

<b>Committee(s):</b>	<b>Date(s):</b>
Police Committee Safer City Partnership	20 <sup>th</sup> September 2018 27 <sup>th</sup> September 2018
<b>Subject:</b> The Counter-Terrorism and Border Security Bill	<b>Public</b>
<b>Report of:</b> Office of the City Remembrancer	<b>For Information</b>
<b>Report author:</b> Jaysen Sharpe, Office of the City Remembrancer	
<b>Summary</b>  The Counter-Terrorism and Border Security Bill proposes to create new terrorist offences, amend the law relating to Anti-Terrorism Traffic Regulation Orders, and enable local authorities to make referrals to Prevent panels.	
<b>Recommendation(s)</b>  Members are asked to note the report.	

### **Main Report**

#### **Background**

1. Introducing the Bill's Second Reading, the Home Secretary, Sajid Javid noted that the police and intelligence services have disrupted "25 Islamist terrorist attacks since 2013...and four extreme right-wing plots have also been foiled since the Westminster attack."
2. The Home Secretary told MPs that "The powers in the Bill are designed to better protect us against all types of terrorist threats, including those from overseas, and against hostile state activity" and added that the Bill was "about ensuring that we can respond more effectively to the changing terrorist threat". This, he said, would involve "arresting, prosecuting and convicting terrorists and imprisoning them for longer, as well as more rigorous management of those terrorists following their release from custody to prevent reoffending." The Bill is shortly to commence its Report stage in the Commons.

#### **New Terrorist Offences**

3. The Bill will amend the Terrorism Act 2000 to create an offence where a person expresses an opinion or belief that is supportive of a 'proscribed organisation' and is reckless as to whether a person to whom the expression is directed will be encouraged to support a proscribed organisation.

4. A further offence of publication of terrorist images will be created where a person publishes an image of an item of clothing or any other article in such a way as to arouse reasonable suspicion that the person is a member or supporter of a proscribed organisation.
5. Additionally, it is proposed to create an offence of obtaining or viewing terrorist material over the internet where a person views on three or more occasions, information, including photographic and electronic records, likely to be useful to a person committing or preparing an act of terrorism. This would make the 'streaming' of such material an offence, which currently unless downloaded, is not an offence.

### **Anti-Terrorism Traffic Regulation Orders**

6. The City Corporation enacted the first Anti-Terrorism Traffic Regulation Order ("ATTRO") in 2016, which is activated on a contingent basis, with other traffic authorities introducing ATTROs outside Parliament and temporary ATTROs for royal weddings, NATO summits, party conferences and the London Marathon.
7. The Bill would enable the City Corporation to charge the promoter or organiser of a sporting, social, entertainment, or other commercial or charitable event, for costs in connection with making the ATTRO. Additionally, the Bill would remove the requirement for the City Corporation to publish a proposal or notice of the making of an order, where the Commissioner of the City of London Police considers that to do so "would risk undermining the purpose for which the order is made."
8. Additionally, the Bill would extend the discretion of a police constable to allow accredited vehicles or people through a barrier, to other persons as specified in the ATTRO, such as event security staff.
9. The Bill would also grant the police a power to place bollards and other temporary obstructions in a road to prevent traffic from passing, where under section 67 of the Road Traffic Act 1984, the passage of vehicles or pedestrians is restricted for a purpose relating to danger or damage connected with terrorism or the prospect of terrorism.

### **Persons Vulnerable to Being Drawn into Terrorism**

10. The Bill would amend the legislation relating to the Government's 'Prevent' programme, which seeks to stop people from supporting or becoming terrorists. This includes the so-called 'Channel Panels' established by local authorities (including the City Corporation), which assess individuals referred to the panel and then determine what support is required to prevent them from being drawn into terrorism. At present only a chief officer of police can refer an individual to a panel. Under the proposals, this would be expanded to allow for referrals by a local authority (including the City of London Corporation). Additional

amendments include the imposition of a duty on members of the panel to cooperate with a local authority in carrying out their functions.

### **Terrorism Re-Insurance**

11. The Bill proposes to alter the Reinsurance (Acts of Terrorism) Act 1993, to enable the Government-backed Pool Reinsurance Company Ltd, known as 'Pool Re', to cover consequential business losses where the losses were not directedly caused by physical damage to property, although still the result of an act of terrorism. This is in response to the losses suffered by businesses in Borough Market, where following the terrorist attack business were closed for a number of weeks and some were unable to claim for the loss of business from their insurers.

### **Other Measures**

12. Additionally, the Bill includes new powers for police and immigration officers relating to border security and increases in sentencing powers for terrorist offences.

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