

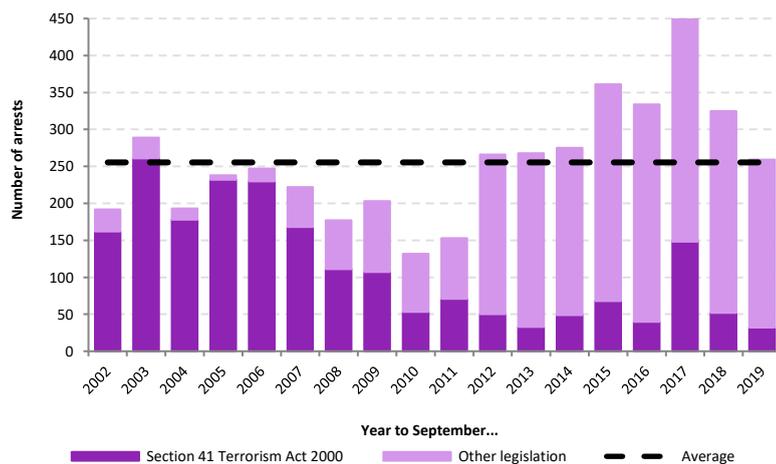


# Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes, and stop and search

## Great Britain, year ending September 2019

### Key results

There were 259 arrests for terrorism-related activity in the year ending 30 September 2019, a decrease of 20% compared with the 325 arrests in the previous year.



Of the 259 arrests for terrorist-related activity:

- 96 (37%) persons were either released under bail pending further investigation or released under investigation without bail conditions
- 88 (34%) resulted in a charge, of which 62 were for terrorism-related offences
- 60 people (23%) were released without charge
- 14 (5%) faced alternative action, for example receiving a caution, being recalled to prison or being transferred to immigration authorities
- 1 case was pending an outcome.

### Contents

1	Introduction .....	2
2	Arrests and outcomes .....	4
3	Court proceedings .....	13
4	Terrorist prisoners .....	16
5	Other police powers under the Terrorism Act 2000 .....	18
6	Further information .....	22

Date published:  
5 December 2019

Frequency of release:  
Quarterly

Forthcoming release:  
[Home Office statistics release calendar](#)

Home Office responsible statistician:  
John Flatley

Press enquires:  
[pressoffice@homeoffice.gov.uk](mailto:pressoffice@homeoffice.gov.uk)  
020 7035 3535

Public enquires:  
[crimeandpolicestats@homeoffice.gov.uk](mailto:crimeandpolicestats@homeoffice.gov.uk)

# 1 Introduction

---

## 1.1 TIME PERIOD COVERED AND DATA SOURCES

This release covers the use of police powers under terrorism and subsequent legislation in Great Britain on a quarterly basis up to the year ending 30 September 2019. It also covers arrests for terrorist-related activity under other legislation such as the Police and Criminal Evidence Act (PACE).

The statistics in this release draw on a range of data sources. The **Arrests and outcomes** section uses data provided by the National Counter Terrorism Police Operations Centre (NCTPOC) and includes statistics for **Great Britain** on the:

- number of arrests for terrorist-related activity and outcomes (such as charges and convictions) following such arrests;
- number of charges and convictions broken down by legislation used; and,
- gender, age, ethnicity and nationality of those arrested, charged and convicted.

The **Court proceedings** section uses data from the Crown Prosecution Service Counter Terrorism Division (CPS CTD) and includes statistics for **England and Wales** on the:

- number of persons proceeded against by CPS CTD for terrorism-related offences;
- number of persons that have been prosecuted and convicted broken down by the legislation used; and,
- sentence length of those convicted for terrorism-related offences.

The **Terrorist prisoners** section uses data from Her Majesty's Prison and Probation Service (HMPPS) and the Scottish Prison Service (SPS), and includes statistics for **Great Britain** on the:

- number and ideology of persons in custody for terrorism-related offences;
- ethnicity, nationality and religion of those in custody; and,
- number of persons released from custody by sentence length.

The **Other police powers under the Terrorism Act 2000** (TACT 2000) 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 MPS under s.43 of TACT 2000;
- number of stops and searches carried out by police under s.47a of TACT 2000;
- number of examinations and subsequent detentions made in Great Britain under Schedule 7 to TACT 2000; and,
- data on goods examinations, strip searches and on refusals of requests to postpone questioning (usually to enable an individual to consult a solicitor) under Schedule 7 to TACT 2000.

From the year ending June 2019 publication onwards, data have also been collected and published on the total number of examinations and detentions made in the United Kingdom as a whole under Schedule 7 to TACT 2000, as well as how many examinations related to intra-UK journeys. An intra-UK examination is when a person has been examined under Schedule 7 TACT at a UK port either before or after a journey between one UK port and

another UK port. This includes journeys between or within England, Wales, Northern Ireland and Scotland.

Furthermore, data have also been provided on how frequently other powers have been used in Great Britain under Schedule 7, to restrict or qualify a person's access to a solicitor. Including: required to consult a solicitor by phone, delayed access to a solicitor, and required to consult in sight and hearing of a qualified officer.

The [user guide](#) provides further details on this release, including the strengths and limitations of the datasets, and the quality assurance processes involved in the production of this release. It also includes a summary of the criminal justice process, a glossary of terms used, and detail about the legislation and categories referred to in this release.

A flow chart summarising the **Arrests and outcomes** section of this release can be found in [Annex A](#).

## 1.2 FUTURE RELEASES

The information published in the quarterly 'Operation of police powers under the Terrorism Act 2000' statistics is kept under review, taking into account the needs of users, and burdens on suppliers and producers, in line with the [Code of Practice for Statistics](#). If you have any comments, suggestions or enquiries, please contact the team via email using: [crimeandpolicestats@homeoffice.gov.uk](mailto:crimeandpolicestats@homeoffice.gov.uk).

## 1.3 NATIONAL STATISTICS STATUS

This publication has been assessed by the United Kingdom Statistics Authority and its National Statistics designation was confirmed in May 2016. This means that these statistics meet the highest standards of trustworthiness, impartiality, quality and public value, and are fully compliant with the Code of Practice for Statistics. As part of the assessment process, the Home Office reviewed and improved the [user guide](#) that accompanies this release. This now contains more details about the strengths and limitations of the various datasets within the publication, as well as the steps taken to engage with users. Further details on the assessment process can be found on the [UK Statistics Authority website](#).

## 2 Arrests and outcomes

---

### Key results

- In the year ending 30 September 2019, there were **259 arrests** for terrorist-related activity in Great Britain, **a fall of 20%** (66 arrests) compared with the **325 arrests in the previous 12 month period**.
- **88 arrests resulted in a charge** (34%), of which **62 were for terrorism-related offences**.

This section presents statistics on the number of persons arrested by the police in Great Britain where there was suspicion of involvement in terrorist-related activity, either at the time of arrest or at a subsequent point in the investigation. In some cases, evidence may emerge after an arrest for a terrorism-related offence 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 data as non-terrorism-related charges and/or convictions.

Prior to the June 2018 publication (covering the period to 31 March 2018), data in this release was restricted to arrests where the offence was considered to be related to terrorism. In response to feedback from stakeholders, Home Office statisticians widened the scope of the data collection to include all arrests with a terrorist element whether the offence was terrorism-related or not. This better reflects policing activity in recent years. Data in this release now contain information on all arrests related to terrorism activity, including a full back series.

For the first time in this publication, postal charge requisitions and summonses are included as part of the arrests figures. This decision was taken following engagement with stakeholders and NCTPHQ, as the postal charge requisitions and summonses can lead to terrorism-related charges and convictions.

