

What is in Blair's anti-terror bill?

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The provisions of the latest anti-terrorism bill, which applies to individuals and to corporations and their administrators, are vast in scope, adding to 200 pieces of existing legislation.

Terrorism is defined to include serious damage to persons or property with the aim of influencing or intimidating the government (including international institutions of government) or public to an ideological, political or religious end.

The most high-profile change proposed is to extend the period in which a suspect may be held without charge from 14 days to three months. But of equal import is the bill's proposal to make it an offence punishable by up to seven years' imprisonment to publish a statement or cause another to publish a statement, whilst knowing, believing, or having "reasonable grounds for believing" that members of the public are "likely to understand it as a direct or indirect encouragement or another inducement to the commission, preparation or instigation of acts of terrorism." "To make a statement glorifying terrorism" constitutes a similar offense.

There is no definition of "glorification," and there is no need to prove intent. It is "irrelevant" whether the statement relates to "commission, preparation or instigation" of terrorism or whether any terrorist act in fact takes place.

How it is to be determined what "members of the public" are "likely to understand" is not spelled out.

The original draft legislation proposed to exempt glorification of any event over 20 years ago from prosecution, unless it was specifically listed in an order by the Home Secretary—a provision denounced by the civil rights organisation Liberty as "state censorship of history."

This has been dropped. However, the bill still covers the "glorification" of past acts of terror with no cut-off point, and the Home Secretary still decides what statement regarding a historical event can be said to

encourage terrorist activity today.

The bill's provisions are so loosely defined that anyone who opposes Britain's occupation of Iraq and supports the right of the Iraqi people to resist foreign troops could be charged. Even if no mention is made of terrorism, if an expressed opinion is considered to have influenced another to commit or participate in the preparation of an act of terror, prosecution is possible.

The dissemination of terrorist publications by any medium will also carry a maximum sentence of seven years' imprisonment. A terrorist publication covers all material that any person to whom it is available may consider to provide "direct or indirect encouragement or other inducement" to possible terrorist acts, or "information of assistance" in the preparation or commission of such acts—irrespective of whether any act is carried out. Such publications include "apparently authoritative tracts wrapped in a religious or quasi-religious context."

As regards Internet activity, a police officer may serve notice that a statement, article, or record is "unlawfully terrorism-related." Failure to comply with this notice within two days by ensuring that the relevant material "is not available to the public or is modified so as no longer to be so related" will be prosecuted.

The offence of preparing terrorist acts has been broadened to include engaging "in any conduct in preparation for giving effect" to the intention to commit terrorism or assisting others to do so. This means that a person providing accommodation or funds to anyone considered to be involved in terrorist activity could face life imprisonment.

The bill's definition of support for terrorism does not depend on establishing any connection with Britain. Support for any struggle against any major power or repressive regime, supported by British imperialism, may be declared illegal. Not only Iraqis in Britain opposed to the occupation of their country, but Saudi dissidents, Chechen nationalists and numerous others

could face prosecution.

Those providing “instruction or training” in any skills relevant to terrorism, or receiving any such instruction with the intention of using them for terrorism, can be jailed for up to 10 years. This includes not only “the making, handling or use of a noxious substance,” but the “use of any method or technique for doing anything else that is capable” of being used in relation to terrorist activity.

Individuals will be guilty of an offence if they attend any place, anywhere in the world where instruction or training in terrorist activity is being conducted, regardless of whether they receive instruction or whether a terrorist offence is committed.

It will be an offence to make or possess radioactive or fissile devices and/or material. Damaging a nuclear facility or vehicle transporting nuclear material will be punishable by life imprisonment. Threatening to damage a nuclear facility or trespassing on a “protected site” will be a criminal offence.

The bill expands the Home Secretary’s powers to proscribe organisations if they are considered to promote or encourage terrorism. An organisation can be banned regardless of whether it is directly involved in terrorism, if it is considered to be involved in the “glorification of the commission or preparation” of such acts, whether in the past or future, and whether this glorification is verbal or written.

It will be an offence to wear an item of clothing or to wear or display any article that can give rise to reasonable suspicion of membership or support of a proscribed group.

Home Secretary Charles Clarke has announced a further 15 groups that are to be proscribed by the government. Already, 25 foreign and 14 Irish groups are banned. Clarke’s announcement applied to Islamic organisations with links to Iraq, Uzbekistan, Libya, Pakistan, Somalia, Bangladesh, Afghanistan and Morocco. They include the organisations Ansar al Islam and Jaish Ansar al-Sunna, which aim to expel US and foreign forces from Iraq.

The bill allows the Home Secretary to remove British citizenship from any person with dual nationality whose presence he considers to be “not conducive to the public good.” Those facing deportation on anti-terror grounds will not be able to challenge the charge against them until after their removal from the country.



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