

PAUL BURSTOW MP
Sutton & Cheam



HOUSE OF COMMONS
LONDON SW1A 0AA

Correspondence address:

312-314 High Street, Sutton, Surrey SM1 1PR

Rt Hon Charles Clarke MP

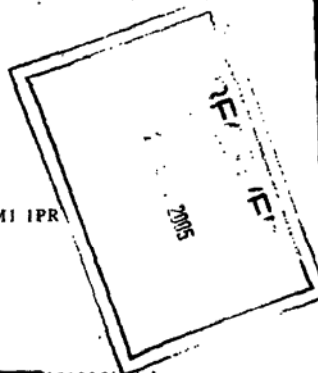
Secretary of State

Home Office

50 Queen Anne's Gate

London SW1H 9AT

Please quote reference
on all correspondence



Our Ref: Clarke/[REDACTED]191005/sc/rd

20 October 2005

Dear Mr Clarke

5447338
for
AAPD.

I am writing to you on behalf of my constituents [REDACTED] concerning the entry of Rev Dr Moon into the UK in early November to speak to an invited audience. I have enclosed a copy of my constituents' correspondence, together with a letter of support from various UK Interfaith leaders.

I would be grateful if you would look into this matter and confirm that Rev Moon will be allowed into this country for one day to visit London as part of his current world speaking tour and addressed an invited audience.

With best wishes,

PAUL BURSTOW
Member of Parliament for Sutton and Cheam

Encl.

Regular advice surgeries are held around the constituency
Telephone the constituency office for details

Constituency Office: Tel & Text (020) 8288 6555 Fax (020) 8288 6550
Westminster Office: (020) 7219 1196
Web site: www.paulburstow.com

(11)

[REDACTED]
From: [REDACTED]
Sent: 14 October 2005 09:08
To: info@paulburstow.org.uk
Subject: From your constituent

Rt Hon Paul Burstow MP
House of Commons
Westminster

11.10.05

Dear Mr Burstow:

As concerned constituents of yours and members of the Interreligious and International Federation for World Peace (IIFWP), we came to see you regarding the exclusion of Rev Dr Sun Myung Moon from Britain last year. We would like to extend our appreciation that you were kind of enough to write to the Home Secretary to acknowledge our plight and recommend review of his case at that time.

We would like to let you know that as Rev Dr Moon, now 85 years old, is in the process of undertaking a 100 city speaking tour - amongst these he will be visiting 13 cities in Europe. We are, of course, working towards and hoping very much that London will be amongst them.

As you can see from the attached letter written by a delegation of prominent UK Interfaith Leaders as of 3rd October, as well as a summary of the Appeal and the Appellate Tribunal Ruling. These eminent people are well acquainted with the work of IIFWP, particularly in the areas of peace and reconciliation, our work in the Middle East and numerous conferences to promote the voice of moderate, mainstream Islam. They happily support Rev Dr Moon's entry into Britain, especially as it is only for 24 hours time period to be spent with an invited audience only.

To this end, we are approaching parliamentarians who have met us before with the hope that you will be kind enough to write a paragraph or so to the Home Secretary expressing your support for the delegation.

We would like to request that you:

- a) Bring this request and delegate list to the attention of both Rt Hon Charles Clarke and Rt Hon Tony McNulty; and
 - b) Impress upon them the request for Rev Dr Moon to visit London for one day, as part of his current world speaking tour, addressing an invited audience regarding the fundamental, universal principles of peace.
- As this would be in early November, the urgency of this request is self-evident, in order that IIFWP has time to arrange a venue, etc.

We would be sincerely grateful for whatever help you can lend to this request.

With Deep Appreciation,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

18/10/2005

18/10/2005

[12]

Paul Burstow Esq, MP
House of Commons
London
SW1A 0AA

Reference: M27803/5

Your Reference: Clarke [REDACTED]/191005/sc/rd

Thank you for your letter of 20 October 2005 on behalf [REDACTED]
[REDACTED] about Reverend Moon.

You may be aware that, following a review of his case, the exclusion against Reverend Moon was lifted. This allowed Reverend Moon to apply for a twenty-four hour visa to enter the UK. He entered the UK on 5 November, attended the event in London and, complying with the conditions of his visa, left the UK the following day.

Andy Burnham

recruitment and retention methods would be used again. The conviction was a makeweight point.