Outcomes following arrests for terrorist-related activity are also included in the statistics, which show the number of arrests that led to a charge or prosecution as well as other outcomes. Demographic information about those arrested, charged and convicted is also provided in this section. All data in this section are based on the date of arrest. This allows users to see the outcomes of all the arrests in a specific period (such as how many led to a charge and conviction).

As cases progress over time, figures published in this release are likely to be revised. This is particularly relevant for more recent time periods where a larger number of cases will have not been finalised ('released on bail' or 'awaiting prosecution'). The effect on the arrests total will be minimal but the number of charges and convictions currently reported will increase in future releases, especially for cases from the more recent quarters where a greater number have not yet reached the point of charge or conviction.

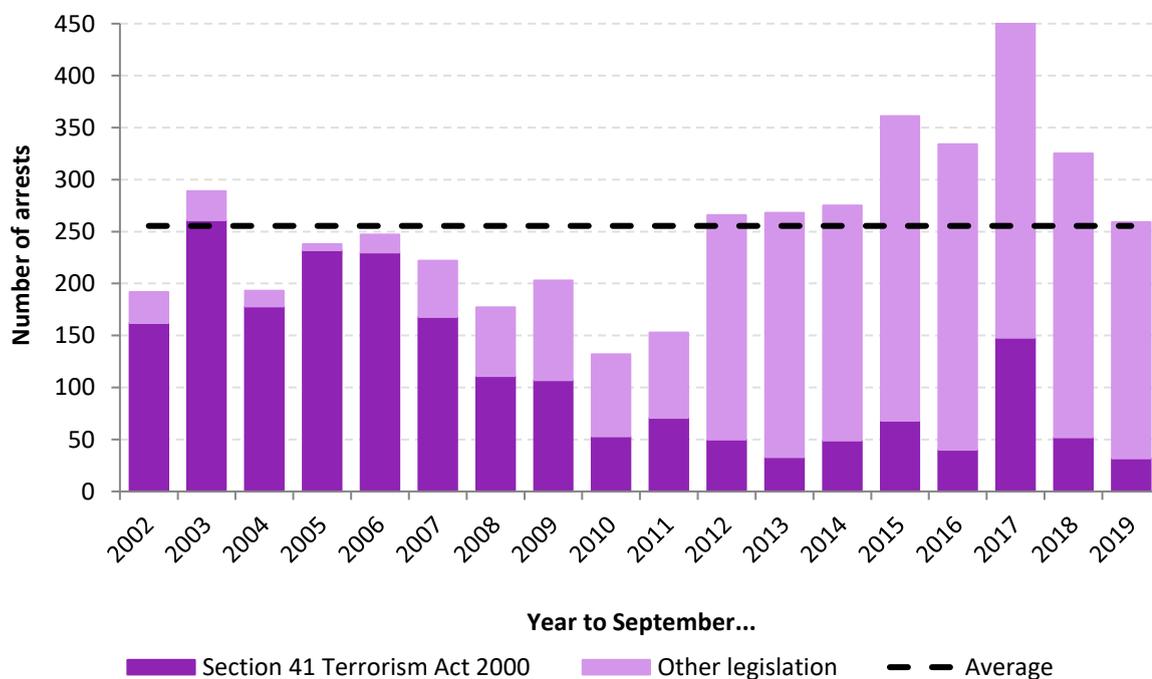
Data are provided to the Home Office by the National Counter Terrorism Police Operations Centre (NCTPOC) and are taken from a live database. This section includes annual breakdowns of the data from the 11 September 2001 (when the data collection began) to year ending September 2019, as well as quarterly trends over the most recent 9 quarters. The data were based on the latest position of each case as at the time of provision to the Home Office (on 22 October 2019).

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. [Data tables A.01 to A.13](#) include data on arrests and outcomes. [Annual tables](#), which breakdown the data by rolling years to September, are also provided alongside this release.

## 2.1 ARRESTS

In the year ending 30 September 2019, there were 259 arrests for terrorist-related activity in Great Britain, a fall of 20% (66 arrests) compared with the 325 arrests in the previous 12 month period. This continues the decreases seen in the previous two years and returns the volume of arrests to around the average level seen across the time series. (Figures 2.1 and 2.2).

**Figure 2.1: Arrests for terrorist-related activity, by legislation, years ending 30 September 2002 to 30 September 2019, Great Britain<sup>1,2,3</sup>**



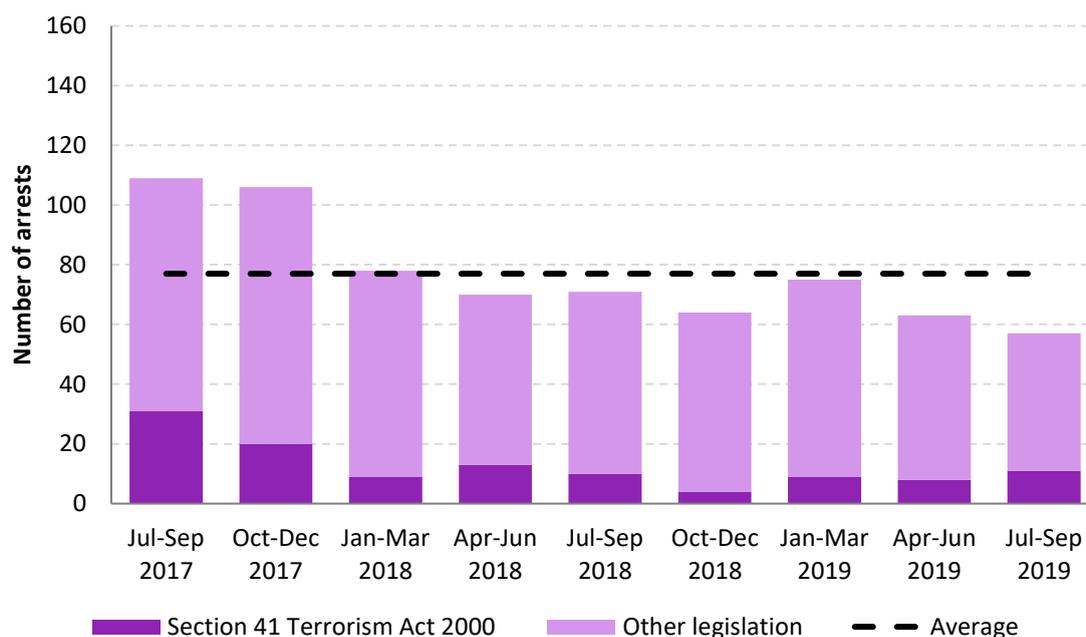
**Source:** NCTPOC (see [data table A.01](#))

### Notes:

1. Figures for the year ending 30 September 2002 include data from 11 September 2001 onwards.
2. 'Other legislation' includes arrests under non-terrorism legislation, such as the Police and Criminal Evidence Act 1984.
3. Includes arrests that are considered by the NCTPOC to be terrorism-related, either at the time of arrest or at a subsequent point in the investigation.

Whilst the 259 arrests made in the latest year saw the lowest number of arrests since the year ending September 2011, in each of the past eight years the number of arrests has been greater than the annual average of 255 arrests over the entire time series. This reflects a generally higher volume of arrests between 2011 and 2017 following a previously generally downward trend between 2006 and 2011 (Figure 2.1).

**Figure 2.2: Arrests for terrorist-related activity, by legislation, 9 quarters to 30 September 2019, Great Britain<sup>1,2</sup>**



Source: NCTPOC (see [data table Q.01](#))

**Notes:**

1. 'Other legislation' includes arrests under non-terrorism legislation, such as the Police and Criminal Evidence Act 1984.
2. Includes arrests that are considered by the NCTPOC to be terrorism-related, either at the time of arrest or at a subsequent point in the investigation.

