



Northern
Ireland
Office

Statistics and Research Branch

**Northern Ireland
Statistics on the
Operation of the
Terrorism Act 2000:
Annual Statistics
2008**

Research and Statistical Bulletin 10/2009

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User Notes

1. The Terrorism Act 2000 received Royal Assent on 20 July 2000 and came into force on 19 February 2001. Between 20 July 2000 and 19 February 2001, the provisions of the Northern Ireland (Emergency Provisions) Act 1996 (EPA) were maintained by Schedule 1 to the Terrorism Act. The Terrorism Act provides permanent United Kingdom (UK)-wide counter-terrorist legislation and reforms and replaces the EPA, the Prevention of Terrorism (Temporary Provisions) Act 1989 (PTA) and sections one to four of the Criminal Justice (Terrorism and Conspiracy) Act 1998.
2. The Terrorism Act provides a legal framework and specific powers to combat the threat from all kinds of terrorist groups in a way that is consistent with Human Rights obligations. The UK-wide part of the Act is permanent, to ensure that powers needed to respond to terrorist threat are readily available. The Northern Ireland specific part of the Act (Part VII) was time-limited to five years. Subject to annual renewal, these temporary provisions were due to lapse in February 2006. The Terrorism (Northern Ireland) Act 2006 came into force on 18th February 2006, the main purpose of which is to extend those provisions of Part VII still in effect, until 31st July 2007.
3. The content of this bulletin will be kept under review and additional information will be included when relevant material becomes available.
4. This bulletin is designed to report on the key Northern Ireland specific Terrorism Act statistics. It should be noted that figures may be subject to minor revision, as most data are drawn from administrative or operational data sources.

Further information and explanation is available from:

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This publication and others on related criminal justice areas are also available on the Internet at:

www.nio.gov.uk

Summary

During 2008:

- ◆ There were 59 designated cordons under section 33 (Table 1).
- ◆ Under section 37, Schedule 5, there were 108 premises searched under warrant by the Police Service of Northern Ireland (Table 2).
- ◆ There were 150 persons detained under section 41 of the Act (Table 3), 125 (83%) of whom were held for 48 hours or less (Table 6).
- ◆ There were 24 applications for extensions of detention, all of which were granted (Table 3).
- ◆ Twenty-eight persons were charged with 60 offences including 6 persons charged with murder, 20 firearms offences and 4 explosives offences (Table 4 and Table 7a & 7b).
- ◆ Six persons were charged with 7 Terrorism Act offences including 3 for possession for terrorist purposes, 2 offences under section 15 (fundraising) and 2 offences for membership (Table 5).
- ◆ There were 54 requests to have someone informed of detention, all of which were granted immediately (Table 8).
- ◆ There were 148 requests for access to a solicitor, 147 of which were granted immediately (Table 9).
- ◆ Under section 44, there were 6,922 persons, and 6,016 vehicles stopped and searched during 2008 (Table 10).
- ◆ Under section 80, of the 28 persons sentenced for a scheduled offence none had committed the offence during a period of remission from prison (Table 11).
- ◆ There was 1 requisition order and 5 de-requisition orders made during 2008 (Table 12).
- ◆ Compensation payments (including solicitors' and loss assessors' fees and Agency payments) totalled £129,689 (Table 13).

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Guide to the Tables

Table 1

Under section 33 of the Terrorism Act 2000 a cordoned area may be designated only if the person making it considers it expedient for the purposes of a terrorist investigation. Prior to the Terrorism Act 2000, this power was contained in section 16c of the Prevention of Terrorism (Temporary Provisions) Act 1989.

Table 2

Schedule 5 (made effective by section 37) provides that a constable may apply to a justice of the peace for the issue of a warrant for the purposes of a terrorist investigation. A warrant authorises any constable (a) to enter the premises specified in the warrant, (b) to search the premises and any person found there and (c) to seize and retain any relevant material which is found on a search under part (b). Prior to the Terrorism Act 2000, this power was contained in Schedule 7, part 1 to the Prevention of Terrorism (Temporary Provisions) Act 1989.

