



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 and searches**

## **Quarterly update to December 2010 Great Britain**

**30 June 2011**

**14/11**



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## Further information

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Copies of this and other Home Office statistical bulletins on the use of police powers relating to terrorism are available from the Home Office Internet site:

<http://www.homeoffice.gov.uk/science-research/research-statistics/counter-terrorism/>

The figures presented in this bulletin cover Great Britain only, data for Northern Ireland are published separately, the most recent published data can be viewed at the below web link:

[http://www.nio.gov.uk/northern\\_ireland\\_terrorism\\_legislation\\_annual\\_statistics\\_2009-2010.pdf](http://www.nio.gov.uk/northern_ireland_terrorism_legislation_annual_statistics_2009-2010.pdf)

Information on stops and searches under the Terrorism Act 2000 in England and Wales is published annually in the Home Office Statistical Bulletin 'Police Powers and Procedures, England and Wales' and the Ministry of Justice report 'Statistics on Race and the Criminal Justice System England and Wales'. Final validated information on all stops and searches will be published in these reports which will also include breakdowns by police force area and ethnicity. Links to the web pages hosting these bulletins are below.

<http://www.homeoffice.gov.uk/science-research/research-statistics/police/>

<http://www.justice.gov.uk/publications/raceandcjs.htm>

The dates of forthcoming publications are pre-announced and can be found via the UK National Statistics Publication Hub: <http://www.statistics.gov.uk/hub/index.html>

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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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## CONVENTIONS USED IN FIGURES AND TABLES

### Table abbreviations

- ‘-’ Nil
- ‘..’ data are not available. Also indicates where a percentage change is not applicable due to the low numbers (less than 50) in the calculation.

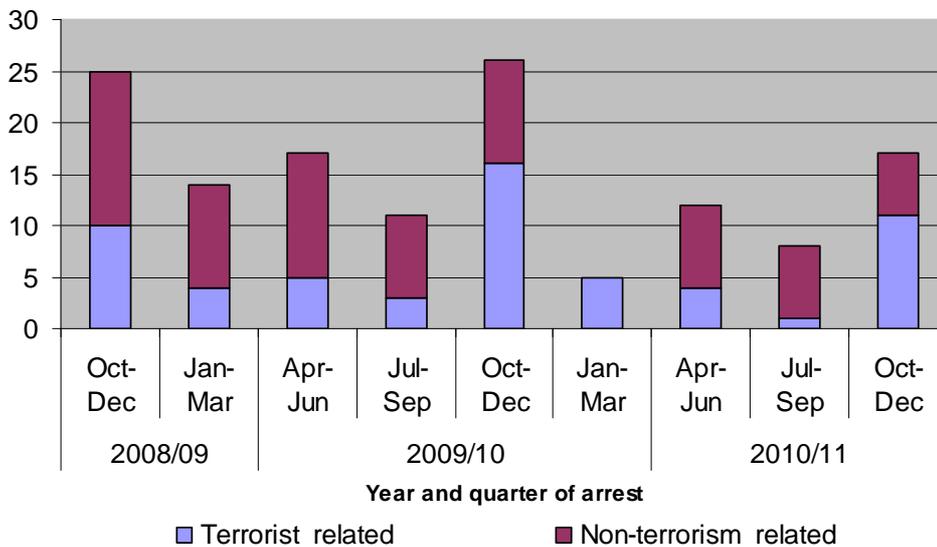


# 1 Terrorism arrests and outcomes

## MAIN POINTS

- There were 125 terrorism arrests<sup>1</sup> in the year ending 31 December 2010 compared with 209 in the previous 12 months, a fall of 40 per cent. In total there have been 1,945 terrorism arrests since 11 September 2001.
- In total, 34 per cent of terrorism arrests in the year ending 31 December 2010 resulted in a charge, compared with a charging rate of 33 per cent in the previous 12 months. A comparison with all arrests of those aged 18 and over indicates that around a third result in a charge, though exact figures are not available<sup>2</sup>.
- Of those charged in the year ending 31 December 2010, 50 per cent were terrorism related as compared with 41 per cent in the previous 12 months and 62 per cent since 11 September 2001. For the latest quarter October-December 2010, 11 of the 17 charges were for terrorism-related offences.
- None of the suspects arrested in the year ending 31 December 2010 was held in pre-charge detention for more than 14 days, with 62 per cent of those arrested were dealt with within 48 hours. This compares with 63 per cent of suspects dealt with within 48 hours since 11 September 2001.

Figure 1 Number of terrorist charges by quarter



<sup>1</sup> 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 substantiated; all outcomes of these arrests are shown in tables 1.2 and 1.4.

<sup>2</sup> See notes on page 19.

