

## Briefings and Submissions 2000

### Briefings

Briefing on Criminal Justice, Michael Bartlet  
December 2000

Briefing on UN Agenda Resolution for Nuclear Disarmament, David Gee  
4<sup>th</sup> April 2000 + Text of draft resolution "Towards a Nuclear-Weapon-Free World"

Quaker Response to the Housing Green Paper, Michael Bartlet  
July 2000

Parliamentary Activity Database Briefing: Sanctions and Iraq, Michael Bartlet  
26<sup>th</sup> June 2000

Briefing for MPs on the Arms Trade, Michael Bartlet  
31<sup>st</sup> May 2000

Briefing on the Arms Trade, Michael Bartlet  
31<sup>st</sup> May 2000

Briefing for MPs on Young People in the Armed Forces, Michael Bartlet  
3<sup>rd</sup> May 2000

Briefing on Young People in the Armed Forces, Michael Bartlet  
3<sup>rd</sup> May 2000

Briefing on Disability Rights, Helen Evans  
3<sup>rd</sup> May 2000

Response to Consultation on Britain in the World, Religious Society of Friends  
28<sup>th</sup> March 2000

Briefing for Friends on Early Day Motions 117 and 181, Parliamentary Liaison Section  
27<sup>th</sup> January 2000

Parliamentary Activity Database Briefing on the Terrorism Bill, Michael Bartlet  
13<sup>th</sup> January 2000

QPSW Draft Policy Protocols 2001, QPSW  
No date

Statement on the Bombing of Iraq, RSoF  
No date

Draft Export Control and Non-proliferation Bill, Northern Friends Peace Board/RSoF  
No date

Yearly Meeting of the  
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## **Political Activity database briefing on Terrorism Bill**

### **Introduction**

The Terrorism Bill introduced in the House of Commons, 2nd December 1999, would extend existing counter-terrorist legislation and put it largely on a permanent basis. It will replace the current Prevention of Terrorism Act 1989, the Northern Ireland (Temporary Provisions) Act 1996 and Sections 1 to 4 of Criminal Justice Terrorism and Conspiracy Act 1998. While some aspects of the Bill serve to strengthen civil liberties, such as ending the power of executive detention without judicial approval and the ending of some temporary powers in relation to Northern Ireland, others raise serious concerns. At the heart of such concerns is the widening of the definition of terrorism to cover activities, which would not in the ordinary sense of the word be considered as terrorism. By including "violence against property," within the extended definition of terrorism, the Bill could for example bring within the definition which triggers its provisions such activities as deliberate damage to genetically modified crops.

### **Existing powers against terrorism**

Current powers fall into three broad categories:

- a) a power for the Secretary of State to proscribe terrorist organisations backed up by a series of offences including membership and fund-raising of such organisations.
- b) the creation of specific offences including fund-raising and training in the use of fire arms.
- c) a range of police powers beyond those ordinarily available including powers of investigation, arrest and detention.

### **Proposed definition of Terrorism**

The Bill defines terrorism as the "use or threat, for the purpose of advancing a political, religious or ideological cause, of action which -

- a) involves serious violence against any person or property,
- b) endangers the life of any person, or
- c) creates a serious risk to the health or safety of the public or a section of the public." It would also extend to action outside the United Kingdom.

While the Society of Friends has always been forthright in its opposition to violence and supported the resolution of conflict by peaceful means, the extension of the definition of terrorism to include violence against property raises legitimate concerns. Historically the definition of terrorism has involved campaigns against the state involving violence against people. By extending this definition to include other forms of action, the Bill not only effects the civil liberties of protesters, who could be more appropriately charged with criminal damage, but equally threatens to trivialise the whole category of terrorist offences.

### **Duty to disclose suspicions**

**Clause 18** creates a duty to disclose suspicions regarding money laundering and fund-raising. This would be triggered by the new broader definition of terrorism. Such a



provision could both damage journalistic coverage of important matters of public interest and by limiting press freedom to collect information could conflict with Article 10 of the European Convention on Human Rights.

### **Support for actions abroad**

The Bill maintains the temporary provisions of Criminal Justice Terrorism and Conspiracy Act 1998 including within the definition of terrorism support for actions "outside the U.K" which involve violence.

**Clause 57** makes it an offence to incite another to commit an act of terrorism abroad. To raise money for organisations falling within such a definition would become an offence and those ( including bankers and accountants ) knowing of such transactions would be under a duty to disclose them to the police.

### **Illustrations of activities which would fall within the definition of the Act**

**The Bill would have no impact on peaceful protest, which does not damage property.** However by extending the definition of terrorism to include violence against property the Bill could include within its scope: damaging property to prevent a new by-pass, destruction to GM crops, or activity undertaken by peace protestors which involved damage to the perimeter fence of a military base. The scope of the Bill would not only cover those directly involved but create a duty (Section 18) to disclose information about someone who you suspect may be using money or property to contribute to what would then fall within the definition of terrorist activity. This would include such groups as those supporting the Trident ploughshares activity.

The extent of the section regarding offences committed abroad would have provided for example that an exiled supporter of Nelson Mandela and the ANC, during the period when it espoused the armed struggle in South Africa would have been brought within the scope of the Bill. On a lighter note listeners to the Archers might be interested to note that Tommy Archer would have been liable to police powers of stop and search !

### **Possible response**

Friends may not wish to condone actions involving violence or damage to property but it surely cannot be appropriate to regard any action involving damage to property as terrorism. Friends in contact with their MPs might appropriately respond by calling for a more focussed definition for terrorism which is closer to its ordinary English usage of: **"the use of violence and intimidation in the pursuit of political aims"** ( New Oxford Dictionary ). One possible definition would be **"the use or threat, for the purpose of advancing a political, religious or ideological cause, of action, involving serious violence which endangers the life of any person or creates a serious risk to the public or a section of the public."** Such a definition would clearly distinguish between action such as the bombing of the Baltic exchange which endangered life and created a serious risk to the public, from the road protests or damaging GMOs which do not necessarily do so. This definition would meet the Home Secretary's intention as expressed at Second Reading of "detering, preventing and, where necessary, investigating heinous crime" while excluding offences which could be more appropriately dealt with by existing criminal procedure.

**Michael Bartlet, Parliamentary Liaison Secretary, Religious Society of Friends, 173 Euston Road, London NW1 2BJ 13th January 2000**