**2.2 PRE-CHARGE DETENTION UNDER SECTION 41 OF THE TERRORISM ACT 2000**

Once a suspect has been arrested by the police, they may be held for a specified period of time before being charged, giving the police time to investigate and gather evidence related to potential terrorism offences. The current maximum period of detention under s.41 of TACT 2000 is 14 days (which reduced from the previous limit of 28 days on 25 January 2011). This compares with a maximum of 4 days under standard arrest powers. Further details of the legislation can be found in the [user guide](#).

There were 32 detentions under s.41 of TACT 2000 in the year ending 30 September 2019, a fall of 20 compared with the 52 detentions in the previous year. Of the 32 detentions in the latest year, 21 led to a charge (66%).

Further details on the length and outcomes of detentions under s.41 of TACT 2000 can be found in [data table A.02](#).

**2.3 CHARGES**

In line with the general convention for Home Office criminal justice statistics, when a person is charged or prosecuted for multiple offences at the same time, only the most serious offence is counted – usually the one that carries the highest penalty. This “principal offence rule” means the statistics provide a count of individuals charged rather than the total number of charges. More detailed information on the principal offence rule can be found in the accompanying [user guide](#). Further details of the legislation under which persons have

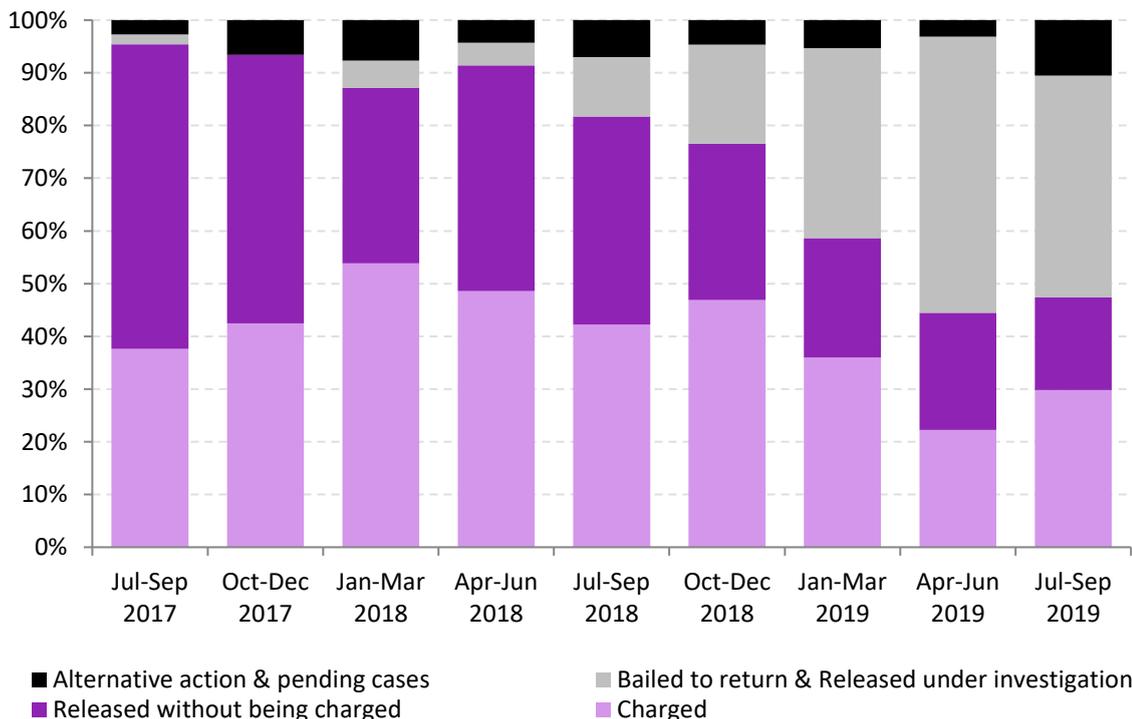
been charged following an arrest for a terrorism-related activity can be found in [data tables A.05a-c](#).

Of the 259 arrests for terrorist-related activity in the year ending 30 September 2019:

- 96 (37%) persons were either released under bail pending further investigation or released under investigation without bail conditions;
- 88 (34%) resulted in a charge, of which 62 were charged with terrorism-related offences;
- 60 people (23%) were released without charge;
- 14 (5%) faced alternative action, for example receiving a caution, being recalled to prison or being transferred to immigration authorities; and,
- 1 case was pending at the time of analysis.

Given the number of cases still to be finalised in the latest year, the current charge rate shown in the more recent years/quarters is likely to be lower than final figures which will be published in subsequent releases. Until all cases in a given period are finalised, care should be taken when comparing charge rates over time.

**Figure 2.3: Charging outcomes following an arrest for terrorist-related activity, 9 quarters to 30 September 2019, Great Britain<sup>1,2</sup>**

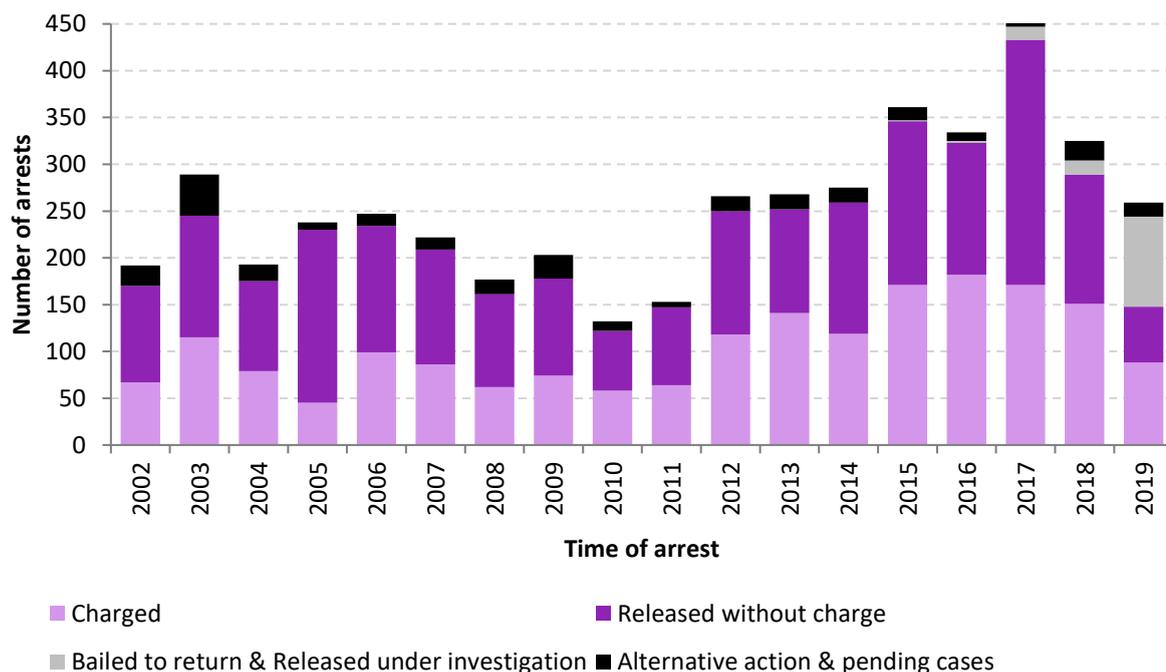


**Source:** NCTPOC (see [data table A.03](#))

**Notes:**

1. 'Alternative action' includes cautions for non-TACT 2000 offences, detentions under the Mental Health Act, recall to prison etc.
2. 'Bailed to return' includes those released on bail pending further investigation, and those who have absconded from bail. Those who were released under investigation were previously unable to be recorded separately and were recorded as 'released without charge'.

