



Home Office



Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes, and stop and search, Great Britain, financial year ending 31 March 2017

Statistical Bulletin 08/17

June 2017

Further information

The quarterly Operation of Police Powers under the Terrorism Act 2000 publication and other Home Office statistical releases are available from the [Statistics at Home Office](#) pages on the GOV.UK website.

The dates of forthcoming publication are pre-announced and can be found via the [GOV.UK statistical release calendar](#).

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This statistical bulletin is produced to the highest professional standards and is free from political interference. It has been produced by statisticians working in the Crime and Policing Analysis Unit in accordance with the Home Office's [statement of compliance](#) with the Code of Practice for Official Statistics, which covers Home Office policy on revisions and other matters. The Chief Statistician, as Head of Profession, reports to the National Statistician with respect to all professional statistical matters and oversees all Home Office National Statistics products with respect to the Code, being responsible for their timing, content and methodology.

Contents

1	Key findings	4
2	Introduction	6
3	Arrests and outcomes.....	8
4	Court proceedings	18
5	Terrorist and extremist/separatist prisoners	21
6	Other police powers under the Terrorism Act 2000.....	23

1 Key findings

1.1 Arrests and outcomes

The year ending March 2017 saw the highest number of terrorism-related arrests (304) in any financial year on record since the data collection began in September 2001, an increase of 18% compared with 258 arrests in the previous year. This includes the 12 arrests made in connection with the attack on Westminster Bridge and Westminster Palace on 22 March 2017.

Of the 304 arrests for terrorism-related offences in the year ending March 2017:

- 108 (36%) resulted in a charge
 - 91 (84%) of these 108 were charged with terrorism-related offences
- 100 (33%) were released without charge
- 88 (29%) persons were released on bail pending further investigation
- 8 (3%) faced alternative action

Since 11 September 2001 (when the data collection began) 68% of charges have been terrorism-related.

Of the 91 persons charged with a terrorism-related offence in the year ending March 2017, as at the time of data provision to the Home Office (18 April 2017) 33 have been prosecuted, 31 of which have been found guilty, and a further 53 persons were awaiting prosecution.

In the year ending March 2017, arrests for international terrorism accounted for the majority of all arrests (75%) and arrests for domestic terrorism accounted for 16% of all arrests (up from 4% in the year ending March 2016).

The increase in the total number of arrests for terrorism-related offences was driven by an increase in arrests of people from 'White' ethnic groups. In the year ending March 2017, there were 113 arrests of 'White' people, compared with 68 in the year ending March 2016 (an increase of 66%). The 'White' ethnic group accounted for 37% of all terrorism-related arrests in the latest year, compared with 26% in the previous year.

1.2 Court proceedings

In the year ending March 2017, 79 trials were completed by the Crown Prosecution Service Counter Terrorist Division (CPS CTD) for terrorism-related offences, an increase of 55% on the 51 trials completed in the previous year. Of the 79 persons proceeded against:

- 68 (86%) were convicted
- in the remaining 11 cases the defendant was acquitted

The 79 trials completed by the CPS CTD for terrorism-related offences was the largest number of trials in any financial year since the year ending March 2010, when the data collection began.

The 68 convictions in the year ending March 2017 were also the largest number of convictions in any financial year, over the same time period.

Compared to previous years there have been increases in the length of sentences (Figure 4.2). Compared with the year ending March 2016, there have been increases in the number of sentence lengths that are:

- between 4 and under 10 years (from 17 to 28)
- of 10 or more years (from 0 to 4)
- life sentences (from 4 to 6)
- other sentences, including hospital orders and non-custodial sentences (from 3 to 6)

Over the 8-year period from 1 April 2009 to 31 March 2017, there have been a total of 75 appeals against terrorism convictions heard by the courts, of which 62 (83%) were either dismissed by the court or abandoned by appellants prior to the decision being made.

In the year ending March 2017 there were 18 appeals, 2 of which resulted in a reduced sentence. This was the highest number of appeals in a financial year over the 8-year period.

1.3 Terrorist and extremist prisoners

As at 31 March 2017, there were 186 persons in custody in Great Britain for terrorism-related offences and domestic extremism/separatism, an increase of 15% on the 162 persons in custody during the previous year.

Of those in custody as at 31 March 2017:

- 155 (83%) had been convicted
- 29 (16%) were being held on remand
- the remaining 2 cases (1%) consisted of one extradition case and one deportation case

A total of 59 prisoners held for terrorism-related and domestic extremism/separatism offences were released from custody in Great Britain in the year ending December 2016.

1.4 Stop and search

In the year ending March 2017:

- the Metropolitan Police Service (MPS) carried out 453 stop and searches under section 43 of the Terrorism Act (TACT) 2000, a fall of 16% on the previous year
- over the same period the number of resultant detentions halved, which led to a decrease in resultant arrests to 7% (compared with 12% in the previous year)
- the number of examinations under Schedule 7 to TACT 2000 in Great Britain fell by 31% to 18,103 examinations; this continues the recent downward trend
- there were 25 cordons set up in Great Britain in the year ending March 2017, 13 fewer than the number set up in the previous year

2 Introduction

2.1 National Statistics status

This publication has been assessed by the United Kingdom Statistics Authority (UKSA) and, as a result, the UKSA designated these as National Statistics 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 Official Statistics. As part of the assessment process, the Home Office has 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 [UKSA website](#).

2.2 Overview

This release covers the use of police powers under terrorism and terrorism-related legislation in Great Britain on an annual basis up to the year ending March 2017.

This release covers arrests made following the terrorist attack on Westminster Bridge and Westminster Palace on 22 March 2017, including the 12 arrests made in the following days. Figures relating to terrorist attacks in Manchester (22 May 2017) and London Bridge (3 June 2017) will be covered in the next release, which will cover the period up to 30 June 2017 and is scheduled for release in September 2017.

The **Arrests and outcomes** section uses data provided by the National Counter Terrorism Police Operations Centre (NCTPOC) 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)

The **Court proceedings** section uses data from CPS and includes statistics for **England and Wales** on:

- the number of persons proceeded against by CPS for terrorism-related activity
- the legislation under which persons have been prosecuted and convicted
- the sentence length of those convicted for terrorism-related offences
- the outcomes of appeals against convictions or sentences

The **Terrorist and extremist/separatist 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 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 **Other police powers under the Terrorism Act 2000** section uses data provided by 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
- 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
- the number of cordons under s.33 of TACT 2000

The [user guide](#) provides further details on this release. It includes details on the strengths and limitations of the datasets, as well as the quality assurance processes involved in ensuring that the data meet the highest possible standard. It also includes a summary of the criminal justice process, a glossary of terms used in the publication, and more detailed information 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](#).

2.3 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 Official Statistics. Feedback on the changes detailed below, and proposals for future changes, are welcome. If you have any comments, suggestions or enquiries, please contact the team via email using: CrimeAndPoliceStats@homeoffice.gsi.gov.uk.

Arrests data

The Home Office currently publish statistics on terrorism-related **offences** that are shown under two areas of legislation; Section 41 Terrorism Act 2000 and 'other legislation'. The latter category includes arrests for **offences** that are considered by the police to be terrorism-related, either at the time of arrest or at a subsequent point in the investigation. The Home Office is planning to widen the scope of the data collection on terrorism arrests to include **all arrests** with a terrorist element - including where the police have intervened at an early stage to arrest a terrorist suspect for a non-terrorism-related offence in order to disrupt their activity. This would mean that future Home Office bulletins would include data on **all arrests related to terrorist investigations**, rather than arrests for terrorism related **offences** only.

Domestic extremist/separatist prisoners

HMPPS, SPS and the Home Office are considering including prisoners currently categorised as 'domestic extremist/separatist' within the 'TACT/TACT-related' cohort, where the threshold for this is met (as defined below).

- **TACT** - prisoners who have been convicted or charged with an offence listed under section 41 of the Counter-Terrorism Act 2008, which lists a number of offences in the Terrorism Acts 2000 and 2006, an offence in the Anti-Terrorism, Crime and Security Act 2001 and any offences which are ancillary to those listed;
- **TACT-related**– prisoners who have been convicted or charged for offences which the court has determined have a terrorism or extremism connection. An example of this would be the extremist motivated murder of Fusilier Lee Rigby, where the defendants were charged and convicted of murder. TACT related also includes prisoners who may be linked to, or co-defendants of, prisoners who are charged with a Terrorist offence but they themselves are charged with a criminal offence such as providing false documentation, firearms etc.

This would mean that a small number of prisoners currently listed in the 'domestic extremist/separatist' group would no longer be counted, as they do not meet the threshold for TACT/TACT-related offences as defined above (for example, those in custody for violent disorder).

