
Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 11

RELEASE ON LICENCE OF REPATRIATED TERRORIST PRISONERS

- 2 In paragraph 2 (application of early release provisions), as it applies in relation to prisoners repatriated to England and Wales, after sub-paragraph (3A) insert—
- “(3B) If sub-paragraph (3D) or (3E) applies by virtue of an offence in relation to which a determinate sentence is to be served, Chapter 6 of Part 12 of the Criminal Justice Act 2003 applies to the prisoner as if that offence was within section 247A(2) of that Act (terrorist offences carrying restricted eligibility for release on licence).
- (3C) If sub-paragraph (3D) or (3E) applies by virtue of any offence, section 28 of the Offender Management Act 2007 applies to the prisoner as if that offence was within subsection (4A) of that section (terrorist offences in relation to which polygraph conditions can be included in release licence).
- (3D) This sub-paragraph applies if the warrant specifies that the offence or any of the offences in relation to which a sentence is to be served corresponds to an offence specified in Part 1 or 2 of Schedule 19ZA to the Criminal Justice Act 2003 (terrorism offences carrying restricted eligibility for release on licence).
- (3E) This sub-paragraph applies if the warrant specifies that—
- (a) the offence or any of the offences in relation to which a sentence is to be served (“the overseas offence”) corresponds to an offence under the law of England and Wales (“the corresponding offence”),
 - (b) section 69 of the Sentencing Code or (as the case may be) section 30 of the Counter-Terrorism Act 2008 would have applied to the corresponding offence if—
 - (i) it had been committed at the same time as the overseas offence, and
 - (ii) the prisoner had been convicted of and sentenced for it in England and Wales at the same time respectively as the conviction and sentencing for the overseas offence, and
 - (c) findings made by the court before which the prisoner was tried or sentenced for the overseas offence would, had the prisoner been tried and sentenced in England and Wales for the corresponding offence, have justified a determination under that section that the corresponding offence had a terrorist connection.
- (3F) The Secretary of State may amend a warrant (whether issued before or after sub-paragraph (3B) or (3C) comes into force and whether or not the transfer it authorises has taken place) so as to specify the matters referred to in sub-paragraph (3D) or (3E).”

Changes to legislation:

There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Paragraph 2.