**Figure 2.4: Charging outcomes following an arrest for terrorist-related activity, year ending September 2002 to September 2019, Great Britain<sup>1,2</sup>**



Source: NCTPOC (see [data table A.03](#))

**Notes:**

1. 'Alternative action' includes cautions for non-TACT offences, detentions under the Mental Health Act, recall to prison, and transfers to immigration authorities.
2. 'Bailed to return' includes those released on bail pending further investigations, and those who have absconded from bail. Those who were released under investigation were previously unable to be recorded separately and were recorded as 'released without charge'.

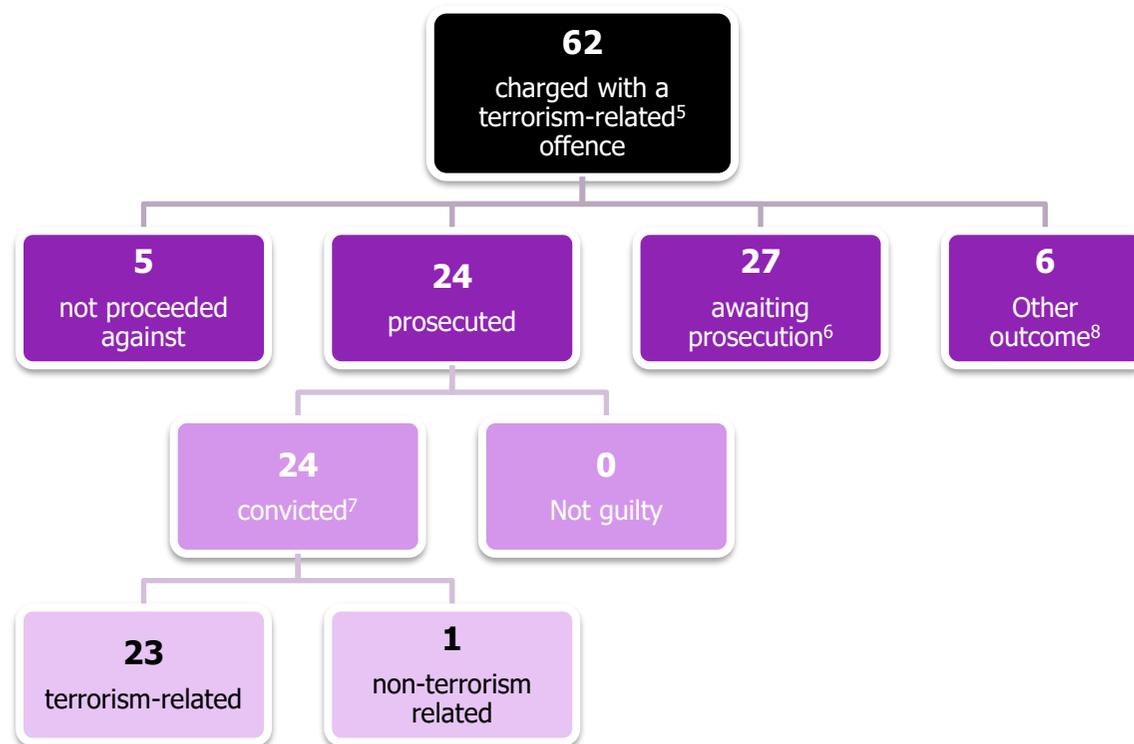
## 2.4 PROSECUTIONS

As with charges, statistics on prosecutions are also based on the principal offence rule. Where an individual is prosecuted for more than one offence at a time, they are classified in terms of a single offence – usually the most serious.

Figure 2.5 shows the outcomes following a charge for a terrorism-related offence.

Further details of the specific legislation under which persons have been convicted following a charge for a terrorism-related offence can be found in [data tables A.08a-c](#).

Figure 2.5: Outcomes following a charge for a terrorism-related offence, year ending 30 September 2019<sup>1,2,3,4</sup>, Great Britain



Source: NCTPOC (see [data table A.06c](#))

**Notes:**

1. Based on the 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 NCTPOC (22 October 2019).
4. The chart does not include outcomes following non-terrorism-related charges.
5. Terrorism-related charges and convictions include some charges and convictions under non-terrorism legislation, where the offence is considered to be terrorism-related.
6. Cases that are 'awaiting prosecution' are not yet complete. As time passes, these cases will eventually lead to a prosecution, 'other' outcome, or it may be decided that the individual will not be proceeded against.
7. Excludes convictions that were later quashed on appeal.
8. Includes other cases/outcomes such as cautions, transfers to UK Border Agencies, the offender being circulated as wanted and extraditions.

## 2.5 DEMOGRAPHICS OF PERSONS ARRESTED

This section provides more detail on the demographic and other characteristics of persons arrested. It includes data on:

- sex;
- age;
- ethnic appearance; and,
- nationality.

### Sex

As in previous years, and similar to other types of crime, the vast majority of those arrested for terrorism-related activity were males. However, 29 of the 259 arrests were females (11%) a fall of 8 on the previous year's total of 37. This was the lowest number of females arrested since the year ending September 2014. Despite the fall, the total number of females arrested was above the annual average arrested (24) since the data collection began. The proportion of females arrested has been above the series average (9%) in each of the past five years.

### Age

There were falls in the number of arrests across all age-groups apart from 18-20, which increased by 1 from 29 to 30, compared with the previous year. As in previous years, the '30 and over' age-group accounted for the most arrests (58%). Those aged under 18 accounted for 4% of arrests, a reduction of three percentage points compared to the previous year, which had the highest proportion of under-18 arrests since the data collection began in 2001.

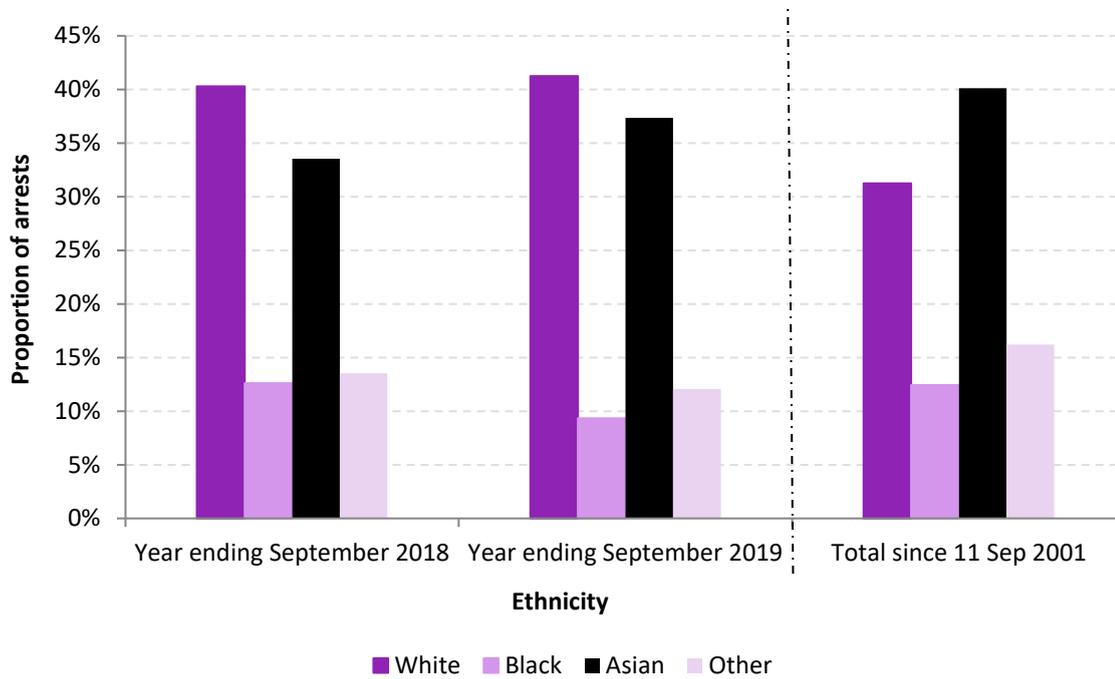
### Ethnic appearance as recorded by the arresting officer

Figures in this section are based on the ethnic appearance of the arrestee as recorded by the arresting officer. In a small proportion of cases (0.8%) the ethnic appearance of the person arrested was not recorded. These cases are excluded from the analysis presented below.