It is also intended that future releases will provide greater details around the ideologies of offenders to provide a clearer picture of those involved in TACT and TACT related offences.

2.4 Revisions

The figures presented in this bulletin are correct at the time of publication and may include revisions submitted for previous editions of this release.

After receiving updated data from data providers, the number of domestic extremist prisoners in custody, as at 31 December, has been revised in this release compared with the 'year to 31 December 2016' edition, from zero to 3 ([data table P.01](#)).

3 Arrests and outcomes

3.1 Introduction

This section presents statistics on the number of persons arrested by the police in Great Britain, where there is suspicion of involvement in a terrorism-related offence, either at the time of arrest or at a subsequent point in the investigation. In some cases, evidence may emerge after a terrorism-related arrest 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.

Outcomes following arrests for terrorism-related offences are also included in the statistics and 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 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 time periods where a larger number of cases will be incomplete ('released on bail' or 'awaiting prosecution'). While the effect on the arrests total should be minimal, the number of charges and convictions will be lower for more recent quarters as a greater number of cases have not yet reached the point of charge or conviction. Figures for these quarters will increase in future publications as more cases are completed.

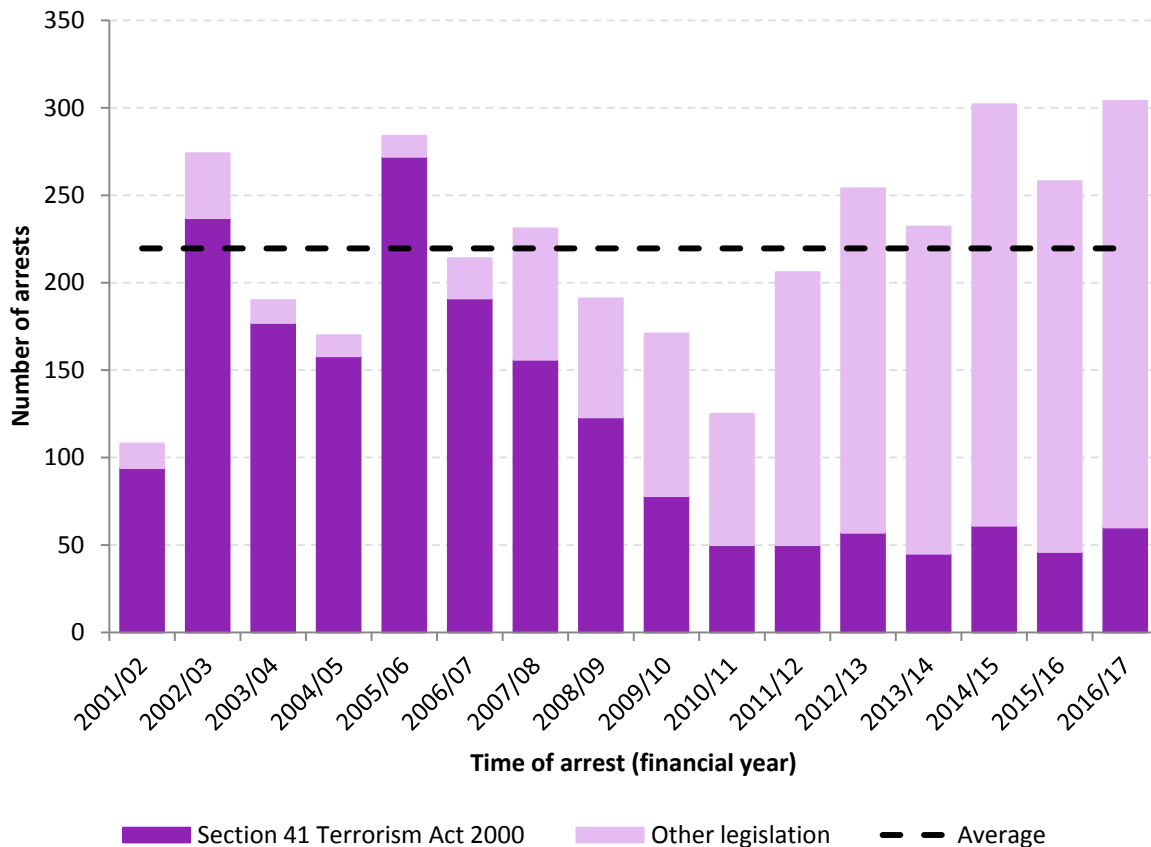
Data are provided to the Home Office by NCTPOC and are taken from a live database. This section includes annual breakdowns of the data from 11 September 2001 (when the data collection began) to the year ending March 2017, as well as quarterly trends over the most recent 9 quarters. The data are correct as at the time of provision to the Home Office (18 April 2017).

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. [Quarterly tables](#), which breakdown the data for the most recent 9 quarters to 31 March 2017, are also provided alongside this release.

3.2 Arrests

In the year ending March 2017, there were 304 arrests for terrorism-related offences in Great Britain, an increase of 18% compared with the previous year, and the highest number of arrests in any financial year on record since the data collection began in September 2001. This figure includes the 12 arrests made in connection with the attack on Westminster Bridge and Westminster Palace on 22 March 2017, all of whom were released without charge.

Since the year ending March 2007, there has been a decreasing proportion of arrests conducted under s.41 of TACT 2000 for terrorism-related offences. This power allows for the police to detain a suspect for a longer period of time than permitted under standard powers of arrest (currently a maximum of 14 days, compared with 4 days under standard powers). In the year ending March 2017, 2 in 10 arrests for terrorism-related offences were conducted under s.41 of TACT 2000, compared with around 9 in 10 arrests a decade ago.

Figure 3.1: Arrests for terrorism-related offences, by legislation, Great Britain^{1,2}

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

Notes:

1. Figures for the year ending 31 March 2002 include data from 11 September 2001 onwards only.
2. 'Other legislation' includes arrests under non-terrorism legislation, such as the Police and Criminal Evidence Act 1984.

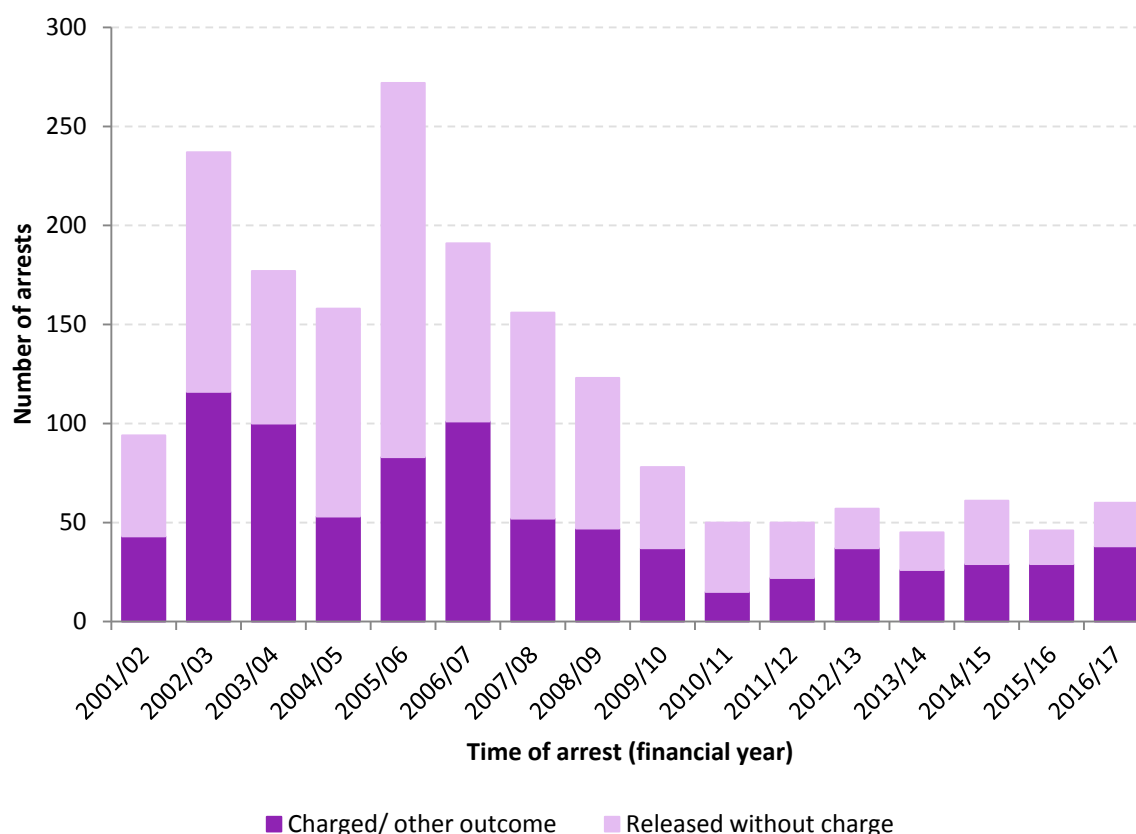
3.3 Pre-charge detention under section 41 of the Terrorism Act 2000

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 accumulate evidence relating to potential terrorism offences. The current maximum period of detention under s.41 of TACT 2000 is 14 days (reduced from 28 days on 25 January 2011), compared with a maximum of 4 days under standard arrest powers. Further details of the legislation can be found in the [user guide](#).

