



Home Office

Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes, and stop and search, Great Britain, quarterly update to December 2015

Statistical Bulletin 02/16

March 2016

Further information

For further information about this bulletin, please write to:

Office for Security and Counter-Terrorism
Home Office
2 Marsham Street
London
SW1P 4DF

Press Office
Home Office
2 Marsham Street
London
SW1P 4DF

Home Office Responsible Statistician:

David Blunt, Chief Statistician and Head of Profession for Statistics

Contact via crimeandpolicestats@homeoffice.gsi.gov.uk if you have any statistical comments or need any assistance accessing the data.

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1 Key findings

1.1 Arrests and outcomes

There were 280 terrorism-related arrests in the year ending December 2015, a decrease of 3% (9 arrests) compared with the previous year.

The overall fall in terrorism-related arrests was driven by a fall in the number of arrests for domestic terrorism, which decreased to 15 in the year ending December 2015 compared with 28 in the previous year. The number of persons arrested for international-related terrorism increased by 3% (7 arrests) over the same period.

Forty-five females were arrested for terrorism-related offences, an increase of 15 compared with the previous year, continuing an upward trend seen in recent years.

The number of under 18 year olds arrested for terrorism-related offences increased from 10 in the year ending December 2014, to 16 in the year ending December 2015. This was the highest number of arrests for this age group in a calendar year since the data collection began.

Thirty-four per cent (96) of those arrested in the year ending December 2015 have so far been charged, with a further 23% (64) released on bail. Thirty-nine per cent (109 arrestees) were released without charge and 4% (11) faced alternative action.

1.2 Court proceedings

In the year ending December 2015, there were 56 persons proceeded against for terrorism offences in England and Wales (up from 38 in the previous year). Of these, 49 were convicted of an offence.

1.3 Terrorist and extremist prisoners

As at 31 December 2015, there were 168 persons in custody in Great Britain for terrorism-related offences and domestic extremism/separatism. This was a decrease compared with the 186 persons in custody at the same time the previous year. The fall was driven by a reduction in the number of domestic extremist/separatist prisoners.

Although there has been a fall in the overall number of terrorist and extremist/separatist prisoners, the number of those in custody for offences specifically under terrorism legislation, or for terrorism-related offences has actually increased from 127 as at 31 December 2014 to 143 as at 31 December 2015.

1.4 Stop and search

In the year ending December 2015:

- the MPS carried out 520 stops and searches under section 43 of the Terrorism Act (TACT) 2000, an increase of nearly a third on the previous year. Over the same period, the number of resultant arrests more than doubled bringing the arrest rate up to 11% (compared with 6% the previous year).
- The number of examinations under Schedule 7 to TACT 2000 in Great Britain fell by 21% to 27,530 examinations.

2 Introduction

2.1 Overview

This release covers the use of police powers under terrorism and terrorism-related legislation in Great Britain in the most recent 9 quarters to December 2015. The release is broken down into 4 sections.

The **'arrests and outcomes'** section uses data provided by the National Counter Terrorism Policing Functions Command (NCTPFC) and includes statistics for **Great Britain** on:

- arrests for terrorism-related activity, and outcomes (such as charges and convictions) following arrests
- the legislation used to bring charges and convictions
- gender, age, ethnicity, and nationality of those arrested, charged and convicted
- the type of terrorism involvement of those arrested, charged and convicted (such as whether the individual had links to international, domestic, or Northern-Ireland-related terrorism)

A flow chart summarising this section can be found in [Annex A](#).

The **'court proceedings'** section uses data from the Crown Prosecution Service (CPS) and includes statistics for **England and Wales** on:

- the number of persons proceeded against by the CPS for terrorism-related activity
- the legislation under which persons have been prosecuted and convicted
- the sentence length given to those convicted for terrorism-related offences

The **'terrorist and extremist/separatist prisoners'** section uses data from the National Offender Management Service (NOMS) and the Scottish Prison Service (SPS) and includes statistics for **Great Britain** on:

- the number of persons in custody for domestic extremism and terrorism-related offences
- the ethnicity, nationality and religion of those in custody
- the number of persons released from custody

The **'stop and search'** section uses data provided by the Metropolitan Police Service (MPS) and the National Counter Terrorism Policing Headquarters (NCTPHQ) and includes statistics on:

- the number of stops and searches carried out by the **MPS** under section 43 of the Terrorism Act (TACT) 2000
- the number of examinations and subsequent detentions made in **Great Britain** under Schedule 7 to TACT 2000
- data on goods examinations, strip searches and postponement of questioning refusals under Schedule 7 to TACT 2000

Further details on this release, including a summary of the criminal justice process, details of the terrorism legislation covered and definitions of the different categories of terrorists can be found in the [user guide](#). A flow chart summarising the 'arrests and outcomes' section of this release can be found in [Annex A](#).

Further information on data quality and interpreting the figures in this release can also be found in the [user guide](#).

3 Arrests and outcomes

Statistics presented in this section represent the number of persons arrested by police in Great Britain, where there is suspicion of involvement in terrorist activity, either at the time of arrest, or at a subsequent point in the investigation. In some cases after a terrorism-related arrest, evidence may emerge that suggests a suspect does not have links to terrorist activity, but has committed a non-terrorism related offence. These cases are included in the arrest data as non-terrorism-related charges and/or convictions. Outcomes following these arrests are also included in the statistics and show the number of arrests that led to a charge or prosecution, as well as other outcomes. All data in this section are based on the date of arrest. This allows users to see the outcomes of all of the arrests in a specific period (such as how many led to a charge and conviction).

As cases progress over time, figures are likely to change. This is particularly relevant for more recent quarters where a larger number of cases will be incomplete ('released on bail', or 'awaiting prosecution'). While the effect on the arrests total should be small, the number of charges and convictions will be lower for more recent quarters as a greater number of cases would not have reached the point of charge or conviction yet. These quarters will be updated in future publications.

Data are provided to the Home Office by NCTPFC and are taken from a live database. The data cover the most recent 9 quarters up to December 2015 and are correct at the time of data provision to the Home Office (21 January 2016).