## Operation of police powers under the Terrorism Act 2000

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- Of the 21 persons charged for terrorism related offences in the year ending 31 December 2010, two have currently been convicted of terrorism-related offences. Since 11 September 2001, a total of 241 persons are currently convicted of terrorism-related offences out of 418 persons who were charged, a conviction rate of 58 per cent. On 31 December 2010, 20 persons were awaiting prosecution for a terrorism-related offence.
- During the year ending 31 December 2010, 28 defendant trials for terrorism-related offences were completed, of which 18 resulted in a conviction. This compares with 39 defendant trials completed in the previous 12 months with 31 resulting in a conviction.
- For the 18 offenders convicted during the year ending 31 December 2010, 13 persons received determinate prison sentences, four received life sentences; the remaining one received a non-custodial sentence. Twelve of the 18 defendants pleaded guilty during the year ending 31 December 2010, compared with 15 (of 31 offenders convicted) in the previous 12 months.
- There were 123 persons in prison for terrorist/extremist or related offences on 31 December 2010 in Great Britain, of whom 22 were classified as domestic extremists/separatists.
- In the first three quarters of 2010/11, 29 prisoners held under terrorism-related offences were discharged from prison.

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

	2008/09		2009/10		2010/11			Total year		Change <sup>(2)</sup>		Since Sept 11 2001	
	Oct- Dec	Jan- Mar	Apr- Jun	Jul- Sep	Oct- Dec	Jan- Mar	Apr- Jun	Jul- Sep	Oct- Dec	31 Dec 2009	31 Dec 2010		rise / fall Number (%)
<b>Section 41 Terrorism Act</b>	<b>27</b>	<b>38</b>	<b>29</b>	<b>13</b>	<b>26</b>	<b>10</b>	<b>7</b>	<b>10</b>	<b>26</b>	<b>106</b>	<b>53</b>	<b>-53</b> -50%	<b>1,529</b>
<i>Percentage of total (%) <sup>(3)</sup></i>	54	72	42	42	46	45	32	30	54	51	42		79
<b>Other <sup>(4)</sup></b>	<b>23</b>	<b>15</b>	<b>40</b>	<b>18</b>	<b>30</b>	<b>12</b>	<b>15</b>	<b>23</b>	<b>22</b>	<b>103</b>	<b>72</b>	<b>-31</b> -30%	<b>416</b>
<i>Percentage of total (%) <sup>(3)</sup></i>	46	28	58	58	54	55	68	70	46	49	58		21
<b>Total</b>	<b>50</b>	<b>53</b>	<b>69</b>	<b>31</b>	<b>56</b>	<b>22</b>	<b>22</b>	<b>33</b>	<b>48</b>	<b>209</b>	<b>125</b>	<b>-84</b> -40%	<b>1,945</b>

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

(1) 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 substantiated, all outcomes of these arrests are shown in tables 1.2 and 1.4.

(2) Difference between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

(3) Care should be taken in interpreting percentages in this table as numbers on which they are based are relatively low.

(4) Mainly s1 Police and Criminal Evidence Act 1984.

**Table 1.2 Outcome of terrorism arrests**

Number of arrests and outcome	Year of arrest									Total year ending		Change <sup>(1)</sup>		Since Sept 11 2001
	2008/09		2009/10				2010/11			31 Dec 2009	31 Dec 2010	rise / fall Number	(%)	
	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec					
<b>Arrests</b>	<b>50</b>	<b>53</b>	<b>69</b>	<b>31</b>	<b>56</b>	<b>22</b>	<b>22</b>	<b>33</b>	<b>48</b>	<b>209</b>	<b>125</b>	<b>-84</b>	<b>-40%</b>	<b>1,945</b>
<b>Charged:</b>	<b>25</b>	<b>14</b>	<b>17</b>	<b>11</b>	<b>26</b>	<b>5</b>	<b>12</b>	<b>8</b>	<b>17</b>	<b>68</b>	<b>42</b>	<b>-26</b>	<b>-38%</b>	<b>677</b>
Terrorism Acts <sup>(2)</sup>	8	4	3	2	7	3	1	1	9	16	14	-2	..	272
Non-Terrorism Act but terrorism related <sup>(3)</sup>	2	-	2	1	9	2	3	-	2	12	7	-5	..	146
Non-terrorism related <sup>(4)</sup>	15	10	12	8	10	-	8	7	6	40	21	-19	..	259
<b>Failure to comply with duty at a Port &amp; Border Control (Schedule 7)</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>2</b>		<b>22</b>
<b>Released without charge</b>	<b>23</b>	<b>33</b>	<b>32</b>	<b>16</b>	<b>21</b>	<b>12</b>	<b>8</b>	<b>20</b>	<b>23</b>	<b>102</b>	<b>63</b>	<b>-39</b>	<b>-38%</b>	<b>1,057</b>
<b>Alternative action<sup>(5)</sup></b>	<b>2</b>	<b>5</b>	<b>20</b>	<b>4</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>5</b>	<b>37</b>	<b>16</b>	<b>-21</b>	<b>..</b>	<b>189</b>

Source: ACPO Counter Terrorism Coordination Centre (ACTCC)

(1) Difference between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

(2) Includes Terrorism Act 2000, Anti-Terrorism Crime and Security Act 2001, Prevention of Terrorism Act 2005, and Terrorism Act 2006.