137. Of course, the Secretary of State is not obliged to accept expert material and can prefer the experiences of those with direct contact, who may therefore be regarded as subjective and hostile. The Adjudicator can do likewise. The Secretary of State is entitled to take a precautionary approach. The problem is that the views upon which he relied do not contradict the views of Professor Barker so much as deal with a different point in time and fail to grapple with the position as it is and has been for many years, as set out by her. If CIC and FAIR had provided current evidence of abusive recruitment and retention methods, the Secretary of State would have been entitled, the Adjudicator also, to reject any contrary expert view.
138. This is a case, however, where the decision was based on material which did not warrant the conclusion reached, and especially so in the light of the later material before the Adjudicator, notably that of Dr Wilson. This is not a disagreement with an evaluation as to what constitutes the public interest or as to a balance struck between competing public and private interests and rights, but a judgment that the factual material simply does not justify the Secretary of State's conclusion as to the factual basis for the existence of a risk. Had the risk been shown to be soundly based, we would not have interfered with the decision. This is therefore one of those very exceptional cases in which we conclude that the decision of the Secretary of State was disproportionate. It may be better to say that it was not shown to have any sound basis. The appeal would have been allowed if we had concluded that the Appellant could rely upon the Convention.
139. However, the appeal is dismissed for the reasons which we have given earlier. It is reported for what we say about the application of the ECHR in entry clearance cases, and the approach to proportionality.

D. J. W. Ouseley

MR JUSTICE OUSELEY
PRESIDENT

24. 6. 05

[14]

The Rt. Hon. Charles Clarke MP
The Secretary of State for The Home Department
Peel Building
2 Marsham Street
London, SW1P 4DF.

03/10/2005

Dear Home Secretary,

As leaders of significant faith groups in the United Kingdom and in a spirit of wishing to support you in your efforts to promote better religious and racial integration and to safeguard public order, we would like to request a brief but urgent meeting with you regarding a matter which we regard as of the highest importance.

Over the past decade and more we have come to know the work for world peace of Rev. Dr. Sun Myung Moon, both in the UK and abroad. In these times of violence perpetrated in religion's name we have experienced the extensive inter-religious and interfaith activity inspired by Rev. Dr. Moon over the last 30 years. We regard him and his work as much misunderstood and as part of the solution rather than as part of the problem.

Furthermore we have seen the Judgement of Mr Justice Ouseley, President of the Immigration Appeal Tribunal (as it then was) that clearly states that there was "no sound basis" for the decision of your predecessor to exclude Rev. Dr. Moon and that had the Tribunal felt it had the power to do so, it would have ordered that Rev Moon be allowed to come to the U.K.

Many of us have written to your predecessors about this matter, but we want to bring this matter to your attention at this time because the Rev. Dr. Moon is undertaking a worldwide speaking tour which will bring him to Europe between October 24 and November 5 next. Not unnaturally, he wishes to visit Great Britain for one day as part of his European tour and speak at an invitation only event. It is therefore important that he and the organisers can know very soon whether he will indeed be free to come.

We would be most grateful if you would set aside at your earliest convenience even a few minutes of your very valuable time, to speak about this issue with as many of us as can manage to make it to whatever appointment can be arranged. We would prefer this to be, if at all possible, during the next few days at a place that is convenient to you. Could your Secretary call [redacted] or [redacted] with your reply?

We much appreciate your kind consideration of this matter

Yours sincerely,

[redacted signature block]

[1/2]

[K1]

[REDACTED]

[2/2]

[15]

Immigration Appellate Tribunal decision:

Justice Ouseley concluding paragraph of his decision:

This is a case, however, where the decision was based on material which did not warrant the conclusion reached, and especially so in the light of the later material before the Adjudicator, notably that of Dr Wilson. This is not a disagreement with an evaluation as to what constitutes the public interest or as to a balance struck between competing public and private interests and rights, but a judgment that the factual material simply does not justify the Secretary of State's conclusion as to the factual basis for the existence of a risk. Had the risk been shown to be soundly based, we would not have interfered with the decision. This is therefore one of those very exceptional cases in which we conclude that the decision of the Secretary of State was disproportionate. It may be better to say that it was not shown to have any sound basis. The appeal would have been allowed if we had concluded that the Appellant could rely upon the Convention.

(More of the decision can be provided on request.)

SUMMARY OF REV MOON'S APPEAL AGAINST EXCLUSION FROM UK

INTRODUCTION & BACKGROUND

06-10-05

The history of Rev Moon's troubles with British immigration goes back over 25 years. It is impossible to understand the significance of the current situation properly without first understanding (at least in light detail) the main points of what has happened since 1978.

