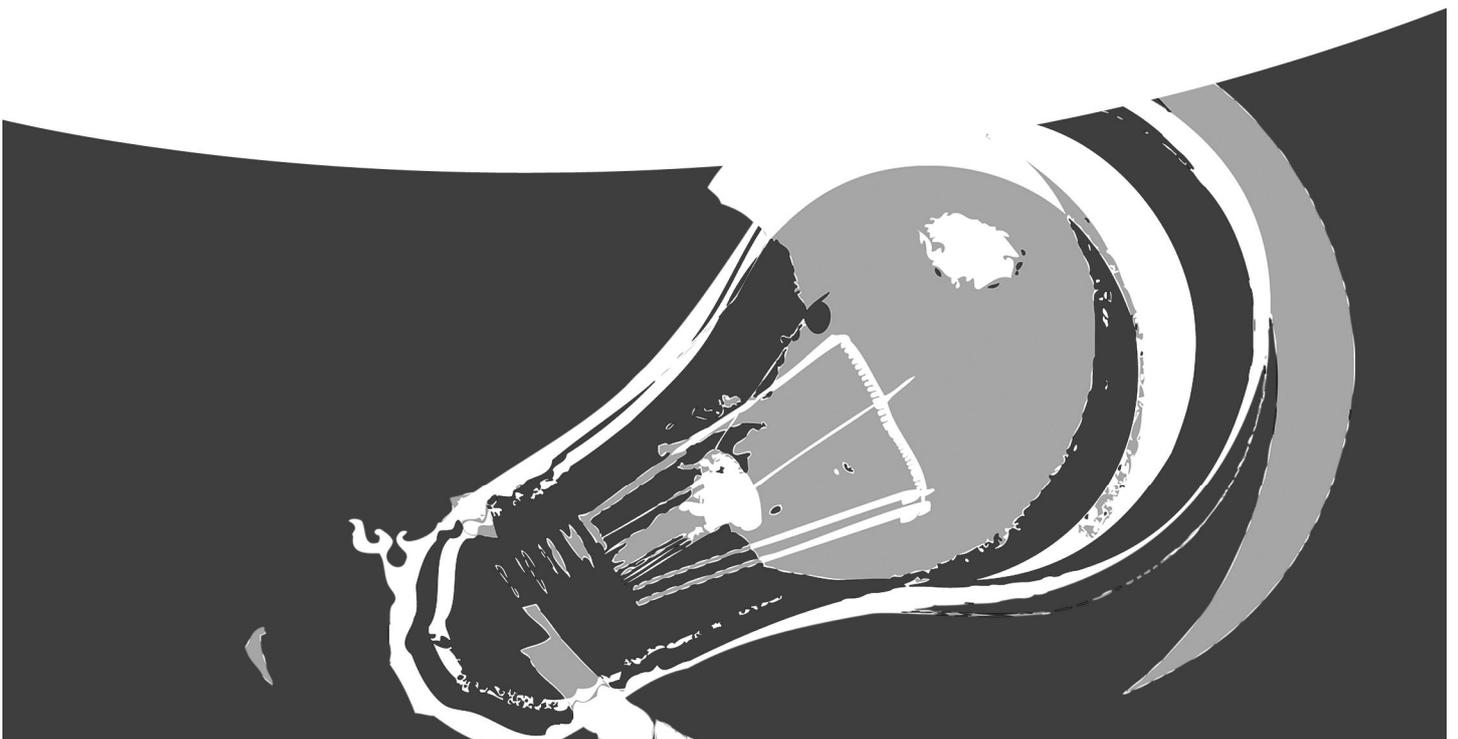


Teacher Resource Bank

Extended Project Qualification

Candidate Exemplar Work:

- Sample One/Cohort 3 Standardising
'The Impact on Human Rights of the UK and US Legal Response to Terrorism'



INTRODUCTION

This exemplar material was originally compiled from work submitted and assessed in Cohort 2 of the pilot (submission November 2007) for standardising purposes for Cohort 3 (meetings in January / February 2008).

The specification, evidence requirements, interpretation of assessment criteria, and associated pro-formas and procedures are under development in the pilot. It should not be assumed that, at the time of setting and completion of this work, students and their teachers had access to the specification and guidance currently available.

The samples each provide a 'Production Log' and a 'Project Product' with some accompanying confirmation that a 'Presentation' was completed. i.e. the three basic requirements are fulfilled. All the samples reflect (some) work at Level 3.

The material has been edited to remove readily identifying information and copyright or superfluous material. In some instances evidence from the students' supervisors has been removed for clarity/anonymity or to encourage discussion at standardising.

At standardising meetings, teachers were reminded that:

- Use of such samples in a marking exercise is artificial – in some ways harder than marking the work of one's own students where interpretation of evidence is taking place in context.
- It was important that in marking these samples not to be overly reliant simply on the explicit evidence in the material supplied. The assumption had to be that the students had good supervision (unless there was clear and specific evidence to the contrary) so that decisions were made based on appropriate choices and if some element of the process was implicit in the final product it should be rewarded on the assumption that the supervisor would also do this having made a note accordingly.
- There is a clear emphasis in AQA's Extended Project Qualification on the realisation of an authentic product developed using skills appropriate to the project. This should be rewarded despite any lack of explicit recording in the log. The Production Log should not become the main element of assessment — its completion requires a specific set of skills that are valuable but may not relate well to those required by the project. This award is for the development and realisation of a project not an award for the production of a log with a project attached. If realisation of the project must implicitly have involved certain achievements they should be credited. Supervisors will be asked to note and record such achievement.