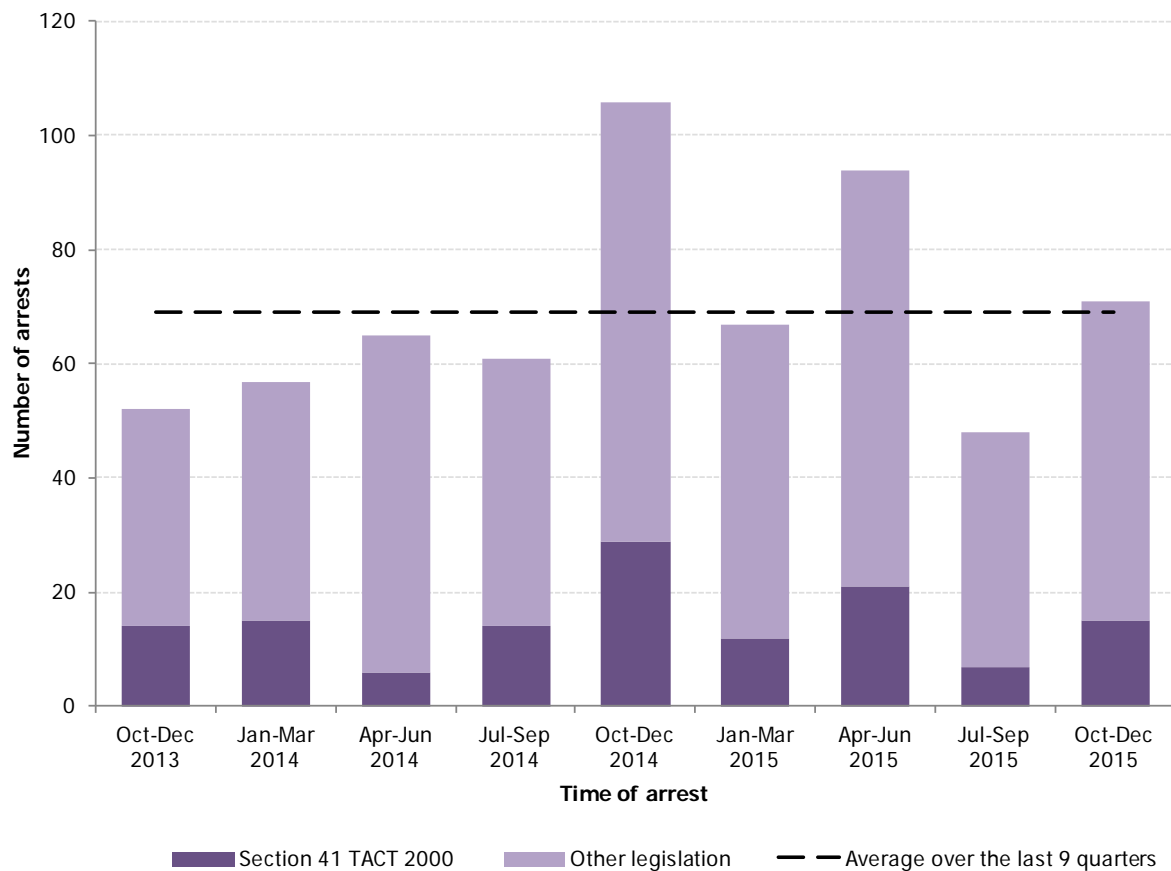
A flow chart summarising this section is included in [Annex A](#). This follows individuals from the point of arrest through to charge (or other outcome), and prosecution. [Tables A.01 to A.13](#) include data on arrests and outcomes.

3.1 Arrests

In the year ending December 2015, there were 280 terrorism-related arrests in Great Britain. This was a slight decrease of 3% (9 arrests) on the previous year. The reduction in arrests is in part due to a particularly high number of arrests in the previous year (especially between October and December 2014) and a relatively low number of arrests between July and September 2015. The most recent quarter saw an increase in the number of arrests from 48 in July to September to 71 in October to December.

The wide-ranging nature of terrorism investigations that the police undertake can lead to fluctuations in the number of arrests from one quarter to the next. Furthermore, individual investigations involving multiple suspects are likely to influence the figures more than investigations involving small numbers of suspects.

Figure 3.1: Arrests for terrorism-related offences, by legislation, Great Britain



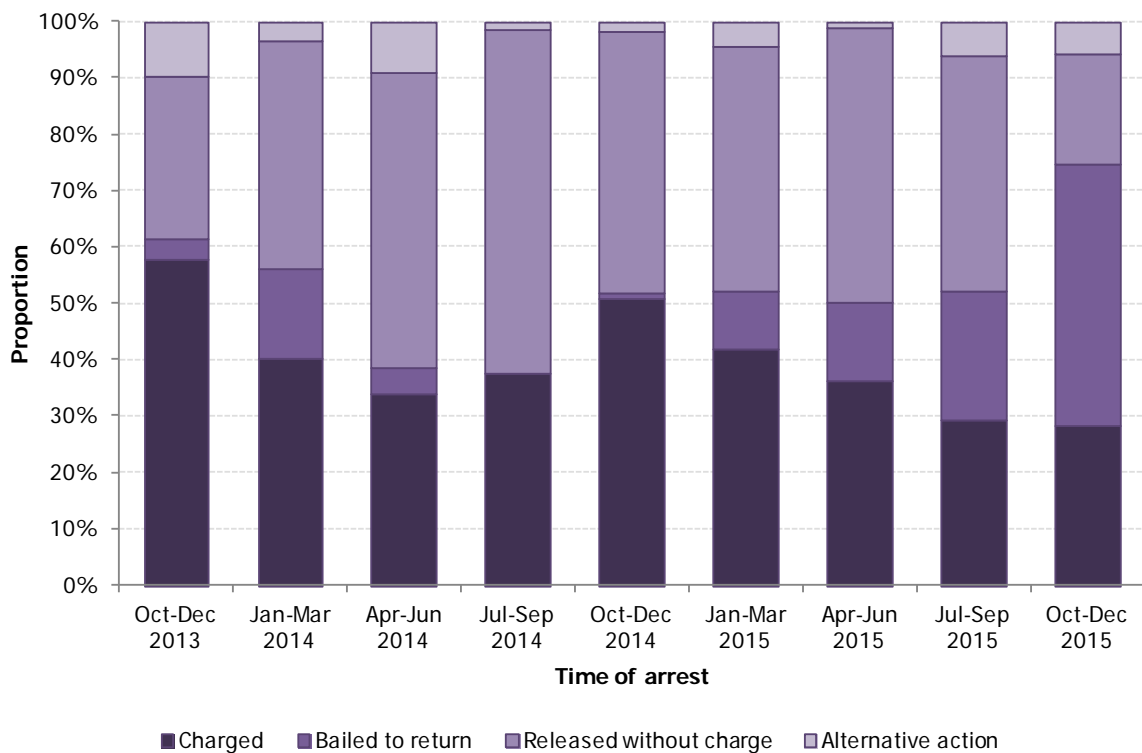
Source: Home Office, [data table A.01](#)