Tables 3-7

Section 41 of the Terrorism Act 2000 provides that a constable may arrest without a warrant a person whom he or she reasonably suspects to be a terrorist. A person detained under section 41 may only be held by the police for a maximum of 48 hours unless an application has been made under paragraph 29 or 36 of Schedule 8 asking a court to issue or extend a warrant of further detention. Section 41(7) provides that if a warrant is issued a person may be detained for the period specified therein, for a period up to seven days. Section 306 of the Criminal Justice Act 2003 was brought into force by Commencement Order on 20 January 2004 and amends Part III of Schedule 8 to the Terrorism Act, extending the maximum period of detention from seven to fourteen days.

Table 8

Section 41 (Schedule 8, paragraph 6) provides that a person detained in police custody under the terrorism provisions shall be entitled to have a friend or relative informed of their detention. Requests to have someone informed must be complied with as soon as it is practicable and in any case within 48 hours. Delay in complying with the request can be authorised only in certain clearly defined circumstances. Prior to the Terrorism Act 2000, this power was contained in section 46 of the Northern Ireland (Emergency Provisions) Act 1996.

Table 9

Section 41 (Schedule 8, paragraph 7) provides that a person detained in police custody under the terrorism provisions shall be entitled to consult a solicitor privately. Such requests must be permitted as soon as is practicable and in any case within 48 hours. However, a delay in complying with such a request may be authorised, but only in strict circumstances defined in the Terrorism Act. Prior to the Terrorism Act 2000, this power was contained in section 47 of the Northern Ireland (Emergency Provisions) Act 1996.

Table 10

Section 44 of the Terrorism Act 2000 gives the police powers to stop and search vehicles and their occupants, and pedestrians, for the prevention of terrorism. Authorisations apply to a specific area and are for a maximum of 28 days (though that period may be reviewed).

Table 11

Section 80 applies where (a) a person is sentenced to imprisonment or a term of detention in a young offenders centre for a period exceeding one year (b) he or she is discharged from prison or the centre in pursuance of prison rules, and (c) before his or her sentence or term would have expired (but for the discharge) he or she commits, and is convicted on indictment of, a scheduled offence. If the court before which he or she is convicted of the scheduled offence sentences him or her to imprisonment or a term of detention it shall in addition order him or her to be returned to prison or a young offenders centre for the period between the date of the order and the date on which the original sentence or term would have expired but for his or her discharge.

Table 12

If the Secretary of State considers it necessary for the preservation of peace or the maintenance of order, he may authorise a person to take possession of land or other property, and carry out works on land, which has been so requisitioned (section 91). Prior to the Terrorism Act 2000, this power was contained in section 26 of the Northern Ireland (Emergency Provisions) Act 1996 or section 19 of the Emergency Provisions Act 1978.

Table 13

Schedule 12 (made effective by section 102) allows for compensation to be claimed from the Secretary of State where property is taken, occupied, destroyed or damaged, or any other private property rights are interfered with as a consequence of action taken under part VII of the Act. Prior to the Terrorism Act 2000, this power was contained in section 55 of the Northern Ireland (Emergency Provisions) Act 1996.

Table 1: Cordoned areas designated under section 33 of the Terrorism Act

Year	Number of designated Cordons
2001	62
2002	239
2003	175
2004	126
2005	72
2006	38
2007	29
2008 Jan - Mar	23
Apr - Jun	7
Jul - Sept	5
Oct - Dec	24
TOTAL	59

Source: Police Service of Northern Ireland

Table 2: Premises searched under warrant under section 37, Schedule 5 of the Terrorism Act

Year	Number of Premises Searched
2001 ⁽¹⁾	94
2002	181
2003	278
2004	416
2005	223
2006	133
2007	237
2008 Jan - Mar	15
Apr - Jun	25
Jul - Sept	59
Oct - Dec	9
TOTAL	108

Note: 1. Excludes the period 19th February to 31st March.