Criteria for the award of marks	Max mark	Mark awarded
(AO1) Manage	10	8
(AO2) Use Resources/ Research	10	9
(AO3) Develop and Realise	20	17
(AO4) Review	10	6
Total	50	40



Level 3 Extended Project Production Log Area of Study: Law

Candidate name: XXXXXXXX

Candidate number: YYYY

Extended Project Working Title: The impact on Human Rights of the US and UK legal response to terrorism

Note: *This production log should consist of the following pages. Additional journal material, planning evidence, research evidence, records of meetings with your supervisor, etc. may be added in each section.*

	Date completed
Record of initial planning meeting	15/06/07
Project Proposal Form	15/06/07
Plan at start of project	20/06/07
Mid-project review	28/06/07
End-of-project review	18/07/07
Summary	1/11/07
Presentation record	2/11/07
Reflection	2/11/07

Extended Project Final Title:

The impact on Human Rights of the US and UK legal response to terrorism

Candidate's signature: XXXXXXXX

Date: 5/11/07

Supervisor's signature: ZZZZZZZ

Date: 5/11/07

Record of initial planning meeting(s)

This form records initial meeting(s) with your supervisor to agree your project proposal. These boxes will expand as you type.

Your first idea for topic/title: Terrorism

Your first ideas for research and development of your project:

Impact of terrorism on human rights
Compare and Contrast to big Irish terrorism and legal response to that – which one is more effective and the impact of each on human rights
Patriot act in America
Legislation passed in Britain before and after 7/7 and 9/11
Legislation passed in America before and after 9/11
Have the terrorism laws been effective – cases supporting or contradicting this
Comparison of US and UK legislation
Compare and Contrast British and American response to terrorism and the impact it has on human rights

Your supervisor's main comments and advice:

Be specific about your 'analytic tool' analysis of whether it is necessary? Just? What do these words mean?
Research – human rights watch, Amnesty International website, Liberty Website, Forewhite 9/11 (film) populist piece of propaganda! Library: articles etc. Really look for challenging academic articles. Try to get some primary research – interview? Letter to home secretary – John Reid – Parliament website – Gordon Brown

Changes, clarifications or additions you have made as a result of your discussion with your supervisor:

After considering my supervisors comments I have decided that I will write a letter to Gordon Brown instead of John Reid as he may not be the home secretary soon. Therefore, I will ask Gordon Brown how he intends to combat terrorism and if he is going to use the same approach as Tony Blair used, and if not, how is his going to be different. Also, is this going to breach human rights or is he going to ensure people still have civil rights and protect the nation more successfully without breaching human rights.

Supervisor's initials: ZZ

Date: 15/06/07

**Centre-assessed work
Project Proposal Form
2007**

Extended Project Qualification

Centre Name: **Sample One** Centre No:

Candidate Name: **Sample One** Candidate No:

Part A: to be completed by the candidate

Title of the Extended Project:

The impact on Human Rights of the UK and US legal response to terrorism

[You may present the topic to be researched in the form of a statement/question/hypothesis with clear focus.]

Please give a brief outline of:

- the topic to be researched or activity/task to be carried out and sources to be consulted

I hope to prove that the current legislation on terrorism is unjust and is breaching human rights. In order to reveal this I will research Americas response to terrorism after the 9/11 event and Britain's response to terrorism after the 7/7 event, this will include the legislation that was passed out as a result of the terrorist attacks. I will then see if this legislation has been useful in decreasing terrorism, and the effect it has had on human rights. I will include academics opinions, cases and various internet websites (which will be provided as a reference) as the secondary sources and a letter to the Prime Minister, Gordon Brown, and an interview with the new Home Secretary, Jacqui Smith, as the primary data.

- the course(s) of study or area(s) of personal interest to which the topic relates

This topic relates to my AS and A2 Law course and is a topic that I have a personal interest in researching, as I would like to see if the legislation passed out has been a successful technique in preventing terrorism and the impact the legislation has had on people's rights, as it is an important issue in the news since the 9/11 attacks and has intrigued me ever since.

- your proposed action

I will investigate the topic as explained above. The intended outcome of the project is a 5000 word essay on 'the American and British response to terrorism and the impact it has on human rights.'

I will write a letter to Gordon Brown in order to gain an understanding of the approach he is going to take in order to prevent terrorism and his opinion on the previous approach. I also hope to interview Jacqui Smith and if possible someone from the cabinet ministers for Security, anti-terrorism etc to gain a more detailed insight.

Please give details of the courses that you are currently studying:

Qualification Type <small>(e.g. GCE AS/A, Applied GCE AS/A, GNVQ, GCSE, Applied GCSE, VRQ, Modern Apprenticeship, BTEC, etc)</small>	Subject <small>(e.g. Mathematics, English, Leisure & Tourism, Spanish, ICT, etc)</small>
GCE AS	Law
GCE AS	Psychology
GCE AS	Sociology
GCE AS	English Literature

Declaration by the candidate

I certify that I have read and understood the AQA's Regulations relating to unfair practice as set out in the Notice to Candidates overleaf.

Candidate's signature: _____

Date: 4/7/07

Part B: to be completed by the supervisor

Please comment below on the validity and feasibility of the proposed project, and on the suitability of the sources. The title chosen can be in the form of a statement/question or hypothesis with a clear focus. Please comment on the proposed project using the criteria given below:

Criteria	Supervisor's comments
Is the project focus within the content of a particular course of study and/or personal interest?	Yes
Are the sources and research base suitable?	yes
Is the proposed project feasible within the timescale?	yes
Is there sufficient scope to produce a project which meets the assessment objectives as detailed in the EP specification?	yes

For the purposes of moderation, it is important that we know the format of the project which will be submitted by this candidate. Please tick as appropriate:

Format of Project	Please tick
Written report	X
Live performance (e.g. in music, drama & theatre studies)	
Electronic format (e.g. CD, video, PowerPoint presentation)	X
Artefact (e.g. in design & technology, art & design)	

Supervisor's name (please print): _____

Supervisor's signature: _____

Date: 4th July 07

Part C: to be completed by the Project Adviser

Adviser's comments:

Is this a "compare and contrast" of the UK & US approaches? This approach should be suitable. I wish you luck with your approaches to politicians

Approved Approved subject to the implementation of the adviser's recommendations Resubmission required

Adviser's name (please print): _____

Adviser's signature: _____

Date: 30/07/07

Plan at start of project

This form records your outline plan at the start of your work. These boxes will expand as you type.

Outline the next steps in your planned research/initial development:

Introduction

Legislation in America

1. Acts in Chronological Order
2. Analysing the impact they have on Human Rights
3. Including case studies and academics opinions
4. Effectiveness – does it make citizens safer?

