



Home Office

Home Office Statistical Bulletin

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Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes and stops & searches

Great Britain 2008/09

26 November 2009

18/09

Related Publications

1. Statistics covering persons held under the previous terrorist legislation, the Prevention of Terrorism Act 1984 & 1989, were routinely published by the Home Office until 2001. The final bulletin (Home Office Statistical Bulletin, 16/01) covered the period up to February 2001 and preceded the introduction of the Terrorism Act 2000, it can be found here:
<http://www.homeoffice.gov.uk/rds/pdfs/hosb1601.pdf>.
2. The previous version of this bulletin covering arrests and outcomes made between 11 September 2001 and 31 March 2008 under current terrorist legislation is available online at the following address:
<http://www.homeoffice.gov.uk/rds/pdfs09/hosb0409.pdf>.

Information on stops and searches under the Terrorism Act 2000 in England and Wales are published annually in the Home Office Statistical Bulletin 'Police Powers and Procedures England and Wales' (<http://www.homeoffice.gov.uk/rds/pdfs09/hosb0709.pdf>) and the Ministry of Justice report 'Statistics on Race and the Criminal Justice System England and Wales' (<http://www.justice.gov.uk/publications/docs/stats-race-criminal-justice-system-07-08-revised.pdf>). Final validated information on all stops and searches will be published in these reports which will also include breakdowns by police force area. The latest report can be found here:

Requests for further information

3. Enquires about the figures in this report should be made by writing to:

Office of Security and Counter-Terrorism,
Home Office,
2 Marsham Street,
London,
SW1P 4DF.

Press enquiries should be made to:

Press Office,
Home Office,
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London,
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This Statistical Bulletin has been produced by statisticians working in the Home Office Statistics Unit. Although this output is not currently given National Statistics accreditation, the protocols for such statistics have been mirrored as closely as possible.

The governance arrangements in the Home Office for statistics were strengthened on 1 April 2008 to place the statistical teams under the direct management of a Chief Statistician who reports to the National Statistician with respect to all professional statistical matters.

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Introduction

1. The Home Office published for the first time in May 2009 a Statistical Bulletin covering terrorism arrests and their outcome (Home Office Statistical Bulletin 4/09). This new report aims to bring together this statistical information with data on the use of police powers under s43 and s44 Terrorism Act 2000 for the period up to 31 March 2009. The current report also includes provisional data on the use of s43/44 powers in the first quarter 2009/10.
2. This report brings together a wide range of statistical material from police and other agencies in Great Britain (i.e. England & Wales and Scotland). Although similar statistical data is collected in Northern Ireland this is published separately (the latest report 'Northern Ireland Statistics on the Operation of the Terrorism Act 2000: Annual Statistics 2007' was published in August 2009). It can be found at the following address:
http://www.nio.gov.uk/operation_of_the_terrorism_act_2000_annual_statistics_2007.pdf
3. Searches made using powers under the Terrorism Act 2000 are carried out to prevent acts of terrorism and do not assume that a criminal offence has been committed. Only a small proportion of those stopped and searched will be arrested.
4. Future reports in this series will be published on a quarterly basis for key statistics with more detailed statistics published annually.
5. The final validated statistics on stops and searches are designated 'National Statistics' implying they are to be granted accreditation by the UK Statistics Authority. These will be published by both the Home Office and the Ministry of Justice. There is no indication of lower standards for the data on terrorism arrests and outcomes with National Statistics protocols followed closely to ensure best practice. However since terrorism arrest data series is only under-development no such accreditation has currently been sought.

Chapter 1

Statistics on terrorism arrests and outcomes

MAIN POINTS

- In 2008/9 there were 190 terrorism arrests compared with 231 in 2007/8 and an annual average of 222. In total there have been 1,661 terrorism arrests since 11 September 2001.
- Thirty-eight per cent of terrorism arrests in 2008/9 resulted in a charge, compared with 29% of those aged 18 and over arrested for indictable offences and prosecuted in 2007/8. Just over half of those arrested for suspected terrorism offences were released without charge and the remaining 9% were dealt with under alternative action. This is similar to all terrorism related arrest since 11 September 2001 where 36% were charged, 55% released and 9% had alternative action.
- Fifty-five per cent of charges resulting from terrorism arrests in 2008/9 were terrorism related as compared with 66% since 11 September 2001 (including charges pertaining to Schedule 7). Throughout this period the main offences for which suspects were charged under terrorism legislation were possession of an article for terrorist purposes, fundraising and membership of a proscribed organisation, all offences under the Terrorism Act 2000. For terrorism related offences under non-terrorism legislation the main offences charged were conspiracy to murder and offences under the Explosive Substances Act 1883.
- In 2008/9, 45% of those arrested under s41 of the Terrorism Act 2000 were held in pre-charge detention for under one day and 78% for under 7 days, after which they were charged, released or further alternative action was taken. During this period no individuals were held for longer than 14 days and since the extension of the pre-charge detention period in 2006; 11 suspects have been held for over 14 days and 6 for the full period of 28 days.
- Forty-one per cent of those charged for terrorism related offences in 2008/9 have currently been convicted of an offence although this rate will increase after the completion of the trials of 16 other defendants. Since 11 September 2001, 57% of those charged for terrorism related offences have been convicted.
- For trials completed during 2008/9, 79% of defendants tried under terrorism legislation were convicted and 91% of those charged with non-terrorism legislation offences. Around 65% of sentences of imprisonment for terrorism legislation were under 10 years, and 70% under non-terrorism legislation. There were 3 life sentences handed down during this period.
- At 31 March 2009, 143 persons were in prison for terrorist-related offences in Great Britain of which 22 were classified as domestic extremists/separatists. The majority (76%) of persons imprisoned were UK nationals. There was 1 prisoner in Scotland for terrorist related offences, as well as 3 historic cases imprisoned before the Terrorism Act 2000 came into force.

Persons arrested (Table 1.1)

The relatively small numbers of annual terrorism arrests mean that proportionally large fluctuations in arrests can result from particular police operations.

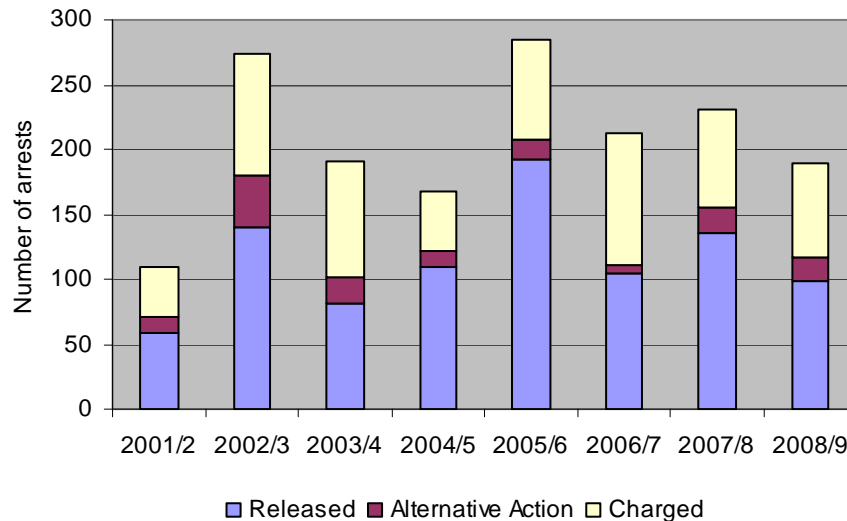
1. In 2008/9, there were 190 terrorism arrests, of which 123 were arrested under s41 of the Terrorism Act 2000 and 67 under other legislation. This was down on the level of average annual number of terrorism arrests (222) since 1 April 2002 (1 April 2002 – 31 March 2003, the first full financial year available).
2. Since 11 September 2001, when the current data collection was set up by the ACPO Counter Terrorism Coordination Centre (ACTCC), there have been 1,661 terrorism arrests. These data exclude:
 - 38 arrests made between the introduction of the Terrorism Act 2000 on 19 February 2001 and 11 September 2001 when the current data collection began, because only limited data is available;
 - 119 stops made at Scottish ports since 11 September 2001 under Schedule 7 of the Terrorism Act 2000, principally relating to individuals failing to provide proper identification. It is likely that those routine stops led to no (or a very limited number of) arrests.
3. Since 11 September 2001 there were 1,408 arrests under the powers in s41 of the Terrorism Act 2000 and 253 under other legislation (e.g. the Police and Criminal Evidence Act 1984). The proportion of arrests made under other non-terrorism legislation has risen consistently in recent years, for 2008/9 it accounted for 35% of all terrorism arrests compared with 15% for all terrorism arrests since 11 September 2001.

Persons charged (Table 1.2)

4. All charge data reported here refers to charge at the point of indictment and is the charge that the Crown Prosecution Service assigns.
5. Of the 190 terrorism arrests in 2008/9, 73 (38%) resulted in a charge, 18 (9%) had alternative action taken and 99 (52%) were released without charge. These sit fairly consistently with the comparative figures for all arrests since 11 September 2001, which were 36% charged, 9% alternative action taken and 55% released without charged.
6. Fifty-five per cent of all charges were considered terrorism related in 2008/9, of which 28 (70%) were under terrorism legislation and 12 (30%) under other legislation. For all charges since 11 September 2001, 66% were terrorism related.
7. A comparison was carried out between terrorism related offences and all criminal offences for which a suspect can be arrested and charged (see Notes). The basis for the method used was as follows:
 - No comparable data exist for Great Britain so the comparison was restricted to England and Wales. Additionally the number of offences in Scotland would be too small to conduct a meaningful comparison.
 - The number of persons proceeded against was used as a proxy for offences charged because no statistics are collected centrally in England and Wales on persons charged for criminal offences.
 - To provide a more accurate comparison only those aged 18 and over were considered.

This comparison showed 29% of those aged 18 and over arrested for indictable offences were prosecuted in 2007, compared with 36% of terrorism arrests resulting in a charge.

Figure 1 Outcomes of terrorism arrests



Offences charged (Tables 1.3 a, b and c)

8. In line with the normal procedures for criminal justice statistics each suspect has been classified in terms of a single principal offence, i.e. the most serious offence. This means that where an individual has received several charges they are recorded only against the principal offence charged. Therefore, it is not possible to show a total number of individuals charged against specific offences since some have been charged with more than one offence. For arrests since 11 September 2001 the main charges under terrorism legislation have been:

- possession of an article for terrorist purposes (30% of such charges);
- fundraising (14%);
- membership of a proscribed organisation (12%);
- provision of information relating to a terrorist investigation (9%);
- other offences under terrorist legislation (35%).

9. For those 130 suspects charged under non-terrorism legislation but where the offence was considered terrorist related the main charges were:

- conspiracy to murder (28%);
- offences under the Explosive Substances Act 1883 (15%);
- murder (2%);
- other offences under criminal legislation (55%).

10. Terrorism arrests made since 11 September 2001 have resulted in a total of 201 charges which have been identified by the ACPO Counter Terrorism Coordination Centre to be non-terrorist related. Such charges covered a wide range of offences with the main offences under:

- Forgery & Counterfeiting Act 1981 (18%);
- Theft Acts 1968 and 1978 (13%);
- Firearms Act 1968 (9%);
- other offences under criminal legislation (60%).