The current "case" is the fourth in which The UK government has sought to exclude Rev Moon. It is also the fourth time that such attempts at exclusion have been declared to be "wrong", "unlawful" "unsound" and similar terms. Thus it can be seen, that according to judicial findings, there is a history that amounts almost to serial violation of key rights and freedoms - Rev Moon's own as a religious leader and those of his followers in the UK who want to hear him speak and have him minister to them. The four attempts at exclusion and the outcome of the litigation can be summarised as follows:-

(1) In May 1978, the Home Secretary refused to allow Rev Moon permission to stay as a visitor on the ground that he was "not satisfied that the Reverend Moon would leave the United Kingdom at the end of the period sought." Chief Adjudicator Peterkin, allowed the appeal, referring to Rev Moon's "integrity" and commenting that the refusal was based on "speculative" newspaper reports. Rev Moon stayed for four months. There was no appeal.

(2) In 1989, The Home Secretary refused Rev Moon entry clearance "because of your character and conduct". In August 1991, Adjudicator Richards allowed the appeal and ordered that an entry clearance be granted. There was no appeal by the government. Because of this decision, Rev Moon was given two letters of consent (late 1991 and summer 1992) allowing him entry to the U.K.

(3) In October 1995, Upon Rev Moon's application for entry clearance, the Home Secretary (Michael Howard) decided that the presence of Rev Moon in this country would "not be conducive to the public good". Upon application for Judicial Review, Mr Justice Sedley ruled that the Home Secretary "had acted in breach of procedural fairness" by failing to tell Rev Moon why it was now considered (by contrast with the entry clearances issued in 1991-1992) that it was contrary to the public good to let him enter. He had not told Rev Moon in any detail why he was excluded and didn't give him a chance to state his own case. The Home Secretary did not appeal. This meant that the Home Secretary's exclusion was quashed but not that Rev Moon was entitled to enter. Rather, he had to be given the right to state his case before any new decision was made. Despite this judicial intervention there was too short a time to compile the case before his visit (he was due to arrive next day) so he did not come.

THE CURRENT CASE

(4) In April 2001, the then Home Secretary, Jack Straw, announced his intention to ban Rev Moon yet again because his officials had realised that the previous exclusion order was now invalid. The reason stated was that "his presence in this country would not be conducive to the public good on grounds of public order". Rev Moon was invited to make representations as part of a review process to which others too were invited to contribute. "Public order" was quickly abandoned when the police refuted any such suggestion in their evidence.

In May 2003, despite the review, the Home Secretary again excluded Rev Moon, who appealed to the Immigration Appellate Authority on the grounds that his rights (of freedom of religion, freedom of expression and freedom of assembly and association) under the European Convention as guaranteed by the

[16]

Human Rights Act 1998, had been violated. Proof of Human rights violation was critical as a right of appeal could only be sustained on such grounds and no others.

At a hearing in March 2004 the Home Secretary argued that as Rev Moon had been outside the jurisdiction (in Seoul Korea) when he applied to enter, Human Rights legislation (and the European Convention) did not apply. He also argued that even if the convention did apply, Rev Moon's rights had not been violated as the consideration of his case had been fair. The Adjudicator dismissed the appeal and upheld both the Home Secretary's arguments.

Rev Moon appealed against this decision to the Immigration Appeal Tribunal which sat with its strongest possible panel of judges under its President, Mr Justice Ouseley, on March 14th 2005. On June 30th 2005 they delivered their decision. While upholding the finding of the adjudicator below that Rev Moon could not plead violation of Human Rights because he was (in Seoul) outside the jurisdiction in which they applied, they strongly criticised his exclusion, saying that this was one of "those very exceptional cases" where the courts were justified in intervening in ministerial decisions because the decision was "grossly disproportionate". The judges also stated plainly that if they had had the power they would have exercised it in Rev Moon's favour and would have ordered that he be allowed to enter Britain. They also stated that there was "no sound basis" for the decision.

Finally, they pointed to a way in which the matter might be resolved in Rev Moon's favour by initiating a separate legal case based on violation of the rights of qualificationists in Britain in preventing them access to their leader rather than, as previously, violation of Rev Moon's own rights.

Their decision was arguably (although not expressly) made with the intention of opening the way for a negotiated settlement, which is now being actively pursued

Rev Moon has lodged an appeal, but the Home Secretary has yet to decide whether to contest the appeal or whether to accede to a request (dated 8th July 2005) from his lawyers for a negotiated settlement. Under the proposed settlement, the Home Secretary would allow Rev Moon entry (remove the ban) if Rev Moon withdraws his appeal (which, if successful, would alter the law in a way that would open up many new Human Rights claims and thus be to the government's disadvantage).

A reply to the proposed has been promised for October 21, but only on a date which would be too late to organise the proposed speaking engagement in London (which Rev Moon feels may, at 86, be his last).

