offences

- 8 (1) An abolished offence in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.
- (2) “Abolished offence”, in relation to an offence (“the current offence”), means an offence that—
- (a) was abolished before the relevant date, and
 - (b) would, if committed on the day on which the offender is or was convicted, have constituted the current offence.
- (3) The relevant date is 13 April 2015, unless sub-paragraph (4) or (5) applies.

- (4) If the current offence is within—
- (a) sub-paragraph (a), (b), (o), (p) or (q) of paragraph 1,
 - (b) sub-paragraph (a), (b) or (e) of paragraph 3, or
 - (c) paragraph 7 by virtue of any provision referred to in paragraph (a) or (b),
- the relevant date is 12 April 2019.
- (5) If the current offence is within—
- (a) sub-paragraphs (c) to (k) of paragraph 1,
 - (b) paragraph 4, 5 or 6, or
 - (c) paragraph 7 by virtue of any provision referred to in paragraph (a) or (b),
- the relevant date is the date on which section 21 of the Counter-Terrorism and Sentencing Act 2021 comes into force.

Offences connection with terrorism

- 9 An offence, other than one for which the sentence is fixed by law as life imprisonment, which is determined to have a terrorist connection under section 69.

PART 2

SEXUAL OFFENCES

Sexual Offences Act 2003

- 10 An offence under either of the following provisions of the Sexual Offences Act 2003—
- (a) section 5 (rape of a child under 13);
 - (b) section 6 (assault of a child under 13 by penetration).

Inchoate offences

- 11 An inchoate offence in relation to an offence specified paragraph 10.

Abolished offences

- 12 (1) An abolished offence in relation to an offence specified in either of the preceding paragraphs of this Part of this Schedule.
- (2) “Abolished offence”, in relation to an offence (“the current offence”), means an offence that—
- (a) was abolished before 13 April 2015, and
 - (b) would, if committed on the day on which the offender is or was convicted, have constituted the current offence.”

Changes to legislation:

There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, SCHEDULE 6.