(3) Based upon assessment by the ACTCC.

(4) Based upon assessment by the ACTCC.

(5) Includes cautions for non-terrorism offences, transfers to immigration authorities, transfers to Police Service for Northern Ireland (PSNI), summonses, those bailed awaiting charge and those dealt with under mental health legislation.

.. Percentage not calculated as based on figures less than 50

**Table 1.3 Time in days from arrest under s41 of the Terrorism Act 2000<sup>(1, 2)</sup> to charge, release or other action taken<sup>(3)</sup>**

Time in custody before outcome	Jan - Mar 2010				Apr - Jun 2010				Jul - Sep 2010				Oct - Dec 2010				Year ending 31 December 2010				Since 11 September 2001			
	Charged	Released	Other	Total	Charged	Released	Other	Total	Charged	Released	Other	Total	Charged	Released	Other	Total	Charged	Released	Other	Total	Charged	Released	Other	Total
Under 1 day	-	4	1	5	-	2	2	4	-	2	1	3	-	9	1	10	-	17	5	22	135	495	56	686
1 to less than 2 days	-	-	-	-	2	1	-	3	-	7	-	7	-	1	-	1	2	9	-	11	67	192	24	283
2 to less than 3 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	18	20	2	40
3 to less than 4 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	42	36	15	93
4 to less than 5 days	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	1	-	1	30	32	8	70
5 to less than 6 days	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	1	-	1	34	22	6	62
6 to less than 7 days	1	3	-	4	-	-	-	-	-	-	-	-	9	4	-	13	10	7	-	17	84	45	5	134
7 to less than 8 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7	5	5	17
8 to less than 9 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10	5	1	16
9 to less than 10 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	16	7	2	25
10 to less than 11 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	4	-	8
11 to less than 12 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20	6	-	26
12 to less than 13 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10	2	3	15
13 to less than 14 days	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	28	8	7	43
14 to less than 15 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
15 to less than 16 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 to less than 17 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17 to less than 18 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18 to less than 19 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
19 to less than 20 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	3
20 to less than 21 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21 to less than 22 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22 to less than 23 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
23 to less than 24 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
24 to less than 25 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25 to less than 26 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
26 to less than 27 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
27 to less than 28 days	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	3	-	6
<b>Total</b>	<b>2</b>	<b>7</b>	<b>1</b>	<b>10</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>7</b>	<b>-</b>	<b>9</b>	<b>1</b>	<b>10</b>	<b>9</b>	<b>16</b>	<b>1</b>	<b>26</b>	<b>13</b>	<b>35</b>	<b>5</b>	<b>53</b>	<b>513</b>	<b>882</b>	<b>134</b>	<b>1,529</b>

Source: ACPO 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 terrorism related the 28-day maximum pre-charge detention period does not apply in such cases.

(2) Includes Schedule 7 offences.

(3) Includes alternative action as listed in Table 1.2.

**Table 1.4 Outcome for those charged <sup>(1)</sup> and prosecuted <sup>(2)</sup> under all legislation but where considered terrorism related <sup>(3)</sup>**

	Year and quarter of arrest <sup>(4)</sup>									Total			Since Sept 11 2001
	2008/09		2009/10			2010/11			Year ending		Change <sup>(6)</sup>		
	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	31 Dec 2009 <sup>(5)</sup>		31 Dec 2010 <sup>(5)</sup>	
<b>Charged</b>	10	4	5	3	16	5	4	1	11	28	21	-7	418
<b>Prosecuted</b>	8	3	4	3	12	1	1	-	1	22	3	-19	335
<b>Convicted<sup>(7)</sup></b>	8	3	4	1	8	1	1	-	-	16	2	-14	241
(of which) TACT	6	2	2	1	3	1	-	-	-	8	1	-7	123
Non-TACT	2	1	2	-	5	-	1	-	-	8	1	-7	118
Found not guilty	-	-	-	2	-	-	-	-	-	2	-	-2	86
Other	-	-	-	-	4	-	-	-	1	4	1	-3	8
Not proceeded	2	1	1	-	-	-	2	-	-	2	2	-	63
Awaiting prosecution	-	-	-	-	4	4	1	1	10	4	16	12	20

Source: ACPO Counter Terrorism Coordination Centre

(1) Charged here relates to the substantive charge at indictment recorded by the Crown Prosecution Service.

(2) Prosecution leads here to a single principal conviction, e.g. the most serious offence.