Source: Police Service of Northern Ireland

Table 3: Persons detained in Northern Ireland under section 41 of the Terrorism Act

Year	Number of persons detained	Applications for extension of detention which was granted by a judicial authority			
		Number of applications for extensions made	Number granted	Number refused	Number withdrawn
2001	179	10	9	1	0
2002	236	12	12	0	0
2003	359	23	23	0	0
2004	230	16	16	0	0
2005	249	24	24	0	0
2006	215	14	14	0	0
2007	145	2	2	0	0
2008 Jan - Mar	22	1	1	0	0
Apr - Jun	37	12	12	0	0
Jul - Sept	58	10	10	0	0
Oct - Dec	33	1	1	0	0
TOTAL	150	24	24	0	0

Source: Police Service of Northern Ireland

Table 4: Charges brought against persons detained in Northern Ireland under section 41 of the Terrorism Act by individual offence

Offence	Number of charges ⁽¹⁾			
	19 Feb 2001 – Dec 2007	Jan – Jun 2008	Jul – Dec 2008	2008 Total
Murder	18	1	5	6
Attempted Murder	50	0	0	0
Explosives Offences	142	0	4	4
Firearms Offences	251	9	11	20
Conspiracy to Cause Explosion	26	0	0	0
Conspiracy to Murder	16	0	0	0
Membership	65	0	2	2
Burglary	11	1	0	1
Robbery	15	0	0	0
Offences Against the Person	46	3	2	5
Possession of Documents / Information ⁽²⁾	54	0	0	0
Theft	4	0	0	0
Hijacking	6	0	0	0
Criminal Damage	9	1	0	1
Illegal Processions	1	0	0	0
Unlawful Imprisonment	22	1	0	1
Withholding Information	8	0	0	0
Intimidation	21	1	1	2
Arson	8	0	0	0
Conspiracy to Pervert Justice	5	1	1	2
Kidnapping	8	1	0	1
Placing Hoax Bomb	5	0	0	0
Assisting Offenders	3	0	1	1
Attempted Hijacking	4	0	0	0
Conspiracy to Rob	5	0	0	0
Attempted Robbery	7	0	0	0
Handling Stolen Goods	5	0	0	0
Possession of Petrol Bomb	1	0	0	0
Making Contributions to a Proscribed Organisation	43	0	2	2
Dressing as a Member of a Proscribed Organisation	8	0	0	0
Breach of exclusion order	0	0	0	0
Deception	1	0	0	0
Motoring Offences	0	0	0	0
Drugs Offences	24	0	3	3
Prisons Act	0	0	0	0
Blackmail	46	0	2	2
Acting to Impede an Apprehension	0	0	0	0
Forgery	1	0	0	0
Riotous Behaviour	7	0	0	0
Disorderly Behaviour	1	0	0	0
Escaping from Custody	0	0	0	0
Possession of Offensive Weapon	10	2	1	3
Fraud	3	0	0	0
Possession of Counterfeit Currency	0	0	1	1
Possession of Articles of Use to Terrorist	104	1	2	3
Directing Terrorism	0	0	0	0
Money laundering	0	0	0	0
Supporting a proscribed organisation	10	0	0	0
TOTAL NUMBER OF CHARGES	1,074	22	38	60

Note: 1. The charges in this table refer to those brought against the individual after the original period of detention (including extensions). This table does not include any subsequent changes (additions/deletions) to the original charges.
2. Includes charges under section 58 and section 103 of the Terrorism Act.

Source: Police Service of Northern Ireland

Table 5: Persons detained in Northern Ireland under any legislation and charged with offences under provisions of the Terrorism Act ⁽¹⁾

	19 Feb 2001 – Dec 2007	Jan – Jun 2008	Jul – Dec 2008	2008 Total
Section 11 (Membership)	66	0	2	2
Section 12 (Support)	10	0	0	0
Section 13 (Uniform)	8	0	0	0
Section 15 (Fund-raising)	38	0	2	2
Section 16 (Use and possession)	4	0	0	0
Section 17 (Funding arrangements)	4	0	0	0
Section 18 (Money laundering)	0	0	0	0
Section 19 (Disclosure of information: duty)	1	0	0	0
Section 54 (Weapons Training)	1	0	0	0
Section 56 (Directing Terrorist Organisation)	0	0	0	0
Section 57 (Possession for Terrorist Purposes)	105	1	2	3
Section 58 (Collection of Information)	41	0	0	0
Section 103 (Terrorist Information)	15	0	0	0
Schedule 4, para 37 (Contravention of restraint order)	0	0	0	0
TOTAL NUMBER OF CHARGES	293	1	6	7
TOTAL NUMBER OF PERSONS CHARGED	215	1	5	6

Note: 1. Includes all persons charged with offences under the Terrorism Act, regardless of the power of arrest used.