Sixty persons were arrested and detained under s.41 of TACT 2000 in the year ending March 2017, 14 fewer than the previous year. Of the 60 persons detained in the latest year, 36 were subsequently charged (60%).

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

Figure 3.2: Detentions under s.41 of the Terrorism Act 2000, by outcome^{1,2,3}



Source: NCTPOC (see [data table A.02](#)).

Notes:

1. Based on time of arrest.
2. 'Other outcomes' includes cautions for non-terrorism offences, transfers to immigration authorities, transfers to the Police Service for Northern Ireland, those released on bail, etc.
3. The figure for the year ending 31 March 2002 includes data from 11 September 2001 onwards only.

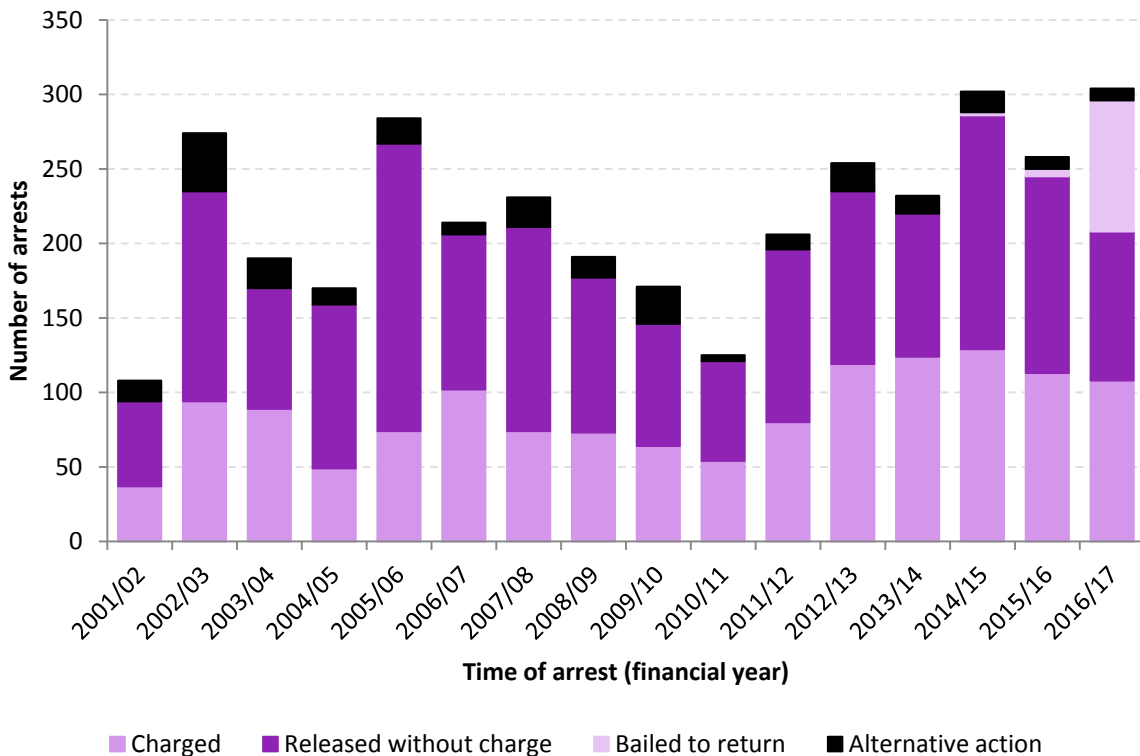
3.4 Charges

In line with the normal procedures for criminal justice statistics, each suspect has been classified in terms of a single principal offence. When a person is charged or prosecuted for multiple offences at the same time, the [principal offence](#) rule only counts the most serious offence – usually the one that carries the highest penalty. This is to ensure the statistics count the number of individuals charged rather than the total number of charges. More detailed information on the counting rules used in this release 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 offence can be found in data tables [A.05a-c](#).

Of the 304 arrests for terrorism-related offences in the year ending March 2017:

- 108 (36%) resulted in a charge
- 100 (33%) have been released without charge
- 88 (29%) persons were released on bail pending further investigation
- 8 (3%) faced alternative action

Figure 3.3: Charging outcomes following an arrest for terrorism-related offences, year ending March 2017, Great Britain^{1,2}



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

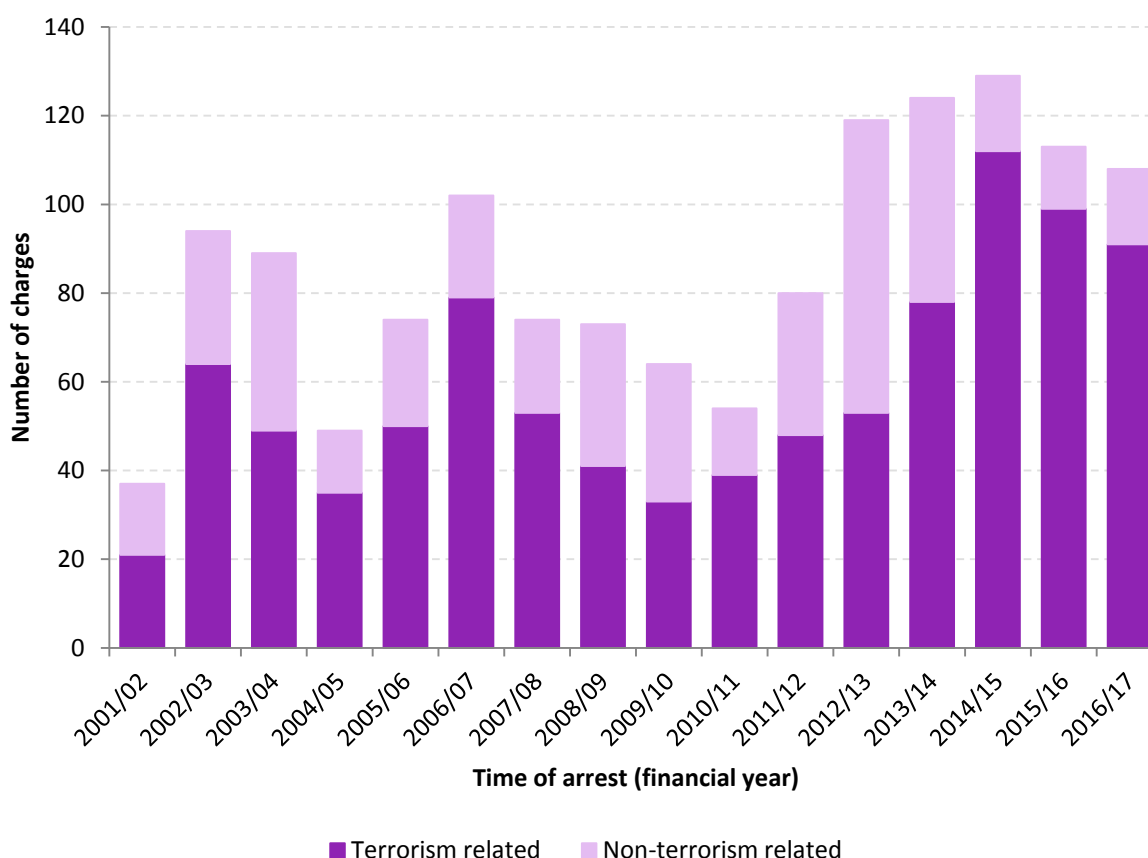
Notes:

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.

Recent years have a larger proportion of cases that are incomplete, where the suspect has been bailed to return, as shown in Figure 3.3. As time progresses, these cases will eventually lead to a charge, release, or alternative action; as a result, charge rates will change over time. For this reason, the charge rate in more recent years/quarters is likely to be lower than older years/quarters. Until all cases in a given period are complete, caution should be taken when comparing charge rates over time.

Of the 108 persons charged in the year ending March 2017, 84% (91) have been charged with terrorism-related offences. In the most recent 3 years, the proportion of charges that were terrorism-related was higher than that seen in previous periods. Since 11 September 2001 (when the data collection began) 68% of charges have been terrorism-related. This suggests that, more recently, when the police have enough evidence to charge, they are able to substantiate links to terrorism in a greater proportion of cases.