Gender, age and ethnicity for arrests and charges (Tables 1.4, 1.5 and 1.6)

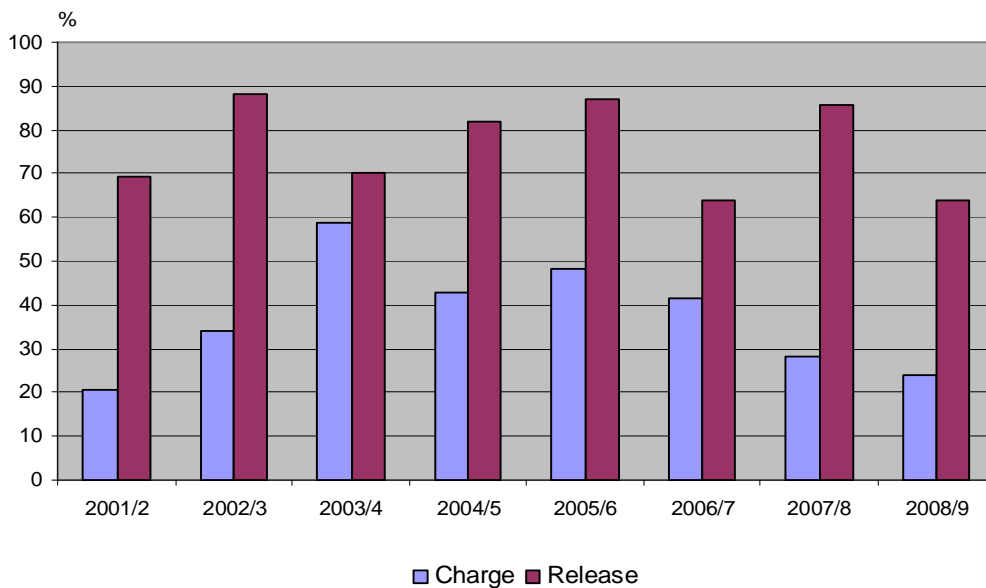
11. Almost all of those arrested in relation to terrorism related offences are male, making up 94% of those arrested since 1 April 2005. This is similarly reflected at charge, with men making up 95% of terrorism related charges.

12. For terrorism arrests since 1 April 2005, 44% of suspects were aged over 30 years and 11% aged less than 21 years. These levels are largely mirrored for those charged with terrorist related offences.
13. Similar to 2007/8, around 40% of all terrorism arrestees since April 2005 were of Asian ethnic appearance, of which 24% were subsequently charged with a terrorism related offence. For those arrested who were of White ethnic appearance 25% were charged, this was 37% for those who were of Black ethnic appearance.

Time from arrest to charge/release (Table 1.7)

14. Under s41 of the Terrorism Act 2000, introduced on 19 February 2001, suspects can be arrested without a warrant. After 48 hours in pre-charge detention, an officer of at least the rank of Superintendent may make an application to a Judge for a Warrant of Further Detention. The period of detention has varied considerably. From the commencement of the legislation to 20 January 2004, the maximum period of pre-charge detention was 7 days. From 20 January 2004 to 25 July 2006, the limit was extended from 7 days to 14 days. From 25 July 2006, the maximum period was extended to 28 days. Extended detention is not available for those arrested under other legislation.
15. Most arrestees continue to spend a short time in custody, with no one held beyond 14 days pre-charge detention in 2008/9 and only one in 2007/8 (charged after 19 days). Fifty-nine per cent of those released without charge in 2008/9 were released within one day, while for 18% the decision to charge was made on the first day of detention. For those subsequently charged in 2008/9, 50% were charged within 7 days and the remainder within less than 14 days detention.

Figure 2 Percentage of those charged and released within 48 hours for arrests under s41 of the Terrorism Act 2000



16. Since 25 July 2006, when the maximum period of pre-charge detention was extended to 28 days, six individuals have been held for 27 – 28 days (in 2006/7), of which three were charged and three were released without charge.

Outcome of charges (Tables A; 1.8 a and b; 1.9 a and b; 1.10 a, b and c)

17. Two approaches have been adopted to present statistics on court outcomes:
- Consideration of the outcome of each charge on a person basis. Therefore even though the defendant may be proceeded against in several different trials only one court outcome (the principal) will be shown. An offender will therefore be shown as having one conviction even though they were convicted of several offences or were not convicted of all the offences for which they were tried for.
 - Consideration of the outcome of trials dealt with by the Crown Prosecution Service and completed in 2008/9. This information relates to the principal conviction and includes data on sentence length.

Person basis

18. In 2008/9 around 45% of offenders charged under terrorism legislation had been proceeded against in court, 10 of whom have been convicted and a further 14 are currently awaiting prosecution. For the 12 charged in 2008/9 under non-terrorism legislation 6 had been convicted and a further 2 cases were awaiting prosecution.
19. Since 11 September 2001, 249 suspects have been charged under terrorism legislation, of which 167 were prosecuted and 102 were convicted under terrorism legislation. A further 15 were convicted of non-terrorism legislation offences but considered terrorism related.
20. In 2002/3 and 2003/4 about 40% of those charged under terrorism legislation were not prosecuted, but this fell to 18% for charges in 2007/8 and only 1 case in 2008/9. Of those charged under terrorism legislation since 11 September 2001, 24% were not prosecuted. For non-terrorism legislation only 2 persons charged have not been prosecuted since 11 September 2001.
21. Currently 57% of persons charged for terrorism related offences have been convicted since 11 September 2001. However this rate is likely to increase when the trials of 29 suspects are completed (these were awaiting trial or the trial was in process at 31 March 2009). Conviction rates for suspects charged under terrorism legislation (47%) are substantially below those for those under non-terrorism legislation (77%).
22. Due to the complex nature of terrorism investigations trials may take place several years after the arrest/charge took place. Those tried in 2008/9 can relate to arrests made in 2007/8 or earlier.
23. The principal offence for convictions since 11 September 2001 under terrorism legislation were:
- 21% were for possession of an article for terrorist purposes;
 - 13% were for membership of proscribed organisations;
 - 13% for preparation for terrorist acts;
 - 11% for the collection of information useful for a terrorism act;
 - 10% for fundraising.

Table A Outcome for persons charged for terrorism related offences ⁽¹⁾

	Year of arrest								
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	Total
Charged under terrorism legislation									
Charged	15	37	33	14	30	54	39	27	249
Prosecuted	12	22	21	6	27	39	28	12	167
Convicted	6	12	12	2	24	31	20	10	117
Awaiting prosecution	0	0	0	0	0	4	4	14	22
% currently convicted	40	32	39	14	80	57	51	37	47
Charged under non-terrorism legislation									
Charged	7	26	17	20	15	21	12	12	130
Prosecuted	7	25	17	20	15	20	9	9	122
Convicted	6	22	9	19	15	16	7	6	100
Awaiting prosecution	0	0	0	0	0	1	3	2	6
% currently convicted	86	85	53	95	100	76	58	50	77
All Offences									
Charged	22	63	50	34	45	75	51	39	379
Prosecuted	19	47	38	26	42	58	37	21	289
Convicted	12	34	21	21	39	47	27	16	217
Awaiting prosecution	0	0	0	0	0	6	7	16	29
% currently convicted	55	54	42	62	87	63	53	41	57

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) Conviction rates are likely to rise when the trials for those arrested during more recent periods are completed.

24. The principal offences for convictions since 11 September 2001 which were considered terrorism related but under non-terrorism legislation were:

- 37% were under Criminal Law Act 1977, including;
 - Conspiracy to murder;
 - Conspiracy to destroy or damage property with intent to endanger life;
 - Conspiracy to receive components that may be used for terrorism purposes.
- 13% under the Forgery and Counterfeiting Act 1981;
- 12% causing or conspiring to cause an explosion.

25. For those terrorism arrests that subsequently resulted in a non-terrorism related charge, 152 persons have been convicted since 11 September 2001. The main offences were under the Forgery & Counterfeiting Act 1981 and the Theft Act 1968.

Defendant trials

26. Information collected by the Crown Prosecution Service shows that 82% of defendants whose trials were completed during 2008/9 were convicted. For offences under terrorism legislation 79% of those tried were convicted, this was 91% under non-terrorism legislation. The conviction rates for specific offences were:

- 100% for preparation of terrorist acts
- 100% for inciting terrorism acts overseas
- 100% for offences under Explosives Act
- 50% for conspiracy to murder resulted in a conviction;

Sentencing (Tables 1.11 a and b, and 1.12)

27. Currently sentencing information is only available for the more recent terrorist trials based upon data collected by the Crown Prosecution Service Counter Terrorism Division for 2008/9 (see Notes).

28. In 2008/9, there were 27 convictions sentenced under terrorism legislation and 10 under non-terrorism legislation which were handled by the Crown Prosecution Service Counter Terrorism Division. Around 65% of sentences of imprisonment for terrorism legislation were under 10 years, and 70% under non-terrorism legislation. The more serious nature of many offences dealt with under non-terrorism legislation saw 2 life sentences handed down. The majority (80%) of those sentenced under non-terrorism legislation pleaded guilty, this was 30% under terrorism legislation.
29. In sentencing offenders to indeterminate sentences judges must specify minimum sentences. For the 3 life sentences shown, the minimum was set at 10-20 years for 2 of these, and 1 sentenced to 30-40 years minimum.

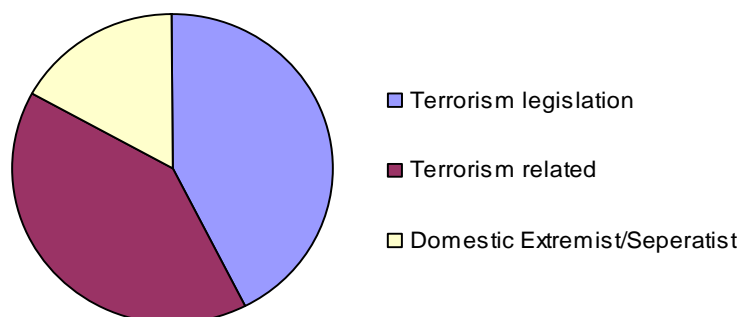
Prison population (Table 1.13)

30. At 31 March 2009, there were 143 terrorist/extremist prisoners in Great Britain, of which 139 were held in England and Wales. In total 121 of these were terrorism related (including 8 prisoners convicted before the introduction of the Terrorism Act 2000). Excluding these 8 historic cases, 55 of the 113 terrorist prisoners were either remanded or convicted under terrorism legislation, 52 were terrorism related offences not under terrorism legislation and a further 6 deportations and extraditions. Twenty-two were classified as domestic extremists/separatists, 3 of whom were on remand.

Ethnicity of prisoners (Table 1.14)

31. Just over half (53%) of prisoners in Great Britain remanded or convicted for terrorism related offences were of Asian ethnic origin. Additionally just under a quarter were of Black ethnic origin (23%). Ethnicity recorded here is based upon self-declaration by prisoners.

Figure 3 Proportion of terrorist/extremist prison population



Prisoners discharged (Table 1.15)

32. Thirty-six terrorist prisoners were discharged in England and Wales during the period from 1 April 2008 to 31 March 2009, of whom 2 were discharged following the completion of life sentences, a further 13 completed sentences of over 4 years. A further 9 prisoners were deported and 4 extradited. No prisoners were released from Scottish prisons during this period.

Nationality of prisoners (Table 1.16)

33. Seventy-six per cent of terrorist/extremist prisoners in Great Britain were recorded as UK nationals, 13% of African nationality, 4% of Middle Eastern nationality, 3% of Asian nationality and a further 3% European. Nationality

was spread over 18 countries with the highest after the UK being Somalia, although this accounts for only 6 prisoners.

Religion of prisoners (Table 1.17)

34. Almost all (92%) terrorist related prisoners classified themselves as Muslim. For the 22 domestic extremists/separatists, 5 classified themselves as Buddhist, and 9 gave no religion or described themselves as agnostic.

Table 1.1 Terrorism arrests under s41 of the Terrorism Act 2000 or under other legislation

(1) (2)

	Year of Arrest								
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	Total
Sec. 41 Terrorism Act 2000	95	236	178	156	273	191	156	123	1,408
% of all arrests	87	86	93	93	96	90	68	65	85
Other Legislation ⁽³⁾	14	38	13	12	12	22	75	67	253
% of all arrests	13	14	7	7	4	10	32	35	15
Total	109	274	191	168	285	213	231	190	1,661

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) From 11 September 2001. There were an additional 38 arrests following a terrorist investigation from 19 February 2001 to 10 September 2001.
- (2) Excludes 119 port stops carried out in Scotland over this period.
- (3) Mainly s1 Police and Criminal Evidence Act 1984.