Legislation in Britain

1. Acts in Chronological Order
2. Analysing the impact they have on Human Rights
3. Including case studies and academics opinions
4. Effectiveness – does it make citizens safer?

Comparison of the US and UK legislation and the impact they both have on human rights and if the legislation is effective

Does Anti- terrorism legislation ever make citizens safer? (Counter productive)

Is it worth it? Can the measures be justified?

Suggestions – is there any way the law can be used to combat terrorism productively? Is the law perhaps not the appropriate instrument?

Your supervisor's main comments and advice:

When talking about effectiveness think about 1) do they make us more safe? (is that the aim?) and 2) are they perhaps counter productive? Some people argue that they “fuel the fires of terrorism” – is this true? Some argue they help terrorist aims (reducing our freedoms)

Try to use lots of case studies when discussing the impact of human rights.

Think of some primary research – letter to Gordon Brown sounds like a great idea. Could you also arrange an interview with someone? Your MP? Home secretary? Cabinet ministers for Security, anti-terrorism, etc. Perhaps phone and see if they can meet you, or do a phone interview.

Changes, clarifications or additions you have made as a result of your discussion with your supervisor and/or the comments from AQA Adviser:

After considering my supervisors comments I have decided to try and arrange an interview with the Home Secretary, in order to ensure I have another source of primary data and gain the maximum possible information I can. This will be useful as I can see if the new government (Gordon Brown and the new Cabinet members) are going to change their approach to terrorism compared to Tony Blair's technique.

Supervisor's initials: ZZ

Date: 20/06/07

Mid-project review

This form records your outline plan about half-way through your work. These boxes will expand as you type.

Outline the successes, failures, additions and/or changes you made as you followed your *Plan at start of project*:

Additionally, I have also decided to interview a Muslim leader to see their experience on terrorism and the impact it has had on their life and carry out a survey to see the impact the legislation has had on many different Muslims living in the UK today. From this I will be able to gain a more detailed insight into what the main victims of terrorism feel about the legislation, as it mostly targets their religion.

Outline your planned steps to complete your project:

Send the letter to Gordon Brown as well
Redraft coursework
Write up an interview and survey
Carry out my survey and interview
Include my results in my project
Include Gordon brown and Jacqui Smith's response to my project
Add any information that is currently in the media about terrorism

Your supervisor's main comments and advice at this stage:

Excellent beginning. You have summarised the American legislation well. Where they use terms like "suspected terrorists" try to find out what makes someone a suspect, who decides, etc.

Changes, clarifications or additions you have made as a result of your discussion with your supervisor at this stage:

As a result of my supervisors comments I have decided to add more detail to the project and define terms such as 'suspected terrorists' and any other terms that may occur throughout my project.

Supervisor's initials: ZZ

Date: 28/06/07

End-of-project review

This form records the (near) completion of your product. These boxes will expand as you type.

Outline the successes, failures, additions and/or changes you made as you followed the plan in your Mid-project review:

While I was doing my project I continued to find new information that fascinated me, so I added it into my project e.g. CIA report. Apart from this change I was able to successfully complete my project in the way I intended with the exception of not receiving a satisfactory reply from Jacqui Smith or a complete reply from Gordon Smith. Because of the unsatisfactory reply from Jacqui Smith I wrote another letter to her emphasising the importance of her answering my letter (I have enclosed all the letters and replies in the appendix.) However, she was still unable to reply to me so I wrote a complaint letter to which I have not received a reply for to this date. Furthermore, I was unable to interview a religious leader or conduct a survey on different Muslims. Instead I looked at real life cases where people have encountered racism or been discriminated against because of being a Muslim, and their views on this experience.

Outline any additional advice or comment that you received from your supervisor during this final stage:

Fantastic first draft ZZZZZZZ.

Include the text of the Acts as appendixes.

You need to get a copy of the Universal Declaration of Human Rights, the American Consitution (where rights are safeguarded) and look for SPECIFIC rights that are being infringed. You cannot just assert things are rights, you must PROVE they are LEGAL rights.

In this vein, you also need to distinguish between Human Rights and Civil Liberties. Maybe a para on this at the beginning? Human Rights are legally protected rights in documents, e.g. UDHR, HRA, etc. Civil Liberties is a less specific term legally. In the UK we have a system of residual liberties - I can point you in the direction of reading on this if you want to explore it.

After you prove that human rights have been infringed, you must go on to explore WHY they were infringed. If it was in the interests of the safety of the nation, you must go on to show why in fact they were not in the interests of the safety of the nation. You could either argue that the law in question does not protect people. Or you could argue that human rights are paramount, and no general idea of the safety of the nation should interfere. I can suggest some philosophical texts on this (e.g. Raz) if you are interested in exploring this further?

Re the Bush Quote on terrorism/war: I suspect he was actually trying to re-write the rules governing his response. If it was an act of war, he can attack the whole of Afghanistan. If it was an act of terrorism, he cannot. It would be akin to the UK invading Ireland after the IRA attacks. The IRA was probably not linked to the Irish state at the time. What is the position in Afghanistan?

Try to reference the full text of acts where possible, not a website on the full text.

Changes, clarifications or additions you made as a result of discussion with your supervisor in this final stage:

As a result of my supervisors comment I referenced some of my project again for example, I referenced the articles as Name, Publisher and I referenced the full text of acts instead of the website. I also researched human rights and applied it to my project by saying which specific human rights had been violated and explained why this was not in the interest and safety of the nation. Overall, I added more detail and specified the rights that were being infringed.

Supervisor's initials: ZZ

Date: 18/07/07

Summary

This form records the nature of your product. These boxes will expand as you type.

Outline (50 - 150 words) the nature of your final product, its main content and its conclusion:

The main aim of my project was to analyse the impact of American and British anti-terrorism legislation and to see the impact it has on human rights. In order to gain information from a variety of sources I looked on the internet, went to Greenwich University Law library, regularly looked through newspapers and I wrote a letter to Gordon Brown and Jacqui Smith. From this project I found that the UK does not infringe human rights as much as the US legislation does. For example, in the US they deport terrorists to another country to be tortured – Guantanamo Bay, the guards strip the prisoners naked and there has been a case when the guards have put the Quran on the toilet.