3.2 Charges

More recent quarters are likely to have a larger proportion of cases that are incomplete (such as cases where the suspect is released on bail). This is shown in Figure 3.2 where a large proportion of cases in the most recent quarter have a suspect who has been released on bail (46%), compared with 23% in the previous quarter (July to September) and only 4% of the year to December 2014 total. As time passes, cases will progress, meaning that the number of persons released on bail will decrease, while the number of charges (and other outcomes) will increase. For this reason, the charge rate in more recent quarters is likely to be lower than older quarters. Charge rates cannot be compared on a like-for-like basis until all cases within the time period have been completed.

Of the 280 persons arrested in the year ending December 2015, 96 (34%) have been charged with an offence, and 109 (39%) have been released without charge. A further 64 (23%) persons were bailed to return and 11 (4%) faced alternative action.

Figure 3.2: Breakdown of outcomes at the point of charge, following a terrorism-related arrest, Great Britain¹



Source: Home Office, [data table A.03](#).

Notes:

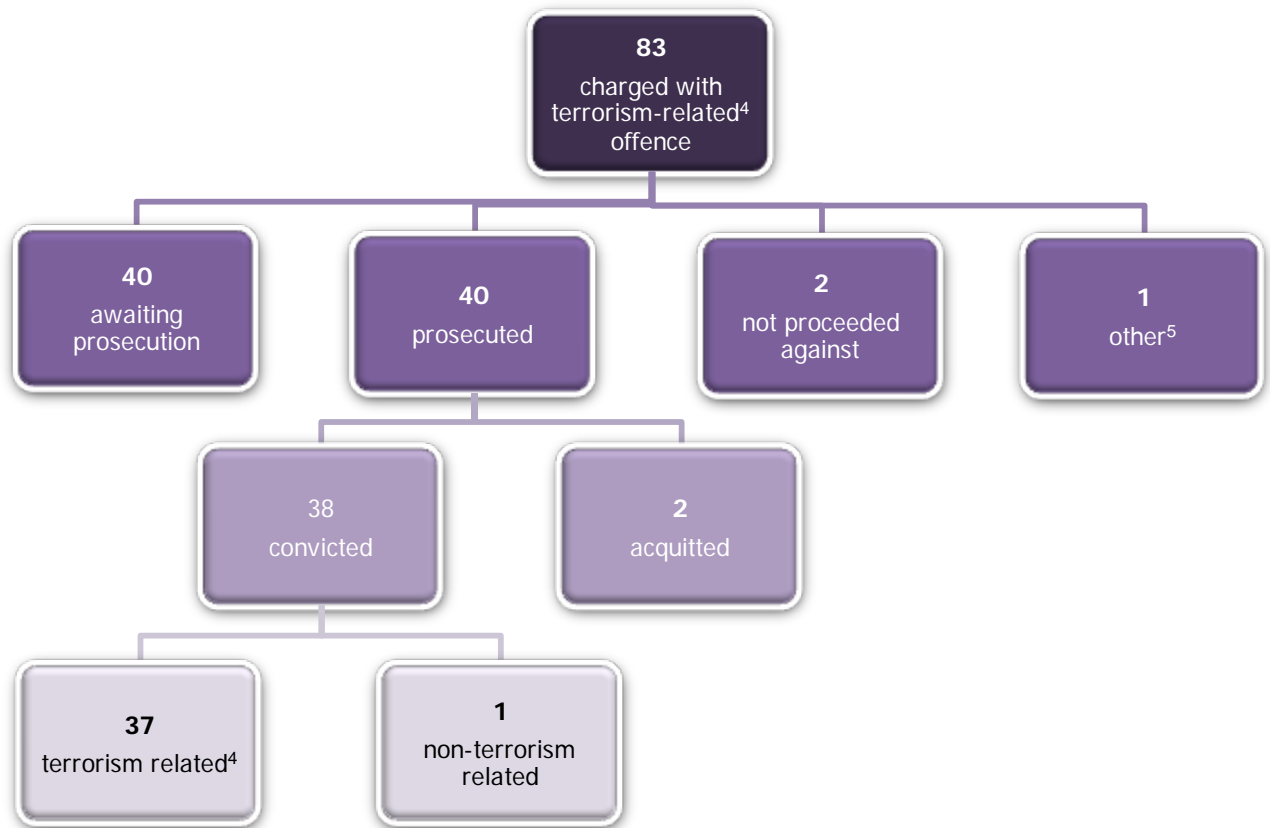
1. Alternative action includes cautions, action under mental health legislation, transfer to immigration authorities etc. See [table A.03](#) for a complete list.

Of the 96 persons charged in the year ending December 2015, 86% (83) have been charged with terrorism-related offences, down 2 percentage points compared to the previous year. Since 11 September 2001 (when the data collection was set up), 67% of charges have been terrorism-related.

3.3 Convictions

Of the persons arrested for terrorism-related offences in the year ending December 2015, 83 have been charged with a terrorism-related offence. Forty of these have been prosecuted (at the time of data provision to the Home Office, 21 January 2016), 38 of whom were convicted. Figure 3.3 shows further outcomes following a charge for a terrorism-related offence.

Figure 3.3: Outcomes following a charge for a terrorism-related offence, Great Britain, year ending December 2015^{1,2,3}



Source: Home Office, [data table A.06c](#).

Chart notes:

1. Based on time of arrest.
2. A more detailed flow chart can be found in [Annex A](#).
3. Data presented are based on the latest position with each case as at the date of data provision from NCTPFC (21 January 2016).
4. Terrorism-related charges and convictions include some charges and convictions under non-terrorism legislation, where the offence is considered to be terrorism-related.
5. Includes other cases/outcomes such as cautions, transfers to UK Border Agencies, the offender being circulated as wanted and extraditions.

