

A police state? The issues

One of the two men freed after being held in a major anti-terrorism operation in Birmingham says Britain is turning into a "police state for Muslims".

Abu Bakr, who works at an Islamic bookshop raided in the city, said that he believed terror laws had been designed specifically for Muslims and "that's quite an open fact - we're the ones who are being locked up, detained and then told to go back to our lives."

While the government - and indeed the opposition - says the legislation was designed to cover everybody, some grassroots political activists in Muslim communities share the views of Mr Bakr. So what are some of the laws that concern Muslims?

TERRORISM ARRESTS

According to the most up-to-date figures from the Home Office, between 11 September 2001 and 30 September 2006, police made 1,113 arrests under the Terrorism Act 2000.

Of those, 104 were charged with specific anti-terrorism offences and a further 100 were charged under the act and other laws.

Another 182 were charged under other criminal legislation. But two elements remain unclear - how many people have been successfully prosecuted - and how many of these are Muslims.

A number of major terrorism-related trials with a large number of defendants are taking place during 2007, after which the numbers may become clearer.

The Home Office says that it does not have an ethnic or religious breakdown of those arrested. A large number of anti-terrorism arrests still take place in Northern Ireland - 214 in 2006 alone.

DETENTION

At present, someone can be held under anti-terrorism laws for up to 28 days without charge, although this depends on the approval of the courts. It was this legal requirement that led to the release of Abu Bakr and another man in Birmingham.

The 28 day limit was a doubling of the previous 14 days - but far less than the 90 days the government asked for in the wake of the July 2005 London bombings.

Some senior police officers and ministers there remains a case for 90 days to allow detectives to go through massive amounts of potential evidence, such as encrypted computer disks.

Ministers are limbering up to try once more to extend the time limit. They are certain to face a tough battle.

NEW TERRORISM OFFENCES

Anti-terrorism laws have been broadened in the wake of 9/11 after Parliament accepted the police and security services needed more powers to do their job.

But many of these new powers have gone down poorly in Muslim communities - although equally there are many Muslims who think some of these laws are entirely sensible.

New laws include offences of training for terrorism, inciting acts of terrorism, failing to notify the authorities of a potential terrorist act and broader stop and search powers.

Some of the most controversial laws for campaigners include the offence of acts preparatory to terrorism.

This is aimed at capturing people before they get to the stage of launching an attack, although critics argue that existing conspiracy law covered the same ground.

Another controversial law is disseminating terrorist publications. Some campaigners believe this restricts legitimate free speech for Muslims who want to talk about overseas issues such as Kashmir or the Middle East.

PROSCRIBED GROUPS

The government has proscribed a number of Islamic political organisations, including the successors of Al Muhajiroun, the group formerly run by radical self-styled cleric Omar Bakri Mohammed. While few Muslims objected to actions against



Anti-terror laws and raids have been criticised by some

these groups, many objected to an initial plan to ban Hizb ut-Tahrir (HT).

It says it is a non-violent political organisation and although it has limited support some Muslims thought banning it would be a step too far.

CONTROL ORDERS

There are 18 control orders in place against terrorism suspects. These are powers that severely restrict the movements of alleged terrorism suspects who have not been charged with a crime.

Critics say it amounts to house arrest. Two of those subjected a control orders have absconded, along with a third man who had been due to be served with an order by police.

GOVERNMENT RESPONSE

Prime Minister Tony Blair has described allegations that Britain has become a police state as a "gross caricature".

He has some support in this view from element of the UK's Muslim community, including Labour MP Shahid Malik.

Separately, the Home Office stresses there is oversight in the system. There is an independent reviewer of some parts of terrorism legislation, Lord Carlisle, who produces an annual report. The Home Office has itself repeatedly stressed that legislation is there to protect all communities from a common threat.

'Stop and quiz' comes under fire

Proposals to allow police to stop and question anyone in the UK under new anti-terror laws have been criticised.

Opponents warned that plans to ask people about their identity and movements may harm community relations.

Northern Ireland Secretary Peter Hain said care must be taken not to alienate whole communities.

But Home Office minister Tony McNulty said there would be plenty of time for consultation and people should wait to see exactly what the new powers were.

Take care

The civil rights group Liberty's director, Shami Chakrabarti, said: "This looks like political machismo.

"Stopping and questioning anyone you like will backfire because people will be being criminalised."

Mr Hain, who is in the running to become Labour's deputy leader, told BBC1's Sunday AM programme that the UK must take care that its anti-terror legislation does not alienate whole communities, such as Muslims.

"We have got to be very careful that we do not create circumstances that are the domestic equivalent of Guantanamo Bay," he said.