(3) Based upon assessment by the ACTCC.

(4) Figures in this table are based on year of arrest, therefore a defendant arrested in 2008 and convicted in 2010 will be included in the 2008 figure. As a result, data on trials and convictions in table 1.4 are not directly comparable with those shown in table 1.5 (based on date of trial outcome).

(5) Based on year of arrest, therefore only includes those arrested during that particular year. For data on all case outcomes each quarter please see table 1.5.

(6) Difference in numbers between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

(7) Excludes cases when a conviction was later quashed on appeal. See table 1.13 of the most recent annual terrorism bulletin (HOSB 18/10) available on the Home office Science website (<http://www.homeoffice.gov.uk/science-research/research-statistics/counter-terrorism>)

**Table 1.5 Defendant trials <sup>(1)</sup> dealt with by the Crown Prosecution Service for offences under all legislation but where considered terrorism related**

Number of trials and outcome	Date of trial outcome <sup>(2)</sup>									Total year ending		
	2008/09		2009/10			2010/11			31 Dec		Change <sup>(3)</sup>	
	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	2009		2010
Trials	12	7	11	15	6	14	5	6	3	39	28	-10
Acquittals	4	-	5	3	-	4	-	-	1	8	6	-2
Convictions	8	7	6	12	6	6	5	6	1	31	18	-13
Other outcomes <sup>(4)</sup>	-	-	-	-	-	4	-	-	1	-	5	5
<i>Percentage convicted (%)</i>										79	64	

Source: Crown Prosecution Service Counter-Terrorism Division (CPS CTD)

(1) Trials relating to principal conviction.

(2) Figures in this table are based on date of trial outcome, therefore a defendant arrested in 2008 and convicted in 2010 will be included in the 2010 figure. As a result, data on trials and convictions in table 1.5 are not directly comparable with those shown in table 1.4 (based on date of arrest).

(3) Difference in numbers between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

(4) Hung jury or no evidence offered.

**Table 1.6 Sentencing for trials where offender convicted <sup>(1)</sup> under all legislation but where considered terrorism related**

Type of sentence	2008/09		2009/10				2010/11			Total year		
	Oct- Dec	Jan- Mar	Apr- Jun	Jul- Sep	Oct- Dec	Jan- Mar	Apr- Jun	Jul- Sep	Oct- Dec	31 Dec 2009	31 Dec 2010	Change <sup>(2)</sup>
<b>Determinate sentences:</b>												
Less than 1 Year	1	-	-	-	-	-	-	-	-	-	-	-
1 year and under 4 years	1	5	4	2	3	5	3	2	-	14	10	-4
4 years and under 10 years	2	-	2	3	2	1	1	-	-	7	2	-5
10 years and under 20 years	2	-	-	1	-	-	1	-	-	1	1	-
20 years and under 30 years	-	-	-	-	-	-	-	-	-	-	-	-
<b>Indeterminate sentences:</b>												
Life	2	1	-	4	1	-	-	4	-	6	4	-2
IPP <sup>(3)</sup>	-	-	-	1	-	-	-	-	-	1	-	-1
Non-custodial sentence	-	1	-	1	-	-	-	-	1	2	1	-1
<b>Total</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>12</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>1</b>	<b>31</b>	<b>18</b>	<b>-13</b>
<i>(of which)</i>												
<i>Guilty pleas</i>	2	7	3	5	-	4	4	3	1	15	12	-3
<i>Not guilty pleas</i>	6	-	3	7	6	2	1	3	-	16	6	-10

Source: Crown Prosecution Service Counter-Terrorism Division (CPS CTD)

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

(2) Difference in numbers between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

(3) Indeterminate sentence for public protection.

**Table 1.7 Overall terrorist/extremist prisoners <sup>(1)</sup>**

	30 Sep 2009 <sup>(2)</sup>	31 Dec 2009 <sup>(2)</sup>	31 March 2010	30 June 2010	30 Sep 2010	31 Dec 2010
Terrorism legislation or terrorism related <sup>(3)</sup>	111	105	97	89	86	96
Domestic extremist/separatist <sup>(4)</sup>	18	22	24	21	22	22
Historic cases <sup>(5)</sup>	5	5	5	6	3	5
<b>Grand total</b>	<b>134</b>	<b>132</b>	<b>126</b>	<b>116</b>	<b>111</b>	<b>123</b>

Source: National Offender Management Service and Scottish Prison Service

(1) Includes persons held on remand.

(2) Includes one prisoner in a Scottish prison.

(3) See Notes.

(4) See Notes.

(5) See Notes.