3.4 Demographics of persons arrested

This section includes statistics on the number of persons arrested by different demographic characteristics as well as terrorist categorisation. It includes data on:

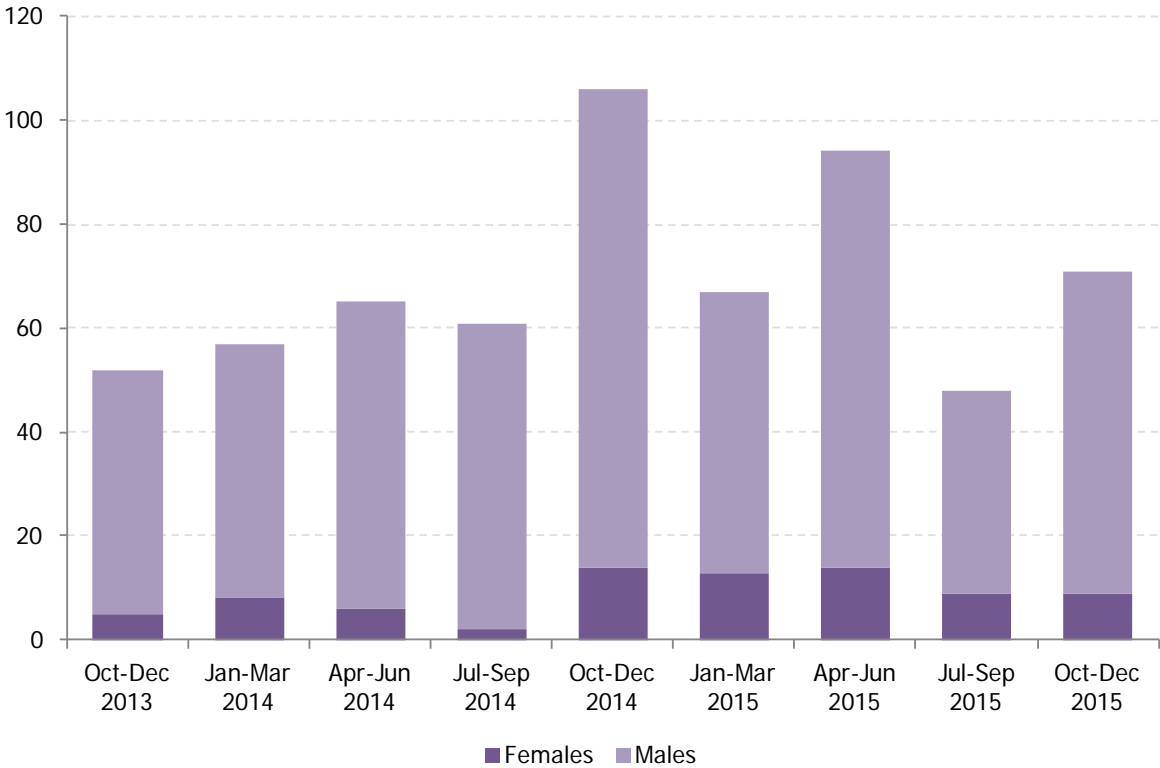
- gender
- age
- ethnic appearance
- nationality
- terrorist category

Gender

In the year ending December 2015, 45 females were arrested for terrorism-related offences, an increase of 15 compared with the previous year. Females accounted for 16% of arrests throughout the year, an increase of 6 percentage points on the previous year. The majority of women arrested for terrorism-related offences have links with international terrorism (all but 5 in the most recent year, and all but 7 in the previous year).

Since 11 September 2001, only 8% of persons arrested for terrorism-related offences have been female. This has risen considerably in recent years, with females making up an increasing proportion of those arrested.

Figure 3.4: Arrests for terrorism-related offences by sex, Great Britain



Source: Home Office, [data table A.09](#).

Age

Of the 280 arrests in the year ending December 2015, half were of persons aged 30 and over. Arrests of those in the '18-20' age category halved from 46 in the year ending December 2014 to 23 in the year ending December 2015. A decrease was also seen for the '25-29' category (56 down to 46).

There was an increase in the number of under 18s arrested for terrorism-related offences, which rose from 10 in the year ending December 2014, to 16 in the year ending December 2015. This was the highest number of arrests for this age group in a calendar year since the data collection began.

Table 3.01: Age group of persons arrested for terrorism-related offences, Great Britain

<i>Numbers</i>	Year ending		Great Britain
	December 2014	December 2015	change between years (numbers)
Age group			
Under 18	10	16	6
18-20	46	23	-23
21-24	45	55	10
25-29	56	46	-10
30 and over	132	140	8
Total	289	280	-9

Source: Home Office, [data table A.10](#).

Ethnic appearance

The number of terrorism-related arrests of persons who considered themselves to be white fell by 17% in the year ending December 2015 compared to the previous year. All other ethnic groups showed little or no change.

Nationality

Over three quarters (78%) of those arrested for terrorism-related offences were of British, or British dual nationality in the year ending December 2015. This has increased considerably in recent years. Since 11 September 2001 (when the data collection began), only 56% of those arrested were of British, or British dual nationality.

Terrorist category

In the year ending December 2015, the number of persons arrested for international-related terrorism increased by 3% (7 arrests) compared with the previous year, to 222 arrests. Arrests relating to international terrorism accounted for 79% of all terrorism-related arrests.

The number of arrests for domestic terrorism decreased from 28 to 15 across the same period, while the number of arrests for Northern-Ireland-related terrorism fell from 6 to 5.

3.5 Data tables

Additional data are available in the [data tables](#) which accompany this release. These include more detailed breakdowns of the data in this section, as well as data on:

- detentions under section 41 of TACT 2000 [table A.02](#)
- the legislation under which persons were charged [tables A.05a-c](#)
- the legislation under which persons were convicted [tables A.08a-c](#)

4 Court proceedings

This section presents statistics on prosecutions for terrorism-related offences in England and Wales. It provides data on the number of persons prosecuted and convicted, including information on the legislation against which they were prosecuted. It also provides information on the length of sentence that each defendant faces. Statistics presented here are based on the trial completion date and are not directly comparable to the court proceedings data in section 3 (arrests and outcomes).