Source: Police Service of Northern Ireland

Table 6: Persons detained in Northern Ireland under section 41 of the Terrorism Act by length of detention and outcome

	Length of detention		
	48 hours or less	Over 48 hours	Total
<i>Number charged:</i> 19 Feb – 31 Dec 2001	45	5	50
2002	74	6	80
2003	112	9	121
2004	60	9	69
2005	61	12	73
2006	54	8	62
2007	41	2	43
2008 Jan – Mar	3	1	4
Apr – Jun	4	3	7
Jul – Sept	3	10	13
Oct – Dec	4	0	4
TOTAL	14	14	28
<i>Number released:</i> 19 Feb – 31 Dec 2001	124	5	129
2002	153	3	156
2003	233	5	238
2004	154	7	161
2005	167	9	176
2006	148	5	153
2007	102	0	102
2008 Jan – Mar	18	0	18
Apr – Jun	22	8	30
Jul – Sept	43	2	45
Oct – Dec	28	1	29
TOTAL	111	11	122
<i>Total detained:</i> 19 Feb – 31 Dec 2001	169	10	179
2002	227	9	236
2003	345	14	359
2004	214	16	230
2005	228	21	249
2006	202	13	215
2007	143	2	145
2008 Jan – Mar	21	1	22
Apr – Jun	26	11	37
Jul – Sept	46	12	58
Oct – Dec	32	1	33
TOTAL	125	25	150

Source: Police Service of Northern Ireland

Table 7a: Persons detained in Northern Ireland under section 41 of the Terrorism Act by detailed length of detention and outcome

Length of detention	January – June 2008		
	Number charged	Number Released	Total
Less than 2 hours	0	0	0
2 hours and less than 4	0	4	4
4 hours and less than 8	1	6	7
8 hours and less than 12	0	4	4
12 hours and less than 24	3	5	8
24 hours and less than 36	0	18	18
36 hours and less than or equal to 48	3	3	6
48 hours or under	7	40	47
More than 2 days and less than 3	2	0	2
3 days and less than 4	0	3	3
4 days and less than 5	2	5	7
5 days and less than 6	0	0	0
6 days and less than 7	0	0	0
7 days and less than 14	0	0	0
More than 14 days	0	0	0
TOTAL OVER 48 HOURS	4	8	12
OVERALL TOTALS	11	48	59

Source: Police Service of Northern Ireland

Table 7b: Persons detained in Northern Ireland under section 41 of the Terrorism Act by detailed length of detention and outcome

Length of detention	July – December 2008		
	Number charged	Number Released	Total
Less than 2 hours	0	0	0
2 hours and less than 4	0	1	1
4 hours and less than 8	0	3	3
8 hours and less than 12	0	13	13
12 hours and less than 24	0	11	11
24 hours and less than 36	3	32	35
36 hours and less than or equal to 48	4	11	15
48 hours or under	7	71	78
More than 2 days and less than 3	2	1	3
3 days and less than 4	1	0	1
4 days and less than 5	1	0	1
5 days and less than 6	2	0	2
6 days and less than 7	2	2	4
7 days and less than 14	2	0	2
More than 14 days	0	0	0
TOTAL OVER 48 HOURS	10	3	13
OVERALL TOTALS	17	74	91

Source: Police Service of Northern Ireland

Table 8: Requests to have someone informed of detention in Northern Ireland under section 41 of the Terrorism Act (Schedule 8, Paragraph 6)

Year	Number of requests to have someone informed	Requests allowed immediately	Number delayed
2001	32	32	0
2002	130	130	0
2003	167	166	1
2004	105	102	3
2005	81	81	0
2006	117	114	3
2007	68	65	3
2008 Jan – Mar	7	7	0
Apr – Jun	13	13	0
Jul – Sept	23	23	0
Oct – Dec	11	11	0
TOTAL	54	54	0