Figure 3.4: Charges following arrests for terrorism-related offences, by type of charge, Great Britain¹



Source: NCTPOC (see [data table A.04](#)).

Notes:

1. The number of charges over time should not be compared on a like-for-like basis. More recent years will have a larger number of incomplete cases, so the number of charges is likely to change as these cases are completed.

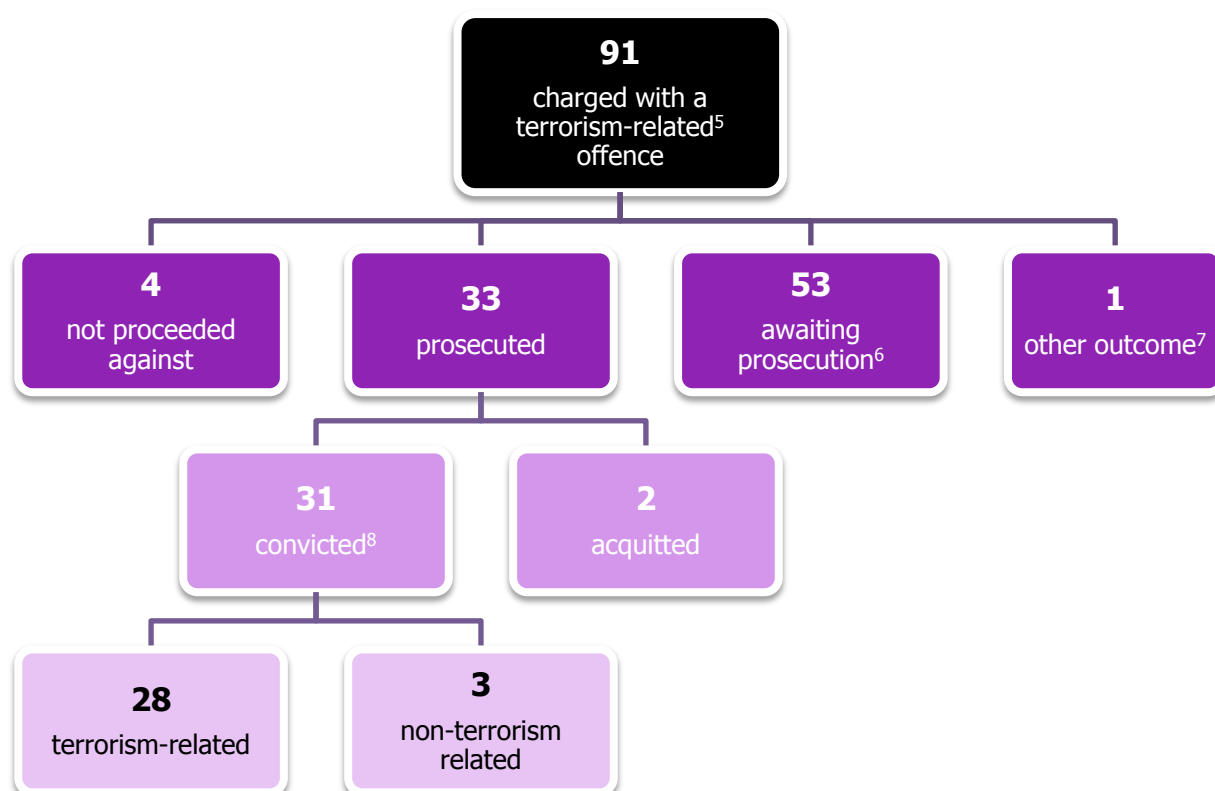
3.5 Prosecutions

Of the 91 persons charged with a terrorism-related offence in the year ending March 2017, 33 have been prosecuted (as at the time of data provision to the Home Office, 18 April 2017), 31 of which were found guilty. A further 53 persons were awaiting prosecution. Figure 3.5 shows the outcomes following a charge for a terrorism-related offence.

As with the data on charges, prosecutions data 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.

As similar to previous years, the most common offence for which persons have been convicted following a terrorism-related charge is ‘preparation for terrorist acts’, which accounted for 56% of all convictions under terrorism legislation in the year ending March 2017. Further details of the 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 3.5: Outcomes following a charge for a terrorism-related offence, Great Britain, year ending March 2017^{1,2,3,4}



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

Notes:

1. Based on time of arrest.
2. A more detailed flow chart can be found in [Annex A](#).
3. Data presented here are based on the latest position with each case as at the date of data provision from NCTPOC (18 April 2017).
4. The chart does not include outcomes following non-terrorism-related offences.
5. Terrorism-related charges and convictions include some charges and convictions under non-terrorism legislations, 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. 'Other outcome' includes other cases/outcomes such as cautions, transfers to UK Border Agencies, the offender being circulated as wanted and extraditions.
8. Excludes convictions that were later quashed on appeal.

3.6 Demographics of persons arrested

This section contains 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

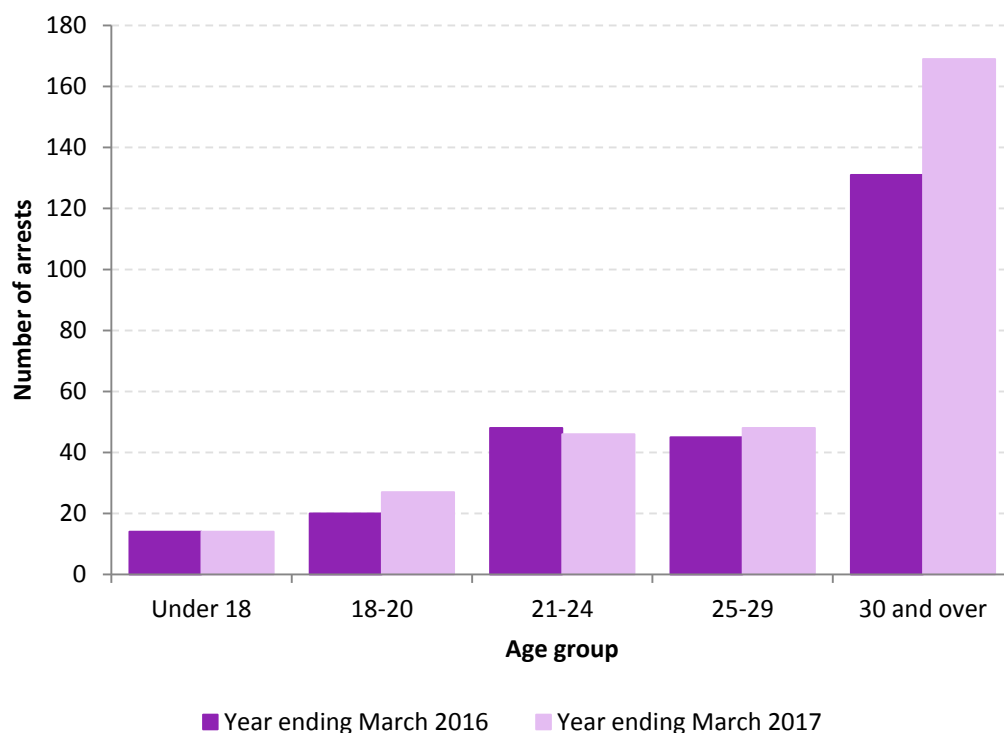
Gender

In the year ending March 2017, 266 males were arrested for terrorism-related offences, an increase of 44 (20%) on the 222 arrests in the previous year. Over the same time period 38 females were arrested for terrorism-related offences, which accounted for 13% of all arrests. This was 1 percentage point lower than the previous year, when 36 females were arrested, accounting for 14% of all terrorism-related offences. Since 11 September 2001 (when the data collection began) 9% of arrests have been of females.

Age

The increase in the number of arrests for terrorism-related offences was partly driven by an increase in arrests of individuals aged 30 and over which increased by 29% (from 131 in the year ending March 2016 to 169 in the latest year). In the year ending March 2017, 14 people under the age of 18 were arrested, accounting for 5% of arrests for terrorism-related offences, similar to the previous year.

