

*These notes refer to the Counter-Terrorism Act 2008  
(c.28) which received Royal Assent on 26 November 2008*

# COUNTER-TERRORISM ACT 2008

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3 – Prosecution and Punishment of Terrorist Offences**

##### **Sentencing**

##### *Section 31 – Sentences for offences with a terrorist connection: Scotland*

90. **Section 31** provides that in Scotland the sentencing court must treat a terrorist connection (as defined in section 93), proved to the trial court, as an aggravating factor when sentencing for an offence specified in Schedule 2 to the Act (offences where terrorist connection to be considered). *Subsection (3)* requires a court imposing an aggravated sentence for an offence with a terrorist connection to state the extent and reasons for the difference between the sentence it imposed and that it would have imposed if the offence had not had a terrorist connection. *Subsection (4)* provides that evidence from a single source is sufficient to prove this aggravating factor – which is different from the usual position under the law in Scotland where corroboration is required. *Subsection (5)* provides that this new aggravating factor will only apply in relation to offences committed on or after commencement.