**Table 1.8 Terrorist legislation or terrorism-related prisoners, including historical terrorist cases <sup>(1)</sup> discharged from prison following detention**

Length of sentence	2010/11		
	Apr-Jun	Jul-Sep	Oct-Dec
Less than or equal to 6 months	-	-	-
Greater than 6 months to less than 12 months	-	-	-
12 months to less than 4 years	9	3	5
4 years or more (excluding indeterminate sentences)	4	4	4
Indeterminate sentence for public protection (IPP)	-	-	-
Life	-	-	-
<b>Total</b>	<b>13</b>	<b>7</b>	<b>9</b>

Source: National Offender Management Service and Scottish Prison Service

(1) These include cases which predate the introduction of the Terrorist Acts (2000 and 2006). They were imprisoned pre-2001 following a terrorist investigation, acts of terrorism, or for membership of a proscribed organisation. They include convicted terrorists from the 1970s to 1990s for a range of offences. They include members of groups such as the Palestine Liberation Organization (PLO), Democratic Revolutionary Movement for the Liberation of Arabistan (DRMLA) and domestic bombers.

### NOTES - Terrorism arrests

1. The ACPO Counter Terrorism Coordination Centre (ACTCC) collects information covering all terrorism arrests in Great Britain (i.e. excluding Northern Ireland) and their subsequent outcomes. This information relates to data collected from 11 September 2001; although the total number of arrests between February and 11 September 2001 is known no further breakdown is possible. The ACTCC reviews all cases to identify those that are currently identified as being terrorism-related. This decision is based upon the information available centrally on these cases.
2. The prosecution rate shown on page 11 is based on a comparison between arrests of persons aged 18 and over for notifiable offences in England and Wales in 2009/10 and the number of persons over 18 proceeded against at magistrates courts for indictable offences in 2009. The figures used can be found at the below links.

Arrests - persons aged over 18 for notifiable offences in England and Wales: Police Powers and Procedures, England and Wales 2009/10 – Table 1b.

Link: <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/hosb0711/hosb0711?view=Binary>

Prosecutions for persons aged over 18 for indictable offences in England and Wales. Criminal Statistics – England and Wales 2009 – Table 5.5.

Link: <http://www.justice.gov.uk/downloads/publications/statistics-and-data/mojstats/chapter5-court-proceedings.xls>

3. Figures in table 1.4 are based on year of arrest; therefore a defendant arrested in 2008 and convicted in 2010 will be included in the 2008 figure. As a result, data on trials and convictions in table 1.4 are not directly comparable with those shown in table 1.5 (based on date of trial outcome).
4. Comparison with the data held by the Crown Prosecution Service Counter-Terrorism Division (CPS CTD) enables quality assurance of the court/sentencing data held on the terrorism database. In addition, information held by the CPS CTD covers the outcome of all defendant trials, including sentences.
5. The National Offender Management Service maintains a list of known terrorists/extremists held in prisons in England and Wales (e.g. those on remand or convicted). This list also includes those who entered prison before 11 September 2001, and are therefore excluded from the police data. Information for Scotland has been provided separately by the Scottish Prison Service.
6. Detailed notes on the definitions and methodology used in the bulletin were included in the Home Office Statistical Bulletin 18/10:  
<http://rds.homeoffice.gov.uk/rds/pdfs10/hosb1810.pdf>