Table 1.2 Outcome of terrorism arrests ^{(1) (2)}

	Year of arrest								Total
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	
Total arrests	109	274	191	168	285	213	231	190	1,661
Charged:	38	94	90	47	78	102	76	73	598
Terrorism legislation ⁽³⁾	15	37	33	14	30	54	39	27	249
Failure to comply with duty at Port and Border Controls (Schedule 7)	0	1	1	1	6	5	3	1	18
Other terrorism related criminal offences ⁽⁴⁾	7	26	17	20	15	21	12	12	130
Other non-terrorism related criminal offences ⁽⁵⁾	16	30	39	12	27	22	22	33	201
Released without charge	58	140	81	110	192	104	136	99	920
Alternative action:	13	40	20	11	15	7	19	18	143
Cautioned	0	3	3	4	1	0	2	4	17
Transferred to immigration authorities (UKBA)	13	34	10	5	11	5	11	7	96
Transferred to PSNI ⁽⁶⁾	0	0	2	1	1	1	0	0	5
Dealt with under mental health legislation	0	2	5	1	2	1	5	1	17
Other ⁽⁷⁾	0	1	0	0	0	0	1	6	8

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) From 11 September 2001.
- (2) Excludes 119 port stops in Scotland.
- (3) Includes Terrorism Act 2000 (excluding Schedule 7), Terrorism Act 2006, Anti-Terrorism, Crime and Security Act 2001, Prevention of Terrorism Act 2005.
- (4) Based upon assessment by the ACTCC.
- (5) Based upon assessment by the ACTCC.
- (6) Police Service of Northern Ireland.
- (7) 'Other' includes those bailed pending charge for example.

Table 1.3(a) Principal offences ⁽¹⁾ for which terrorism suspects charged ⁽²⁾ ⁽³⁾ under terrorism legislation ⁽⁴⁾ ⁽⁵⁾

	Year of arrest								Total
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	
Terrorism Act 2000									
Membership of a proscribed organisations (sec. 11, 12 & 13)	6	2	8	3	3	7	2	0	31
Fundraising (sec.15 – 19)	6	8	1	7	4	2	6	1	35
Provision of information relating to a terrorist investigation (sec. 38 B & 39)	0	0	5	0	8	5	2	2	22
Wilfully obstructs a constable (sec. 47(1)(c))	0	0	0	0	1	0	0	0	1
Weapons training (sec. 54 & 56)	1	0	0	0	1	1	1	0	4
Possession of an article for terrorist purposes (sec. 57)	2	24	16	1	7	14	7	4	75
Collection of information useful for a terrorism act (sec. 58)	0	2	0	2	2	5	4	2	17
Inciting terrorism act overseas (sec. 59)	0	0	1	0	3	1	5	0	10
Total	15	36	31	13	29	35	27	9	195
Prevention of Terrorism Act 2005									
Total				0	0	5	4	5	14
Terrorism Act 2006									
Encouragement of terrorism (sec. 1 & 2)					0	1	3	3	7
Preparation for terrorist acts (sec. 5)					0	7	2	8	17
Training for terrorism (sec. 6 & 8)					0	5	0	0	5
Total					0	13	5	11	30
Anti-Terrorism, Crime and Security Act 2001									
Total	0	1	2	1	1	1	3	2	11
Total	15	37	33	14	30	54	39	27	249

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) The offence shown is the principal offence for the charges made following an arrest. When a suspect is charged with several offences the principal offence is the most serious one based upon the maximum penalty for each offence. Where a suspect is charged both under terrorism legislation and for a non-terrorist offence the principal offence may therefore not be the charge made under terrorism legislation.
- (2) Charge data are recorded by the year of arrest.
- (3) Charge here relates to the substantive charge at indictment recorded by the Crown Prosecution Service.
- (4) Excludes 119 port stops in Scotland and offences under Schedule 7 Terrorism Act 2000.
- (5) From 11 September 2001.

Table 1.3(b) Principal offences ⁽¹⁾ for which terrorism suspects charged ⁽²⁾ ⁽³⁾ under non-terrorism legislation and the offence considered as terrorism related ⁽⁴⁾ ⁽⁵⁾

	Year of arrest								
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	Total
Common Law									
Murder	0	1	1	0	0	0	0	0	2
Conspiracy to defraud clearing banks	0	2	3	0	0	0	0	0	5
Total	0	3	4	0	0	0	0	0	7
Criminal Law Act 1977									
Conspiracy to murder (sec. 1(1))	1	8	0	8	5	13	0	1	36
Conspiracy to destroy or damage property with intent to endanger life (s.1(1))	0	0	0	0	0	0	0	3	3
Conspiracy to receive components that may be used for terrorism purposes (s.1(1))	0	0	0	0	0	0	0	3	3
Conspiracy to commit armed robbery (s.1(1))	0	0	6	0	0	0	0	0	6
Conspiracy to provide money & property to be used for acts of terrorism	0	0	0	3	0	0	0	0	3
Placing or dispatching articles to cause a bomb hoax (sec. 51(1))	0	3	0	0	0	0	1	0	4
Other	0	2	0	4	3	0	5	0	14
Total	1	13	6	15	5	13	6	7	69
Criminal Law Act 1967									
Assisting offender by impeding their prosecution (sec. 4(1))	0	0	0	0	1	0	0	0	1
Explosive Substances Act 1883									
Doing act with intent to cause, or conspiring to cause, explosions likely to endanger life (sec. 3)	4	2	6	2	1	3	2	0	20
Other offences									
Firearms Act 1968	1	0	1	1	0	1	2	0	6
Forgery and Counterfeiting Act 1981	0	2	0	0	0	0	0	0	2
Theft Acts 1968 & 1978	0	4	0	1	0	0	0	0	5
Other ⁽⁶⁾	1	2	0	1	6	3	2	5	20
Total	2	8	1	3	6	4	4	5	33
Total	7	26	17	20	15	21	12	12	130

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) The offence shown is the principal offence for the charges made following an arrest. When a suspect is charged with several offences the principal offence is the most serious one based upon the maximum penalty for each offence. Where a suspect is charged both under terrorism legislation and for a non-terrorist offence the principal offence may therefore not be the charge made under terrorism legislation.
- (2) Charge data are recorded by the year of arrest.
- (3) Charge here relates to the substantive charge at indictment recorded by the Crown Prosecution Service.
- (4) Based upon assessment by the ACTCC.
- (5) From 11 September 2001.
- (6) When the number of offences charged per Act is fewer than three, charges have for most offences been grouped under 'other' rather than listed separately.

Table 1.3(c) Principal offences ⁽¹⁾ for which suspects charged ⁽²⁾ ⁽³⁾ and the offence considered as not terrorism related ⁽⁴⁾ ⁽⁵⁾

	Year of arrest								Total
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	
Common Law									
Pervert the course of justice	0	0	0	0	0	4	0	2	6
Other	0	0	2	0	0	0	0	6	8
Total	0	0	2	0	0	4	0	8	14
Criminal Law Act 1977									
Conspiracy to purchase ammunition (sec. 1(1))	0	0	0	0	0	4	0	0	4
Conspiracy to defraud (sec. 1(1))	1	3	0	0	0	0	0	0	4
Placing or dispatching articles to cause a bomb hoax (sec. 51)	0	0	2	1	3	0	0	0	6
Other	2	2	1	0	1	0	1	2	9
Total	3	5	3	1	4	4	1	2	23
Criminal Justice Act 1988									
Money laundering (sec. 93)	0	4	0	1	0	1	0	0	6
Identity Cards Act 2006									
With intent knowingly obtain another's ID document (sec. 25 (1) (2)& (6))					0	4	3	3	10
Other offences									
Firearms Act 1968	0	2	6	1	1	0	2	6	18
Explosive Substances Act 1883	0	1	0	0	0	0	0	1	2
Forgery & Counterfeiting Act 1981	8	10	11	2	4	1	1	0	37
Misuse of Drugs Act 1971	1	0	3	1	2	1	0	1	9
Road Traffic Act 1988	1	1	2	0	2	1	0	2	9
Theft Acts 1968 & 1978	3	2	4	3	4	1	1	3	21
Proceeds of Crime Act 2002	0	0	1	0	1	0	1	5	8
Criminal Damage Act 1971 & Malicious Damage Act 1861	0	2	0	0	1	1	0	0	4
Other ⁽⁶⁾	0	3	6	3	6	4	10	2	34
Total	13	21	34	10	23	9	18	20	148
Total	16	30	39	12	27	22	22	33	201

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) The offence shown is the principal offence for the charges made following an arrest. When a suspect is charged with several offences the principal offence is the most serious one based upon the maximum penalty for each offence. Where a suspect is charged both under terrorism legislation and for a non-terrorist offence the principal offence may therefore not be the charge made under terrorism legislation.
- (2) Charge data are recorded by year of arrest.
- (3) Charge here relates to the substantive charge at indictment recorded by the Crown Prosecution Service.
- (4) Based upon assessment by the ACTCC.
- (5) From 11 September 2001.
- (6) When the number of offences charged per Act is fewer than three, charges have for most offences been grouped under 'other' rather than listed separately.

Table 1.4 Gender of suspects arrested for terrorism and of those charged where the offence is considered terrorism related ⁽¹⁾, 2005/6 - 2008/9 ⁽²⁾

	Male	Female	Total
Arrested	863	56	919
% of total arrests	94	6	100
Charged	199	11	210
% of total charges	96	4	100
% of arrests resulting in a charge	23	17	23

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) This includes all charges under terrorism legislation and all charges under non-terrorism legislation but considered by the ACPO Counter Terrorism Coordination Centre (ACTCC) to be terrorism related.
(2) Data for earlier years has been excluded due to data quality concerns.

Table 1.5 Age group of suspects arrested for terrorism and of those charged where the offence is considered terrorism related ⁽¹⁾, 2005/6 – 2008/9 ⁽²⁾

	Under 18	18-20	21-24	25-29	30 and over	Not known	Total
Arrested	26	73	167	249	404	0	919
% of total arrests	3	8	18	27	44	0	100
Charged	5	17	45	60	83	0	210
% of total charges	2	8	21	29	39	0	100
% of arrests resulting in a charge	15	24	26	24	20	..	23

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) This includes all charges under terrorism legislation and all charges under non-terrorism legislation but considered by the ACPO Counter Terrorism Coordination Centre (ACTCC) to be terrorism related.
(2) Data for earlier years has been excluded due to data quality concerns.

Table 1.6 Ethnic appearance ⁽¹⁾ of suspects arrested for terrorism and of those charged where the offence is considered terrorism related ⁽²⁾, 2005/6 – 2008/9 ⁽³⁾

	White	Black	Asian	Other	Not known	Total
Arrested	185	123	374	237	0	919
% of total arrests	20	14	41	25	0	100
Charged	43	46	90	31	0	210
% of total charges	22	22	43	11	0	100
% of arrests resulting in a charge	25	37	24	23

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

(1) See Notes.

(2) This includes all charges under terrorism legislation and all charges under non-terrorism legislation but considered by the ACPO Counter Terrorism Coordination Centre (ACTCC) to be terrorism related.

(3) Data for earlier years has been excluded due to data quality concerns.