Figure 3.6: Arrests for terrorism-related offences by age group, year ending March 2017 compared with previous year, Great Britain



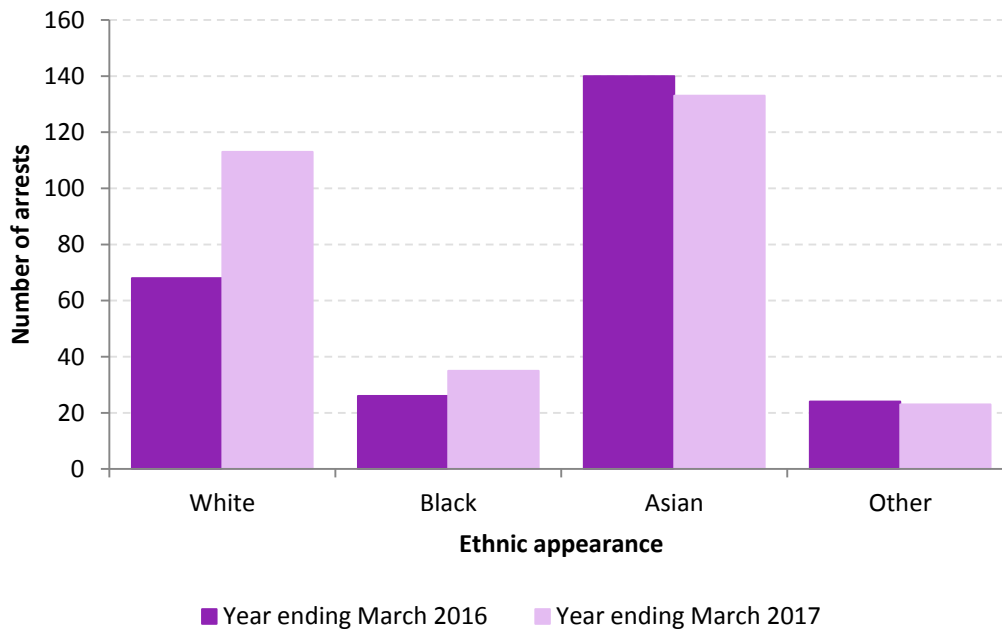
Source: NCTPOC (see [data table A.10](#)).

Ethnic appearance

The increase in the number of arrests for terrorism-related offences was driven by an increase in arrests of people from 'White' ethnic groups which increased by 66% (from 68 in the year ending March 2016 to 113 in the latest year). The 'White' ethnic group accounted for 37% of all terrorism-related arrests in the latest year, compared with 26% in the previous year.

As in previous years, the majority of arrests were of those from the 'Asian' ethnic group. In the year ending March 2016, 140 arrests were of people from 'Asian' ethnic groups, accounting for just over half (54%) of all terrorism-related arrests. In the year ending March 2017, this fell slightly with 133 people arrested from 'Asian' ethnic groups, accounting for just under half (44%) of all terrorism-related arrests.

Figure 3.7: Ethnic appearance¹ of persons arrested for terrorism-related offences, year ending March 2017 compared with previous year



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

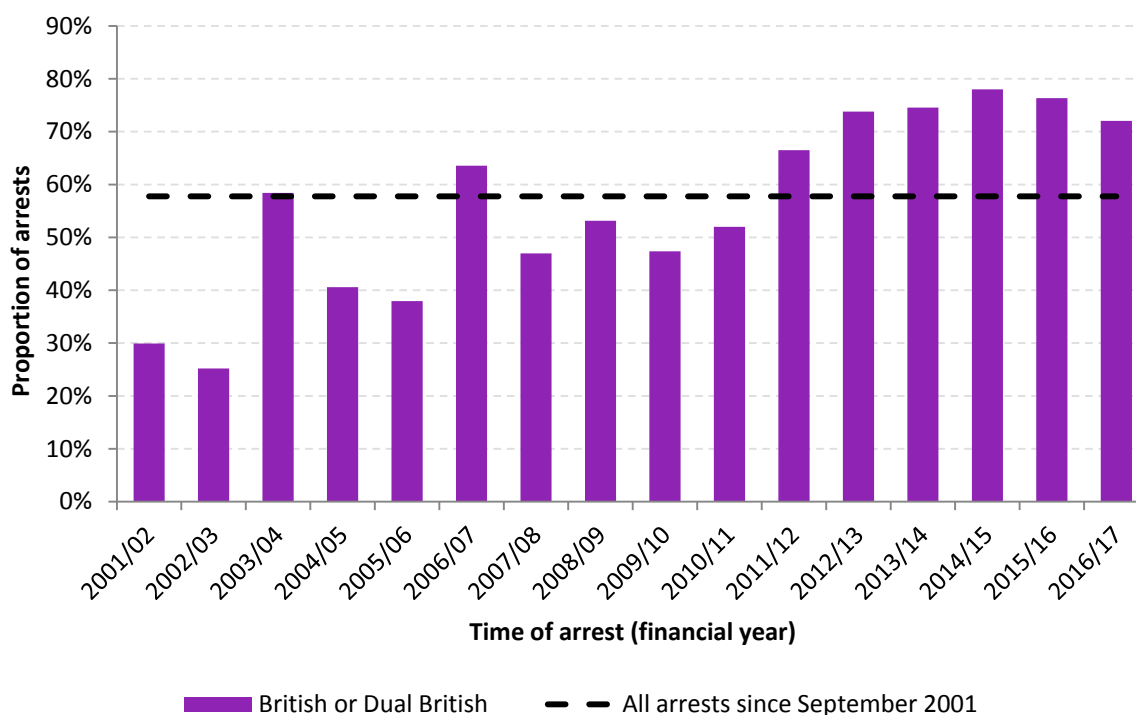
Notes:

1. Ethnic appearance as recorded by the police at the time of arrest.

Nationality

Of those arrested in the year ending March 2017, 72% considered themselves to be of British or British dual nationality. This is the fifth consecutive year in which over 70% of those arrested considered themselves to be British or Dual British nationality, with the proportion generally increasing over the 16 years these figures have been collated (Figure 3.8). Since 11 September 2001 (when the data collection began), 58% of those arrested considered themselves to be of British or British dual nationality.

Figure 3.8: Proportion of persons arrested for terrorism-related offences that consider themselves to be British or Dual British^{1,2}



Source: NCTPOC (see [data table A.12a](#)).

Notes:

1. Nationalities are those declared by persons at the time of arrest and may differ from their country of origin.
2. Excludes cases where Nationality was not stated.

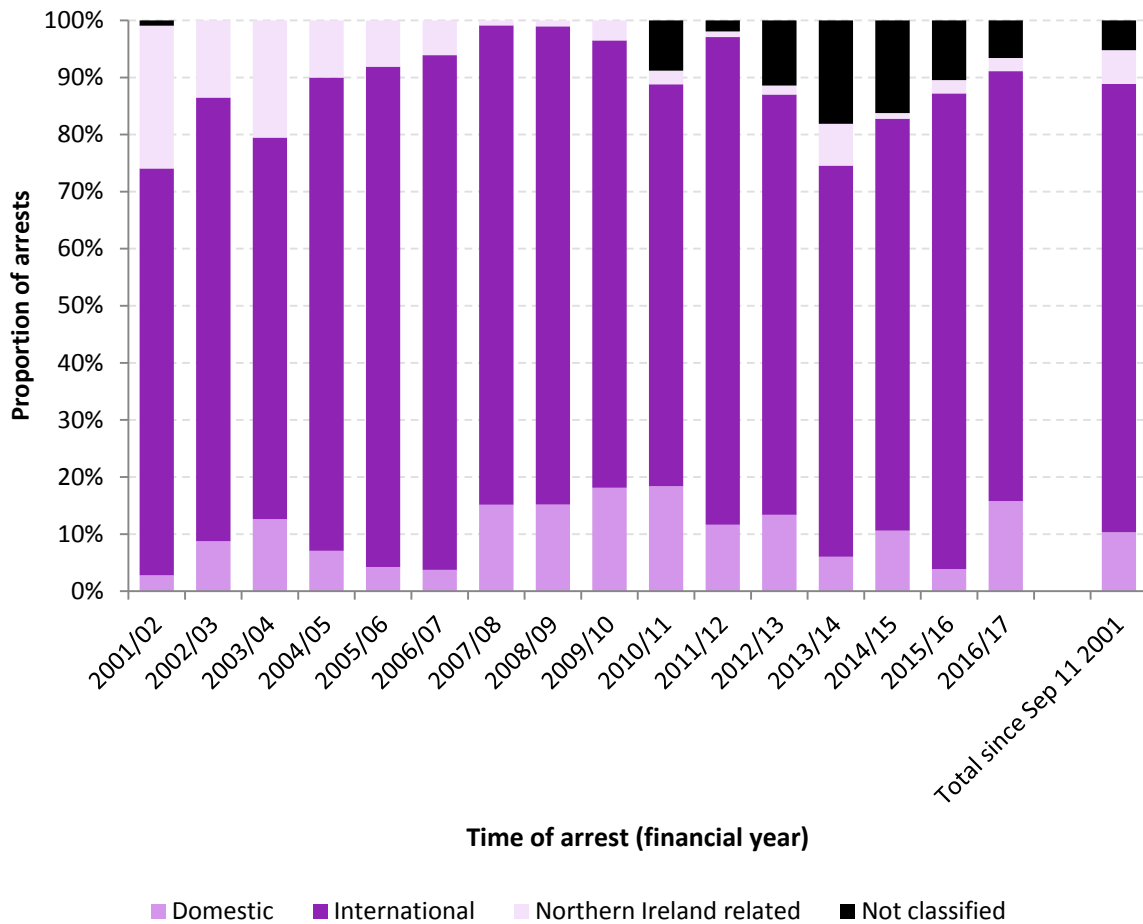
Terrorist category

When an individual is arrested, they are categorised according to the type of terrorism they are involved in. They may be categorised as either ‘international’, ‘domestic’, ‘Northern Ireland’ or ‘not classified’. Definitions for each of these categories can be found in the [user guide](#).