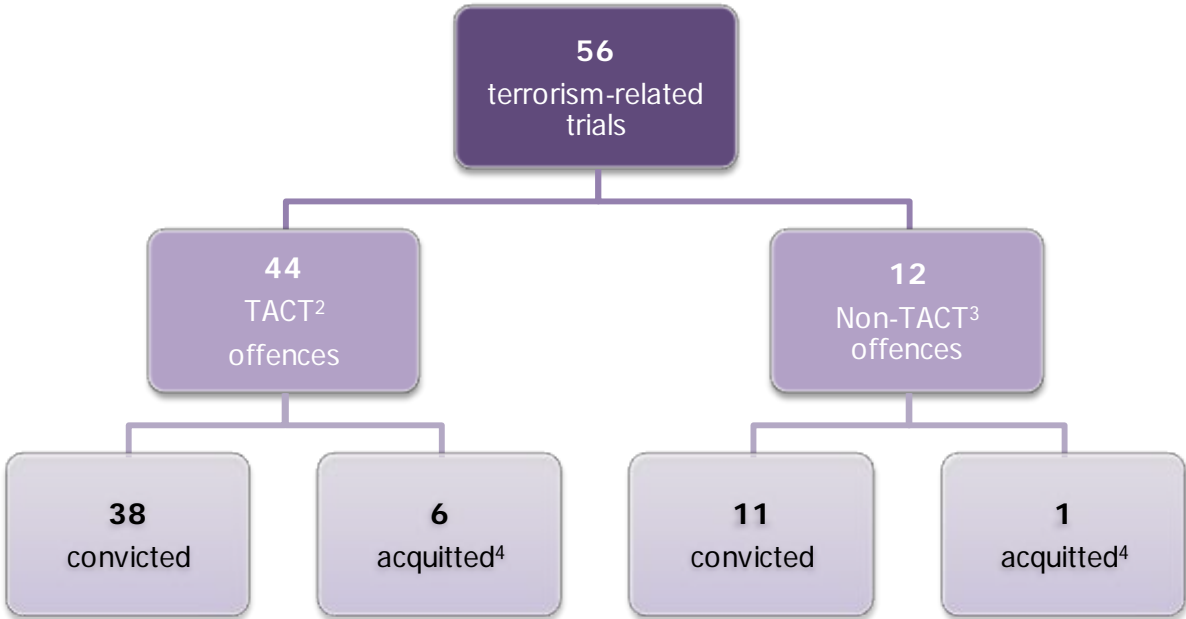
Data are provided to the Home Office by the Crown Prosecution Service Counter Terrorism Division (CPS CTD). The data cover terrorism-related court cases that were completed in the most recent 9 quarters up to December 2015.

4.1 Court proceedings

In the year ending December 2015, 56 terrorism-related trials were completed in England and Wales. This was up on the 38 that were completed in the previous year. The increase was driven by a rise in the number of trials for offences under terrorism legislation (TACT offences), and follows an increase in the number of terrorism-related arrests seen in Great Britain in recent times.

Of the 56 persons proceeded against, 49 were convicted and 7 were acquitted. The proportion of persons convicted was higher than the previous year.

Figure 4.1: Outcome of terrorism-related trials for TACT offences and non-TACT offences¹, England and Wales, year ending December 2015



Source: Home Office, [data tables C.01-C.03](#).

Chart Notes:

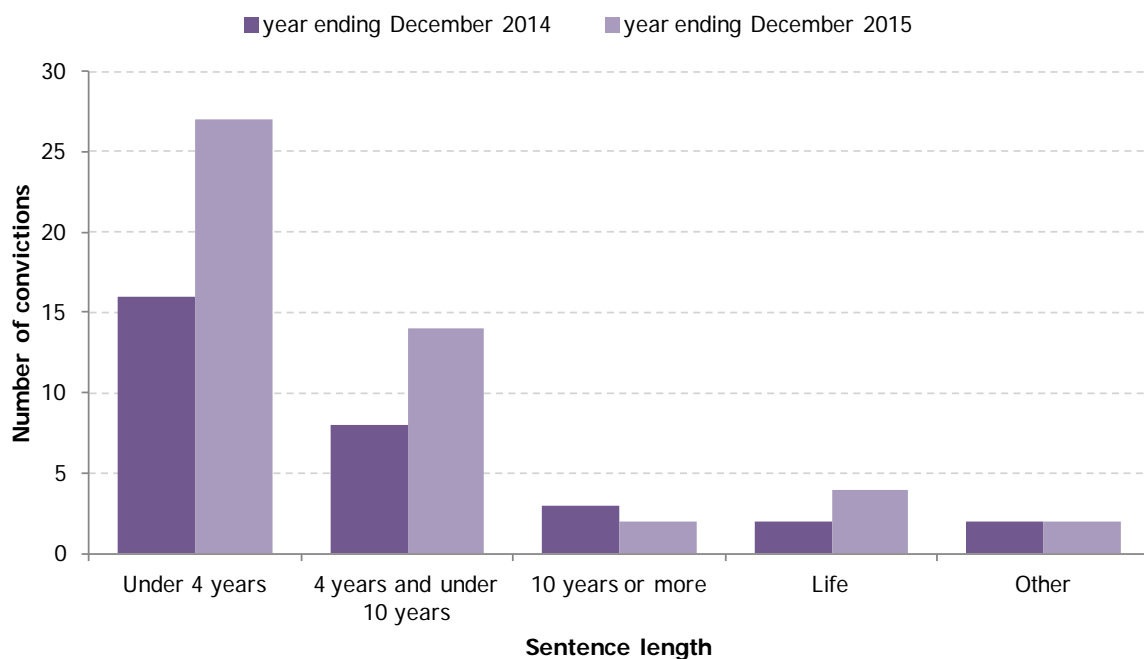
1. Based on the principal offence for which the defendant was prosecuted against.
2. TACT offences include offences specifically under terrorism-legislation.
3. Non-TACT offences include offences under other legislation.
4. Can include trials ending in a hung jury, or where the prosecution offered no evidence.

4.2 Sentencing

A total of 49 persons were convicted of terrorism-related offences in the year ending December 2015. Of these, 24 entered a guilty plea and 25 entered a not guilty plea.