There were falls in the number of arrests across all ethnic groups. Arrests for those of Asian ethnic appearance decreased by 12% when compared with the previous year (from 109 arrests to 96 arrests). There was also a 19% decrease in the number of arrests of people of White ethnic appearance (from 131 arrests to 106) and an 41% decrease in the number of arrests of people of Black ethnic appearance (from 41 arrests to 24).

The proportion of White people arrested exceeded the proportion of Asian people arrested. Arrests of persons of White ethnic appearance accounted for 41% of arrests, an increase of one percentage point on the previous year. Those of Asian ethnic appearance accounted for 37% of terrorist-related arrests, up four percentage points on the previous year. The proportion of those arrested who were of Black ethnic appearance decreased by three percentage points to account for 9% of all arrests. Those of 'Other' ethnic appearance accounted for 12% of arrests, down one percentage point on the previous year.

**Figure 2.6: Proportion of persons arrested for terrorist-related activity by ethnic appearance<sup>1,2</sup>, year ending 30 September 2018 and 30 September 2019, compared with total proportions since 11 September 2001**



Source: NCTPOC (see [data table A.11](#))

**Notes:**

1. As recorded by the police at time of arrest.
2. Excludes those whose ethnicity is not known.

### Nationality

Of those arrested in the latest year, 69% considered themselves to be of British or British dual nationality, down four percentage points on the previous year. Since 11 September 2001 (when the data collection began), 61% of those arrested considered themselves to be of British or British dual nationality (Table 2.1).

**Table 2.1: Number of persons arrested for terrorist-related activity, since 11 September 2001, by self-defined nationality<sup>1,2</sup>**

<i>Numbers &amp; percentages</i>		<b>Great Britain</b>
Self-defined nationality	Total since Sep 11 2001	Proportion of all arrests (%)
Great Britain <sup>3</sup>	2,781	61
Algeria	192	4
Pakistan	170	4
Iraq	170	4
Iran	91	2
Afghanistan	90	2
Somalia	82	2
Turkey	81	2
India	61	1
Sri Lanka	51	1

**Source:** NCTPOC (see [data table A.11](#))

**Notes:**

1. The nationalities presented here are those declared by persons at the time of arrest and may differ from their country of origin.
2. Only the first 10 countries, by number of persons arrested for terrorist-related activity, are included in the table.
3. Figures for Great Britain include those with 'British dual' nationality.

## 3 Court proceedings

### Key results

- In the year ending 30 September 2019, **52 persons were tried for terrorism-related offences, a fall of 39 (43%) from the 91 persons in the previous year.**
- Of the 52 persons tried for terrorism-related offences, **44 were convicted (85%).**
- Of the 44 persons convicted of terrorism-related offences, **32 (73%) pleaded guilty and 12 (27%) entered a not-guilty plea.**

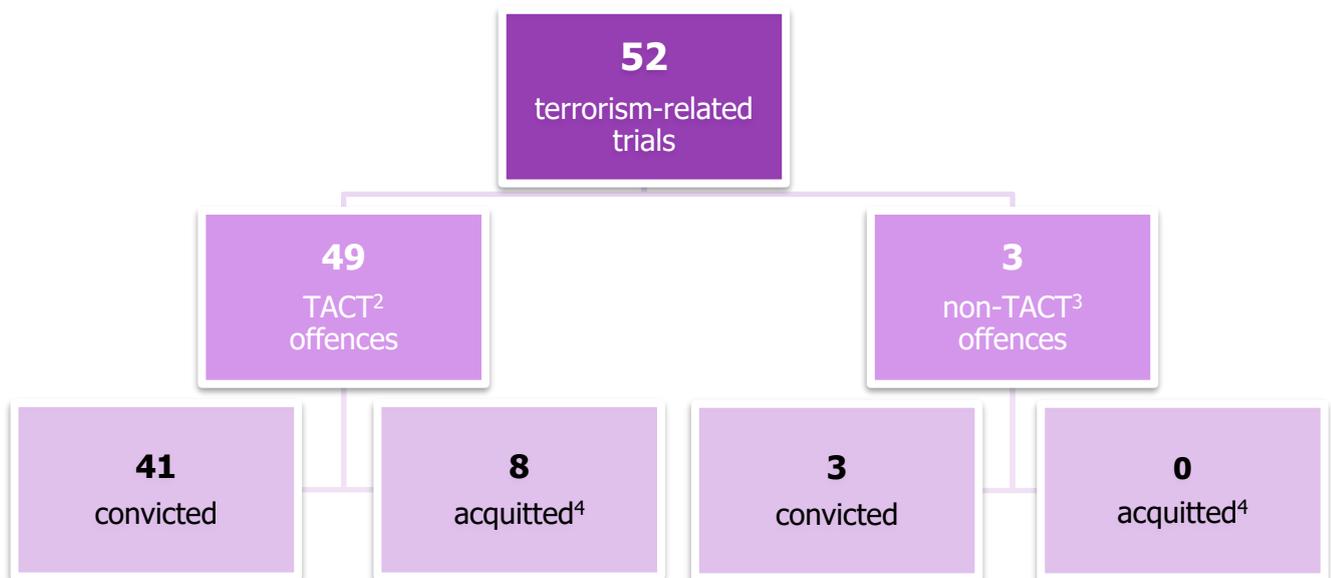
This section presents statistics on prosecutions for terrorism-related offences in England and Wales. It provides data on the number of persons prosecuted and convicted, including information on the legislation under which they were prosecuted. It also provides information on the length and type of sentence that each convicted person received. Data in this section are based on the trial completion date and are not directly comparable to the prosecutions data in section 2, Arrests and outcomes, which is based on the date of arrest.

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 10 years from the year ending September 2010 up to the year ending September 2019.

### 3.1 COURT PROCEEDINGS

The number of persons tried following prosecution by the CPS CTD for terrorism-related offences was down on the previous year, following a previous upward trend between September 2014 and September 2018. In the year ending 30 September 2019, 52 persons were tried for terrorism-related offences, a fall of 39 (43%) from the 91 persons in the previous year ([data table C.01](#)). Of the 52 persons tried for terrorism-related offences, 44 were convicted. Figure 3.1 shows the outcomes for the 52 persons proceeded against.