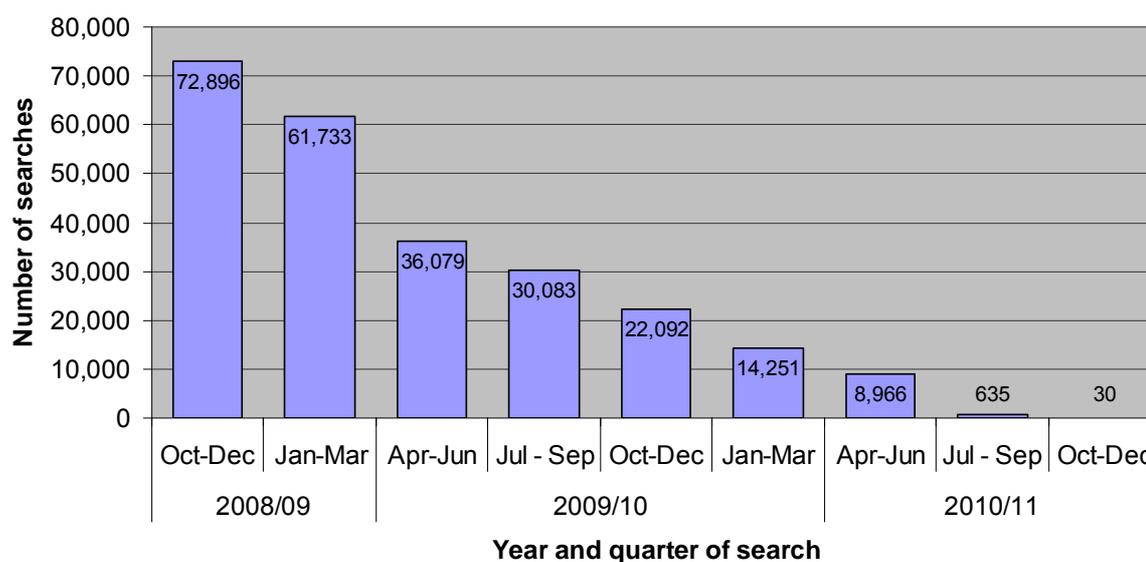


## 2 Stops and searches under the Terrorism Act 2000

### MAIN POINTS

- A total of 23,882 stops and searches were made in Great Britain under Section 44 of the Terrorism Act 2000 in the year ending 31 December 2010, an 84 per cent fall on the previous 12 months. The number of stops and searches conducted in the third quarter of 2010/11 was 30 compared with 22,092 during the same quarter in 2009/10. This fall coincides with initiatives by police forces to reduce the use of Section 44 searches from 2009 onwards. The power ceased to be used following the Home Secretary's statement on 8 July 2010\*. Further details can be found in Box 2a. The box also explains how new powers have been introduced which we plan to report on in future bulletins.
- The Metropolitan Police Service and the British Transport Police accounted for 92 per cent of all Section 44 uses in Great Britain in the year ending 31 December 2010. The proportion of those stopped and searched under these powers during the same period who classified themselves as Asian or Asian British averaged 19 per cent over the year (up 3 percentage points from the previous 12 months) and those self defined as Black or Black British was an average of ten per cent (the same proportion as the previous 12 months).
- A total of 995 persons were stopped and searched by the Metropolitan Police Service in the year ending 31 December 2010 under Section 43 of the Terrorism Act 2000, down from 1,458 in the previous 12 months, a fall of just under a third (32%). The proportion of persons stopped and searched who classified themselves as Asian increased from 22 per cent in the year ending 30 September 2009, to 30 per cent in the year ending 31 December 2010. The proportion of persons searched describing themselves as Black or Black British rose from ten per cent to 11 per cent over the same period.
- The year ending 31 December 2010 saw 163 arrests resulting from Section 44 stops and searches in Great Britain, an arrest rate of 0.7 per cent. One of these arrests was identified as terrorism related. A further 29 arrests were made by the Metropolitan Police following stops and searches under Section 43 of the Terrorism Act 2000.

**Figure 2 Stops and searches made under Section 44 (1) and (2) of the Terrorism Act 2000**



**Box 2a      Terrorism Act 2000 (Remedial) Order 2011 and new section 47A Schedule 6B of the Terrorism Act**

*The Home Secretary announced on 26 January 2011 the findings from the review of counter-terrorism and security powers. One of the recommendations of the review was that stop and search powers under sections 44 to 47 of the Terrorism Act 2000 should be repealed and replaced with a much more limited power.*

*This recommendation was based on the Government's commitments to introduce safeguards against the misuse of terrorism legislation, and in order to bring the powers into line with the European Convention of Human Rights, following the European Court of Human Rights ruling in the case of Gillan and Quinton v United Kingdom.*

*The recommendation is being implemented by provisions in the Protection of Freedoms Bill which was introduced to Parliament on 11 February 2011. The review also recommended that consideration be given to whether the new counter-terrorism stop and search powers should be available more quickly than the Protection of Freedoms Bill would allow. On 1 March 2011 the Home Secretary announced that she had concluded that the police do need the powers more quickly than the Bill would allow.*

*The Home Secretary has therefore made a "remedial order" under section 10 of the Human Rights Act 1998 to make immediate changes to the legislation. The new powers contained in that order are supported by a robust statutory Code of Practice.*

*The remedial order replaces sections 44 to 47 of the Terrorism Act 2000 with a more targeted and proportionate power. The provisions in the order will cease to have effect on the coming into force of the similar provisions in the Protection of Freedoms Bill – in other words, the order makes temporary provision while the Protection of Freedoms Bill is being taken through Parliament. The order came into force on 18 March 2011.*

*Section 47A and Schedule 6B of the Terrorism Act 2000 introduce replacement stop and search provisions. An authorisation for the use of the new stop and search powers can only be given under section 47A where the person giving it reasonably suspects an act of terrorism will take place and considers the powers are necessary to prevent such an act. An authorisation can last for no longer and cover no greater an area than is necessary to prevent such an act. This represents a significantly higher threshold for giving an authorisation than the "expediency" test under section 44 of the 2000 Act.*

**Table 2.1 Stops and searches made under Section 44(1) and (2) of the Terrorism Act 2000, by police force area <sup>(1) (2)</sup>**