In the year ending March 2017, the number of persons arrested for international terrorism increased by 7% (from 215 to 229 arrests) compared with the previous year. Those arrested for international terrorism account for the majority of arrests (75%) in the year ending March 2017, compared with 83% in the previous year.

Across the same period, the number of arrests for domestic terrorism increased from 10 to 48 arrests. Persons arrested for domestic terrorism in the latest year accounted for 16% of all arrests in the year, compared with 4% in the year ending March 2016 and 10% in the period since 11 September 2001, when the data collection began.

Figure 3.9: Proportion of persons arrested by terrorism category, Great Britain^{1,2,3,4,5}



Source: NCTPOC (see [data table A.13](#)).

Notes:

1. 'International' refers to activity by an individual or group of individuals (regardless of nationality) linked to or motivated by any terrorist group that is based outside the UK which operate in and from third countries.
2. 'Domestic' refers to activity where there is no link to either Northern Ireland or international terrorism.
3. 'Not classified' refers to persons currently considered to have no link to any domestic, international, or Northern Ireland-related terrorism.
4. 'Northern Ireland related' refers to activity by an individual or a group of individuals supporting the actions or ideology of a proscribed Northern Ireland-related terrorist group.
5. Figures for 2001/02 include data from 11 September 2001 onwards.

4 Court proceedings

4.1 Introduction

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 and type of sentence that each defendant received. Data in this section are based on the trial completion date and are not directly comparable to the prosecutions data in Section 3, Arrests and outcomes. This section also includes data on appeals against terrorism convictions and sentences.

Data are provided to the Home Office by CPS CTD. The data cover terrorism-related court cases that were completed in the 8 years from the year ending March 2010 up to the year ending March 2017.

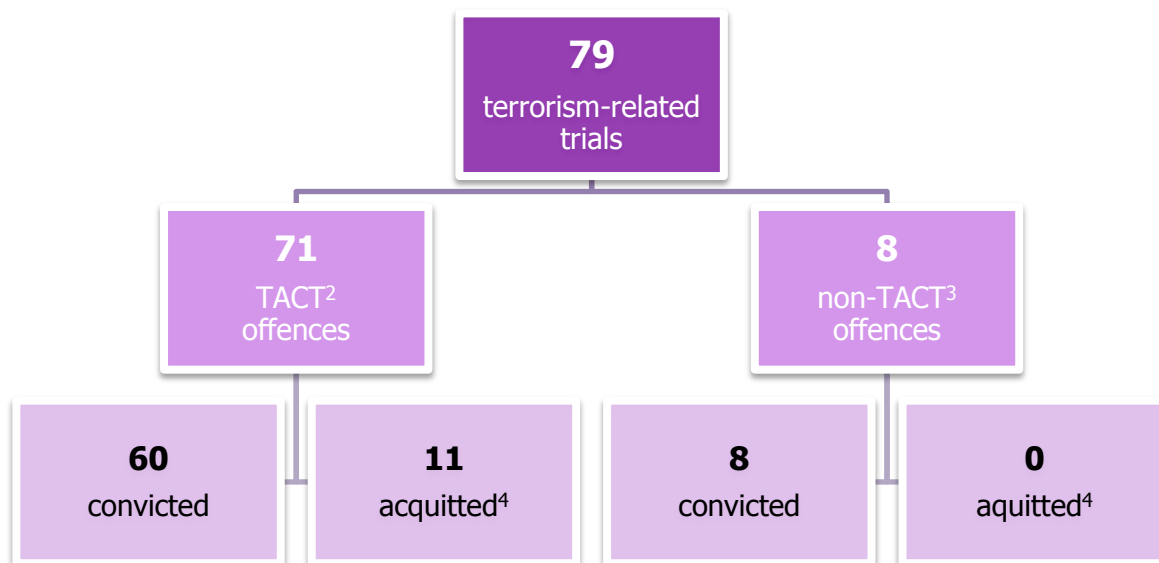
4.2 Court proceedings

In the year ending March 2017, 79 trials were completed by CPS CTD for terrorism-related offences, an increase of 28 (55%) on the 51 trials completed in the previous year. Of the 79 persons proceeded against, 68 (86%) were convicted, compared with 47 (92%) in the previous year. In the remaining 11 cases the defendant was acquitted. The 79 trials completed by CPS CTD for terrorism-related offences was the largest number of trials in a financial year, for data dating back to year ending March 2010.

The increase in the number of trials was driven by a large increase in the number of persons proceeded against for fundraising (from 2 to 12) and for preparation for terrorist acts (from 20 to 27). These two offences account for 49% of all court proceedings for terrorism-related offences by CPS, in the year ending March 2017.

The 68 convictions in the year ending March 2017 were also the largest number of convictions in a financial year for the time period covered in the statistics, an increase of 21 on the 47 convictions in the year ending March 2016. As with the increase in the number of trials, increases in convictions for fundraising (from 2 to 10) and preparation for terrorist acts (from 17 to 22) drove the wider increase in convictions.

Figure 4.1: Outcomes of terrorism-related trials under TACT and non-TACT legislation, year ending March 2017, England and Wales¹



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 2000 offences include offences specifically under terrorism legislation.
3. Non-TACT 2000 offences include offences under other legislation.
4. Can include trials ending in a hung jury, or where the prosecution offered no evidence.

4.3 Sentencing

There has been an increase in the length of sentences compared with previous years (Figure 4.2). The most common sentence length in the year ending March 2017 was between 4 and 10 years, accounting for 41% of sentences (28 of 68 convictions). In the 2 years prior to this, the most common sentence length was between 1 and 4 years (60% in the year ending March 2015, and 47% in the year ending March 2016).

Compared with the year ending March 2016, there have been increases in the number of sentence lengths between 4 and 10 years (from 17 to 28), of 10 or more years (from 0 to 4) and of life sentences (from 4 to 6). There was also an increase in non-custodial sentences, from 2 to 5 from the previous year.

Of the 68 persons convicted of terrorism-related offences in the year ending March 2017, 30 (44%) pleaded guilty and 38 entered a not-guilty plea. In the previous year, 21 of the 47 persons convicted (45%) entered a guilty plea.

Figure 4.2 Sentence length for persons convicted of terrorism-related offences, year ending March 2016 and March 2017, England and Wales^{1,2}



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 sentences.

4.4 Appeals

Over the 8-year period from 1 April 2009 to 31 March 2017, there have been a total of 75 appeals against terrorism convictions heard by the courts, of which 62 (83%) were either dismissed by the court or abandoned by appellants prior to the decision being made. No appeals resulted in convictions being quashed over the 8 years; however, 12 appeals resulted in a sentence being reduced and 1 appeal resulted in a sentence being increased. The year ending March 2017 saw an increase in appeals of 14, from 4 in the previous year to 18; this was the highest number of appeals in a financial year over the 8-year period. Just 2 appeals resulted in a reduced sentence in the year ending March 2017, with the remaining 16 appeals discontinued.

5 Terrorist and extremist/separatist prisoners

5.1 Introduction

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 are provided to the Home Office by HMPPS and SPS. The data give information about the prison population for the 8 financial years from 1 April 2009 to 31 March 2017, and also at the end of the 9 quarters to 31 March 2017. Data on the number of prisoners released are also provided and cover the 6 years ending 31 December, from 2011 to 2016, as well as the 8 quarters to 31 December 2016 (figures as at 31 March 2017 are not yet available from HMPPS). 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](#) release in July 2017.