Table 1.7 Time in days from arrest under s41 of the Terrorism Act 2000^(1,2,3,4) to charge,⁽⁵⁾ release without charge or other action taken

	2001/2 ⁽⁶⁾			2002/3			2003/4			2004/5			2005/6			2006/7			2007/8			2008/9			Total							
	Charged	Released	Other	Charged	Released	Other	Charged	Released	Other	Charged	Released	Other	Charged	Released	Other	Charged	Released	Other	Charged	Released	Other	Charged	Released	Other								
Under 1 day	4	22	2	28	15	45	15	75	26	35	8	69	11	69	6	86	22	124	10	156	34	41	2	77	9	72	15	96	7	44	4	55
1 – 2 days	3	14	2	19	13	53	15	81	22	19	3	44	7	15	0	22	11	40	1	52	6	16	0	22	2	11	5	18	2	3	1	6
2 – 3 days	0	0	1	1	6	7	2	15	4	2	0	6	2	4	0	6	3	4	0	7	0	0	0	0	0	1	1	0	0	2	0	2
3 – 4 days	9	9	1	19	19	3	5	27	5	5	4	14	4	4	1	9	1	4	0	5	0	3	2	5	3	1	4	0	1	1	2	
4 – 5 days	9	3	2	14	2	0	1	3	4	3	2	9	3	3	2	8	5	12	0	17	1	3	1	5	3	1	4	1	4	0	5	
5 – 6 days	1	0	0	1	7	3	4	14	4	8	1	13	1	0	1	2	5	0	0	5	2	0	0	2	9	3	0	12	4	5	0	9
6 – 7 days	8	4	0	12	20	0	2	22	11	3	1	15	5	1	0	6	9	2	0	11	6	2	0	15	4	6	0	10	5	9	3	17
7 – 8 days									1	0	0	1	0	2	0	2	0	0	5	5	1	2	0	3	2	0	2	3	2	1	0	6
8 – 9 days									0	0	0	0	0	0	1	1	2	0	0	2	7	3	0	10	0	0	0	0	1	0	0	1
9 – 10 days									5	2	0	7	0	4	0	4	3	0	0	3	4	1	1	6	0	0	0	0	3	0	1	4
10 – 11 days									0	0	0	0	0	1	0	1	2	2	0	4	2	1	0	3	1	0	0	1	0	0	0	0
11 – 12 days									0	0	0	0	0	0	0	0	0	0	0	0	17	2	0	19	2	1	0	3	1	3	0	4
12 – 13 days									0	0	0	0	0	0	0	0	1	0	0	1	2	0	0	2	2	0	0	2	5	1	0	6
13 – 14 days																		1	0	5	7	5	0	12	1	1	0	2	6	0	0	6
14 – 15 days																		0	0	2	1	0	1	0	0	0	0	0	0	0	0	0
15 – 16 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16 – 17 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17 – 18 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18 – 19 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19 – 20 days																		0	0	0	3	0	0	3	0	0	0	0	0	0	0	0
20 – 21 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21 – 22 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22 – 23 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23 – 24 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24 – 25 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25 – 26 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26 – 27 days																		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
27 – 28 days																		0	0	0	3	3	0	6	0	0	0	0	0	0	0	0
Total	34	52	8	94	82	111	44	237	82	77	19	178	42	103	11	156	68	189	16	273	96	89	6	191	39	97	20	156	38	74	11	123

Source: AC/PO Counter Terrorism Coordination Centre (ACTCC)

- (1) Excludes those arrested under other legislation (i.e. not under s41 Terrorism Act 2000). Although an investigation is considered terrorist related the 28-day maximum pre-charge detention period does not apply in such cases.
- (2) The maximum period of pre-charge detention for an arrest under s41 Terrorism Act 2000 was extended to 14 days with effect from 20 January 2004.
- (3) The maximum period of pre-charge detention for an arrest under s41 Terrorism Act 2000 was extended to 28 days with effect from 25 July 2006.
- (4) Includes Schedule 7 offences.
- (5) Includes alternative action as listed in Table 2.
- (6) From 11 September 2001.

Table 1.8(a) Outcome for those charged ⁽¹⁾⁽²⁾ and prosecuted ⁽³⁾ under terrorism legislation ⁽⁴⁾

		Year of Arrest							Total	
		2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8		2008/9
Charged		15	37	33	14	30	54	39	27	249
Prosecuted		12	22	21	6	27	39	28	12	167
Convicted	TACT	6	8	5	2	21	31	20	9	102
	Non- TACT	0	4	7	0	3	0	0	1	15
Found not guilty		4	10	9	4	3	8	8	2	48
Other ⁽⁵⁾		2	0	0	0	0	0	0	0	2
Not proceeded against		3	15	12	8	3	11	7	1	60
Awaiting prosecution		0	0	0	0	0	4	4	14	22

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) Due to differences in the time of recording, charge and latter prosecution data will never perfectly match up case to case.
- (2) Charge here relates to the substantive charge at indictment recorded by the Crown Prosecution Service.
- (3) Prosecution leads here to a single principal conviction, e.g. the most serious offence.
- (4) From 11 September 2001.
- (5) Includes hung juries/absconded.

Table 1.8(b) Outcome for those charged ⁽¹⁾ ⁽²⁾ and prosecuted ⁽³⁾ under non-terrorism legislation but where considered terrorism related ⁽⁴⁾ ⁽⁵⁾

		Year of Arrest								Total
		2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	
Charged		7	26	17	20	15	21	12	12	130
Prosecuted		7	25	17	20	15	20	9	9	122
Convicted	TACT	0	1	1	0	3	3	2	0	10
	Non- TACT	6	21	8	19	12	13	5	6	90
Found not guilty		1	3	8	1	0	2	2	2	19
Other ⁽⁶⁾		0	0	0	0	0	1	0	1	2
Not proceeded against		0	1	0	0	0	0	0	1	2
Awaiting prosecution		0	0	0	0	0	1	3	2	6

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) Due to differences in the time of recording, charge and latter prosecution data will never perfectly match up case to case.
- (2) Charge here relates to the substantive charge at indictment recorded by the Crown Prosecution Service.
- (3) Prosecution leads here to a single principal conviction, e.g. the most serious offence.
- (4) Based upon assessment by the ACPO Counter Terrorism Coordination Centre (ACTCC)
- (5) From 11 September 2001.
- (6) Includes hung juries/absconded.

Table 1.9(a) Defendant trials ⁽¹⁾ dealt with by the Crown Prosecution Service for offences under terrorism legislation, 2008/9

Offence	Trials	Acquittals	Convicted	% of those tried convicted
Terrorism Act 2000				
Fundraising (sec.15 – 19)	4	2	2	50
Provision of information relating to a terrorist investigation (sec. 38)	5	0	5	100
Possession of an article for terrorist purposes (sec. 57)	9	4	5	56
Inciting terrorism act overseas (sec. 59)	5	0	5	100
Other ⁽²⁾	2	1	1	50
Terrorism Act 2006				
Preparation for terrorist acts (sec. 5)	7	0	7	100
Other	1	0	1	100
Anti-Terrorism, Crime and Security Act 2001	1	0	1	100
Total	34	7	27	79

Source: Crown Prosecution Service Counter-Terrorism Division.

(1) Trials relating to principal conviction.

(2) When the number of offences charged per Act is fewer than three, charges have for most offences been grouped under 'other' rather than listed separately.

Table 1.9(b) Defendant trials ⁽¹⁾ dealt with by the Crown Prosecution Service for offences under non-terrorism legislation but where considered terrorism related, 2008/9

Offence	Trials	Acquittals	Convicted	% of those tried convicted
Criminal Law Act 1977				
Conspiracy to murder	2	1	1	50
Other	1	0	1	100
Explosive Substances Act 1883	1	0	1	100
Other offences				
Firearms Act 1868	2	0	2	100
Official Secrets Act 1911	1	0	1	100
Criminal Law Act 1967	1	0	1	100
Criminal Damages Act 1971	2	0	2	100
Criminal Attempts Act 1981	1	0	1	100
Total	11	1	10	91

Source: Crown Prosecution Service Counter-Terrorism Division.

(1) Trials relating to principal conviction.

Table 1.10(a) Principal offences ^(1, 2) for which suspects convicted ⁽³⁾ under terrorism legislation ⁽⁴⁾

	Year of arrest								
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	Total
Terrorism Act 2000									
Membership of proscribed organisations (sec. 11, 12 & 13)	4	3	0	0	3	4	1	0	15
Fundraising (sec. 15 – 19)	2	0	0	0	4	1	3	1	11
Provision of information relating to a terrorist investigation (sec. 38 B & 39)	0	0	2	0	5	1	1	1	10
Wilfully obstructs a constable (sec. 47)	0	0	0	0	1	0	0	0	1
Weapons training (sec. 54 & 56)	0	0	0	0	0	0	1	0	1
Possession of an article for terrorist purposes (sec. 57)	0	5	2	1	5	8	2	0	23
Collection of information useful for a terrorism act (sec. 58)	0	1	0	1	2	6	2	0	12
Inciting terrorism act overseas (sec. 59)	0	0	0	0	3	1	3	0	7
Total	6	9	4	2	23	21	13	2	80
Prevention of Terrorism Act 2005									
Total				0	0	1	0	0	1
Terrorism Act 2006									
Encouragement of terrorism (sec. 1 & 2)						1	1	0	2
Preparation for terrorist acts (sec. 5)						5	4	6	15
Training for terrorism (sec. 6 & 8)						5	0	0	5
Total						11	5	6	22
Anti-Terrorism, Crime and Security Act 2001									
Total	0	0	2	0	1	1	4	1	9
Total	6	9	6	2	24	34	22	9	112

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) The offence shown is the principal offence for which the offender is convicted and given the highest penalty. When the suspect has more than one offence with an identical penalty it is based upon the maximum available penalty for that offence.
- (2) Excludes convictions under Schedule 7 of the Terrorism Act 2000.
- (3) Conviction as the principal offence (i.e. most serious offence) per individual offender.
- (4) From 11 September 2001.

Table 1.10(b) Principal offences ^{(1) (2)} for which suspects convicted ⁽³⁾ under non-terrorism legislation and where considered as terrorism related ^{(4) (5)}

	Year of arrest								
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	Total
Common Law									
Murder	0	1	1	0	0	0	0	0	2
Conspiracy to defraud clearing banks	0	2	3	0	0	0	0	0	5
Conspiracy to commit armed robbery (Scotland)	0	1	0	0	1	0	0	0	2
Total	0	4	4	0	1	0	0	0	9
Criminal Law Act 1977									
Conspiracy to murder (sec. 1(1))	0	1	0	2	4	5	1	0	13
Conspiracy to make, distribute and use forged documents	0	0	0	4	0	0	0	0	4
Conspiracy to cause an explosion likely to endanger life (sec. 1(1))	0	0	0	6	0	0	0	0	6
Conspiracy to destroy or damage property with intent to endanger life (s.1(1))	0	0	0	0	0	0	0	3	3
Placing or dispatching articles to cause a bomb hoax (sec. 51(1))	0	3	0	0	0	0	0	0	3
Other	0	1	1	1	0	4	2	1	8
Total	0	5	1	13	4	9	3	4	39
Criminal Law Act 1967									
Assisting offender by impeding their prosecution (sec. 4(1))	0	0	0	0	4	0	0	0	4
Explosive Substances Act 1883									
Doing act with intent to cause, or conspiring to cause, explosion likely to endanger life (sec. 3)	4	2	4	2	1	0	0	0	13
Other offences									
Forgery & Counterfeiting Act 1981	0	12	2	0	0	0	0	0	14
Firearms Act 1868	1	0	3	1	0	1	2	0	8
Theft Act 1968	0	2	1	2	0	0	0	0	5
Other ⁽⁶⁾	1	0	0	1	5	3	0	3	13
Total	2	14	6	4	5	4	2	3	40
Total	6	25	15	19	15	13	5	7	105

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) The offence shown is the principal offence for which the offender is convicted and given the highest penalty. When the suspect has more than one offence with an identical penalty it is based upon the maximum available penalty for that offence.
- (2) Conspiracy to commit offences is punishable as, and should be classified as, the substantive offences except where a separate classification is provided.
- (3) Conviction as the principal offence (i.e. most serious offence) per individual offender.
- (4) Based upon assessment by the ACTCC.
- (5) From 11 September 2001.
- (6) When the number of offences charged per Act is fewer than three, charges have for most offences been grouped under 'other' rather than listed separately.