"Guantanamo Bay, which was an international abuse of human rights, acted as a recruiting sergeant for dissidents and alienated Muslims and alienated many other people across the world."

Shadow foreign secretary William Hague told the same programme that the Conservatives would consider the proposals on merit.

Liberal Democrat home affairs spokesman Nick Clegg warned it would only increase radicalism.

Ahmed Versi, editor of Muslim News, a newspaper for British Muslims, said that extending police powers would be "counter-productive" in the effort to improve relations with Muslims and could drive some towards extremists.

Islamic Human Rights Commission chairman Massoud Shadjareh said it was essential to separate security issues from the "politics of fear".

'Reasonable suspicion'



Police officers would be able to stop and question people

“ Stopping and questioning anyone you like will backfire because people will be being criminalised

”

Shami Chakrabarti
Director of Liberty

[Should police have more powers?](#)

The new legislation would be similar to that already used in Northern Ireland.

Police are still likely to need a "reasonable suspicion" a crime may be committed. Anyone refusing to co-operate could be fined up to £5,000.

At present, under section 44 of the Terrorism Act 2000, officers already have the power to stop and search people or vehicles in an area seen as being at risk from terrorism, even if they are not suspected of any breach of the law.

A Home Office spokeswoman said that the new proposals would give officers an automatic right to stop and question anyone in the UK about suspected terrorism.

Mr McNulty, the counter-terrorism minister, told BBC Radio 4's The World This Weekend the government would reveal its proposals to Parliament in the next couple of weeks.

He said: "There will be plenty of time to consult with a whole range of people before introducing such a bill - probably as late as October, November."

Labour chairwoman Hazel Blears, who is also a deputy leadership candidate, said the proposal was "reasonable".

Control orders

When it emerged on Thursday that three men suspected of wanting to kill UK troops had disappeared, Mr Reid criticised his political opponents and judges for stopping the use of tougher measures against terror suspects.

He promised new anti-terror measures and told MPs that the government could consider suspending some parts of the European Convention on Human Rights (ECHR) so it can impose tougher control orders.

Greater powers to remove vehicles and paperwork for inspection are also believed to be part of the measures.

Writing in the Sunday Times, Tony Blair said the disappearance of the three suspects under control orders was a symptom of a society which put civil liberties before fighting terror, and that was "misguided and wrong".

He said: "If a foreign national comes here, and may be at risk in his own country, we should treat him well. But if he then abuses our hospitality and threatens us, I feel he should take his chance back in his own home country."

Is Reid playing the blame game?

Analysis

By Nick Assinder

Political correspondent, BBC News website

John Reid has adopted a pretty angry "don't blame me, I told you so" attitude towards the latest crisis over control orders.

In a characteristically combative response, the home secretary has pointed his finger at the courts and the opposition parties for denying him the tougher laws he had wanted to deal with terror-related suspects.

He says he is fighting with one hand tied behind his back, and suggested the other parties are undermining national security. He challenged them to back the new measures he now plans to introduce.

Downing Street has claimed it will not play the blame game, but the prime minister's official spokesman declared: "We warned that this could be where we ended up and it's therefore not a surprise that this is where we have ended up."

Supporters believe Mr Reid and the government have a point and, in the Commons, the home secretary detailed a series of anti-terror measures the Tories had voted against.

Critics, however, believe the home secretary is seeking excuses to distract from the Tories' claim that he is failing in his duty to protect the public.

Political advantage

Originally, after the 11 September attacks, the government moved to lock up suspects in Belmarsh high security prison,

HAVE YOUR SAY

“ As a law-abiding citizen I should be able to walk down the street without interference ”

Paul, Cambridge

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Mr Reid accused Tories of hitting terror fight

without charges or a trial.

But the courts ruled that was illegal under European human rights legislation, incorporated into UK law by the government.

It was also unlawful to deport them because they might be returned to countries where they may face torture.

Control orders were introduced as a "fourth best" measure but brought fierce opposition from civil liberties groups and opposition parties.

Some argued the government should derogate from human rights laws while others said it was unacceptable not to bring suspects before the courts with evidence of their alleged crimes.

Since he took over at the Home Office, Mr Reid has made it clear he is deeply unhappy with the situation and that his attempts to fight terrorism are, he claims, being hampered for political advantage and by judges.

He has now turned up the heat in this row with some of the strongest attacks yet aimed at the opposition parties.

Phone taps

He has announced plans for new laws and said he will consider derogating from the human rights laws.