Source: Police Service of Northern Ireland

Table 9: Requests for access to a solicitor by persons detained in Northern Ireland under section 41 of the Terrorism Act (Schedule 8, Paragraph 7)

Year	Number of requests for access	Number allowed immediately	Number delayed
2001	125	125	0
2002	232	232	0
2003	354	354	0
2004	227	223	4
2005	246	246	0
2006	213	213	0
2007	142	142	0
2008 Jan – Mar	22	22	0
Apr – Jun	36	36	0
Jul – Sept	54	54	0
Oct – Dec	36	35	1
TOTAL	148	147	1

Source: Police Service of Northern Ireland

Table 10: Power to stop and search: Number of person and vehicle searches under section 44 of the Terrorism Act ⁽¹⁾

Year	Number of persons stopped and searched	Number of vehicles stopped and searched
2005 ⁽¹⁾	204	156
2006	948	791
2007	2,167	1,801
2008 Jan – Mar	1,400	1,127
Apr – Jun	1,341	1,123
Jul – Sept	1,657	1,689
Oct – Dec	2,524	2,077
TOTAL	6,922	6,016

Note: 1. Data not available before July 2005.

Source: Police Service of Northern Ireland

Table 11: Scheduled convictions during remission (section 80) ^{(1) (2)}

Year	Number of persons convicted of scheduled offences ⁽³⁾	Number convicted while on remission from prison or young offenders centre ⁽⁴⁾
2001	n/a	n/a
2002	n/a	n/a
2003	n/a	n/a
2004 ⁽⁴⁾	13	0
2005	66	1
2006	70	0
2007	101	0
2008 Jan - Mar	23	0
Apr - Jun	2	0
Jul - Sept	0	0
Oct - Dec	3	0
TOTAL	28	0

- Note:
1. Information not available prior to October 2004.
 2. Figures are sourced to an administrative database and may be subject to revision due to late returns.
 3. Includes persons with mixed outcomes. Figures are based on persons convicted or disposed during the time period.
 4. Includes October to December only.

Source: Northern Ireland Court Service; Northern Ireland Office.

Table 12: Number of requisition orders and de-requisition orders under section 91 of the Terrorism Act ^{(1) (2)}

Year	Number of requisition Orders ⁽¹⁾	Number of de-requisition Orders ⁽²⁾
2001	12	13
2002	14	15
2003	14	22
2004	14	14
2005	15	16
2006	2	2
2007	2	26
2008 Jan - Mar	0	3 (section 91)
Apr - Jun	1 (section 29)	0
Jul - Sept	0	2 (section 19 & 29)
Oct - Dec	0	0
TOTAL	1	5

- Note:
1. From August 2007 onwards requisitions have been carried out under section 29 of the Justice & Security (NI) Act 2007 and not under section 91 of the Terrorism Act 2000.
 2. De-requisitions are carried out under the legislation under which the land was originally requisitioned. The original legislation may be either section 19 of the Emergency Provisions Act 1978, section 26 of the Northern Ireland (Emergency Provisions) Act 1996, section 91 of the Terrorism Act 2000 or section 29 of the Justice & Security (NI) Act 2007.

Source: Northern Ireland Office

Table 13: Compensation (Northern Ireland) (section 102, Schedule 12) ⁽¹⁾

Year	Amount (£)		
	Compensation Payments ⁽²⁾	Agency Payments ⁽³⁾	Total
2001 ⁽⁴⁾	1,832,635	325,944	2,158,579
2002	4,026,921	542,640	4,569,561
2003	1,885,697	313,609	2,199,306
2004	425,548	48,243	473,791
2005	164,218	18,950	183,168
2006	194,354	8,347	202,701
2007	93,004	4,095	97,099
2008 Jan - Mar	41,638	1,663	43,301
Apr - Jun	19,815	987	20,802
Jul - Sept	20,740	2,496	23,236
Oct - Dec	39,748	2,601	42,350
TOTAL	121,942	7,747	129,689

- Notes:
1. Figures relate solely to claims paid during the relevant period.
 2. Includes solicitors' and loss assessors' fees.
 3. Comprises loss adjusters' fees.
 4. Excludes the period 19th February to 28th February.

Source: The Compensation Agency.

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Compendia Publications

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