Table 1.10(c) Principal offences ^{(1) (2)} for which suspects convicted under non-terrorism legislation ⁽³⁾ and where considered as non- terrorism related ^{(4) (5)}

	Year of arrest								
	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	Total
Common Law									
Conspiracy to defraud clearing banks (sec. 1(1))	0	3	1	0	0	0	0	4	8
Pervert the course of justice	0	1	1	0	0	1	0	2	5
Total	0	4	2	0	0	1	0	6	13
Criminal Law Act 1977									
Placing or dispatching articles to cause a bomb hoax (sec. 51)	0	1	2	0	3	0	0	0	6
Other	2	0	0	0	0	2	0	1	5
Total	2	1	2	0	3	2	0	1	11
Criminal Law Act 1967									
Assisting offender by impeding their prosecution (s.4(1))	0	0	0	0	2	1	0	0	3
Other offences									
Forgery & Counterfeiting Act 1981	3	8	9	2	3	1	0	0	26
Firearms Act 1968	0	2	6	0	1	0	0	0	9
Theft Act 1968	5	2	5	1	4	1	1	1	20
Identity Card Act 2006					0	4	3	3	10
Misuse of Drugs Act 1971	1	0	2	1	0	0	2	2	8
Proceeds of Crime Act 2002	0	0	0	0	1	0	2	3	6
Road Traffic Act 1988	1	1	2	0	2	0	0	1	7
Fraud Act 2006	0	0	0	0	0	0	2	1	3
Other ⁽⁶⁾	1	8	4	5	5	5	5	3	36
Total	11	21	28	9	16	11	15	14	125
Total	13	26	32	9	21	15	15	21	152

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

- (1) The offence shown is the principal offence for which the offender is convicted and given the highest penalty. When the suspect has more than one offence with an identical penalty it is based upon the maximum available penalty for that offence.
- (2) Conspiracy to commit offences is punishable as, and should be classified as, the substantive offences except where a separate classification is provided.
- (3) Conviction as the principal offence (i.e. most serious offence) per individual offender.
- (4) Based upon assessment by the ACTCC.
- (5) From 11 September 2001.
- (6) When the number of offences charged per Act is fewer than three, charges have for most offences been grouped under 'other' rather than listed separately.

Table 1.11(a) Sentencing for terrorism trials where offender convicted ⁽¹⁾ under terrorism legislation, 2008/9

Plea	Determinate sentence (sentence length)						Indeterminate sentence		Non-custodial sentence	Total
	Under 1 year	1 year and under 4 years	4 years and under 10 years	10 years and under 20 years	20 years and under 30 years	30 years and over	IPP ⁽²⁾	Life		
Terrorism Act 2000										
Guilty	0	1	1	0	0	0	0	0	0	2
Not guilty	0	5	4	6	0	0	0	1	0	16
Terrorism Act 2006										
Guilty	0	4	0	0	0	0	0	0	1	5
Not guilty	0	0	2	1	0	0	0	0	0	3
Anti-terrorism Crime and Security Act 2001										
Guilty	0	1	0	0	0	0	0	0	0	1
Not Guilty	0	0	0	0	0	0	0	0	0	0
All offences										
Guilty	0	6	1	0	0	0	0	0	1	8
Not guilty	0	5	6	7	0	0	0	1	0	19
Total	0	11	7	7	0	0	0	1	1	27

Source: Crown Prosecution Service Counter-Terrorism Division

- (1) Refers to those dealt with by the Crown Prosecution Service Counter-Terrorism Division only.
(2) Indeterminate sentence for Public Protection.

Table 1.11(b) Sentencing for terrorism trials where offender convicted ⁽¹⁾ under non-terrorism legislation, 2008/9

Plea	Determinate sentence (sentence length)						Indeterminate sentence		Non-custodial sentence	Total
	Under 1 year	1 year and under 4 years	4 years and under 10 years	10 years and under 20 years	20 years and under 30 years	30 years and over	IPP ⁽²⁾	Life		
Criminal Law Act 1977										
Guilty	0	0	1	0	0	0	0	0	0	1
Not guilty	0	0	0	0	0	0	0	1	0	1
Firearms Act 1968										
Guilty	1	0	1	0	0	0	0	0	0	2
Not guilty	0	0	0	0	0	0	0	0	0	0
Other offences										
Guilty	0	4	0	0	0	0	0	1	0	5
Not guilty	0	0	0	1	0	0	0	0	0	1
All offences										
Guilty	1	4	2	0	0	0	0	1	0	8
Not guilty	0	0	0	1	0	0	0	1	0	2
Total	1	4	2	1	0	0	0	2	0	10

Source: Crown Prosecution Service Counter-Terrorism Division

- (1) Refers to those dealt with by the Crown Prosecution Service Counter-Terrorism Division only.
(2) Indeterminate sentence for Public Protection.

Table 1.12 Minimum term for those in terrorism trials ⁽¹⁾ given an indeterminate life sentence, 2008/9

	Minimum term					Total
	10 years and under 20 years	20 years and under 30 years	30 years and under 40 years	40 years and over	Whole life	
Terrorism legislation	1	0	0	0	0	1
Non-terrorism legislation	1	0	1	0	0	2
All offences	2	0	1	0	0	3

Source: Crown Prosecution Service Counter-Terrorism Division

(1) Refers to those dealt with by the Crown Prosecution Service Counter-Terrorism Division only.

Table 1.13 Overall terrorist/extremist prisoners in Great Britain at 31 March 2009

	England & Wales	Scotland	Total
Grand total	139	4	143
Terrorism legislation or terrorism related			
Remanded terrorism legislation	10	0	10
Remanded terrorism related	12	0	12
Convicted terrorism legislation	44	1	45
Convicted terrorism related	40	0	40
Deportation cases	2	0	2
Extradition cases	4	0	4
Total	112	1	113
Domestic Extremist/Separatist ⁽¹⁾			
Remanded	3	0	3
Convicted	19	0	19
Total	22	0	22
Historic cases ⁽²⁾			
Convicted terrorism related	5	3	8

Source: National Offender Management Service and Scottish Prison Service

(1) See Notes.

(2) See Notes.

Table 1.14 Self-identified ethnicity ⁽¹⁾ of terrorist/extremist prisoners in Great Britain at 31 March 2009

	White	Mixed	Asian or Asian British	Black or Black British	Chinese or Other	Total
Grand total	46	4	62	26	5	143
Terrorism legislation or terrorism related						
Remanded terrorism legislation	2	1	5	2	0	10
Remanded terrorism related	1	0	8	3	0	12
Convicted terrorism legislation	7	2	21	12	3	45
Convicted terrorism related	8	1	23	8	0	40
Deportation cases	0	0	1	1	0	2
Extradition cases	0	0	2	0	2	4
Total	18	4	60	26	5	113
Domestic Extremist/Separatist ⁽²⁾						
Remanded	3	0	0	0	0	3
Convicted	19	0	0	0	0	19
Total	22	0	0	0	0	22
Historic cases ⁽³⁾						
Convicted terrorism related	6	0	2	0	0	8

Source: National Offender Management Service and Scottish Prison Service.

(1) See Notes.

(2) See Notes.

(3) See Notes.

Table 1.15 Terrorist legislation or terrorism related prisoners, including historical terrorist cases ⁽¹⁾ discharged from prison in Great Britain following detention, 2008/9

	Unconvicted	Determinate sentence (sentence length)				Indeterminate sentences	
		Less than or equal to 6 months	Greater than 6 months to less than 12 months	12 months to less than 4 years	4 years or more (excluding indeterminate sentences)	IPP ⁽²⁾	Life
Discharged (end of sentence)	0	0	1	7	13	0	2
Repatriated	0	0	0	0	0	0	0
Deported or UKBA bail ⁽³⁾	5	0	1	2	1	0	0
Extradited/ cross border transfer ⁽⁴⁾	3	0	0	0	1	0	0
Hospital transfer ⁽⁵⁾	0	0	0	0	0	0	0
No further action ⁽⁶⁾	0	0	0	0	0	0	0
Total	8	0	2	9	15	0	2

Source: National Offender Management Service and Scottish Prison Service.

- (1) These include cases which predate the introduction of the Terrorist Acts. They were imprisoned pre-2001 following a terrorist investigation, acts of terrorism, or for membership of a proscribed terrorist organisation. They include convicted terrorists from the c1970s to 1990s for a range of offences. They include members of groups such as the Palestinian Liberation Organisation (PLO), Democratic Revolutionary Movement for the liberation of Arabistan (DRMLA), and domestic bombers.
- (2) Indeterminate sentence for public protection.
- (3) Immigration detainees – Those individuals held under UKBA (United Kingdom Border Agency) powers awaiting deportation or administrative removal to their country of origin. Detainees are often held in Immigration Removal Centres (IRCs) but may be held in prison following agreement with HMPS. UKBA bail is those individuals released from detention in NOMS or UKBA custodial sites on licence issued by UKBA.
- (4) Extradition cases – Those individuals held under Home Office powers awaiting extradition to another country or jurisdiction.
- (5) Hospital transfers – Those individuals transferred from prison to a secure hospital under the Mental Health Act for treatment. Individuals may be transferred back to prison, discharged on completion of their custodial sentence, or continue to be held under Mental Health Act powers following completion of their sentence, whilst remaining eligible for release on the authority of a Mental Health Review Tribunal.
- (6) No further action includes acquittals, found not guilty and discharged on appeal or case withdrawn.

Table 1.16 Self-declared nationalities of terrorist/extremist prisoners in Great Britain at 31 March 2009

Terrorist legislation or terrorist related		Domestic extremist/separatist ⁽¹⁾		Historic terrorist cases ⁽²⁾	
United Kingdom	80	United Kingdom	22	United Kingdom	6
Africa	19			Middle East	2
Somalia	6			Jordan	1
Ethiopia	4			Lebanon	1
Algeria	3				
Morocco	2				
Egypt	1				
Gambia	1				
Ghana	1				
Sudan	1				
Middle East	4				
Kuwait	2				
Jordan	1				
Syria	1				
Asia	4				
Pakistan	3				
Bangladesh	1				
Europe	4				
Italy	2				
Albania	1				
Sweden	1				
Unrecorded	2				
Total	113	Total	22	Total	8

Source: National Offender Management Service and Scottish Prison Service.

- (1) See Notes
(2) See Notes.

Table 1.17 Self-declared religions ⁽¹⁾ of terrorist/extremist prisoners in Great Britain at 31 March 2009

Terrorist legislation or terrorism related		Domestic extremist/separatist ⁽²⁾		Historic terrorist cases ⁽³⁾	
Muslim	104	Buddhist	5	Muslim	2
Church of England	4	Roman Catholic	3	Church of England	1
Roman Catholic	2	Church of England	2	Church of Scotland	2
No religion	2	Greek/Russian Orthodox	1	Roman Catholic	1
		Pagan	1	No religion	2
		Agnostic	1		
		No religion	9		
Total	113	Total	22	Total	8

Source: National Offender Management Service and Scottish Prison Service.

- (1) Self-declared on entry to prison although prisoners may change their religion whilst in custody.
- (2) See Notes.
- (3) See Notes.

NOTES - Terrorism arrests

Legislation

1. Under s32 of the Terrorism Act 2000 a terrorist investigation covers an investigation of:
 - (a) the commission, preparation or instigation of acts of terrorism,
 - (b) an act which appears to have been done for the purposes of terrorism,
 - (c) the resources of a proscribed organisation,
 - (d) the possibility of making an order under s3(3) covering proscribed organisations, or;
 - (e) the commission, preparation or instigation of an offence under this Act.