A delegation of some of the U.K.'s most distinguished Faith leaders is trying urgently to get a meeting with the Home Secretary to ask him to make a positive decision in favour of Rev Moon's visit well before that time.

[2/2]

IND ^{Prz}

TO Mrs. [177]



The Family Federation for World Peace and Unification

43 Lancaster Gate, London W2 3NA
Tel : 020 7262 0985 Fax : 020 7724 2262 email : pa@ffwpu.org.uk
Web www.ffwpu.org.uk

TO 41816
TD 29.11.05

AARD
SSEN

22nd October 2005

Rt Hon Tony Blair
10 Downing Street
SW1A 2AA

Re: Immigration case of Rev Dr Sun Myung Moon

HO Immigration ² ⁵

Dear Prime Minister

I would like to draw your attention to the case of the Rev Dr Sun Myung Moon who has been excluded from the United Kingdom. In a recent ruling the president of the Immigration Appellate Tribunal, Justice Ouseley, found that there was 'no sound basis' for this decision. We want to draw your attention to a delegation of top religious and other such leaders, many of whom are known to you, who know of his good activities and intend to speak to the Home Secretary or to yourself about any concerns that you might have about a visit from the Rev Moon. Rev Moon is 86 years old and is currently speaking in many countries on a speaking tour and would like to visit the UK in early November.

Please find enclosed a summary of his immigration case and a copy of the delegation letter sent by top religious leaders to the Home Secretary.

We would ask you to do all in your power to ensure that Reverend Moon's visit can go ahead and would be happy to meet you at very short notice to express our deep concerns about this matter.

Yours Faithfully,

[Redacted signature]

25 OCT 2005

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IN DCU
- 1 NOV 2005

Registered Charity No. 267917

(18)



Home Office

Immigration and Nationality Directorate
Asylum and Appeals Policy Directorate

401, Apollo House, 36 Wellesley Road, Croydon CR9 3RR.
Tel 0870 606 7766 Fax On Request

[Redacted]

Date 10 November 2005

The Family Federation for World
Peace and Unification
43 Lancaster Gate
London
W2 3NA

Dear [Redacted]

Thank you for your letter dated 22 October to the Prime Minister in which you expressed concerns about the exclusion of Reverend Moon from the UK.

You are no doubt aware that the decision was made to lift the exclusion against Reverend Moon. This allowed him to apply for a visa to enter the UK as part of his world speaking tour. Reverend Moon entered the UK on 5 November, attended the event in London and, applying with the conditions of his visa, left the UK the following day.

Yours sincerely

[Redacted signature]

[19]



THE PRIVATE SECRETARY TO THE HOME SECRETARY
2 Marsham Street, London SW1P 4DF
www.homeoffice.gov.uk

[Redacted]

27th October, 2005.

The Family Federation for World Peace and Unification
43 Lancaster Gate
London
W2 3NA

Dear [Redacted]

Thank you for your letter of 4 October, enclosing a letter from a delegation of religious and other leaders who wish to meet with the Home Secretary about Reverend Moon's proposed visit to the UK.

You may be aware that the exclusion has now been lifted against Reverend Moon and he can now apply for a visa to travel to the UK for the conference in early November. I trust you no longer feel a meeting is necessary now Reverend Moon's case has been resolved.

[Handwritten signature]

[Redacted]

[20]



Home Office

Immigration and Nationality Directorate
Asylum and Appeals Policy Directorate

401, Apollo House, 36 Wellesley Road, Croydon CR9 3RR.
Fax 020 8760 8156 Direct Line 020 8760 8653
E-mail Genevieve.Wardle2@homeoffice.gsi.gov.uk www.homeoffice.gov.uk

[REDACTED]

Interreligious & International
Federation for World Peace
43 Lancaster Gate
London
W2 3NA

Our Ref S447338
Your Ref
Date 25 October 2005

Dear [REDACTED]

RE: REVEREND SUN MYUNG MOON.


Following a review of the case, the Home Secretary has revoked the exclusion against Reverend Moon.

There is no longer any restriction on Reverend Moon applying for entry clearance to visit the UK. However, the period of leave conferred will be limited to that required for the purpose for which he wishes to enter the UK.

I understand Reverend Moon wishes to enter the UK for a one-day conference in November. Can you please confirm the dates for which he wishes to enter the UK and the proposed timetable of the visit so that we can have a closer understanding of the purpose for entry and its likely duration. With this information we can liaise with the visa issuing post to ensure he gets his visa for the appropriate duration.

Please be advised that this letter does not grant Reverend Moon leave to enter the UK. The requisite application for entry clearance, including the usual details relating to the purpose of the visit, will need to be completed in the usual manner.

Yours sincerely


[REDACTED]