Presentation record

This form records your presentation and its preparation. These boxes will expand as you type.

Outline the nature of your presentation (e.g. timing, audience, use of visual aids, slides, notes used, etc.):

I used a PowerPoint presentation to list the main points I would make when presenting my project to my audience. My audience was my two specialist law teachers and non specialist colleagues. The timing of my whole presentation was approximately 15 minutes, in which I summarised the main points of my project.

Briefly list the main content of your presentation:

I began by informing my audience of the different rights we have that are protected in documents such as the Human Rights Act. Then I analysed the American response to terrorism and the impact it has had on human rights. I included cases in order to ensure the audience understood what I had just explained and to support my arguments by applying it to a real life situation where this had occurred. I did the same for British legislation. In the end before I concluded my presentation, I included recommendations which could help reduce terrorism.

I then gave the audience time to ask questions, in case there was anything they were interested in or weren't clear on. I answered their questions, and then concluded my presentation.

Supervisor's signature: ZZ

Date: 2/11/07

TerrorismPresentation.ppt

TerrorismPresentation.ppt

The Presentation on Terrorism is not reproduced here for copyright reasons. The content of the Presentation is detailed on the previous page. It included:-

- the Human Rights Act,
- the American response to terrorism and the impact it has had on human rights
- British legislation
- recommendations which could help reduce terrorism

Reflection

This form is to record your own evaluation when you have completed your project and given your presentation. These boxes will expand as you type.

Briefly summarise your main learning from completing this project. You might include new knowledge or expertise that you enjoy or find valuable, a consideration of your planning and organisation, changes you would make if you undertook such work again, advice you would give to others undertaking such a project.

From my project I found that anti-terrorism legislation is counter productive as it does not ensure national security and it does not prevent terrorists from attacking the nation again. Also, the anti-terrorism legislation is not used effectively, as it breaches human rights and civil liberties, which destroys citizen's lives and affects their reputation in a negative way. For example, they may be unemployed because of the terrorist label they have attached to them. Therefore, terrorists are successful in reaching their aims as they are compelling the government to take decisions that limit people's rights and this shows that they are scared of the terrorists threats.

Skills I have developed through doing this project are working independently on a piece of work that I am interested in and finding out information from a variety of sources. I have also developed my skill in analysing different pieces of work such as articles from newspapers and other academics. I have read the acts and used the main points from the acts and analysed them by seeing how it has affected human rights. Furthermore, I used a wide range of sources in my project, this included attending Greenwich University Law library to look through the articles they had and to apply it to my project. I also learned how to use the University Computer Systems to research with e-journals. Additionally, I found that I had to change my plans whilst doing my project as I could not organise an interview with the Home Secretary and her letters did not answer the questions I had asked.

If I could do this project again I would try to organise a meeting with the Prime Minister in order to get a detailed interview on the government's views on the legislation and what they would do to ensure it is more effective. I would also interview a Muslim leader and carry out a survey on people to see how the experience of the terrorist attacks has affected their views and lives. I would advise people who are going to do this project to prepare for their presentation beforehand and have practice before where they go through the presentation in front of others and make improvements.

The impact on Human Rights of the UK and US legal response to terrorism

Over the past years, terrorism has become a major issue worldwide. After the events of September 11th in America, and July 7th in Britain it has become a major concern for both the US and the UK. The Home Office stated on their website that the current danger of another terrorist attack is severe. They define severe as the possibility of an 'attack is highly likely'. We can therefore clearly see the motivation behind the various pieces of legislation that have been enacted, attempting to prevent terrorism and keep our nation safe.¹ In this essay, I will look at the US and the UK's legal response to 'the war on terrorism' and the impact this has had on Human Rights. I will attempt to prove that civil liberties are declining as a result of anti-terrorist legislation, and that such legislation is ineffective at preventing a terrorist attack.

Human Rights are legally protected rights in documents such as the Universal Declaration of Human Rights and the UK's Human Rights Act. The **Human Rights Act 1998 (see appendix for this act and others)** sets out 18 articles which shows the certain privileges they are entitled to. This includes the right to life, exclusion of torture, right to liberty and security, the right to have a fair trial, the right of no punishment without law, freedom of speech.²

Also, America has the **US Constitution** which aims to establish justice ensure peace and serenity and promote the general welfare for citizens. One of the rights citizens are given is the right to a quick and public trial by an impartial jury.³ I will explore human rights in more detail later on, and will relate it to certain legislation which has been enacted.

American Response

In this essay I will analyse anti-terrorism legislation based on the impact and efficiency of it. I will show how the legislation breaches human rights or leads to human right infringements.

Many of the procedures employed by the US government after September 11th violated essential requirements of international human rights. For example, arbitrary and secret detention of non citizens, such as when the government declines to disclose the location of the detainees. This is violating civil liberties, as other people are unaware of the conditions the detainees are being kept in. In the **Universal Declaration of Human Rights** article 5, it prohibits the detainee from being tortured or receiving inhumane punishment.⁴ This may be happening to these people, but the government refuses to reveal the location of these detainees. Another violation of human rights is secret transportation hearings for people who are assumed to have a link with terrorists. This is unjust as the detainees are not be given a fair trial.⁵ The

¹ Home Office website (<http://www.homeoffice.gov.uk/security/current-threat-level/>)

² Human Rights Act 1998

³ US Constitution

⁴ Universal Declaration of Human Rights

⁵ Human Rights Watch Website (<http://hrw.org/un/chr59/counter-terrorism-bck4.htm>)

right to a fair trial is guaranteed in article 10 of the **Universal Declaration of Human Rights** this states that people are entitled to have a fair trial in public with an ‘independent and impartial tribunal.’⁶ Nevertheless the Executive Order 13224 allows for no trial at all which permits people to decide on the verdict in secret surroundings, this clearly shows that human rights are breached, as they are not even allowed to have a trial to prove their innocence.