As with previous years, the majority of those convicted were given sentences between 1 year and 4 years. The number of people receiving a sentence of between 4 and 10 years saw an increase from 8 to 14.

Figure 4.2: Sentence length of persons convicted for terrorism-related offences, England and Wales, year ending December 2014 and December 2015^{1,2}



Source: Home Office, [data tables C.04](#).

Chart Notes:

1. Based on the trial completion date.
2. The 'other' category includes hospital orders and non-custodial sentences.

4.3 Data tables

Additional data are available in [tables C.01 to C.04](#) which accompany this release. These include more detailed breakdowns of the data in this section, as well as data on:

- the legislation under which persons were proceeded against [table C.02](#)
- the legislation under which persons were convicted [table C.03](#)

5 Terrorist and extremist/separatist prisoners

Statistics presented in this section give information on the number of persons in custody for terrorism-related offences and domestic extremism/separatism in Great Britain. It includes breakdowns of the ethnicity, nationality and religion of prisoners at a given time. Data on the number of terrorist and extremist/separatist prisoners released from custody are also available in this section.

Data are provided to the Home Office by National Offender Management Service (NOMS) and the Scottish Prison Service (SPS). The data give information about the prison population at the end of each of the last 9 financial quarters to December 2015.

Data on the number of prisoners released are also provided and cover each of the last 8 quarters up to September 2015. Figures up to December 2015 are not yet available from NOMS. These figures will form a subset of the prison releases statistics which will be published by the Ministry of Justice in their '[Offender Management Statistics Quarterly](#)' in April 2016.

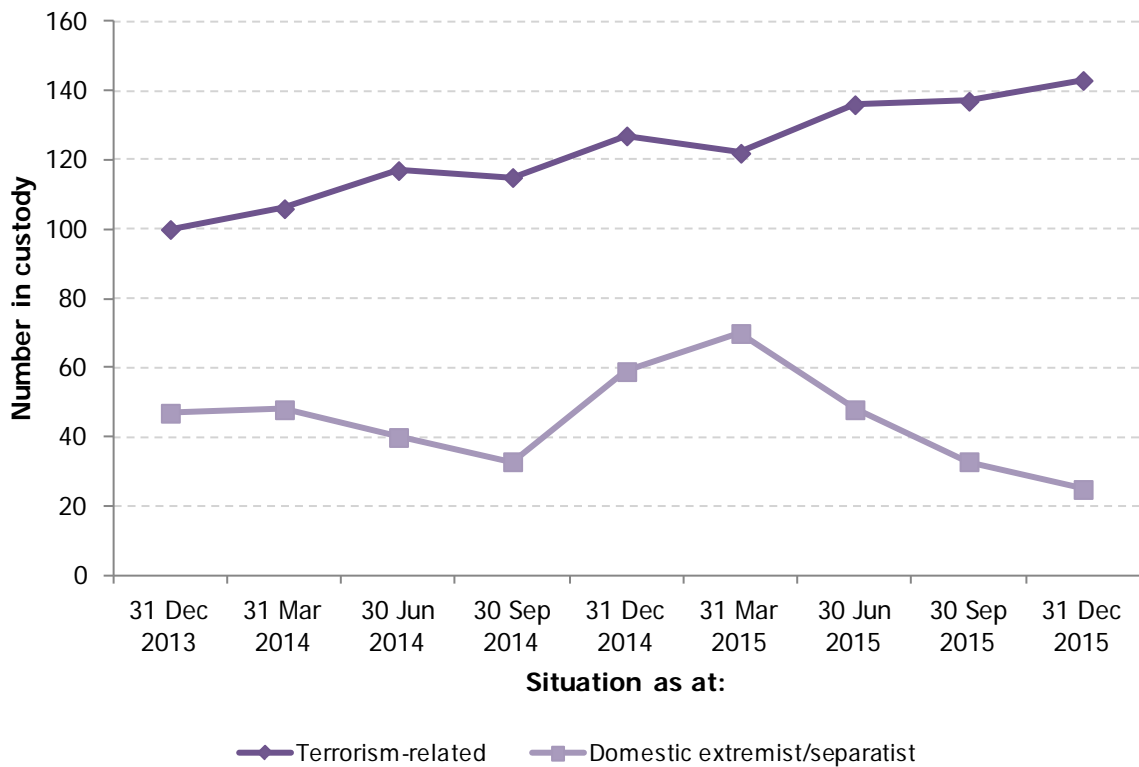
5.1 Persons in custody

As at 31 December 2015, there were 168 persons in custody in Great Britain for terrorism-related offences and domestic extremism/separatism. This comprised:

- 143 persons in custody for terrorism-related offences
- 25 persons in custody for domestic extremism/separatism

This was a decrease of 18 persons compared to the situation as at 31 December 2014, and a decrease of 2 persons compared with the situation 3 months earlier (as at 30 September 2015). The fall has been driven by a reduction in the number of domestic extremist/separatist prisoners. The number of persons in custody for terrorism-related offences has continued to see a steady increase, in line with recent rises in the number of arrests for international-related terrorism (see section 3), and the overall increase in terrorism-related convictions (see section 4).

Figure 5.1: Persons in custody for terrorism-related offences and domestic extremism/separatism, Great Britain



Source: Home Office, [data tables P.01](#).

The demographic breakdown of those in custody differed between those in custody for terrorism-related offences and those in custody for domestic extremism/separatism.

As at 31 December 2015, of the 143 persons in prison for terrorism-related offences:

- 139 considered themselves Muslim
- 62% considered themselves to be of 'Asian or Asian British' ethnicity (excluding cases where ethnicity was unrecorded)
- 79% considered themselves to be of 'British' nationality (excluding cases where nationality was unrecorded)

As at 31 December 2015, of the 25 persons in prison for domestic extremism/separatism:

- 10 considered themselves to be Christian, and 10 considered themselves to have no religion. One person self-declared as Muslim.
- the majority (23) considered themselves to be of 'White' ethnicity
- the majority (22) considered themselves to be of 'British' nationality

5.2 Persons released from custody

A total of 128 terrorist and domestic extremists/separatists were released from custody in Great Britain in the year ending September 2015, nearly twice the number released in the previous year. Many of those will have been released subject to meeting certain licensing conditions.

