

UNJUST POWERS in the Counter-Terrorism Act 2008

Oppose punishment without trial Support the victims of counter-terror laws

On 26 November 2008, the Counter-Terrorism Act was enacted. This is the *fifth* counter terrorism bill that Parliament has passed in the last eight years, beginning with the Terrorism Act 2000. Since then, there has been a massive accumulation of state powers — lowering the standard of proof for guilt, criminalising suspected association with a vaguely defined ‘terrorism’, suspending the right to a fair trial before a jury, and imposing punishment without trial.

Protest from civil society organisations and opposition in the House of Lords forced the government to abandon its proposals to extend pre-charge detention from 28 days to 42 days. But many other unjust proposals which received little attention remain in the Counter-Terrorism Act 2008

The new powers are based on the Terrorism Act 2000, which defined terrorism so broadly that any use or threat of action designed to influence the government or to intimidate the public for the purpose of advancing a political, religious or ideological cause. Such a broad definition could include many normal political activities in this country and any resistance to oppressive regimes abroad. That Act also banned named political organisations in many of the most vulnerable communities, denying them the freedom of expression and association.

Since the Terrorism Act of 2000, ‘counter-terrorism’ measures have imposed much injustice, particularly on Muslim and migrant communities. A key effect has been to create a climate of fear and intimidation – fear that political activity, or simply talking to the wrong people, will bring arrest or house raids.

Powers under the new Act extend current injustices, in several ways:

Post-charge questioning of ‘terror suspects’ – presumed guilty?

‘Terror suspects’ could be subjected to further questioning after a criminal charge, even up to the trial date. Saying nothing could count against them at trial.

‘Terrorist connection’ would justify a heavier sentence

Judges could give people longer sentences for ordinary offences if they had a ‘terrorism connection’ – for example, allegedly supporting a banned ‘terrorist’ organization. Such allegations could be based on the broad definition in the Terrorism Act 2000, including normal political activities.

Freezing of bank accounts

Any individual suspected of a terrorist connection can have his bank account frozen by the Treasury. Such restrictive measures to control people’s spending were declared illegal by the High Court last year, but now the government wants to legalise this system. This measure would allow courts to operate without a jury and to hold hearings in secret.

Extra punishment without trial beyond the original sentence

Convicted ‘terrorists’ could face a ban on foreign travel once released from jail. This would be done by a special order. Those convicted could also face a requirement to tell the police where they go whenever they sleep away from home, in some cases for life.

New offence for volunteers of not giving information to police

Volunteer workers, for example in a youth project or a charity, could be prosecuted for not telling police about suspected ‘terrorist’ activities. People may be afraid of working for causes such as Palestine in case normal activism strays into ‘terrorism’.

New offence of providing information about the armed forces

It becomes an offence to seek or communicate information about the armed forces which could be useful to terrorism. This could apply simply to peace protestors telling each other what happens at a military base.

Support the rights of all ‘suspects’ to fair trials and fair treatment.

To be put on the CAMPACC email list, send a message to estella24@tiscali.co.uk
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