



Counter-Terrorism and Sentencing Act 2021

2021 CHAPTER 11

PART 1

SENTENCING OF TERRORIST AND CERTAIN OTHER OFFENDERS

Other custodial sentences for terrorist offenders

24 Terrorism sentence with fixed licence period: Northern Ireland

In the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)), after Article 15 insert—

“15A Terrorism sentence with fixed licence period

- (1) This Article applies where—
- (a) a person is convicted after the commencement of section 24 of the Counter-Terrorism and Sentencing Act 2021 of—
 - (i) a serious terrorism offence;
 - (ii) an offence within Part 4 of Schedule 2A (terrorism offences punishable with more than two years’ imprisonment); or
 - (iii) any other offence in respect of which a determination of terrorist connection is made;
 - (b) the court does not impose, in respect of the offence or any offence associated with it, a life sentence, an indeterminate custodial sentence, a serious terrorism sentence or an extended custodial sentence; and
 - (c) the court decides to impose a custodial sentence.
- (2) But this Article does not apply where—
- (a) the offender is under the age of 18 when convicted of the offence; and

Status: This is the original version (as it was originally enacted).

- (b) the offence was committed before the commencement of section 24 of the Counter-Terrorism and Sentencing Act 2021.
- (3) The court shall impose on the offender a sentence under this Article.
- (4) Where the offender is aged 21 or over, a sentence under this Article is a sentence of imprisonment the term of which is equal to the aggregate of—
 - (a) the appropriate custodial term; and
 - (b) a further period of one year for which the offender is to be subject to a licence.
- (5) Where the offender is under the age of 21, a sentence under this Article is a sentence of detention at such place and under such conditions as the Department of Justice may direct for a term which is equal to the aggregate of—
 - (a) the appropriate custodial term; and
 - (b) a further period of one year for which the offender is to be subject to a licence.
- (6) The term under paragraph (4) or (5) must not exceed the maximum term of imprisonment with which the offence is punishable (apart from Article 13).
- (7) In paragraphs (4)(a) and (5)(a), the “appropriate custodial term” means the term that, in the opinion of the court, ensures that the sentence is appropriate.
- (8) A person detained pursuant to the directions of the Department of Justice under paragraph (5) shall while so detained be in legal custody.
- (9) A court which imposes a sentence under this Article shall not make an order under section 18 of the Treatment of Offenders Act (Northern Ireland) 1968 (suspended sentences) in relation to that sentence.
- (10) Remission shall not be granted under prison rules to the offender in respect of a sentence under this Article.”