**Figure 3.1: Outcome of terrorism-related trials under TACT and non-TACT legislation, year ending 30 September 2019, England and Wales<sup>1</sup>**



Source: CPS CTD (see [data tables C.01-C.03](#))

**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.

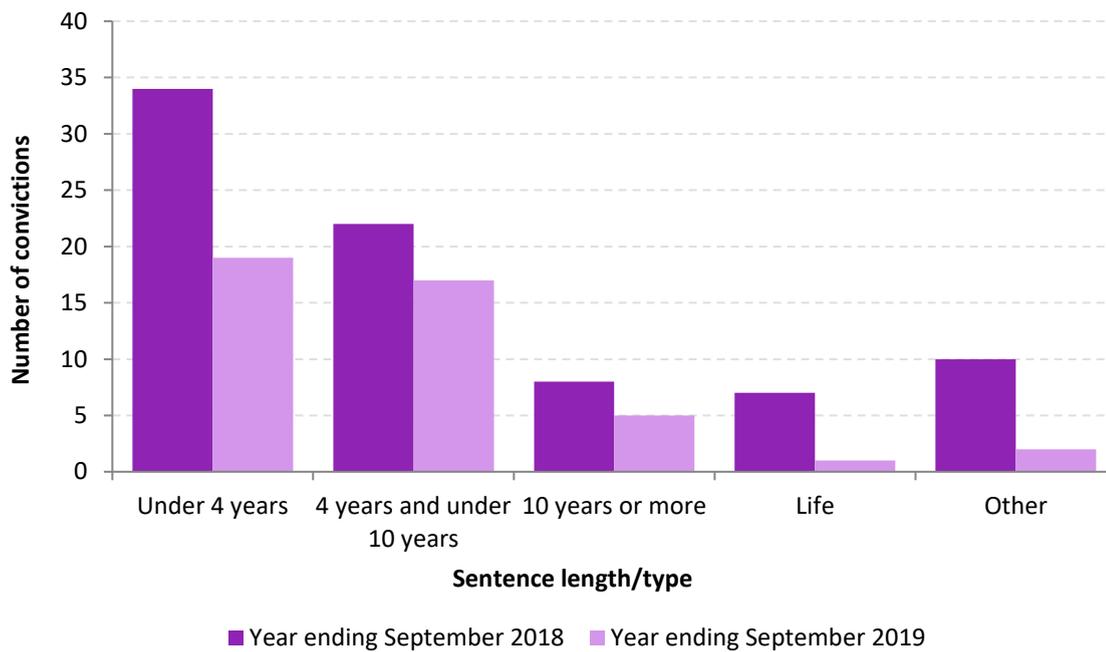
### 3.2 SENTENCING

The most common sentence length in the latest year was under 4 years, which accounted for 43% of sentences (19 of 44 convictions). There were 17 sentence lengths between 4 and 10 years, accounting for 39% of the total. One individual received a life sentence, down from 7 in the previous year.

Those given a life sentence accounted for 2% of all those sentenced in the latest year, a fall of 6 percentage points on the previous year. The number of sentences of 10 years or more also fell, from 8 to 5, compared with last year. The number of non-custodial sentences decreased from 10 to 1 in the latest year.

Of the 44 persons convicted of terrorism-related offences, 32 (73%) pleaded guilty and 12 (27%) entered a not-guilty plea. The proportion convicted that pleaded guilty was higher than the previous year when 45 of the 81 persons convicted (56%) entered a guilty plea.

**Figure 3.2: Sentence length for persons convicted for terrorism-related offences, year ending 30 September 2019 compared with the previous year, England and Wales<sup>1,2</sup>**



Source: CPS CTD (see [data table C.04](#))

**Notes:**

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

## 4 Terrorist prisoners

### Key results

- As at 30 September 2019, there were **224 persons in custody for terrorism-related offences** in Great Britain, **unchanged since the previous 12 month period**.
- Of those in custody, the vast majority (**77%**) were categorised as holding **Islamist-extremist views**. A further **17% were categorised as holding far right-wing ideologies**.
- A total of **53 prisoners held for terrorism-related offences were released** from custody in Great Britain in the latest year for which figures are available (year ending 30 June 2019).

Statistics presented in this section give information on the number of persons in custody for terrorism-related offences in Great Britain. It includes breakdowns of their ethnicity, nationality, ideology and religion.

Prior to June 2018, the Home Office published figures on both terrorist prisoners and domestic extremist/separatist prisoners. However, following feedback from data providers at Her Majesty's Prison and Probation Service (HMPPS), it was decided that prisoners categorised as 'domestic extremist/separatist' prisoners would be counted within the 'TACT/TACT-related' cohort, where the threshold for this is met, i.e. for offences which the court has determined have a terrorist connection. This was to remove the previous subjectivity around the categorisation of domestic extremist prisoners. Furthermore, this section now also includes information on the 'ideology' held by prisoners.

Data were provided to the Home Office by HMPPS and the Scottish Prison Service (SPS) giving information about the prison population for the 10 years from 31 March 2010 to 30 September 2019, and also at the end of the 9 quarters to 30 September 2019. Data on the number of prisoners released were also provided and cover the 6 years ending 30 June, from 2013 to 2019, as well as the 9 quarters to 30 June 2019. Prisoner release figures as at 30 September 2019 are not yet available as these will form a subset of the prison releases statistics which will be published by the Ministry of Justice in their [Offender management statistics quarterly](#) release in January 2020.

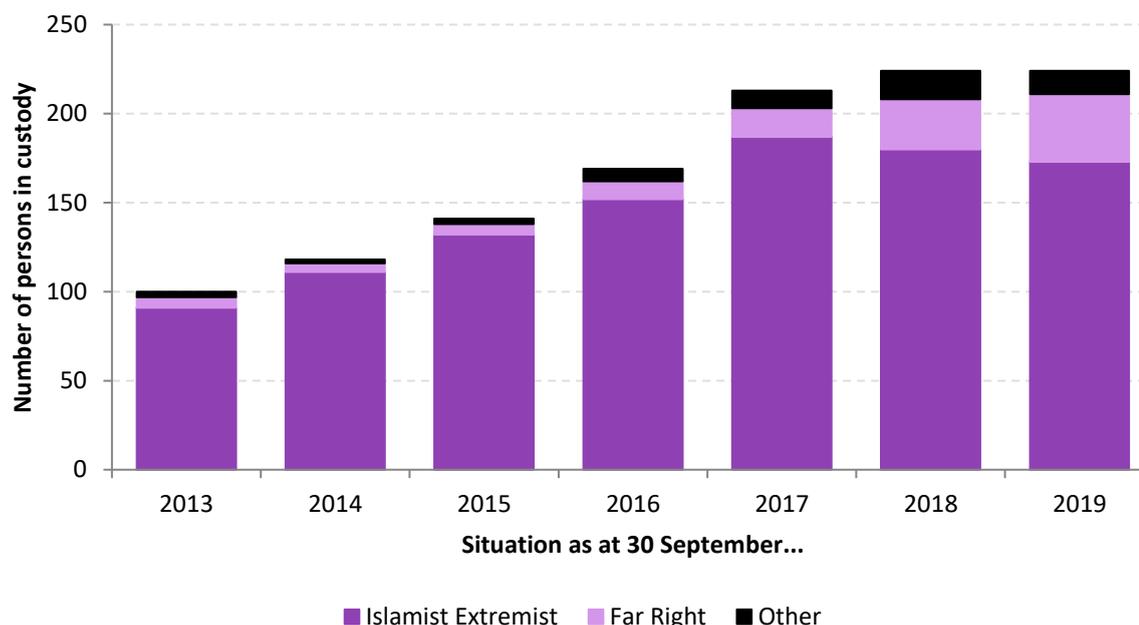
### 4.1 PERSONS IN CUSTODY

As at 30 September 2019, there were 224 persons in custody for terrorism-related offences in Great Britain, unchanged since the previous year.

Of those in custody, the clear majority (77%) were categorised as holding Islamist-extremist views. A further 17% were categorised as holding far right-wing ideologies with the remaining prisoners (6%) holding beliefs related to other ideologies.