The majority (67) of those released had served a sentence between 1 and 4 years. A further 26 were not sentenced. This includes a number of persons held on remand prior to charge or conviction.

For more details on releases from custody, see the [user guide](#).

5.3 Data tables

Additional data are available in [tables P.01 to P.05](#) which accompany this release. These include more detailed breakdowns on:

- the ethnicity, nationality and religion of those in custody [tables P.02 to P.04](#)
- the sentence lengths of those released from custody [table P.05](#)

6 Stop and search

This section presents statistics on the use of stop and search powers available to the police under TACT 2000. It includes data on the number of stops and searches and resultant arrests, carried out under section 43 of TACT 2000 by the MPS. It also includes data on the use of powers under Schedule 7 to TACT 2000 in Great Britain. This includes the number of examinations, resultant detentions, sea and air freight examinations, strip searches, and the number of times postponement of questioning was refused.

Data on section 43 stop and search are provided to the Home Office by the MPS. Data on Schedule 7 are provided to the Home Office by the NCTPHQ. This section covers the use of these powers in the most recent 9 quarters to December 2015.

The police have the power to stop and search individuals under section 47A (previously 44) of the Terrorism Act 2000. However, since the legislation was formally amended in 2011, to significantly raise the threshold for authorisation of the power, there have not been any stops and searches under this power in Great Britain. See the [user guide](#) for more details.

6.1 Stop and search under the Terrorism Act 2000

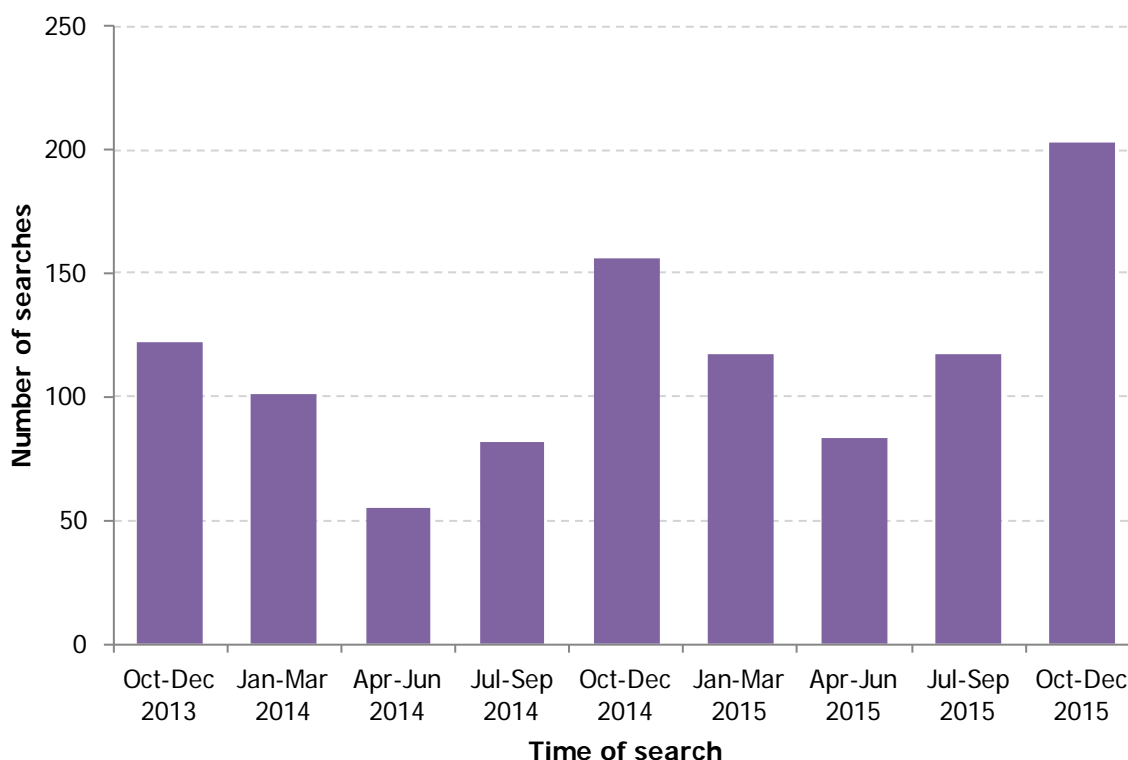
Section 43 of TACT 2000 allows an officer to stop and search a person whom they reasonably suspect to be involved in terrorist activity. As some forces are unable to separate s43 TACT stops and searches from other stops and searches, this section includes data from the MPS only and excludes 'vehicle only' stops and searches.

In the year ending December 2015, 520 persons were stopped and searched by the MPS under s43 of TACT 2000, an increase of 32% on the previous year total of 394. Over the same period, the number of subsequent arrests more than doubled from 25 to 57, leading to an arrest rate of 11% (up 5 percentage points on the previous year's arrest rate of 6%).

Each quarter in the most recent year saw a higher number of searches conducted compared with the corresponding quarter in the previous year. However, the most recent quarter (October to December 2015) saw a particularly high number of stops and searches and is the main driver behind the year-on-year increase.

Details on the overall use of stop and search in England and Wales up to the year ending March 2015 can be found in the Home Office '[Police powers and procedures, England and Wales](#)' statistical releases. The MPS also publish monthly [reports](#) on the wider use of stop and search within the force.

Figure 6.1: Stop and search carried out under section 43 of the Terrorism Act 2000, Metropolitan Police Service



Source: Home Office, [data table S.03](#).

Chart Notes:

1. Excludes 'vehicle only' searches.

The number of people stopped and searched under section 43 of TACT 2000 rose for every ethnicity between the year ending December 2014 and the year ending December 2015, with the exception of those who self-defined as 'White', which fell slightly. Notably, stops and searches of those who self-defined as 'Asian or Asian British' saw an increase of 60% compared with the previous year (from 88 to 141), and those who did not define their ethnicity increased by two-thirds (from 53 to 88).