On 21 September 2001, Amnesty International sent a letter to President Bush. They pleaded to him to put human rights and the rule of the law at the center of the nation’s response to the crime against humanity which was committed on the 9th September. Despite this their plea was unsuccessful, as the CIA states that the US has been engaging in infringement of international law. This includes secret detention, inhumane treatment such as torture, rejection and limitation of *habeas corpus*, arbitrary detention, prolonged detention and unfair trial procedures. But USA still continues to say that it is a “nation of laws” and is committed to not negotiating demand on “human dignity” in this “war on terror”. However CIA’s insensitive interrogation methods such as the long time standing, cold cell and water boarding is clearly inhumane treatment to the detainees.⁷ The CIA do not hesitate to use these techniques on prisoners, but this is unjust and goes against the **Universal Declaration of Human Rights** article 5, which prohibits torture or inhumane treatment to the detainees.⁸ This results in people confessing to crimes that they did not commit and telling the interrogator whatever they want to hear in order to escape this horrific treatment.⁹ Therefore, this shows that the law does not prevent terrorism.

According to Amnesty International the **Military Commissions Act** is breaching human rights in various ways. This includes authorising civilians who are captured “far from any battlefield” to be tried by the military commission instead of the civilian courts, however this opposes the international standards. Another infringement is by giving the military commission too much power, as they are allowed to impose the death penalty on people. This system denies the detainees the rights they deserve as they may not even have a fair trial but the sentence handed down by the military commission would have to be followed.¹⁰ In the case of David Hicks, it was argued that there was an ‘unacceptably high risk that there will be a miscarriage of justice.’ This comment was made by Mr Lex Lasry, who was an Australian independent legal observer of the trial. After attending the preliminary hearings he strongly thought that there was a chance that the defendant would be mistreated and not given a fair trial. This was because the Military Commission lacks independence as they are controlled by the US government. Another major concern was the fact that a majority of the Commission members were not legally qualified and did not have any experience which put the defendant at a disadvantage. Lastly, he stated that because of the lack of

⁶ Universal Declaration of Human Rights

⁷ Abc news (<http://abcnews.go.com/WNT/Investigation/story?id=1322866>)

⁸ Universal Declaration of Human Rights

⁹ Abc news (<http://abcnews.go.com/WNT/Investigation/story?id=1322866>)

¹⁰ Amnesty International website (<http://web.amnesty.org/library/index/ENGAMR511542006>)

impartial appeal process, the military commission trial denies people the right to a fair trial.¹¹

In addition to this the military commission is unsuccessful in providing an assurance that trials will be conducted within a reasonable time period. They also limit the detainee when they select a counsel to represent them and their case. This may lead to the counsels agreeing with the military commission as they are to an extent selected by them.¹² This is against the **Universal Declaration of Human Rights**¹³ the right to a fair trial, as this states that the detainee has the right to defend themselves or have legal representation of their own choice.¹⁴ This also applies to US legislation, as the **Constitution of the United States** sets out in amendment 6 that the trial must be heard by an impartial jury¹⁵ but the counsel is clearly not impartial and therefore they are denied their rights.

The **US Patriot Act 2001** gave the attorney general exceptional power to keep in custody non citizens if it was on the grounds of the nations safety. But this detention is limited to 7 days, after which they must be charged with an offence, in order for them to continue remaining in custody. Authorised aliens who can not be transported back can be imprisoned until they no longer present a danger to the nation's security. This may seem unfair as people can be kept in custody without having a trial, and be arrested without the state, having any evidence or real reason for their arrest.¹⁶

In the case Yaser Esam Hamdi, a federal appeal court supported the United States government in saying that a citizen who is suspected to be an enemy and present a substantial risk to the nation can be detained until further notice as long as this suspicion is based on some evidence of them being a significant risk to the state and that they are going to or helping in a future terrorist attack. The detainee can be kept in custody without being charged and their access to counsel is limited. In this case Hamdi was not given permission to consult his attorney and he could not view the facts that were made against him by the government. This contravenes the right to a fair trial (article 6) and the right to liberty and security (article 5) as these articles state that the defendant must be informed of the charges made against them in a language that they understand.¹⁷ Hamdi was denied this human right as he was imprisoned and did not know the reason for this, and he was unaware of where the government made these presumptions from as he was not allowed to review any of the information. During this time period he was also not allowed to discuss anything with his attorney as they were not allowed to meet. It can be argued that this is against civil liberties, as

¹¹ Parliament of Australia website (<http://wopared.parl.net/library/Pubs/rn/2004-05/05rn33.htm>)

¹² Amnesty International website (<http://web.amnesty.org/library/index/ENGAMR511542006>)

¹³ Universal Declaration of Human Rights

¹⁴ Office of Public Sector Information (<http://www.opsi.gov.uk/acts/acts1998/80042--d.htm>)

¹⁵ US Constitution

¹⁶ Human Rights Watch website (<http://hrw.org/wr2k2/us.html>)

¹⁷ Office of Public Sector Information (<http://www.opsi.gov.uk/acts/acts1998/80042--d.htm>)

we all have a right to know the reason for our imprisonment and allowed to consult someone to help us in the situation and Hamdi was clearly deprived of these basic rights.¹⁸ The government would argue that this was necessary to prevent another attack from occurring and to ensure national security. However, there are various other methods the government can employ in order to balance human rights and national security. In the war against terror the government still have to ensure they are protecting citizens and their rights, however Hamdi was clearly denied his rights, as a result of the government trying to protect the country. But the government is in fact helping terrorists, by limiting our freedom.

After the events of September 11th George Bush declared that:
*'This was not an act of terrorism, but it was an act of war'*¹⁹

This shows that he is determined to prevent any type of terrorist activity from invading his country, and any act that threatens the nation's security or intimidates the state into being compelled to act in a certain manner. Therefore, he sees the act of terrorism as a threat to his position and proclaims that the nation must fight back in order to protect their rights and prevent this horrific event from occurring again. He is also trying to justify his reasons for attacking Afghanistan, as if the event was an act of war, than he is allowed to attack the whole of Afghanistan. But if it was an act of terrorism, he cannot. This would be similar to the UK invading Ireland after the IRA attacks even though the IRA was probably not linked to the Irish state at the time. The position of Afghanistan in this is similar to Irelands as they cannot be blamed for September 11th events, and it was not an act of war on their behalf. Therefore, Bush's actions were not justified as he was attacking the whole country, for the actions of a minute number of people who could not be definitely identified as the culprits. As a result of this it is clear that he was breaching international law.