The number of Islamist-extremist prisoners held in custody (173), as at 30 September 2019, was 10% below the peak of 192 as at 31 December 2017. The proportion of prisoners holding far-right ideologies has increased steadily over the past 3 years, with the number up from 28 to 38 in the latest year. There were 13 prisoners holding 'Other' ideologies, a decrease of 3 on the previous year.

**Figure 4.1: Number of persons in custody for terrorism-related offences, by ideology, years ending 30 September 2013 to 30 September 2019, Great Britain<sup>1,2,3,4</sup>**



Source: HMPPS and SPS (see [data table P.01](#))

**Notes:**

1. [HM Government's Prevent Strategy 2011](#) defines an ideology as a set of beliefs. An ideologue is a proponent as well as an adherent of an ideology.
2. 'Islamist extremist' refers to prisoners from Islamic proscribed groups who advocate, justify or glorify acts of violence (especially against civilians) or other illegal conduct to achieve fundamental changes to society.
3. 'Far right' refers to individuals from politically far right-wing proscribed groups such as National Action which became the first extreme right-wing group to be proscribed as a terrorist organisation in December 2016.
4. 'Other' refers to individuals from proscribed groups not categorised as 'Islamist extremist' or 'far right-wing'.

Of the 224 persons in custody, 196 had been convicted (88%). The remaining 12% were being held on remand (held in custody until a later date when a trial or sentencing hearing will take place).

## 4.2 PERSONS RELEASED FROM CUSTODY

A total of 53 prisoners held for terrorism-related offences were released from custody in Great Britain in the latest year for which figures are available (year ending 30 June 2019)<sup>1</sup>. Of these, 41 (77%) were persons released from custody after serving sentences, many of whom will be subject to meeting certain licence conditions.

Of the 53 released from custody, 15 had received sentences of less than 4 years, and 25 had sentences of 4 years or more (including one life sentence). One was released following an indeterminate sentence for public protection, and a further 12 had not been sentenced.

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

<sup>1</sup> Figures as at 30 September 2019 are not yet available from HMPPS as these will be published by MoJ in January 2020.

## 5 Other police powers under the Terrorism Act 2000

### Key results

- In the year ending 30 September 2019, **673 persons were stopped and searched by MPS under s.43 of TACT 2000**. This was an **increase of 5%** when compared with the previous year's total of **641**
- In the latest year there were **71 arrests** resulting from a s.43 stop and search, **up 20 on the previous year's total of 51**.

This section presents statistics on the use of stop and search powers available to the police under the Terrorism Act 2000 (TACT 2000). It includes data on the number of stop and searches, and resultant arrests, carried out under s.43 of TACT 2000 (by the Metropolitan Police Service (MPS) only) and s.47A of TACT 2000 (by all police forces). It also contains data on the use of powers under Schedule 7 to TACT 2000 in Great Britain. This includes the number of examinations, resultant detentions, strip-searches, the number of times postponement of questioning (usually to enable an individual to consult a solicitor) was refused, and the number of sea and air freight examinations.

Data on s.47a stop and search are provided to the Home Office by police forces, and data on s.43 stop and search are currently provided on a quarterly basis for this release by MPS only. S.43 stop and search figures for other forces are published annually by the Home Office in the [Police powers and procedures](#) release. Data on Schedule 7 are provided to the Home Office by the National Counter Terrorism Policing Headquarters (NCTPHQ). This section includes annual breakdowns for the last 8 years (when the data collection began) up to the year ending September 2019.

Following the Parsons Green attack, on 15 September 2017, the police used the power of stop and search under s.47a of TACT 2000 (previously s.44) for the first time. This power allows the police to exercise stop and searches when there is reasonable suspicion an act of terrorism will take place, and only when such powers are considered necessary to prevent such an act taking place. This was the first time they had been used in Great Britain since the legislation was formally amended in 2011. Following the attack on Parsons Green, 4 forces authorised the use of these powers: British Transport Police, City of London Police, North Yorkshire Police and West Yorkshire Police. There was a total of 128 stops (126 of which were conducted by BTP) resulting in 4 arrests (all BTP).

Further details on the use of s.47a can be found in the [code of practice](#) for the exercise of stop and search powers.

### 5.1 STOP AND SEARCH UNDER SECTION 43 OF THE TERRORISM ACT 2000

Section 43 of TACT 2000 allows a constable to stop and search a person whom he/she reasonably suspects to be involved in terrorist activity. This section includes data from MPS only and excludes 'vehicle only' stops and searches.

There was a large reduction in the use of s.43 stops between 2011 (when the data collection began) and 2014, during which time numbers fell 70%, down from 1,210 to 360

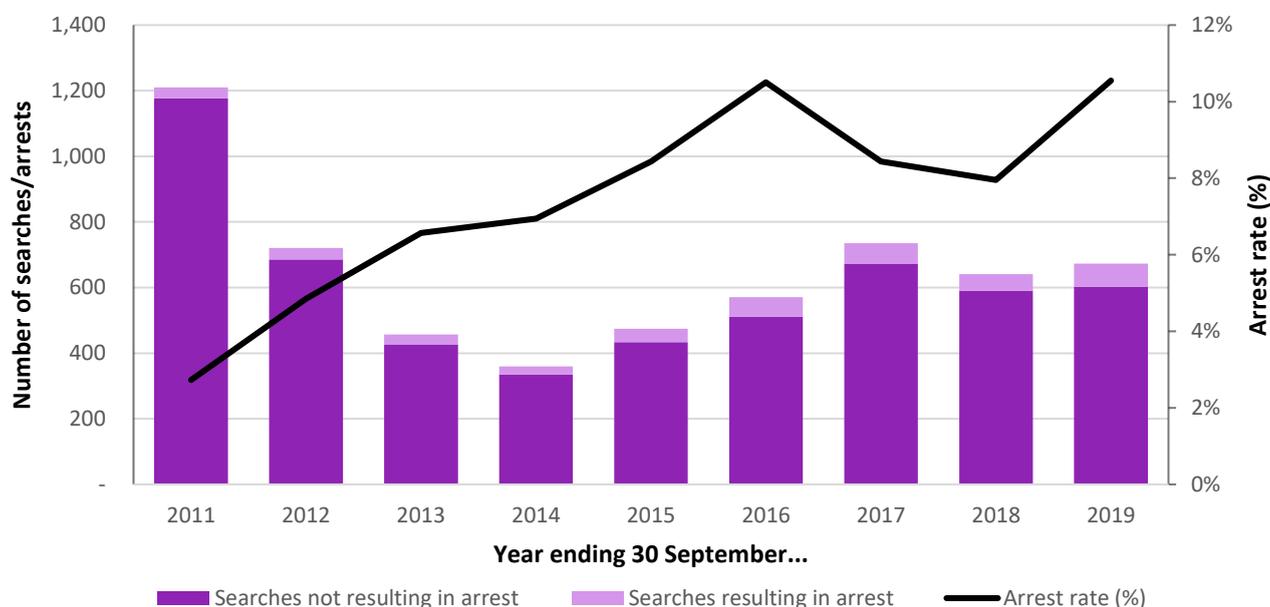
stops. There was then a steady increase in the next three years, up to a total of 735 stops in 2017. In the year ending 30 September 2019, 673 persons were stopped and searched by MPS under s.43 of TACT 2000, an increase of 5% when compared with the previous year's total of 641. (Figure 5.1).

In the latest year there were 71 arrests resulting from a s.43 stop and search, up 20 on the previous year's total of 51. The arrest rate was up three percentage points on the previous year, with 11% of stops resulting in arrest.