Police force area	Year of stop and search									Total year ending		Change <sup>(4)</sup>
	2008/09		2009/10				2010/11			31 Dec	31 Dec	
	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sep	Oct - Dec	2009	2010	
Cumbria	62	59	58	7	-	-	-	-	-	124	-	-124
Essex	496	536	301	33	-	55	23	6	-	870	84	-786
Greater Manchester												
	249	92	49	32	25	45	24	2	-	198	71	-127
Hampshire <sup>(3)</sup>	441	95	49	-	4	-	-	-	-	148	-	-148
London, City Of	834	676	319	426	313	328	569	61	17	1,734	975	-759
Metropolitan Police	54,631	47,670	27,246	22,831	18,367	13,030	7,297	536	13	116,114	20,876	-95,238
North Yorkshire	34	38	36	45	40	33	29	-	-	159	62	-97
South Wales	222	271	187	-	-	23	90	-	-	458	113	-345
Surrey	53	49	-	-	-	-	-	-	-	49	-	-49
Sussex <sup>(5)</sup>	429	274	423	309	303	225	206	26	-	1,309	457	-852
Cheshire	5	3	9	3	8	1	-	-	-	23	1	-22
Merseyside	6	21	4	-	-	-	-	-	-	25	-	-25
Thames Valley	4	22	48	60	23	13	9	-	-	153	22	-131
Other forces	-	-	-	-	-	-	-	-	-	-	-	-
<b>England &amp; Wales</b>	<b>57,466</b>	<b>49,806</b>	<b>28,729</b>	<b>23,746</b>	<b>19,083</b>	<b>13,753</b>	<b>8,247</b>	<b>631</b>	<b>30</b>	<b>121,364</b>	<b>22,661</b>	<b>-98,703</b>
<b>BTP <sup>(6)</sup></b>	<b>15,378</b>	<b>11,905</b>	<b>7,326</b>	<b>6,311</b>	<b>3,002</b>	<b>496</b>	<b>702</b>	<b>4</b>	<b>-</b>	<b>28,544</b>	<b>1,202</b>	<b>-27,342</b>
<b>Scotland</b>	<b>52</b>	<b>22</b>	<b>24</b>	<b>26</b>	<b>7</b>	<b>2</b>	<b>17</b>	<b>-</b>	<b>-</b>	<b>79</b>	<b>19</b>	<b>-60</b>
<b>Great Britain</b>	<b>72,896</b>	<b>61,733</b>	<b>36,079</b>	<b>30,083</b>	<b>22,092</b>	<b>14,251</b>	<b>8,966</b>	<b>635</b>	<b>30</b>	<b>149,987</b>	<b>23,882</b>	<b>-126,105</b>
										<b>Percentage change (Great Britain)</b>		<b>-84</b>

Source: Home Office, British Transport Police, and Scottish police forces

(1) Does not include 'Vehicle only' searches.

(2) The police forces separately identified in the table are the only police forces in England and Wales who conducted Section 44 searches between 01 October 2008 and 31 December 2010.

(3) The 4 searches conducted in Oct-Dec 2009/10 were carried out under the authorisation of the British Transport Police.

(4) Difference in numbers between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

(5) Sussex police currently are unable to separate vehicle only searches from vehicle and occupant searches; as a consequence data here refer only to searches of pedestrians.

(6) British Transport Police figures include both England and Wales, and Scotland.

**Table 2.2 Stops and searches under Section 44 (1) and (2) of the Terrorism Act 2000 by self-defined ethnicity <sup>(1)</sup>**