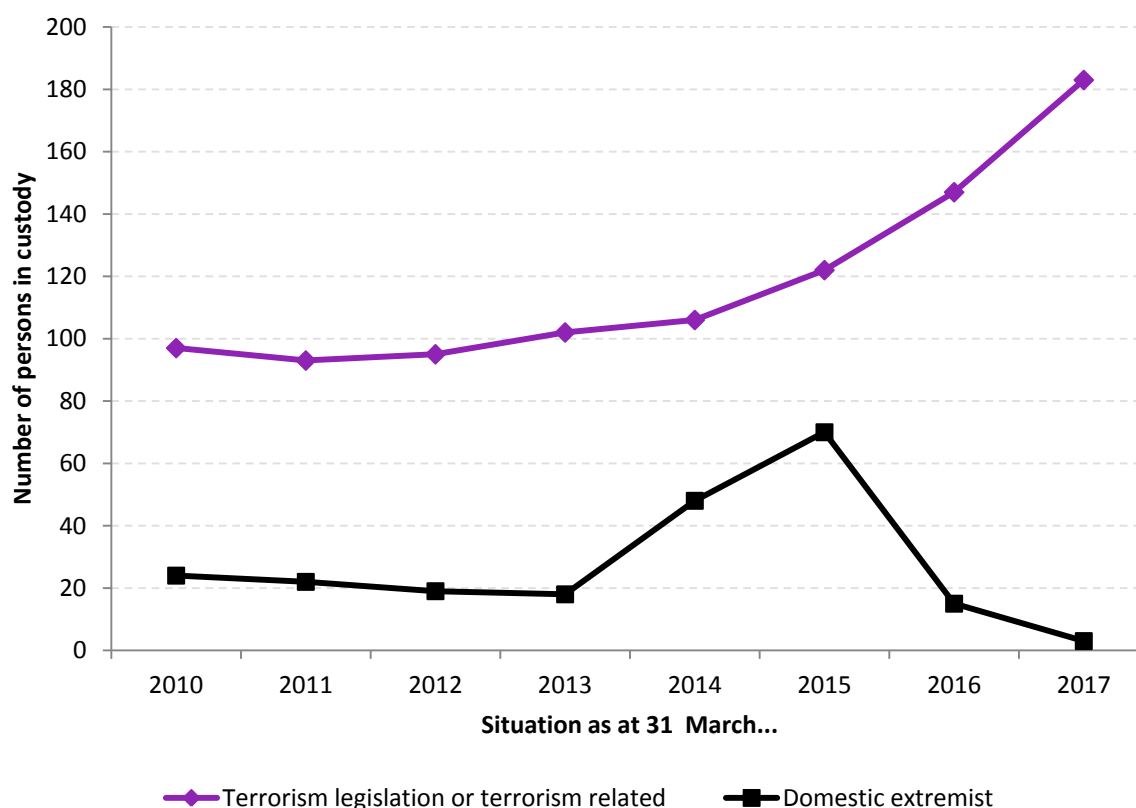
5.2 Persons in custody

As at 31 March 2017, there were 186 persons in custody in Great Britain for terrorism-related offences (183) and domestic extremism/separatism (3), an increase of 15% on the 162 persons in custody during the previous year.

The fall in the number of domestic extremist/separatist prisoners since March 2016 (from 15 to 3), is more than offset by a rise in the number of persons in custody for terrorism-related offences. As at 31 March 2017, there were 183 persons in custody in Great Britain for terrorism-related offences, an increase of 36 on the 147 persons in custody as at 31 March 2016.

Of those in custody as at 31 March 2017, the majority (83%) had been convicted. A further 16% were being held on remand (held in custody until a later date when a trial or sentencing hearing will take place). The remaining 1% consisted of one extradition case and one deportation case.

Figure 5.1: Number of persons in custody for terrorism-related offences, Great Britain, 2010 to 2017



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

5.3 Persons released from custody

A total of 59 prisoners held for terrorism-related and domestic extremism/separatism offences were released from custody in Great Britain in the year ending December 2016. Of these, 43 (73%) were persons discharged from custody, 4 (7%) were either deported or released on bail on licence issued by Border force, while a further 3 (5%) were hospital transfers.

Of those released from custody, 21 of the 59 had sentence lengths of less than 4 years. A further 17 had not been sentenced, which includes a number of persons held on remand prior to a charge or conviction. Seventeen of those persons released had sentence lengths of 4 years or more, while one other person released had a life sentence. The remaining 3 persons released from custody had been handed indeterminate sentences for public protection (IPP).

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

6 Other police powers under the Terrorism Act 2000

6.1 Introduction

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 by MPS under s.43 of TACT 2000. 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 the use of cordons under s.33 of TACT 2000 are also presented in this chapter.

Data on s.43 stop and search are provided to the Home Office by MPS. Data on Schedule 7 are provided to the Home Office by NCTPHQ; and data on cordons are provided by NCTPOC. This section includes annual breakdowns for the last 8 years (when the data collection began) up to the year ending March 2017.

The police have the power to stop and search individuals under s.47A (previously 44) of TACT 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.

6.2 Stop and search under 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. As many forces are unable to separate s.43 TACT 2000 stops and searches from other stops and searches, this section includes data from MPS only and excludes 'vehicle only' stops and searches.

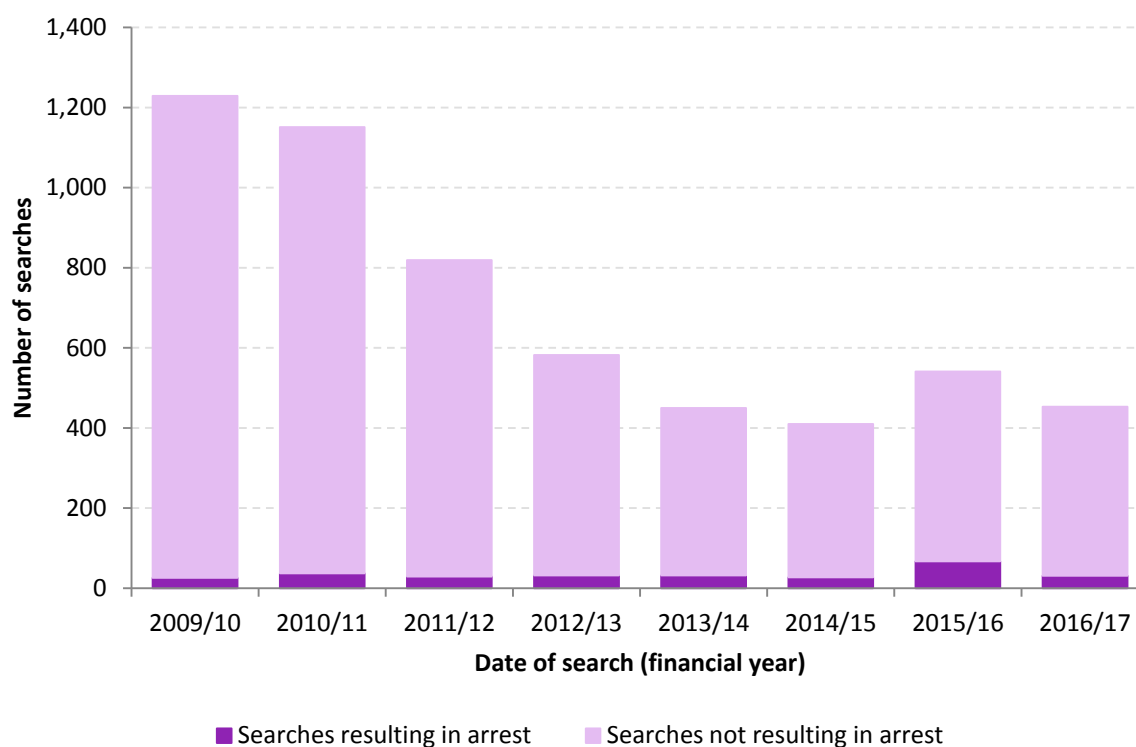
In the year ending March 2017, 453 persons were stopped and searched by MPS under s.43 of TACT 2000. This represents a fall of 16% on the previous year's total of 541. The number of persons stopped and searched has fallen by 63% since the year ending March 2010 when 1,229 persons were stopped and searched.

In the year ending March 2017, the number of resultant arrests has decreased by 36 (from 67 to 31) compared with the previous year. This has led to a decrease in the arrest rate from 12% in the previous year to 7% in the year ending March 2017.

Details on the overall use of stop and search in England and Wales up to the year ending March 2016 can be found in the Home Office [Police powers and procedures, England and Wales](#) statistical release. The MPS also publishes monthly [reports](#) on the wider use of stop and search within the force.

The number of stops fell across most ethnic groups in the year ending March 2017, with the largest falls (in percentage terms) – excluding those where the ethnicity was not stated – seen amongst those who considered themselves to be 'Black or Black British', which fell by 21%.