There was an increase in stops of those who identified as 'White' (up from 165 to 203) in the latest year, and a greater number of stops where the ethnicity was not stated (up from 99 to 134). Other ethnic groups saw small falls in the number of stops:

- 'Asian or Asian British' (down from 169 to 160);
- 'Black or Black British' (down from 99 to 82);
- 'Chinese or Other' (down from 79 to 73); and,
- 'Mixed' (down from 30 to 21).

**Figure 5.1: Stop and searches<sup>1</sup> under s.43 of TACT 2000, MPS**



**Source:** MPS (see [data table S.01](#))

**Notes:**

1. Excludes 'vehicle only' searches.

Details on the overall use of stop and search in England and Wales can be found in the Home Office [Police powers and procedures, England and Wales](#) statistical release. MPS also publishes [monthly reports](#) on the use of stop and search within its force area.

## 5.2 SCHEDULE 7 TO TACT 2000

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

- examinations of persons and resultant detentions;
- strip-searches;
- refusals to postpone questioning (usually to enable an individual to consult a solicitor); and,
- examinations of goods.

Also, for the first time in this release, data have been provided on how frequently other powers have been used in Great Britain under Schedule 7 to restrict or qualify a person's access to a solicitor. As well as 'refusal to postpone questioning', which has been published since 2016, this release now also covers use of powers where a person is:

- required to consult a solicitor by phone;
- delayed access to a solicitor; or
- required to consult in sight and hearing of a qualified officer.

### Examinations and resultant detentions

An examining officer may stop and question individuals entering and 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 or not that person is or has been concerned with the commission, preparation or instigation of acts of terrorism.

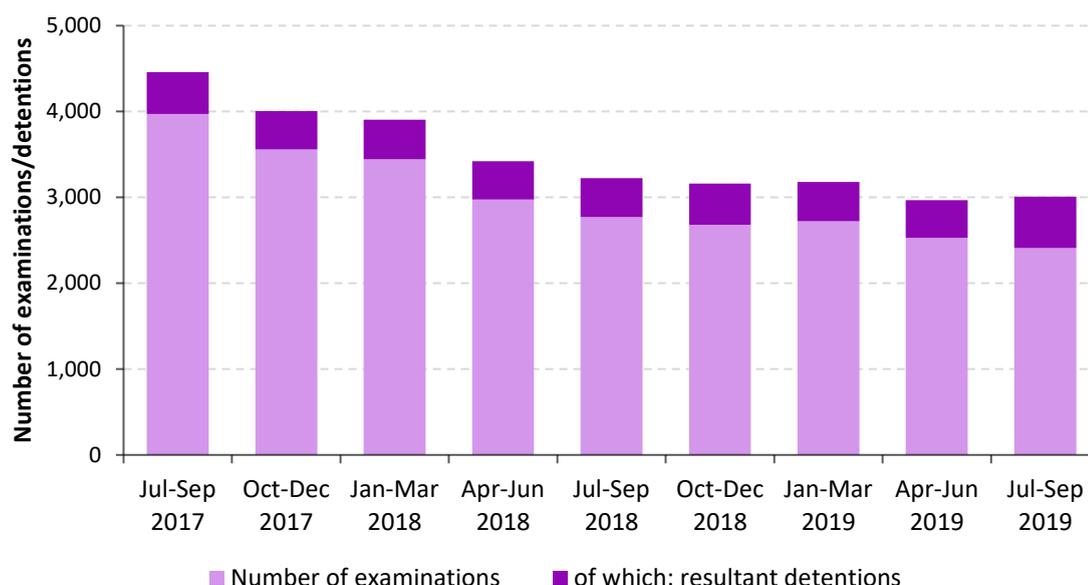
In the year ending 30 September 2019, a total of 10,344 persons were subject to the use of this power in Great Britain. This was a fall of 19% compared with the previous year (when there were 12,752 examinations), and of 84% since the data were first collected in the year ending 31 March 2012 (when 63,902 persons were examined under Schedule 7). Since the data collection began there have been average annual falls of 22%. There has been increased public scrutiny of this power in recent years, which may have driven a more targeted approach in its use. This is reflected in the increased rate of detention (see Figure 5.2 below).

Of the 10,344 persons (excluding the 1,091 whose ethnicity was not stated; 11% of the total):

- 31% identified as 'Chinese or other';
- 29% identified as 'Asian or Asian British';
- 25% identified as 'White';
- 8% identified as 'Black or Black British'; and,
- 6% identified as 'Mixed'.

The number of detentions following examination increased by 9% from 1,803 in the previous year to 1,972 in the latest year. The Anti-Social Behaviour, Crime and Policing Act 2014, which came into effect in October 2014, amended the powers under Schedule 7 to TACT 2000 to ensure that a mandatory detention takes place where an examination lasts for longer than 1 hour. The rate of detention following an examination in the latest year was 19%, up from 14% in the previous year. This continues the upward trend in the rate of detention following examinations in recent years.

**Figure 5.2: Number of Schedule 7 to TACT 2000 examinations<sup>1</sup> and resultant detentions, 9 quarters to 30 September 2019, Great Britain**



**Source:** NCTPHQ (see [data table S.04](#))

**Notes:**

1. Excludes examinations of unaccompanied freight.

### 5.3 OTHER POWERS UNDER SCHEDULE 7 TO TACT 2000

The following section includes information on several additional powers under Schedule 7 to TACT 2000. This includes:

- strip-searches;
- postponement of questioning refusals; and
- examinations of goods (sea and air freight).

Data on these powers have been collected by the Home Office since April 2015.

In the year ending 30 September 2019:

- 3 strip-searches were carried out under the power;
- a total of 1,185 air freight and 4,289 sea freight examinations were conducted in Great Britain; and
- postponement of questioning (usually to enable an individual to consult a solicitor) was refused on three occasions.

Furthermore, data have been provided on how frequently powers have been used to restrict or qualify a person's access to a solicitor by: requiring the person to consult a solicitor by phone, delaying access to a solicitor, and requiring the person to consult in sight and hearing of a qualified officer. These data have been collected since April 2019.

In the period April 2019 to September 2019, powers to restrict or qualify a person's access to a solicitor were used once. On this occasion the person was required to consult a solicitor by phone.

Details on each power can be found in the [user guide](#).

## 6 Further information

---

### Accompanying user guide and tables

The [user guide](#) provides further details on this release, including the strengths and limitations of the datasets, and the quality assurance processes involved in the production of this release. It also includes a summary of the criminal justice process, a glossary of terms used, and detail about the legislation and categories mentioned in this release.

A flow chart summarising the **Arrests and outcomes** section of this release can be found in [Annex A](#).

### Future Releases

The information published in the quarterly 'Operation of police powers under the Terrorism Act 2000' statistics is kept under review, taking into account the needs of users, and burdens on suppliers and producers, in line with the [Code of Practice for Statistics](#). If you have any comments, suggestions or enquiries, please contact the team via email using: [crimeandpolicestats@homeoffice.gov.uk](mailto:crimeandpolicestats@homeoffice.gov.uk).

### Other related publications

The annual '[Police powers and procedures](#)' publication provides information on use of various powers by police in England and Wales including: arrests for notifiable offences, stop and searches under section 1 PACE and associated legislation, Best Use of Stop and Search (BUSS) statistics, motoring offences, and detentions under the Mental Health Act 1983.

Northern Ireland Security Statistics are published by the Northern Ireland Office [here](#).

### Feedback and enquiries

We welcome feedback on the quarterly statistics release. If you have any feedback or enquiries about this publication, please contact [crimeandpolicestats@homeoffice.gov.uk](mailto:crimeandpolicestats@homeoffice.gov.uk).



Home Office Statistical Bulletin Number: 30/19

ISBN: 978-1-78655-936-4

ISSN: 1759-7005



© Crown copyright 2019

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.