

# Schedule 7: The Impact of Counter-terrorism Measures on Muslim Communities

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Schedule 7 of the Terrorism Act 2000 allows officials at ports and airports to stop, search and examine people in order to determine whether they are involved in the commission, preparation or instigation of an act of terrorism.

This research was based on case studies from Birmingham, East London, Glasgow and Leicester. Focus groups were held with local residents, including Muslim and non-Muslim participants. Interviews were held with individuals working in civil society and community organisations, as well as practitioners and officials at the local and national level.

## What did people tell us?

### **Impact on businessmen and professionals**

Men who travel for work are being stopped regularly.  
“Every single time he comes to the UK he gets stopped”  
(Muslim woman travelling with her uncle, Leicester)

### **An adverse affect on families**

The singling out of a family member can mean that the whole family is kept waiting.  
“There is barely a family in the community that will not be affected”  
(Muslim civil society activist, Glasgow)

### **A routine part of travel**

The stress of being stopped and questioned is such a regular occurrence and it becomes part of community life.

“The first thing you always ask your friend when they come from travelling is, did they stop you”  
(Muslim male, Glasgow)

### **Law-abiding Muslims**

The responses show a sense of frustration that individuals who are helping the police in other ways are being stopped.

“There is no reason to stop innocent people that you have no information on at an airport”  
(Muslim civil society activist, Glasgow)

“Schedule 7 stops at airports are having the single most negative impact on Muslim communities. The ‘ASBO’ Bill will do little to address this. Without a requirement of ‘reasonable suspicion’ the disproportionate number of examinations will continue.”



Home Office, Statistics, 2014

“Everybody, but everybody knows someone that has been stopped...not just stopped but also hassled at the same time... it comes back and permeates through the community.”

(Civil society practitioner, 2011b, 23)

## What did we find?

**Of all the counter-terrorism measures, Schedule 7 has the most negative impact on Muslim communities**

The demographic of those stopped and the indirect effect on families and communities, means that Schedule 7 has a negative effect on relations between Muslim communities and the police.

### Community Engagement

There is little community engagement. Though some police forces have set up advisory groups, there continues to be resentment of the police “bubbling under the surface...eroding trust”.

### Questioning based on religion

Interviewees recalled being

questioned on their understanding of jihad, polygamy and the number of times they prayed in a day. This leads to a feeling of being targeted as Muslims and that the answers they give are used to build up profiles of them and their communities.

### Impact on families

Interviewees described how travel plans can be disrupted, ‘the rest of the family is kept waiting’, and with stories of their examination being told to their communities, the feeling of alienation and the hostility towards the police spreads.

*This combination of questioning about their religion and the negative effect this process has on their families is one of the most offensive aspects of the operation of Schedule 7.*

## What should be done?

Schedule 7 is in urgent need of reform. Reforms should include;

- Increased transparency, information and accountability.
- Independent body to carry out post-interview surveys.
- Creation of advisory groups that are independent of the police.
- Consistent protocol that supports innocent passengers whose travel is disrupted by stops.
- The length of an examination without suspicion should be reduced to two hours to ensure individuals are not subjected to disproportionately lengthy examinations.
- A requirement of ‘reasonable suspicion’ is needed for questioning and examining individuals for more than two hours, to prevent the disproportionate number of examinations and to curtail the detrimental effect on Muslim communities.

## Anti-Social Behaviour and Policing Bill (2013)

The ‘ASBO’ Bill outlines a number of reforms, including:

- A reduction in the maximum time allowed for detention from nine hours to six hours.
- A code of practice ensuring adequate police training.
- A reduction in search powers.
- Increased rights to consult a solicitor.

**“It is vital that changes are made to reduce the corrosive impact of Schedule 7 on Muslim communities.”**

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### References

Choudhury, Tufyal & Fenwick, Helen (2011a) ‘The impact of counter-terrorism measures on Muslim communities’, *International Review of Law, Computers and Technology*: 151-181

Choudhury, Tufyal & Fenwick, Helen (2011b) ‘The impact of counter-terrorism measures on Muslim communities’ *Equality and Human Rights Commission (Report 72)*

Fenwick, Helen, Phillipson, Gavin & Choudhury, Tufyal, (2012) ‘Response to Consultation on Schedule 7 by Durham Human Rights Centre’

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