

# Terrorist Offenders (Restriction of Early Release) Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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[Amendments marked ★ are new or have been altered]

Amendment  
No.

Clause 1

LORD ANDERSON OF IPSWICH  
LORD GARNIER  
LORD BEITH  
LORD CARLILE OF BERRIEW

- 1★ Page 2, line 32, after “period” insert “, in relation to a sentence imposed after this section comes into force,”

*Member’s explanatory statement*

*This amendment creates a distinction between sentences imposed before and after this section comes into force. Prisoners sentenced after this section comes into force are not eligible for release until they have served two-thirds of their sentence. For this category of prisoner, there is no change from what the Bill currently provides.*

- 2★ Page 2, line 40, at end insert –

““the requisite custodial period”, in relation to a sentence imposed before this section comes into force, means –

- (a) in relation to a person serving one sentence imposed under section 226A, 226B, 227, 228, or 236A, one-half of the appropriate custodial term,
- (b) in relation to a person serving one sentence of any other kind, one-half of the sentence, and
- (c) in relation to a person serving two or more concurrent or consecutive sentences, the period determined under sections 263(2) and 264(2);”

*Member’s explanatory statement*

*This amendment continues the distinction between sentences imposed before and after this section comes into force. Prisoners sentenced before this section comes into force are eligible for release after they have served half of their sentence.*

**After Clause 2**

LORD MARKS OF HENLEY-ON-THAMES  
LORD BEITH

3 Insert the following new Clause –

**“Review of sections 1 and 2**

- (1) The Secretary of State must arrange for an independent review of the impact of sections 1 and 2 to be carried out in relation to the initial one-year period.
- (2) The Secretary of State must, after consultation with the Independent Reviewer of Terrorism Legislation, appoint a person with professional experience relating to imprisonment for offences of terrorism to conduct the review.
- (3) The review must be completed as soon as practicable after the end of the initial one-year period.
- (4) As soon as practicable after a person has carried out the review in relation to a particular period, the person must –
  - (a) produce a report of the outcome of the review, and
  - (b) send a copy of the report to the Secretary of State.
- (5) The Secretary of State must lay before each House of Parliament a copy of the report sent under subsection (4)(b) within one month of receiving the report.
- (6) The Secretary of State may –
  - (a) make such payments as the Secretary of State thinks appropriate in connection with the carrying out of the review, and
  - (b) make such other arrangements as the Secretary of State thinks appropriate in connection with the carrying out of the review (including arrangements for the provision of staff, other resources and facilities).
- (7) In this section, “initial one-year period” means the period of one year beginning with the day when this Act comes into force.”

**Clause 3**

LORD ANDERSON OF IPSWICH  
LORD GARNIER  
LORD BEITH  
LORD CARLILE OF BERRIEW

4★

Page 4, line 23, leave out “two-thirds of the prisoner’s sentence” and insert –

- “(i) half of the prisoner’s sentence if the sentence was imposed before this section comes into force, or
- (ii) two-thirds of the prisoner’s sentence if the sentence was imposed after this section comes into force”

**After Clause 4**

LORD MARKS OF HENLEY-ON-THAMES

LORD BEITH

5 Insert the following new Clause—

**“Review of sections 3 and 4**

- (1) The Secretary of State must arrange for an independent review of the impact of sections 3 and 4 to be carried out in relation to the initial one-year period.
- (2) The Secretary of State must, after consultation with the Independent Reviewer of Terrorism Legislation, appoint a person with professional experience relating to imprisonment for offences of terrorism to conduct the review.
- (3) The review must be completed as soon as practicable after the end of the initial one-year period.
- (4) As soon as practicable after a person has carried out the review in relation to a particular period, the person must—
  - (a) produce a report of the outcome of the review, and
  - (b) send a copy of the report to the Secretary of State.
- (5) The Secretary of State must lay before each House of Parliament a copy of the report sent under subsection (4)(b) within one month of receiving the report.
- (6) The Secretary of State may—
  - (a) make such payments as the Secretary of State thinks appropriate in connection with the carrying out of the review, and
  - (b) make such other arrangements as the Secretary of State thinks appropriate in connection with the carrying out of the review (including arrangements for the provision of staff, other resources and facilities).
- (7) In this section, “initial one-year period” means the period of one year beginning with the day when this Act comes into force.”

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*21 February 2020*

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