2. In Part I of the Terrorism Act 2000:
 - (1) 'Terrorism' means the use or threat of action where:
 - (a) the action falls within subsection (2),
 - (b) the use or threat is designed to influence the government or an international governmental organisation or to intimidate the public or a section of the public, and;
 - (c) the use or threat is made for the purpose of advancing a political, religious or ideological cause.

 - (2) Action falls within this subsection if it:
 - (a) involves serious violence against a person,
 - (b) involves serious damage to property,
 - (c) endangers a person's life, other than that of the person committing the action,
 - (d) creates a serious risk to the health or safety of the public or a section of the public, or;
 - (e) is designed seriously to interfere with or seriously to disrupt an electronic system.

It further states:

 - (3) The use or threat of action falling within subsection (2) which involves the use of firearms or explosives is terrorism whether or not subsection (1)(b) is satisfied.

Sources of data

3. The ACPO Counter Terrorism Coordination Centre (ACTCC) maintains a database covering all terrorism arrests in Great Britain (i.e. excluding Northern Ireland) and their subsequent outcome. This information relates to data collected from 11 September 2001, although the total number of arrests between February 2001 and 11 September 2001 is known, no further breakdown is possible. Information for Northern Ireland is published separately in the annual Northern Ireland Statistical Bulletin. The latest of which was published in August 2009 and covers 2006.

4. The ACTCC reviews all cases on its database to identify those that are currently identified as being terrorist or non-terrorist related. This decision is based upon the further information available centrally on these cases.

5. Comparisons with the data held by the Crown Prosecution Service enables quality assurance of the court / sentencing data held on the terrorism arrests database. In addition data held by the Crown Prosecution covers the outcome of all trials including

sentences and appeals to be covered. The Crown Prosecution Service also maintains links with the Fiscal Office to cover Scottish cases.

6. HM Prison Service maintains a list of known terrorists/extremists held in prisons in England and Wales (on remand or as convicted prisoners). This list also includes those who entered prison before 11 September 2001, and are therefore excluded from the police database. Information is also held on those subject to extradition orders or held by immigration powers. Information for Scotland has been provided separately by the Scottish Prison Service.
7. Ethnicity, as reported in this bulletin reports data gathered via:
 - (a) Arresting officer's observation:
Based upon the police officer's visual perception of the suspect's' ethnic appearance, categorised in this report into four groups (White, Black, Asian or Other).
 - (b) Prisoner's self-identified ethnicity:
Since March 2003 all prisoners received into penal establishments, including transfers, have been asked to self-classify their own ethnicity using the 2001 Census categories.

Description of procedures used in dealing with terrorism suspects.

Arrest

8. Arrests are made following operational intelligence and officer discretion as to an individuals supposed involvement in a crime; they are the initial stages of entrance into the criminal justice system. An arrest is not a direct indication of proven guilt or complicity in criminal activity. The police arrest suspects on a completely different threshold to that of later charge or prosecution, at the initial stage of the arrest a 'reasonable suspicion,' as perceived by the officer, of involvement in terrorist activity is needed to warrant a terrorist arrest. The arrest process must be seen as distinctly separate from latter charging, prosecution and sentencing. An arrest will result in the individual being: released without charge, cautioned, charged or facing other alternative action where necessary, e.g. transfers to UK Border Agency (UKBA).
9. The police's principal role is that of investigator and the meaningful accumulation of evidence upon which a charge may be established. The arrest allows police officers to continue investigations and gather admissible evidence expeditiously to ensure the continuation of a case.
10. Pre-charge detention assists the police in the active investigation and accumulation of evidence pertaining to potential terrorism offences. The Terrorism Act 2006 extended pre-charge detention up to 28 days (though periods of more than two days must be approved by a judicial authority and given a warrant for further detention (WFD)). This 28 day limit is subject to annual Parliamentary renewal and is used only when necessary.
11. Section 41 of the Terrorism Act 2000, gives the police the power to arrest a person without a warrant whom they reasonably suspect to be a terrorist. This is similar to the powers of arrest contained in wider criminal legislation. However those suspected of terrorism related offences are not always arrested under Section 41 of the Terrorism Act 2000. A terrorist link is not always initially evident and following further investigation this can become apparent.
12. Police have to make a decision to arrest based on the circumstances presented to them at a particular time, the need to conduct an effective investigation, and above all, to protect public safety. It is this public safety concern that means all

eventualities have to be considered by the police when dealing with potential terrorist offenders.

Charge

13. Under the power of the Prosecution of Offenders Act 1985 the decision to charge an individual with an offence and what that offence will be is taken by the Crown Prosecution Service (CPS) and, in some circumstances where this involves terrorist related offences this requires the direct approval of the Director of Public Prosecutions and in some cases the Attorney General. This will be done in liaison with the Senior Investigating Officer; the communication between the police and the CPS establishes whether to prosecute. The Crown Prosecutors provide advice to the police throughout the investigation and later prosecution process, including evidential requirements and assistance in pre-charge measures.
14. An individual is charged with a specific offence or offences once there is sufficient evidence to do so. The threshold of evidential sufficiency must be passed to ensure that a case worth pursuing can be built establishing the appropriate charge(s), the evidence required to support these and the likely plea of the defendant. Prosecutors are proactive in identifying evidential strengths and deficiencies seeking to establish whether to continue with a case or not, a decision that is under constant review. Where appropriate those cases that cannot be taken forward are brought to an early conclusion and no charge is given.
15. Not all offences which suspected terrorists may be charged or convicted are contained within Terrorist Legislation. After consultation with the CPS, the individual may be charged under the most appropriate legislation in relation to the alleged crime. Therefore, many individuals, who are suspected of terrorist-related offences, are charged/convicted under other criminal law, for example those found guilty in relation to the attempted bombings in London on 21 July 2005, were charged and convicted of Conspiracy to Murder under the Criminal Law Act 1977.
16. It is not unusual in any criminal proceedings for the CPS to amend charges or add further charges up to and during the actual trial. As the offence could change depending upon the evidence gathered this bulletin reports on the charge as at the point of indictment. This will present a clearer understanding of the charges brought against suspect, and provide a more accurate picture of the offence types for which suspects are being prosecuted.

Prosecution

17. The decision to prosecute is taken by the CPS as the principal public prosecuting authority in England and Wales; the Crown Office and Procurator Fiscal Service (COPFS) is responsible for the prosecution of crime in Scotland. The decision to prosecute must be a fair, independent and objective assessment, ensuring the proper application of the law by acting in the interests of Justice.
18. Following the initial charge and the continued accumulation of evidence, the CPS must decide on the next steps taken, whether to proceed and for which offences the suspect is to be prosecuted. The decision to prosecute can depend upon the possible fulfilment of two tests and will establish the procedure to take forward, for example whether to bail the suspect or keep them in custody. The Full Code Test is completed as soon as is reasonably practicable and considers evidential as well as public interest stages to decide whether there is enough evidence to provide a 'realistic prospect of conviction' against each defendant on each charge. However, there are some instances at the early stages of some cases where the evidence to carry out the Full Code Test is not yet available and it would be inappropriate to

release the suspect on bail due to public safety concerns, particularly evident with terrorist related suspects. At these early stages the Threshold Test is undertaken to decide whether there is a reasonable suspicion that the suspect committed an offence. Here the CPS must consider the evidence as it stands, the likelihood and impact of further evidence being gathered, when this is likely to be acquired and how this evidence will affect the charges brought against the suspect.

19. Where necessary the original charges are amended, added to or dropped altogether by the CPS at any point leading up to the trial, and even after it has begun. Therefore an individual listed under a particular offence at charge may be later listed under a different offence at the time of conviction. The charges presented in this section are taken as that at the time of conviction, which may differ from the initial charge at indictment. This seeks to provide a more accurate picture of the eventual offences for which suspects are proceeded against and reflect the suspects' flow through the criminal justice system more clearly. Suspects are prosecuted according to the evidence accrued which successfully meets the criteria of likelihood of success in the criminal justice system; the CPS will not seek to prosecute where evidence is insufficient.

Conviction

20. Following the CPS decision to prosecute and their allocation of suitable charge offences at conviction the majority of terrorism related cases will be proceeded against at the Crown Court due to the relative severity of the offence(s). The process to get to trials can be extremely lengthy. Due to the high risk, public interest of the case extremely detailed scrutiny of evidence is required by investigators and the CPS, this can take time. Often the date of conviction can come years after the initial arrest was made. By tracking the history of arrestees the bulletin seeks to simplify the issues of yearly carry over in the criminal justice system and present evolving totals of those brought to justice by year of arrest.
21. The charges at conviction should reflect the seriousness of the offence, allow the court adequate powers to sentence and be such to allow the case to be presented in a clear and simple way at court. The convictions detailed in the bulletin primarily refer to the principal offence at conviction only when referring to individuals (8 (a) & (b), and 10 (a), (b) & (c)). Data collected by the Crown Prosecution Service is also included which looks specifically at 2008/9 and the outcomes of trials completed in that year.
22. Convictions are carried out either by plea or via trial by jury, where the suspect is either found guilty or not guilty. Following conviction the suspect can either be proven guilty, acquitted or the jury can be hung, leading to a probable retrial during which time the suspect can be bailed or held on remand.

Sentencing and Detention

23. Sentencing data for all criminal offences is collected by the Ministry of Justice in completion of court proceedings at Magistrates' Courts or at the Crown Court depending upon the legislation under which they were convicted. As such based on the court data alone it is not possible to identify those who have been convicted under non-terrorism legislation where the offence is considered terrorism related. Initiatives set in place between the CPS Counter-Terrorism Division and the ACTCC have seen improvements in the collection of court statistics relating to terrorist trials. Due to the severity of terrorist offences typically the vast majority of offenders are given custodial sentences. Other methods used to deal with offenders include deportation, extradition, and hospital transfers.

24. The length of the sentence depends on the severity of the offence committed and the legislation used to charge the offender, e.g. typically offences under non-terrorism legislation give longer sentences as they include very serious offences such as conspiracy to murder and conspiracy to cause explosions. These more serious offences are more likely to carry an indeterminate sentence, e.g. life imprisonment or IPP (Imprisonment for Public Protection). Indeterminate sentences can mean indefinite detention in prison, life on license or possibly being detained under Mental Health Legislation for public protection.
25. Building upon the previous bulletin a new table focuses in on how long those sentenced to life will serve as a minimum term. This is not an inevitable conclusion and the offender is constantly under review to ensure that the minimum sentence handed down is still appropriate. The seriousness with which the decision to release a terrorist offender is taken cannot be understated, and the threat they would pose on the release to public safety is of paramount concern. As with all processes in the criminal justice system sentencing can change and does not exist in isolation. The right to appeal sentences can see reductions in the time served and potential retrials.