Overall, it can be seen that that the US legislation violates human rights, as it unlawfully detains people but only a small proportion of these people are actually convicted of being terrorists. The Human Rights Watch found that by the end of November 2001, over 1,100 Arab and Muslim men had been kept in custody as it was suspected they had a connection with the September 11th attacks. Senior law enforcements accepted that only a minute figure of people detained were assumed to have links to terrorism.²⁰ But the main concern is that the religion Islam is increasingly being associated with having links with terrorism and Islam is now becoming known as a religion associated with terror, war and hatred and people are being discriminated based on their religion.

I also strongly believe that the anti terrorist legislation infringes USA civil liberties, as it arrests a lot of people but only a small proportion of these have a link with terrorists or terrorist activity. This ruins people's lives as being detained in prison can have a negative impact on people's lives as they may have been tortured when they were in

¹⁸ Human Rights Watch website (<http://hrw.org/un/chr59/counter-terrorism-bck4.htm>)

¹⁹ Brainy quotes (<http://www.brainyquote.com/quotes/quotes/g/georgewbu145047.html>)

²⁰ Human Rights Watch website (<http://hrw.org/wr2k2/us.html>)

custody. This could also ruin their reputation and one mistake from the law enforcements could change their lives for ever.

Also, all the anti terrorism legislation shows the terrorists that we live in fear of them and are petrified by what they are capable of doing. The legislation also emphasises the fact that the US, as a nation, have not been very successful in our attempts to seize terrorists and prevent another terrorist act from occurring. Besides this, it also shows that our human rights have been limited and the government themselves are helping the terrorists achieve their objectives – by limiting the nations freedom.

Britain's response

I will argue that the British response to terrorism does not breach civil rights as severely as the American response does, but there is still legislation that has a negative impact on the citizen's civil liberties. One of the major pieces of legislation that violates this right is the power given to the police force. The **Terrorism Act 2000** and **Anti-Terrorism, Crime and Security Act 2001** gave the police even more power to try and prevent terrorist activity from occurring. This can have a negative impact on people as the police may discriminate certain individuals for example, Muslims.

Also, the **Prevention of Terrorism Act 2005** allows for control orders to be made against suspects limiting their freedom, but it is considered to be violating human rights by detaining foreign terrorists for an indefinite period of time. This goes against the **Universal Declaration of Human Rights Act** article 9 which states that 'no one shall be subjected to arbitrary arrest, detention or exile.'²¹ The **Anti-Terrorism Crime and Security Act 2001** is held to be a serious breach of the European Convention of Human Rights, as 8 out of a panel of 9 Law Lords, claimed that detaining any suspect without a trial is against human rights article 5 the right to liberty.²² This occurred in the case *A and others v Secretary of State for the Home Department (2004)* where the House of Lords stated that evidence gained through torture is prohibited in court. However, the Court of Appeal in 2002 decided that information received through torture could be used as long as the British state had not tortured the person themselves.²³ Under Section 25 of the **Anti-terrorism Crime and Security Act 2001** the detainees had the right to appeal against their decision.²⁴ In this case the evidence against the 10 detainees was received from foreign countries through the use of torture.²⁵ Therefore the detainees argued that using the evidence was unlawful under the English common law. It also discriminated against non-

²¹ Universal Declaration of Human Rights

²² Terror detainees win Lords appeal, but what now? By Shami Chakrabarti and Joanne Sawyer

²³ Lawbore website (<http://www.lawbore.net/articles/pill.pdf>)

²⁴ Parliament website (<http://www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd051208/aand-1.htm>)

²⁵ Parliament website (<http://www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd051208/aand-1.htm>)

British citizens so it was illegal under the **European Convention on Human Rights**.²⁶

Furthermore, one of the judges of this trial: Lord Hoffman stated that *'Of course the government has a duty to protect the lives and property of its citizens. But that is a duty which it owes all the time and which it must discharge without destroying our constitutional freedoms.....such a power (detention without trial) in any form is not compatible with our constitution. The real threat to the life of the nation.....comes not from terrorism but from laws such as these. That is the true measure of what terrorism may achieve. It is for Parliament to decide whether to give the terrorists such a victory.'*²⁷ This shows that anti-terrorism legislation is in fact helping terrorists achieve their goals as it is reducing our rights. Therefore the government must come up with a new more effective way to combat terrorism and still maintain people's human rights.

Another infringement of human rights is indefinite detention without charge or trial of citizens who are suspected of being related to terrorist activities. The evidence used to determine when an individual is considered to be a suspected terrorist is confidential and the suspect is prohibited from gaining access to this information, so they will not know the reason for their imprisonment. The UK police arrested over 300 people who were suspected to be linked to the events of September 11th. But only 40 people had been charged, most of which were immigration offences and 3 had been charged for being part of a banned Sikh youth group. This shows that certain people are being discriminated against such as immigrants and ethnic minority groups.²⁸

Furthermore, the way in which prisoners are kept in arbitrary detention was emphasised through the case of *Lotfi Raissi*. In this case, Raissi was detained for 5 months without being given a justified reason for his imprisonment and the government failed to present any evidence that showed why he was a suspected terrorist. After failing to provide any evidence, he was released on bail, and the court declared that there was no evidence to support the fact that Raissi was a suspected terrorist. According to Human Right monitors, Raissi was severely traumatised by the events that had occurred, including the harsh treatment he faced in the prison, the indefinite nature of his imprisonment, and the lack of access to the information that was held against him that made him a suspect terrorist.²⁹ This is against **Human Rights Act 1998** because it went against his right to life, as he claimed he was in severe danger whilst in prison, both from inmates and guards. The Independent newspaper reports that: 'He is still haunted by his experience' Lotfi Raissi says that "They should rename it Hell Marsh. Everyone who comes out of Belmarsh has to either go and see a psychiatrist or they commit suicide.' This shows that prison guards

²⁶ Lawbore website

(<http://216.239.59.104/search?q=cache:xC5MN5V8BK0J:www.lawbore.net/gotosite.php%3Fid%3D1009+A+and+Others+v.+Secretary+of+State+for+the+Home+Department&hl=en&ct=clnk&cd=5&gl=uk&safe=vss>)