Figure 6.1: Stops and searches¹ and resultant arrests under s.43 of TACT 2000, MPS



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

Notes:

1. Excludes 'vehicle only' searches

6.3 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:

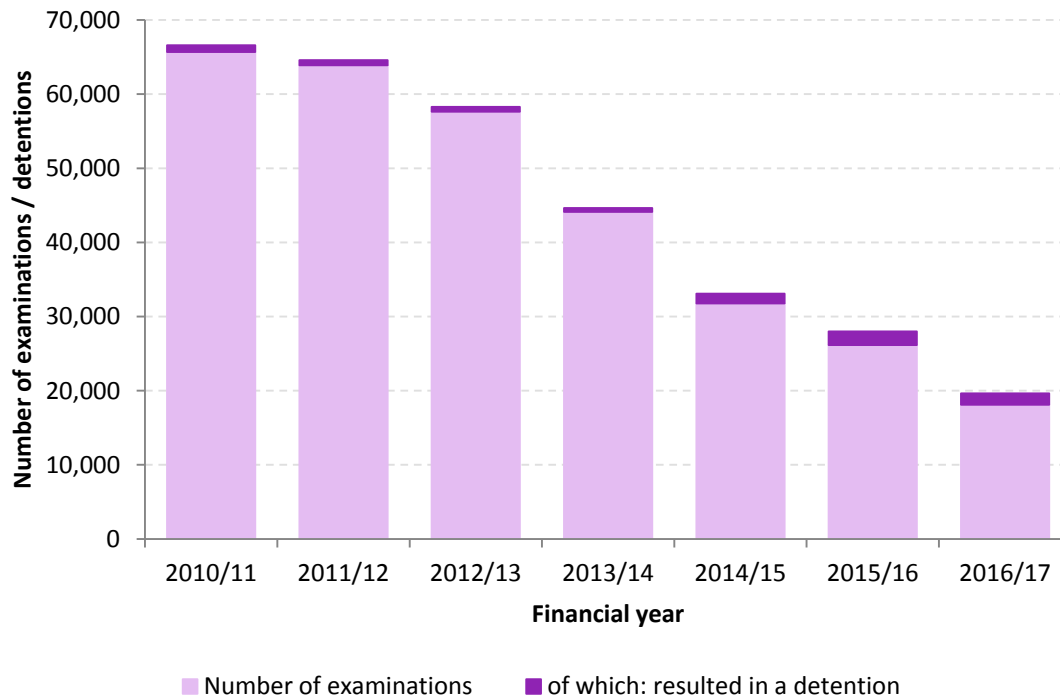
- examinations of persons and resultant detentions
- goods examinations
- strip searches
- refusals to postpone questioning

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 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 March 2017, a total of 18,103 persons were examined under this power in Great Britain, a fall of 31% compared with the previous year. This continues the decline of the use of the power in recent years.

Figure 6.2: Number of Schedule 7 to TACT 2000 examinations¹ and resultant detentions, Great Britain, 2010 to 2017



Source: NCTPHQ (see [data table S.03](#)).

Notes:

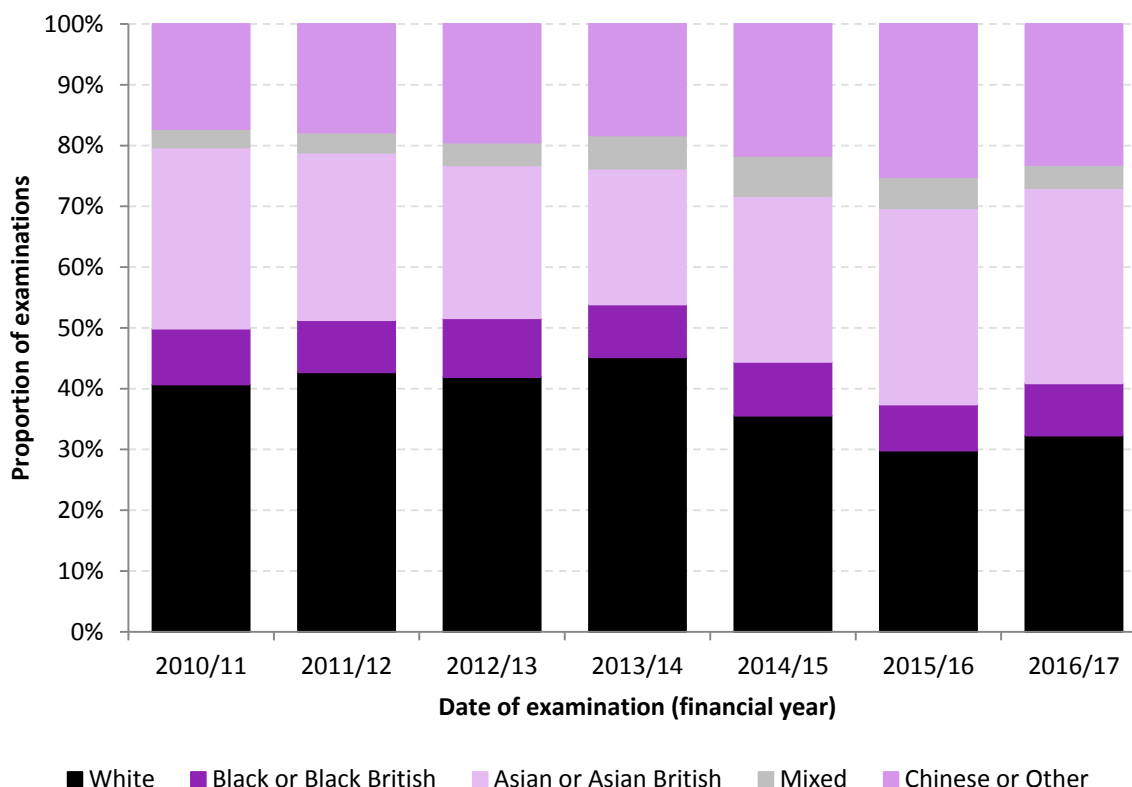
1. Does not include examinations of unaccompanied freight.

Throughout the same period, the number of detentions following examination decreased by 16% from 1,821 in the year ending March 2016 to 1,530 in the latest year. The Anti-social Behaviour, Crime and Policing Act 2014, which came into effect in August 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 one hour. The rate of detention following an examination in the year ending March 2017 was 8%, up 1 percentage point on the 7% detention rate in the previous year.

In the year ending March 2017, of all examinations (excluding those where ethnicity was not stated):

- 32% were 'Asian or Asian British'
- 32% were 'White'
- 23% were 'Chinese or other'
- 9% were 'Black or Black British'
- 4% were 'Mixed'

Figure 6.3: Proportion of examinations¹ accounted for by each ethnic group^{2,3}, Great Britain, 2010 to 2017



Source: NCTPHQ (see [data table S.03](#)).

Notes:

1. Does not include examinations of unaccompanied freight.
2. Excludes cases where ethnicity was 'Not stated'.
3. Prior to the year ending 31 March 2011, the Home Office did not collect ethnic breakdowns of persons examined or detained.

6.4 Cordons under section 33 of the Terrorism Act 2000

Section 33 of TACT 2000 gives police officers of at least the rank of superintendent the power to authorise the use of a cordon in an area where it is considered expedient to do so for the purposes of a terrorist investigation. A police officer may order persons and drivers to leave cordoned areas, and prohibit pedestrian or vehicle access. Cordons are typically set up to investigate a suspected package or to deal with the consequences of a terrorism-related incident. Further information on this power can be found in the [user guide](#).

In the year ending March 2017, there were 25 cordons set up in Great Britain, 13 fewer than the number set up in the previous year. Fifteen of these were set up by MPS, 7 fewer than the previous year. Further details on police cordons can be found in [table S.04](#).

6.5 Other powers under Schedule 7 to TACT 2000

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

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

Data on these powers have been collected by the Home Office since April 2015. Details on each of these powers can be found in the [user guide](#).

Goods examinations

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 office. An examining office may only examine goods for the purpose of determining whether they have been used in the commission, preparation or instigation of acts of terrorism.

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 ground to suspect that a person has concealed something which may be evidence that the person 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.

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 a solicitor. If reasonably practicable, an examining office 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.

In the year ending March 2017:

- a total of 3,049 air freight and 7,267 sea freight examinations were conducted in Great Britain
- 5 strip searches were carried out under the power
- postponement of questioning (usually to enable an individual to consult a solicitor) was refused 3 times.

Statistical Bulletins are prepared by staff in Home Office Statistics under the National Statistics Code of Practice and can be downloaded from GOV.UK:

<https://www.gov.uk/government/organisations/home-office/about/statistics>

ISBN: 978-1-78655-405-5

ISSN: 1759-7005



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