Meanwhile, his critics are pointing out it was the government that incorporated human rights laws into British legislation and that had always had the power to derogate from aspects of it but had chosen not to do so.

The judges, they argue, have only been doing their job in ensuring the laws are properly implemented.

Similarly, opponents including the Tories' David Davis, have insisted that - whatever the arguments around control orders - it is still the home secretary's primary duty to protect the public.

The control orders, they argue, are clearly not being policed properly and Mr Reid must shoulder the blame for that.

They also point out that, amongst other things, they had been pressing for other evidence, such as phone taps, to be made admissible to allow suspects to be held in prison - a notion ministers had rejected.

If it was not for the highly-unusual political situation at the moment - with one prime minister on the way out and another waiting in the wings - there would undoubtedly be rumblings about Mr Reid's position.

As it is, he has already announced he is quitting along with the prime minister.

So, whatever measures he introduces in the next month or so, it will be up to his successor - and Gordon Brown - to deal with the consequences of this apparently escalating row.

Reaction to 'stop and question' plans

Home Office proposals to give police the right to stop and question anyone in the UK have provoked a barrage of criticism. BBC News looks at some of the responses.

NORTHERN IRELAND SECRETARY PETER HAIN

"We've got to be very careful that we don't create the domestic equivalent of Guantanamo Bay, which was an international abuse of human rights, acted as a recruiting sergeant for dissidents and alienated Muslims and many other people across the world.

"We cannot have a reincarnation of the old 'sus' laws under which mostly black people, ethnic minorities, were literally stopped on sight and that created a really bad atmosphere and an erosion of civil liberties.

"But we have got to be very clear in balancing civil liberties, jealously guarding them - and I have fought for civil liberties all my life - and being clear on protecting people's security."



Terror threat is said to be high



Mr Davis accused Mr Reid of failing in his duty



The laws would give police powers to stop and question

SHADOW FOREIGN SECRETARY WILLIAM HAGUE

"When they (the government) tried to argue for a 90-day detention of people without charge, they couldn't come up with any actual instance of when it had been necessary and so we voted against it.

"So we will listen to the proposals...but they have to be proposals consistent with popular consent in this country and with not alienating the people whose cooperation we need in the fight against terrorism.

"We don't live in a country thankfully, where we just do anything that 10 Downing Street say or the police say.

"We do live in a country where, with some rational debate and consultation between political parties, we ought to be able to support what is necessary to fight terrorism."

NICK CLEGG, LIBERAL DEMOCRAT HOME AFFAIRS SPOKESMAN

"Tony Blair and John Reid are clearly determined to leave office in a blaze of headlines.

"But their increasing determination to go out talking tough will leave a trail of half truths, rushed laws and unhelpful controversy behind.

"Pushing for the powers of a police state is probably the best guarantee for increased radicalism in exactly those communities where we need cooperation to defeat terrorism."

MASSOUD SHADJAREH, ISLAMIC HUMAN RIGHTS COMMISSION

"I really don't see any need for any expansion as regards stop and search. It doesn't really bring any extra security.

"Already the police have got the right to stop people and question them if they have got any suspicion of any sort.

"I really believe we have already got, as regards stopping people, ample right for police to do so.

"If anything, what this has shown is that this unfortunately disproportionately targets those from ethnic minorities and those perceived to be Muslims."

IRISH PRIME MINISTER BERTIE AHERN

"International terrorism is something nobody can take for granted and nobody can ignore...but it would be a pity if that continues what has been a very restrictive regime in Northern Ireland which is certainly not something that the ordinary citizen likes," he told Sunday Live on Sky News.

"I think people in Northern Ireland would feel that whatever is going to be the legislation everywhere else should be the legislation in Northern Ireland.

"But Northern Ireland generally, now in a peaceful environment, had been looking forward to the amendment of the restrictive legislation that was necessary in a whole host of areas during the 30 years of the troubles."

AHMED VERSI, MUSLIM NEWS

"Gordon Brown has already said he's going to have more dialogue with the Muslim community.

"There is a complete lack of confidence in the government and the police service in the Muslim community. If this legislation is passed, it's going to get worse.

"I don't think Gordon Brown is going to succeed in getting this confidence back if this law goes ahead.

"This is going to make especially young Muslims feel more targeted and that they are not part and parcel of society.

"They feel they are alienated to some extent. They are being targeted because they are Muslims. It will radicalise young people more and more."

SHAMI CHAKRABARTI, LIBERTY

"The police should not have powers to run around questioning people willy-nilly, otherwise people feel hunted.

"This looks like political machismo, a legacy moment. Stopping and questioning anyone you like will backfire because people will be being criminalised."