

14-year minimum jail terms for most dangerous terror offenders

- serious terror offenders to spend longer in prison
- no prospect of automatic early release
- up to 25 years monitoring after leaving prison

The Counter-Terrorism and Sentencing Bill marks the largest overhaul of terrorist sentencing and monitoring in decades.

It will end early release for terror offenders who receive Extended Determinate Sentences, where the maximum penalty was life, and force them to serve their whole term in jail.

It will also see the most dangerous offenders – those found guilty of serious terror offences such as the worst examples of preparing acts of terrorism – handed a minimum 14-year prison term and up to 25 years on licence.

Justice Secretary & Lord Chancellor, Rt Hon Robert Buckland QC MP, said:

Terrorists and their hateful ideologies have no place on our streets. They can now expect to go to prison for longer and face tougher controls on release.

From introducing a 14-year minimum for the most dangerous offenders, to putting in place stricter monitoring measures, this government is pursuing every option available to tackle this threat and keep communities safe.

The Bill will also allow the courts to consider if any serious offence is terror-related, for example an offence involving firearms where there is a proven terrorist connection, and allow tougher sentences to be imposed.

This would rule out any possibility of a serious terror offender being released automatically before the end of their sentence.

Key measures of the Bill include:

- a new 'Serious Terrorism Sentence' for dangerous offenders with a 14-year minimum jail term and up to 25 years spent on licence
- ending early release for the most serious offenders who receive Extended Determinate Sentences – instead the whole time will be served in custody
- increasing the maximum penalty from 10 to 14 years for a number of terror offences, including membership of a proscribed organisation
- ensuring a minimum period of 12 months on licence for all terror offenders as well as requiring adult offenders to take polygraph tests
- widening the list of offences that can be classed as terror-related to ensure they carry tougher sentences

- boosting the monitoring and disruption tools available to the security services and counter-terrorism police, by strengthening Terrorism Prevention and Investigation Measures and supporting the use of Serious Crime Prevention Orders in terrorism cases

Home Secretary, Priti Patel said:

The shocking attacks at Fishmongers' Hall and Streatham revealed serious flaws in the way terrorist offenders are dealt with. We promised to act and today we are delivering on that promise.

Those who senselessly seek to damage and destroy lives need to know we will do whatever it takes to stop them.

The Bill follows emergency legislation passed in February which retrospectively ended automatic early release for terrorist offenders serving standard determinate sentences. This forced them to spend a minimum two-thirds of their term behind bars before being considered for release by the Parole Board.

It builds on recent government action to bolster the country's response to terrorism and ensure we have some of the strongest measures in the world to tackle the threat. This includes:

In addition a nationwide network of counter-terrorism specialists is now embedded throughout the prison and probation service and supported by the 29,000 staff who are trained to spot the signs of extremism.

Notes to editors

- The Counter-Terrorism and Sentencing Bill was introduced to Parliament today (20 May 2020). Further clauses in the Bill will:
 - Mean terrorist offenders who do not receive an Extended Determinate Sentence will no longer be eligible for a Standard Determinate Sentence and will instead be sentenced to a Sentence for Offenders of Particular Concern – meaning they will be subject to a minimum licence period of 12 months after being released from custody, even if they spend the full custodial term in custody.
 - The maximum penalty for the following offences will increase from 10 to 14 years
 - Membership of a proscribed organisation
 - Supporting a proscribed organisation
 - Attending a place used for terrorist training
 - Changes to the Terrorism Prevention and Investigation Measures (TPIM) Act 2011 through this Counter Terrorism Bill will:
 - Lower the standard of proof standard for imposing a TPIM notice
 - Specify new measures that can be applied to TPIM subjects
 - Remove the maximum length for which a TPIM can last (currently set at 2 years) so they can be renewed indefinitely – subject to review, including consideration that they remain necessary

- Allow a TPIM's relocation measure to be varied to ensure the efficient and effective use of resources
 - Expand the Registered Terrorist Offender (RTO) notification requirements by adding to the list of offences which require individuals aged 16 or over to provide certain information about changes in their circumstances to the police following their release from prison
 - Amend the Serious Crime Act 2007 to allow CT Policing to make a direct application to the High Court for a Serious Crime Prevention Order (SCPO) in relation to individuals over the age of 18 involved in terrorism, supporting their use in terrorism-related cases.
 - Amend the Counter-Terrorism Act 2008 so that a court can find any offence with a maximum penalty of more than two years to have a terrorist connection
 - Remove the current statutory deadline for an independent review of the Prevent programme, while maintaining the legislative commitment to undertake it, to ensure that the new Reviewer has sufficient time to complete the Review. The aim will be to do so by August 2021.
- Only a handful of minor offences – where there is a maximum penalty of 2 years or below – will be excluded from provisions in the Bill. E.g. relating to 'tipping off' in relation to investigation in the regulated sector, wearing a uniform or displaying an article of a proscribed organisation or parking in contravention of a prohibition, and as such are low level offences. Data indicates that prosecution and conviction for these are rare – there is little to no risk that these low-level offences are charged where there is insufficient evidence to charge for a more serious offence.
- The most serious terror offences already attract what are known as Extended Determinate Sentences, which require an offender to be referred to the Parole Board at the two-third stage of their sentence where they can be considered for release. The Bill removes this early release point for those whose offence carries a maximum penalty of life, meaning offenders serve their full time in prison and are then subject up to 10 years on licence. Longer and more restrictive monitoring can be applied if they are deemed a greater risk.
- It means that anyone found guilty of a terror offence where the maximum penalty is two years or more will either be given:
 - A life sentence – where the offender spends minimum period or "tariff" before considered for release by the Parole Board. Offender may therefore never be released. If released offenders spend rest of life on licence and can be recalled to custody.
 - Serious Terrorist Sentence for the worst offenders where there was a likelihood of multiple deaths which carries a minimum 14-year sentence with an extended licence period of 7-25 years
 - An Extended Determinate Sentence (EDS) which, for the most serious offenders (where the maximum penalty was life) will be forced to spend their entire sentence behind bars with an extended licence period of up to 10 years. Other serious offenders will still be in line for an EDS with the possibility of release from the two-thirds point if the Parole Board determines they are safe to release

before the end of their sentence.

- Or a Sentence for Offenders of Particular Concern (SOPC) for adult or youth offenders which would see a terror offender spend two-thirds of their sentence in custody before being able to apply to Parole Board for release and following release they will have a mandatory licence period of 12 months.
- Funding for counter-terrorism policing will grow to £906 million in 2020 to 2021, a £90 million year-on-year increase. The money will support and maintain the record high number of ongoing counter-terrorism policing investigations and ensure a swift and effective response to terrorist incidents across the country, no matter where they take place.