



# Counter-Terrorism and Sentencing Act 2021

## 2021 CHAPTER 11

### PART 1

#### SENTENCING OF TERRORIST AND CERTAIN OTHER OFFENDERS

##### *Life or indeterminate sentences for serious terrorism offences*

#### **11 Minimum term order for serious terrorism offenders: England and Wales**

In section 323 of the Sentencing Code (minimum term order: other life sentences), after subsection (2) insert—

“(3) Subsection (2) is subject to the requirement that the minimum term in a serious terrorism case must be at least 14 years.

This is subject to subsections (5) and (6).

- (4) A “serious terrorism case” is a case where, but for the fact that the court passes a life sentence, the court would be required by section 268B(2) or 282B(2) to impose a serious terrorism sentence (assuming for this purpose that the court is not of the opinion mentioned in section 268B(2) or 282B(2)).
- (5) The minimum term may be less than 14 years if the court is of the opinion that there are exceptional circumstances which—
  - (a) relate to the offence or to the offender, and
  - (b) justify a lesser period.
- (6) The minimum term may be less than 14 years if the court considers it appropriate, taking into account—
  - (a) the matters mentioned in subsection (2)(c), and

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*Status: This is the original version (as it was originally enacted).*

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- (b) the effect that the following would, if the court had sentenced the offender under section 268B(2) or 282B(2), have had in relation to the appropriate custodial term for that sentence—
  - (i) section 73 (reductions for guilty pleas), and
  - (ii) section 74 (reductions for assistance to the prosecution).”