



# Terrorism Act 2006

## 2006 CHAPTER 11

### PART 1

#### OFFENCES

##### *Encouragement etc. of terrorism*

### 1 Encouragement of terrorism

- (1) This section applies to a statement that is likely to be understood by [<sup>F1</sup>a reasonable person] as a direct or indirect encouragement or other inducement [<sup>F2</sup>, to some or all of the members of the public to whom it is published,] to the commission, preparation or instigation of acts of terrorism or Convention offences.
- (2) A person commits an offence if—
  - (a) he publishes a statement to which this section applies or causes another to publish such a statement; and
  - (b) at the time he publishes it or causes it to be published, he—
    - (i) intends members of the public to be directly or indirectly encouraged or otherwise induced by the statement to commit, prepare or instigate acts of terrorism or Convention offences; or
    - (ii) is reckless as to whether members of the public will be directly or indirectly encouraged or otherwise induced by the statement to commit, prepare or instigate such acts or offences.
- (3) For the purposes of this section, the statements that are likely to be understood by [<sup>F3</sup>a reasonable person] as indirectly encouraging the commission or preparation of acts of terrorism or Convention offences include every statement which—
  - (a) glorifies the commission or preparation (whether in the past, in the future or generally) of such acts or offences; and
  - (b) is a statement from which <sup>F4</sup>... members of the public could reasonably be expected to infer that what is being glorified is being glorified as conduct that should be emulated by them in existing circumstances.

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*Changes to legislation: There are currently no known outstanding effects for the Terrorism Act 2006, Section 1. (See end of Document for details)*

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- (4) For the purposes of this section the questions how a statement is likely to be understood and what members of the public could reasonably be expected to infer from it must be determined having regard both—
- (a) to the contents of the statement as a whole; and
  - (b) to the circumstances and manner of its publication.
- (5) It is irrelevant for the purposes of subsections (1) to (3)—
- (a) whether anything mentioned in those subsections relates to the commission, preparation or instigation of one or more particular acts of terrorism or Convention offences, of acts of terrorism or Convention offences of a particular description or of acts of terrorism or Convention offences generally; and
  - (b) whether any person is in fact encouraged or induced by the statement to commit, prepare or instigate any such act or offence.
- (6) In proceedings for an offence under this section against a person in whose case it is not proved that he intended the statement directly or indirectly to encourage or otherwise induce the commission, preparation or instigation of acts of terrorism or Convention offences, it is a defence for him to show—
- (a) that the statement neither expressed his views nor had his endorsement (whether by virtue of section 3 or otherwise); and
  - (b) that it was clear, in all the circumstances of the statement's publication, that it did not express his views and (apart from the possibility of his having been given and failed to comply with a notice under subsection (3) of that section) did not have his endorsement.
- (7) A person guilty of an offence under this section shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding [<sup>F5</sup>15 years] or to a fine, or to both;
  - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding [<sup>F6</sup>the general limit in a magistrates' court] or to a fine not exceeding the statutory maximum, or to both;
  - (c) on summary conviction in Scotland or Northern Ireland, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both.
- (8) In relation to an offence committed before [<sup>F7</sup>2 May 2022], the reference in subsection (7)(b) to [<sup>F8</sup>the general limit in a magistrates' court] is to be read as a reference to 6 months.

#### Textual Amendments

- F1** Words in s. 1(1) substituted (12.4.2019) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), [ss. 5\(3\)\(a\), 27\(3\)](#) (with [s. 25\(1\)](#))
- F2** Words in s. 1(1) substituted (12.4.2019) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), [ss. 5\(3\)\(b\), 27\(3\)](#) (with [s. 25\(1\)](#))
- F3** Words in s. 1(3) substituted (12.4.2019) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), [ss. 5\(4\)\(a\), 27\(3\)](#) (with [s. 25\(1\)](#))
- F4** Word in s. 1(3)(b) omitted (12.4.2019) by virtue of [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), [ss. 5\(4\)\(b\), 27\(3\)](#) (with [s. 25\(1\)](#))
- F5** Words in s. 1(7)(a) substituted (12.4.2019) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), [ss. 7\(6\), 27\(3\)](#) (with [s. 25\(2\)](#))

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*Changes to legislation: There are currently no known outstanding effects for the Terrorism Act 2006, Section 1. (See end of Document for details)*

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- F6** Words in s. 1(7)(b) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**
- F7** Words in s. 1(8) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**
- F8** Words in s. 1(8) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**

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**Commencement Information**

- I1** S. 1 in force at 13.4.2006 by S.I. 2006/1013, **art. 2(2)(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Terrorism Act 2006, Section 1.