6.2 Schedule 7 to the Terrorism Act 2000

Under Schedule 7 to TACT 2000, an examining officer has a number of powers, the use of which are covered in this section. These include:

- Examinations of persons and resultant detentions
- Goods examinations
- Strip searches
- Refusals to postpone questioning

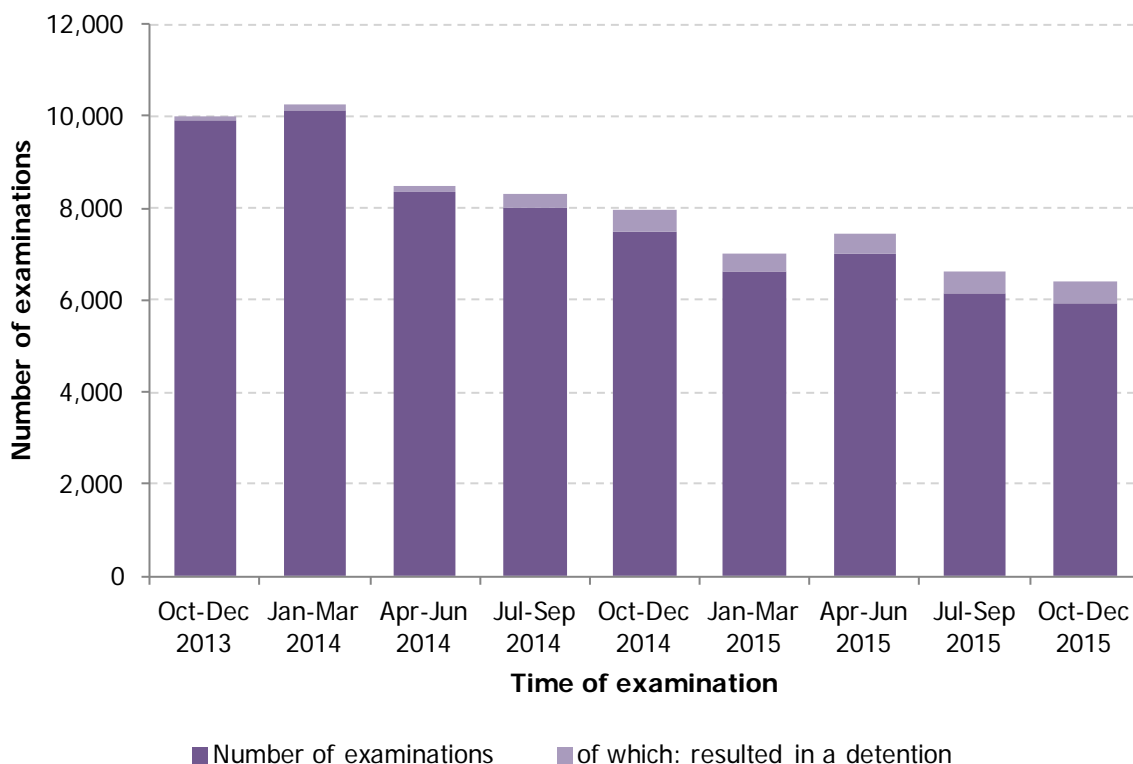
Examinations and resultant detentions

An examining officer may stop and question individuals entering, or leaving the country through ports, airports, international rail stations and the border area. When necessary they may also detain and search individuals. The aim is to determine whether that person appears to be someone who is or has been concerned in the commission, preparation or instigation of acts of terrorism.

In the year ending December 2015, a total of 27,530 persons were examined under this power in Great Britain, a fall of 21% on the previous year.

Throughout the same period, the number of detentions following examinations increased by three-quarters, from 1,043 in the year ending December 2014 to 1,828 in the year ending December 2015. The introduction of the Anti-social Behaviour, Crime and Policing Act 2014 in August 2014 (which amended the powers under Schedule 7 to TACT 2000 to ensure that a mandatory detention takes place where an examination lasts for more than an hour), led to an increase in the number of resultant detentions seen in each quarter.

Figure 6.2: Persons examined and detained under Schedule 7 to the Terrorism Act 2000, Great Britain



Source: Home Office, [data table S.04](#).

The fall in the number of persons examined was recorded across all ethnic groups except 'Asian or Asian British' which saw an increase of 1% in the year ending December 2015 compared with the previous year. The most notable falls were seen for the 'White' category, which fell by 42%. Examinations of those who were 'Mixed', 'Black or Black British', and those that did not state their ethnicity all fell by around a quarter.

Goods examinations

The NCTPHQ has provided data to the Home Office on goods examinations since April 2015. Goods are defined non-exhaustively under paragraph 9 of Schedule 7 as “property of any description, and containers”. The Counter-Terrorism and Security Act 2015 clarified the legal position around the examination of goods in remote storage outside the immediate boundary of a port and the examination of goods comprising items of post. A goods examination under Schedule 7 may only be carried out by a trained, accredited and designated examining officer. An examining officer may only examine goods for the purpose of determining whether they have been used in the commission, preparation or instigation of acts of terrorism.

Between 1 April and 31 December 2015 a total of 3,243 air freight and 3,990 sea freight examinations were conducted.

Strip searches

A strip search is a search involving the removal of more than outer clothing. Strip searches do not extend to requiring a person to undergo an intimate search (searching a person’s body orifices other than the mouth). A strip search may only take place where an examining officer has reasonable grounds to suspect that a person has concealed something which may be evidence that the person is someone who appears to be or to have been concerned in the commission, preparation or instigation of acts of terrorism. The search must be authorised by an officer of at least one rank higher than the examining officer and who has not been directly involved in the questioning of the person. Strip searches can only be conducted when a person has been detained. The Schedule 7 [Code of Practice](#) sets out the procedures an examining officer must follow when conducting a strip search.

Between 1 April and 31 December 2015, 7 persons were strip searched under Schedule 7 to TACT 2000.

Postponement of questioning refusals

A person being examined under Schedule 7 is able to request that their examination be postponed in order for them to be able to consult with a solicitor. If reasonably practicable, an examining officer must allow this. However, a request for postponement may be refused if the examining officer considers that postponing the questioning would prejudice the purpose of the examination.

Between 1 April and 31 December 2015, postponement of questioning was refused 4 times.

6.3 Data tables

Additional data are available in [tables S.01 to S.04](#) which accompany this release. These include more detailed breakdowns on:

- the ethnicity of those stopped and searched – [tables S.02 and S.03](#)
- the ethnicity of those arrested – [table S.02](#)
- The use of powers under Schedule 7 to TACT 2000 – [table S.04](#)

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ISBN: 978-1-78655-100-9

ISSN: 1759-7005



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