²⁷ *A and others v Secretary of State for the Home Department (2004)* - Terror detainees win Lords appeal, but what now? By Shami Chakrabarti and Joanne Sawyer

²⁸ Human Rights watch <http://hrw.org/un/chr59/counter-terrorism-bck4.htm>

²⁹ Amnesty International Website (<http://web.amnesty.org/library/Index/ENGEUR450042006>)

are making prisoners have a dreadful experience and they should not have to live in such conditions, especially men like Raissi who are accused of committing a crime but are innocent.³⁰

Another violation of human rights is the conditions the detainees are kept in. Recently there has been much debate on how the detainees are kept. Human Rights Watch have found, through investigation that detainees may be exposed to inhumane treatment, such as long periods of segregation, lack of access to health care and exercise, difficulty to meet their family and friends and even psychological distress caused by the uncertainty of when they will be released.³¹

Joanne Sawyer, a qualified barrister with the group Liberty, explores the effectiveness of control orders in the article *Counter-terrorist checks: Hidden victim*. She believes that many people become victims in the ‘war on terror’ as they are arrested because they are suspected to be terrorists but they are not able to view this evidence or confront the evidence that portrays them in this way. In this article Joanne Sawyer emphasises the uncertainty of security checks through a case which she refers to as the case of Mrs. B. Mrs. B a Sikh woman who worked as an airport security guard, and had no previous criminal record lost her job as a result of being refused Counter-terrorist checks clearance she was given no reason for the refusal as it was considered to be a threat to the nations security. Mrs. B appealed against this refusal to provide Counter-terrorist checks and their failure to provide a reason for their refusal. She argued that their had been a breach in her human rights, including Article 6 right to a fair trial and she claimed that it was unfair not to provide a reason for a refusal for Counter-terrorist checks as the individual does not know the reasons for the refusal. In this case Mrs. B was successful in her appeal and this shows that national security cases can be resolved successfully. However, people are losing their jobs in this secretive and arbitrary system on the premise of keeping us safe in the ‘war on terror.’³²

Ben Ward, Human Rights Watch activist, agrees that keeping an individual in custody without a trial is unjustified as it breaches people’s fundamental human rights. He believes that **“The government refuses to acknowledge a basic truth: punishment without trial is unacceptable, no matter what.”** This emphasises the fact that people should be given the right to have a fair trial before they are punished and kept in prison, as if this process is not applied then innocent people will suffer for crimes they did not commit, and this means that they have been mistreated.³³

In the case, *A v UK*, the appellants were all foreigners (non UK citizens). They had been classified by the State of Secretary as suspected terrorists under the **Anti-terrorism Crime and Security Act 2001**. They had been arrested without being

³⁰ The Independent website (<http://news.independent.co.uk/people/profiles/article345818.ece>)

³¹ Human Rights Watch website (<http://hrw.org/un/chr59/counter-terrorism-bck4.htm>)

³² Counter-terrorist checks: Hidden victims By Joanne Sawyer

³³ Human Rights Watch website (<http://hrw.org/english/docs/2005/03/15/uk10321.htm>)

given a trial. It was declared that under the **Human Rights Act 1998** that the **Anti-terrorism Crime and Security Act 2001** was incompatible with the **European Convention on Human Rights 1950**. This was because it permitted the arrest of suspected international terrorists based on the grounds of nationality or immigration status and this was considered to discriminate them. In this case the appeal for the appellants was allowed.³⁴ This shows that European Convention of Human Rights supports the view that legislation breaches human rights. As a result of this Parliament changed the law.

Moreover, in the case of *Brogan and Others v the UK*, the 4 applicants claimed that their rights had been violated because they had been arrested without having a trial from 4 days to 6 days. All the applicants were released later with no charges. The court held that even though legal authorities are presented with a complex problem with the investigation of terrorism the time spent in jail by the applicants was outside the time constraints permitted in Article 5. Therefore, the court held that there had been a breach of Article 5(3) for all 4 of the applicants.³⁵

Overall, British anti terrorism legislation also violates human rights, especially because suspected terrorists can be detained in prison for a certain period of time without actually being charged for an offence or having a trial. This breaches our human rights of having a fair trial. This is unfair and makes the legislation ineffective as innocent people experience the problem of being detained as a suspected terrorist and they have to remain in custody, until they are let out. They cannot appeal or try and prove their innocence as they are unaware of the reason for being charged with these offences, as it is all kept confidential.

Also, the legislation makes the terrorist succeed in their aims to a certain extent. This is because like the American anti terrorism legislation, British legislation also limits individual's freedoms and the legislation has a negative impact on people's human rights.

As part of my primary research I sent a letter to Gordon Brown (Prime Minister) and Jacqui Smith (Home Secretary). As they were unable to answer my questions in person I received a reply from other members of the government. The Home Office replied instead of Gordon Brown and they stated that they are trying to balance both human rights and anti-terrorism legislation, but they believe the right to life is the most important human right and the government tries to ensure that adequate precautions are taken to eliminate the current danger to people's lives from future terrorist attacks. This means they believe that the right to life is superior compared to other human rights and they are willing to breach the others in order to protect people's lives. This shows they are unable to balance the right to life and human rights. I believe that the government should try to balance human rights and protecting the nation more effectively. Generally they should try to protect the nation, but this depends on what human rights are being breached. For example, people should not be tortured as they may be innocent, and this goes against their right to life.

³⁴ Lawtel website (<http://www.lawtel.com>)

³⁵ Human Rights Watch website <http://hrw.org/reports/2005/spain0105/6.htm>

The reply I received on behalf of Jacqui Smith was not efficient enough despite my request for them to answer the questions asked rather than providing a link. However, the information I obtained from the letter was that they believe legislation is a small yet crucial response to terrorism and that it is necessary to have legislation that will be 'effective, proportionate and provides the maximum possible security and liberty for the law abiding majority.' Legislation only plays a small part in protecting the nation, other factors that could assist the government are more policing and if the police used new tactics in order to minimise threats effectively. Another important way to reduce terrorism is through deterrence, as people may be less likely to commit a similar crime if they are aware of the punishment. Also, CCTV cameras could be used to identify potential terrorists or terrorists. Additionally, the government could attempt to change people's attitudes. For example, they could make foreign policies less aggressive, these strategies would help reduce conflict. Or they could write letters to people e.g. in Iraq, in order to let them know we are not attacking them but terrorists in order to help everyone lead a safer happier life, this would portray England as a pleasant country and could reduce terrorism, as some people may be attacking to get revenge or through hatred for a country they believe is harming them.