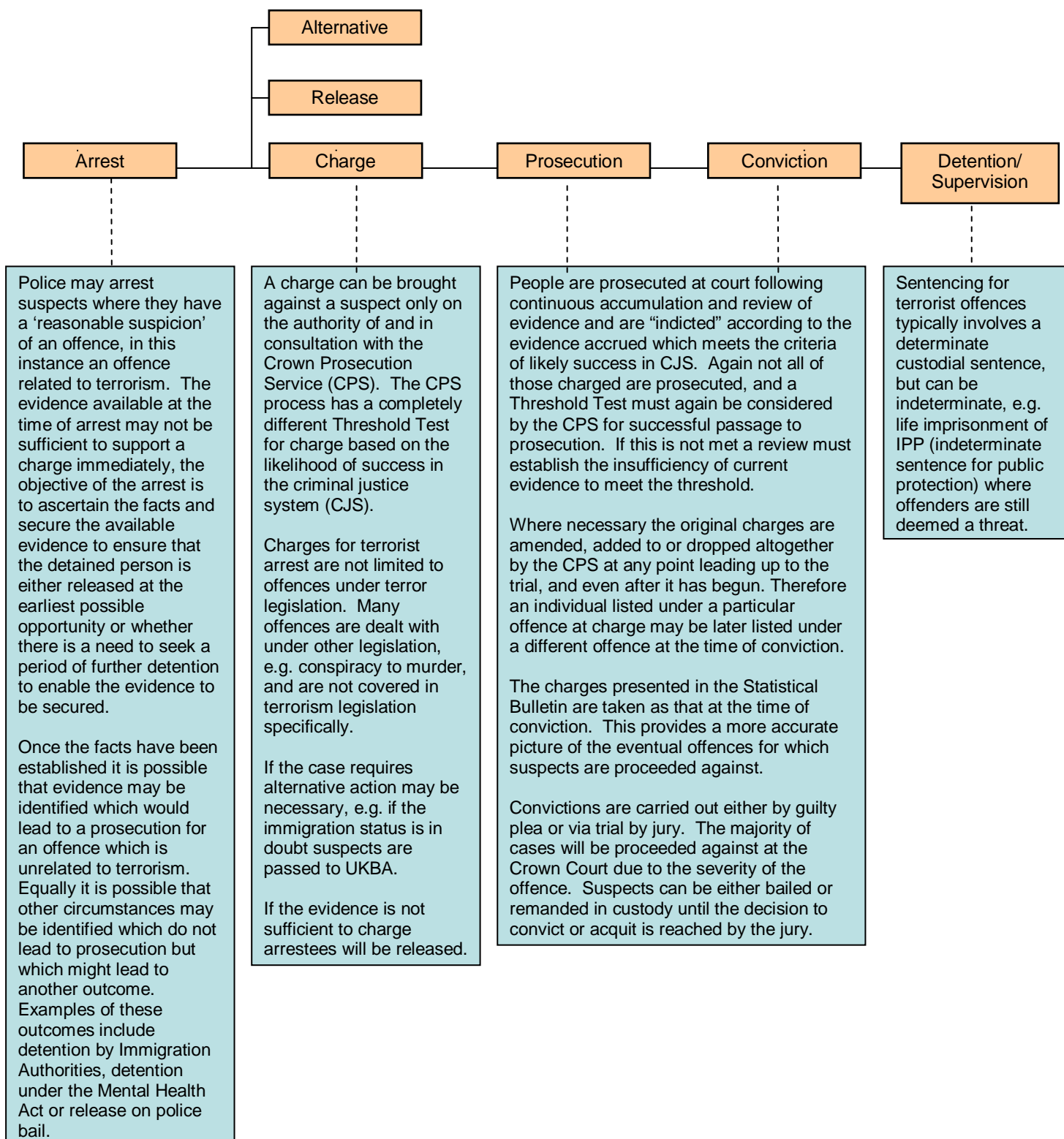
Prisons

26. Groups of terrorists/extremists included in prison statistics but not covered elsewhere in this bulletin are:
 - (a) *Domestic extremists:*

Domestic extremists are defined as individuals who belong to groups or causes that originate in the United Kingdom (although they may have international links) and are often associated with 'single issue' protestors who seek to further their cause through the committing of criminal offences. Some of these cases may not require the involvement of Police Counter Terrorism resources but may involve other specialist Criminal Justice resources. There are a wide spectrum of domestic extremist causes including extreme left- and right-wing groups, animal rights extremists and domestic (sometimes called 'lone wolf') bombers. Of those held in prison custody, the majority belong to extremist animal rights groups, members or associates of far right groups and domestic bombers.
 - (b) *Historical terrorist cases:*

These individuals' court cases predate the introduction of the Terrorism Acts. They were imprisoned pre-2001 following a terrorist investigation, acts of terrorism, or for membership of a proscribed terrorist organisation. They include convicted terrorists from the 1970s to 1990s for a range offences and who remain in prison custody on 31 March 2008. They include members of groups such as the Palestinian Liberation Organisation (PLO), Democratic Revolutionary Movement for the Liberation of Arabistan (DRMLA), and domestic bombers. It should be noted that a number of convicted terrorists, particularly Irish Republican and Loyalist paramilitaries, have been released either through completion of sentence or under the terms of the Belfast Agreement of 1998. These cases are not included in these figures.
27. Data on nationality and religion for the whole England and Wales prison population were published in Offender Management Caseload Statistics 2008 in July 2009. The nationality of prisoners is shown in table 7.14; the religion of prisoners is shown in tables 7.25-7.30: <http://www.justice.gov.uk/publications/docs/offender-management-caseload-statistics-2008.pdf>
28. Currently there are two persons held in detention by the UK Border Agency.

Figure 4 Summary of criminal justice process from arrest to detention



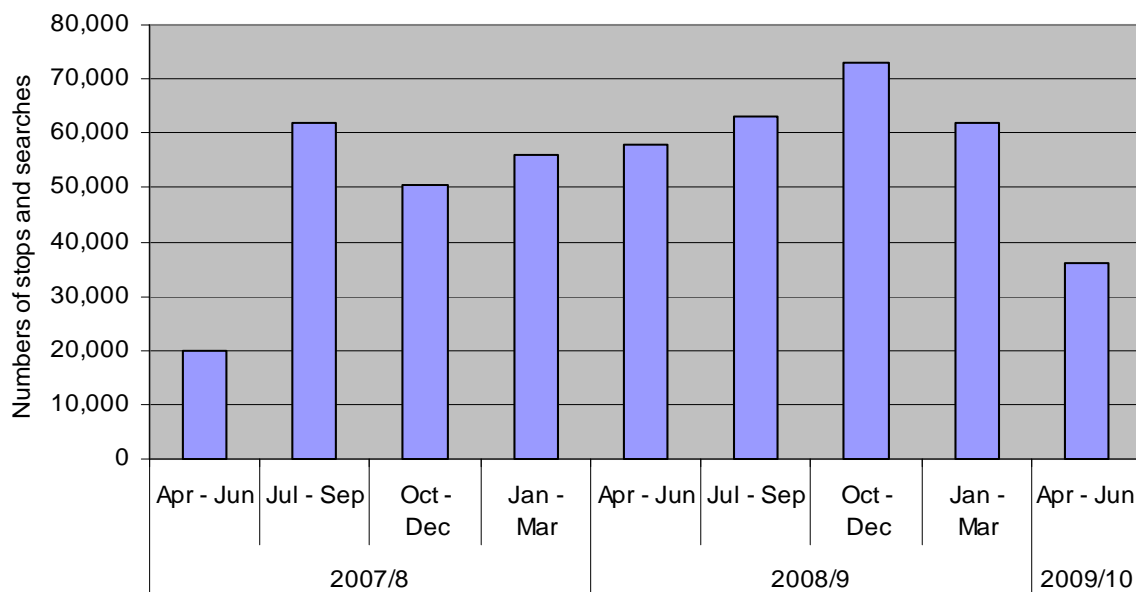
Chapter 2 Statistics on stops and searches under the Terrorism Act 2000

MAIN POINTS

This data should be considered as provisional and fully verified data will be published by the Home Office in the annual statistical report 'Police Powers and Procedures':

- In 2008/9 there were 256,026 stops and searches made under s44 Terrorism Act in Great Britain, 36% higher than in 2007/8 and follows a sharp rise seen since 2005/6.
- Compared with the same quarter of 2008/9 the number of searches carried out in April - June 2009/10 fell by 37%. Comparison with the last quarter of 2008/9 shows a 42% decrease, with the total down from 61,954 to 36,189.
- A further 1,643 stops and searches were carried out by the Metropolitan Police Service in 2008/9 under the powers in s43 of the Terrorism Act. There was a 33% fall in the use of this power over the last two quarters of 2008/9 from 733 to 493.
- The use of s43 powers of stop and search in the Metropolitan Police area increased from 131 during the first quarter 2008/9, to 733 in the third quarter. There has been a steady reduction since then with a total of 357 stops and searches made for the first quarter of 2009/10.

Figure 5 Stops and searches made under s44 (1) and (2) of the Terrorism Act 2000, Great Britain



Stops and searches under s44 Terrorism Act 2000 (Table 2.1 & 2.2)

1. The Terrorism Act 2000 gave police forces the opportunity to apply for the power to stop and search suspects in relation to terrorism offences (see annex). A total of 256,026 persons were stopped by the police in 2008/9 in Great Britain under these powers. The majority of these (72%) were in the Metropolitan Police area or made by the British Transport Police (23%).
2. Of those stopped and searched under s44 the majority defined themselves as White (61%). A further 15% defined themselves as being Asian or Asian British, 10% Black or Black British and 4% self-classified as being Chinese or other.
3. A total of 1,452 arrests resulted from stops and searches which were made under the powers of s44 in 2008/9. This represents 0.6% of s44 stops and searches, and compares with 11% of stops and searches made under section 1 of the Police and Criminal Evidence Act 1984 resulting in an arrest.

Stops and searches under s43 Terrorism Act 2000 (Table 2.3)

4. The Terrorism Act also gives powers for individual officers to stop and search a suspect whom he/she reasonably suspects of being involved in terrorism activity. Information collected from the Metropolitan Police Service shows that in 2008/9 1,643 persons were stopped and searched under these powers.
5. Of those stopped and searched under s43 the majority were White (50%). A further 20% defined themselves as being Asian or Asian British, 14% Black or Black British and 4% as being Chinese or other.
6. In 2008/9, 1.5% of all s43 stops and searches resulted in an arrest.

Stops and searches under Terrorism Act 2000, Quarter 1 2009/10 (Tables A1, A2 & A3)

7. As announced in the Statistical Bulletin 09/10 published on May 2009 it is intended that the bulletin on terrorism arrests should be published quarterly. In line with this intention additional tables covering stops and searches in the first quarter of 2009/10 under the Terrorism Act 2000 have been included in this bulletin.
8. Compared to the same quarter for the previous year the numbers of stops and searches carried out under the powers of s44 dropped by 37% from 57,857 to 36,189. Based on totals from the final quarter of 2008/9 there has been a 42% quarterly decrease in the use of these powers in Great Britain.
9. In the first quarter of 2009/10, 96% of all s44 searches in Great Britain were carried out by the Metropolitan Police and the British Transport Police.
10. Consistent with the annual figures for 2008/9, during the first quarter 60% of those searched under s44 were of White self-defined ethnic origin. A further 16% defined themselves as being Asian or Asian British, and 10% as being Black or Black British.
11. There has been a steady reduction since the third quarter of 2008/9 (733) in the use of s43 powers, with a total of 357 for the first quarter of 2009/10.

Table 2.1 Stops and searches made under s44 (1) and (2) of the Terrorism Act 2000⁽¹⁾

Force/Area	Apr - Jun 2007	Jul - Sep 2007	Oct - Dec 2007	Jan - Mar 2008	Total	Apr - Jun 2008	Jul - Sep 2008	Oct - Dec 2008	Jan - Mar 2009	Total	Annual change (%)
England and Wales	10,912	35,287	32,759	39,665	118,623	42,571	47,150	57,596	50,027	197,344	66
Essex	66	238	773	631	1,708	776	260	602	748	2,386	40
Greater Manchester	0	172	9	0	181	0	824	248	92	1,164	543
Hampshire	470	1,182	475	435	2,562	633	416	441	95	1,585	-38
Lancashire	0	510	0	0	510	0	0	0	0	0	-100
London, City Of	679	1,065	516	413	2,673	468	607	834	676	2,585	-3
Merseyside	0	652	5	1	658	6	42	6	21	75	-89
Metropolitan	7,508	28,865	28,943	36,435	101,751	39,049	43,736	54,631	47,670	185,086	82
South Wales	1,119	596	856	525	3,096	662	539	222	271	1,694	-45
Surrey	645	585	654	675	2,559	613	287	53	49	1,002	-61
Sussex ⁽²⁾	238	487	310	310	1,345	184	320	429	274	1,207	-10
Thames Valley	55	115	25	47	242	25	13	4	22	64	-74
West Midlands	0	332	0	0	332	0	0	0	0	0	-100
Other forces ⁽³⁾	132	488	193	193	1,006	155	106	126	109	496	-51
BTP⁽⁴⁾	8,902	26,789	17,759	16,185	69,635	15,256	15,983	15,378	11,905	58,522	-16
Scotland⁽⁵⁾		32	0	7	39	30	56	52	22	160	..
Great Britain	19,814	62,108	50,518	55,857	188,297	57,857	63,189	73,026	61,954	256,026	36

Source: Home Office, British Transport Police, and Scottish Police Forces.