Area and quarter	Section 44 (1) and (2) by self-defined ethnicity						Total
	White	Mixed	Black or British	Asian or British	Chinese or other	Not stated	
<b>England and Wales</b>							
Oct - Dec 2008	34,675	1,300	6,397	9,100	2,572	3,422	<b>57,466</b>
Jan - Mar 2009	30,260	1,134	5,227	8,029	2,244	2,912	<b>49,806</b>
Apr - Jun 2009	17,374	628	3,169	4,741	1,171	1,646	<b>28,729</b>
Jul - Sep 2009	14,611	524	2,688	3,621	1,165	1,137	<b>23,746</b>
Oct - Dec 2009	11,228	381	1,968	3,763	821	922	<b>19,083</b>
Jan - Mar 2010	7,952	341	1,436	2,728	552	744	<b>13,753</b>
Apr - Jun 2010	4,801	200	883	1,550	374	439	<b>8,247</b>
Jul - Sep 2010	367	11	56	121	29	47	<b>631</b>
Oct - Dec 2010	20	3	4	2	1	-	<b>30</b>
<b>British Transport Police<sup>(2)</sup></b>							
Oct - Dec 2008	10,021	343	651	1,996	548	1,819	<b>15,378</b>
Jan - Mar 2009	7,803	306	507	1,568	490	1,231	<b>11,905</b>
Apr - Jun 2009	4,307	199	405	1,035	294	1,086	<b>7,326</b>
Jul - Sep 2009	3,354	156	366	868	284	1,283	<b>6,311</b>
Oct - Dec 2009	1,541	69	117	441	131	703	<b>3,002</b>
Jan - Mar 2010	250	9	17	103	19	98	<b>496</b>
Apr - Jun 2010	301	10	20	102	29	240	<b>702</b>
Jul - Sep 2010	3	-	-	-	-	1	<b>4</b>
Oct - Dec 2010	-	-	-	-	-	-	<b>-</b>
<b>Scotland</b>							
Oct - Dec 2008	44	-	-	6	-	2	<b>52</b>
Jan - Mar 2009	18	-	-	4	-	-	<b>22</b>
Apr - Jun 2009	17	-	1	6	-	-	<b>24</b>
Jul - Sep 2009	24	-	-	-	2	-	<b>26</b>
Oct - Dec 2009	7	-	-	-	-	-	<b>7</b>
Jan - Mar 2010	2	-	-	-	-	-	<b>2</b>
Apr - Jun 2010	17	-	-	-	-	-	<b>17</b>
Jul - Sep 2010	-	-	-	-	-	-	<b>-</b>
Oct - Dec 2010	-	-	-	-	-	-	<b>-</b>
<b>Great Britain</b>							
Oct - Dec 2008	44,740	1,643	7,048	11,102	3,120	5,243	<b>72,896</b>
Jan - Mar 2009	38,081	1,440	5,734	9,601	2,734	4,143	<b>61,733</b>
Apr - Jun 2009	21,698	827	3,575	5,782	1,465	2,732	<b>36,079</b>
Jul - Sep 2009	17,989	680	3,054	4,489	1,451	2,420	<b>30,083</b>
Oct - Dec 2009	12,776	450	2,085	4,204	952	1,625	<b>22,092</b>
Jan - Mar 2010	8,204	350	1,453	2,831	571	842	<b>14,251</b>
Apr - Jun 2010	5,119	210	903	1,652	403	679	<b>8,966</b>
Jul - Sep 2010	370	11	56	121	29	48	<b>635</b>
Oct - Dec 2010	20	3	4	2	1	-	<b>30</b>
<b>Year ending totals for Great Britain</b>							
<b>Year ending 31 Dec 2009</b>	<b>90,544</b>	<b>3,397</b>	<b>14,448</b>	<b>24,076</b>	<b>6,602</b>	<b>10,920</b>	<b>149,987</b>
<b>Year ending 31 Dec 2010</b>	<b>13,713</b>	<b>574</b>	<b>2,416</b>	<b>4,606</b>	<b>1,004</b>	<b>1,569</b>	<b>23,882</b>

Source: Home Office, British Transport Police and Scottish police forces.

(1) Does not include 'Vehicle Only' searches.

(2) British Transport Police figures include both England and Wales and Scotland.

**Table 2.3 Stops and searches made by the Metropolitan Police under Section 43 of the Terrorism Act 2000 by self-defined ethnicity <sup>(1)</sup>**

Self-defined ethnicity	2008/09		2009/10				2010/11			Total year ending		Change <sup>(1)</sup>
	Oct- Dec	Jan- Mar	Apr- Jun	Jul - Sep	Oct- Dec	Jan- Mar	Apr- Jun	Jul - Sep	Oct- Dec	31 Dec 2009	31 Dec 2010	
White	391	243	196	210	140	108	66	102	149	789	425	-364
Mixed	11	8	11	9	7	6	3	4	8	35	21	-14
Black or Black British	109	53	45	33	16	29	20	22	38	147	109	-38
Asian or Asian British	126	113	64	80	69	83	52	68	97	326	300	-26
Chinese or other	23	28	4	14	15	10	10	15	36	61	71	10
Not stated	73	35	22	28	15	15	8	21	25	100	69	-31
<b>Total</b>	<b>733</b>	<b>480</b>	<b>342</b>	<b>374</b>	<b>262</b>	<b>251</b>	<b>159</b>	<b>232</b>	<b>353</b>	<b>1,458</b>	<b>995</b>	<b>-463</b>

Source: Metropolitan Police Service, PIB Criminal Justice & Operations

(1) Difference in numbers between the totals for the 12 months ending 31 December 2009 and 31 December 2010.

## NOTES - Stops and searches

1. Information on stops and searches under Section 44 has been provided by police forces (including British Transport Police). Information for Scottish Police forces and on Section 43 powers in the Metropolitan Police Service has been supplied for this specific report.
2. Persons stopped and searched are asked to self-classify their own ethnicity using 2001 Census categories.
3. In March 2010 ACTCC introduced a new system of verifying the accuracy of data indicating the number of arrests under Section 44/43 which were terrorism related.
4. Detailed notes on the definitions and methodology used in the bulletin were included in the Home Office Statistical Bulletin 18/10:  
<http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/counter-terrorism-statistics/hosb1810/hosb1810>