- (1) Does not include 'Vehicle Only' stops.
- (2) Sussex police currently are unable to separate vehicle searches from passenger searches, as a consequence data here refers only to searches of pedestrians.
- (3) Where initial individual annual force totals were below 100 for 2007/8 they have been grouped into 'Other forces'.
- (4) British Transport Police figures include both England & Wales, and Scotland.
- (5) Scottish s44 authorisation commenced July 2007 following the Glasgow Airport attack. Figures provided refer only to searches and detail a limited number of actual uses. Further data is available for the small numbers of individuals stopped.

Table 2.2 Stops and searches made under s44 (1) and (2) of the Terrorism Act 2000 by self-defined ethnicity ⁽¹⁾, 2008/9

Force / Area		s44 (1) and (2) by self-defined ethnicity ⁽²⁾						Total
		White	Mixed	Black or Black British	Asian or Asian British	Chinese or other	Not Stated	
England & Wales	Apr- Jun 2008	24,926	963	4,754	6,354	1,816	3,758	42,571
	Jul – Sep 2008	27,499	1,113	5,672	7,286	2,100	3,480	47,150
	Oct – Dec 2008	34,782	1,302	6,403	9,107	2,575	3,427	57,596
	Jan – Mar 2009	30,439	1,139	5,239	8,040	2,252	2,918	50,027
	Total	117,646	4,517	22,068	30,787	8,743	13,583	197,344
Metropolitan	Apr- Jun 2008	22,026	908	4,606	6,137	1,777	3,595	39,049
	Jul – Sep 2008	24,783	1,057	5,519	6,987	2,031	3,359	43,736
	Oct – Dec 2008	32,475	1,251	6,263	8,785	2,529	3,328	54,631
	Jan – Mar 2009	28,569	1,106	5,108	7,807	2,211	2,869	47,670
	Total	107,853	4,322	21,496	29,716	8,548	13,151	185,086
Other forces ⁽³⁾	Apr- Jun 2008	2,900	55	148	217	39	163	3,522
	Jul – Sep 2008	2,716	56	153	299	69	121	3,414
	Oct – Dec 2008	2,307	51	140	322	46	99	2,965
	Jan – Mar 2009	1,870	33	131	233	41	49	2,357
	Total	9,793	195	572	1,071	195	432	12,258
BTP⁽⁴⁾	Apr- Jun 2008	9,929	434	757	1,854	554	1,728	15,256
	Jul – Sep 2008	10,649	426	731	1,791	600	1,786	15,983
	Oct – Dec 2008	10,021	343	651	1,996	548	1,819	15,378
	Jan – Mar 2009	7,803	306	507	1,568	490	1,231	11,905
	Total	38,402	1,509	2,646	7,209	2,192	6,564	58,522
Scotland⁽⁵⁾	Apr- Jun 2008	23	0	0	4	0	3	30
	Jul – Sep 2008	50	0	0	2	0	4	56
	Oct – Dec 2008	44	0	0	6	0	2	52
	Jan – Mar 2009	18	0	0	4	0	0	22
	Total	135	0	0	16	0	9	160
Great Britain	Apr- Jun 2008	34,878	1,397	5,511	8,212	2,370	5,489	57,857
	Jul – Sep 2008	38,198	1,539	6,403	9,079	2,700	5,270	63,189
	Oct – Dec 2008	44,847	1,645	7,054	11,109	3,123	5,248	73,026
	Jan – Mar 2009	38,260	1,445	5,746	9,612	2,742	4,149	61,954
	Total	156,183	6,026	24,714	38,012	10,935	20,156	256,026

Source: Home Office, British Transport Police, and Scottish Police Forces.

- (1) Does not include 'Vehicle Only' stops.
- (2) Ethnic appearance here refers to self-defined ethnicity as volunteered by those being stopped.
- (3) Where initial individual annual force totals were below 100 for 2007/8 they have been grouped into 'Other forces'.
- (4) British Transport Police figures include both England & Wales, and Scotland.
- (5) Figures provided refer only searches and detail a limited number of actual uses. Further data is available for the small numbers of individuals stopped.

Table 2.3 Stops and searches made by the Metropolitan Police Service under s43 of the Terrorism Act 2000 by self-defined ethnicity, 2008/9 ⁽¹⁾

Ethnic Group	Searches made under s43 Terrorism Act 2000				Total
	Apr – Jun 2008	Jul – Sep 2008	Oct – Dec 2008	Jan – Mar 2009	
White	60	141	380	241	822
Mixed	3	3	11	7	24
Black or Black British	13	47	109	53	222
Asian or Asian British	25	62	126	110	323
Chinese or other	5	14	23	28	70
Not stated	20	17	69	34	140
Vehicle only search	5	2	15	20	42
Total	131	286	733	493	1,643

Source: Metropolitan Police Service, PIB Criminal Justice & Operations

Table A1 Stops and Searches made under s44 (1) and (2) of the Terrorism Act 2000

Force/Area	Percentage change (%)				
	Apr –Jun 2008	Jan –Mar 2009	Apr –Jun 2009	Apr –Jun 2008 – Apr –Jun 2009	Jan –Mar 2009 – Apr –June 2009
England and Wales	42,571	50,027	28,755	-32	- 43
Essex	776	748	301	-61	- 60
Greater Manchester	0	92	46	..	- 50
Hampshire	633	95	49	-92	- 48
London, City of	468	676	319	-32	- 53
Merseyside	6	21	11	83	- 48
Metropolitan	39,049	47,670	27,190	-30	- 43
South Wales	662	271	190	-71	- 30
Surrey	613	49	32	-95	- 35
Sussex ⁽¹⁾	184	274	454	147	66
Thames Valley	25	22	46	84	109
Other forces ⁽²⁾	155	109	117	-25	7
BTP ⁽³⁾	15,256	11,905	7,410	-51	- 38
Scotland⁽⁴⁾	30	22	24	-20	9
Great Britain	57,857	61,954	36,189	-37	- 42

Source: Home Office, British Transport Police, and Scottish Police Forces.

- (1) Sussex police currently are unable to separate vehicle searches from passenger searches; as a consequence data here refers only to searches of pedestrians.
- (2) Where initial individual annual force totals were below 100 for 2007/8 they have been grouped into 'Other forces'. Discontinuance of s44 use has meant some forces are not included here.
- (3) British Transport Police figures include both England & Wales, and Scotland.
- (4) Figures provided refer only searches and detail a limited number of actual uses. Further data is available for the small numbers of individuals stopped.

Table A2 Stops and searches made under s44 (1) and 44 (2) of the Terrorism Act 2000⁽¹⁾ by self-defined ethnicity, April – June 2009⁽²⁾

Force/Area	s44 (1) and (2) by self-defined ethnicity						Total
	White	Mixed	Black or Black British	Asian or Asian British	Chinese or other	Not Stated	
England & Wales	17,405	635	3,156	4,748	1,170	1,641	28,755
Metropolitan	16,216	606	3,093	4,543	1,150	1,582	27,190
All other forces	1,189	29	63	205	20	59	1,565
BTP⁽³⁾	4,348	203	408	1,048	295	1,108	7,410
Scotland⁽⁴⁾	17	0	1	6	0	0	24
Great Britain	21,770	838	3,565	5,802	1,465	2,749	36,189

Source: Home Office, British Transport Police, and Scottish Police Forces.

- (1) Total will not include 'Vehicle Only' stops.
- (2) Ethnic appearance here refers to self-defined ethnicity as volunteered by those being stopped.
- (3) British Transport Police figures include both England & Wales, and Scotland.
- (4) Figures provided refer only searches and detail a limited number of actual uses. Further data is available for the small numbers of individuals stopped.

Table A3 Stops and searches made by the Metropolitan Police Service under s43 of the Terrorism Act 2000 by self-defined ethnicity, April – June 2009

Ethnic Group	Searches made under s43 Terrorism Act 2000			Percentage change (%)	
	Apr – Jun 2008	Jan – Mar 2009	Apr – Jun 2009	Apr -Jun 2008 – Apr -Jun 2009	Jan -Mar 2009 – Apr -Jun 2010
White	60	241	195	225	-19
Mixed	3	7	5	67	-29
Black or Black British	13	53	46	253	-13
Asian or Asian British	25	110	60	140	-45
Chinese or other	5	28	20	300	-29
Not stated	20	34	29	45	-15
Vehicle only search	5	20	16	220	-20
Total	131	493	357	173	-28

Source: Metropolitan Police Service, PIB Criminal Justice & Operations

NOTES - Stops and searches

Legislation

1. Section 44 (1) and (2) Terrorism Act 2000

- (1) An authorisation under this subsection authorises any constable in uniform to stop a vehicle in an area or at a place specified in the authorisation and to search—
 - (a) the vehicle;
 - (b) the driver of the vehicle;
 - (c) a passenger in the vehicle;
 - (d) anything in or on the vehicle or carried by the driver or a passenger.
- (2) An authorisation under this subsection authorises any constable in uniform to stop a pedestrian in an area or at a place specified in the authorisation and to search—
 - (a) the pedestrian;
 - (b) anything carried by him.
- (3) An authorisation under subsection (1) or (2) may be given only if the person giving it considers it expedient for the prevention of acts of terrorism.
- (4) An authorisation may be given—
 - (a) where the specified area or place is the whole or part of a police area outside Northern Ireland other than one mentioned in paragraph (b) or (c), by a police officer for the area who is of at least the rank of assistant chief constable;
 - (b) where the specified area or place is the whole or part of the metropolitan police district, by a police officer for the district who is of at least the rank of commander of the metropolitan police;
 - (c) where the specified area or place is the whole or part of the City of London, by a police officer for the City who is of at least the rank of commander in the City of London police force;
 - (d) where the specified area or place is the whole or part of Northern Ireland, by a member of the Royal Ulster Constabulary who is of at least the rank of assistant chief constable.
- (5) If an authorisation is given orally, the person giving it shall confirm it in writing as soon as is reasonably practicable.

2. Section 43 Terrorism Act 2000

- (1) A constable may stop and search a person whom he reasonably suspects to be a terrorist to discover whether he has in his possession anything which may constitute evidence that he is a terrorist.
- (2) A constable may search a person arrested under section 41 to discover whether he has in his possession anything which may constitute evidence that he is a terrorist.
- (3) A search of a person under this section must be carried out by someone of the same sex.
- (4) A constable may seize and retain anything which he discovers in the course of a search of a person under subsection (1) or (2) and which he reasonably suspects may constitute evidence that the person is a terrorist.
- (5) A person who has the powers of a constable in one Part of the United Kingdom may exercise a power under this section in any Part of the United Kingdom.

Source of data

3. Information on stops and searches under s44 has been provided by police forces to the Home Office under the Annual Data Requirement. The information presented here has not been fully validated and therefore must be considered as provisional. Final figures will be published by the Home Office as National Statistics.
4. Information from the British Transport Police, Scottish Police forces and on s43 powers in the Metropolitan Police Service have been supplied for this specific report.
5. Persons stopped and searched are asked to self-classify their own ethnicity using the 2001 Census categories.