In general, we can see that anti-terrorism legislation is counter-productive as it does not ensure national security, as it cannot prevent terrorists from attacking the nation without the government themselves assisting the terrorists, by destroying citizen's lives and breaching human rights and civil liberties. This means that the terrorists are successful in reaching their goals as they are compelling the government to take decisions that will limit people's rights and this shows that they are scared of the terrorist threats. Overall, anti-terrorism legislation does not make citizens safer but they may even be in even more danger because if they are ever suspected to be a terrorist the 'necessary' precautions would be taken against them. Therefore the measures cannot be justified as it goes against various legislations like the **Human Rights Act 1998**.

In conclusion, both the US and UK legislation is ineffective as it does not prevent terrorists from attacking and limits both civil and human rights. It puts innocent citizens at even more risk, because if they are considered to be a potential terrorist then the state takes the considered necessary precautions to eliminate the threat, which jeopardises their rights. When considering the UK and the US response to terrorism and the impact it has on human rights, it could be argued that the UK does not infringe human rights as much as the US does. This is because the US deports terrorists and suspected terrorists to a different country and they are tortured in Guantanamo Bay. Also, the **Patriot Act** permits the police force to tap people's phones, this shows that they breach human rights even more than the UK legislation does. Furthermore, the US legislation allows prison guards to beat people, strip them naked and there has been a case when the guards have put the Quran on the toilet, in order to make the detainee feel their religion is inferior and this also shows that they associate the religion Islam with a negative perspective, such as being related with terrorism.

APPENDIX ONE

American response legislation

Before the terrorist attacks on September 11th, the **Anti-terrorism and Effective Death Penalty Act 1996** was used. The main aim of this was to deter terrorism and present justice for victims.³⁶ This act made committing a terrorist activity a national crime, for which the death penalty could be given. This act also permits the US to transfer terrorists from the US, if the judge considers ‘the evidence on the record as a whole, finds that the Government has met its burden, the judge shall order the alien removed and detained pending removal from the United States.’ They can then transfer trial proceedings without being obliged by terrorists to reveal confidential information. The act prohibits any form of support for terrorist institutes, which is again punishable by death, and restricts proven terrorists from entering the US.³⁷

After September 11th, President Bush authorised **Executive Order 13224**, which he signed on 23rd September 2001. This gave the government a “powerful device to help them prevent financial support terrorists may be receiving and it is a significant constituent of the nation’s dedication to stop terrorist activity”³⁸ This order allows the government to take the possessions of foreign individuals and people who perpetrate or pose a substantial danger of committing an act of terrorism. The Secretary of the State can, after discussion with the Secretary of the Treasury and the Attorney General, choose foreign individuals or an individual that they decide has committed, or poses a significant risk of committing an act of terrorism that will intimidate the protection of the US and its citizens. At this point, the terrorist is only thinking about committing an act of terrorism, but are still punished as they create a threat to the safety of the nation. Also, the Secretary of the Treasury and the Secretary of the State can come to a decision about people who they believe are assisting or acting on behalf of a group or an individual that is listed in the Annex to the Order. The Annex (see appendix) is a list of organisations and individuals who are associated with terrorist activity and if an individual decides to help or support them then they are engaging in illegal activity. In addition, people who assist or provide financial, material or technological support or other services to people who either commit an act of terrorism or support an act of terrorism are considered to be a substantial danger to the state.^{39 40} It is not clear what exactly happens to these people, as there is no news coverage on this topic and there are no studies enclosing their location but they may be sent to Guantanamo Bay. This is when the US government sends all suspected terrorists to the detention camp; it includes people who have any connection with Al Qaeda or Taliban.

³⁶ Congressional record (http://www.fas.org/irp/congress/1996_cr/s_735_final.htm)

³⁷ Anti-terrorism and Effective Death Penalty Act 1996

³⁸ U.S. Department of State (<http://www.state.gov/s/ct/rls/fs/2002/16181.htm>)

³⁹ U.S. Department of State (<http://www.state.gov/s/ct/rls/fs/2002/16181.htm>)

⁴⁰ Executive Order 13224

After the Executive Order, the now infamous **Patriot Act** was passed. The official name for this is **The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001**, which was enacted on October 26 2001. The government argues that this plays an essential part in helping protect people's lives from terrorists.⁴¹ This act increased the power of the police by allowing them to search email and telephone communications, medical, financial and other records. It also enhanced the discretion of police and immigration authorities in detaining and transporting immigrants who were suspected of being terrorists.⁴²

This was followed by the **Homeland Security Act 2002**. This act combined over 20 existing federal agencies into one Homeland Security Department, including the U.S Secret Service, U.S Customs Service, U.S Coast Guard, the Federal Emergency Management Agency (FEMA) and the Immigration and Naturalisation Service (INS).⁴³ The purpose of this act was to identify and eliminate emerging terrorist intimidation by giving more power to the police force and allowing them to have more control over the surveillance of civilians and potential terrorists as established by the Patriot Act.⁴⁴

Another legal response of the US was the **Support Anti-Terrorism by Fostering Effective Technologies Act of 2002**, which was the first successful tort reform signed into legislation by President Bush on 25th November. This act provides a broad tort reform to promote the expansion of safe, efficient anti-terrorism products and services in order to ensure the state's security.⁴⁵ In America people are more likely to get sued and companies who manufacture anti-terrorist supplies will be sued; this act ensures that the companies making anti-terrorist products and the consumers are protected against tortious claims.

Furthermore, the **Military Commissions Act 2006** gives President Bush exceptional control and power to detain people and hear their case. The act has 3 main functions; the first is to remove the constitutional rights of people detained to *habeas corpus*, which are the conventional human rights of the prisoner to challenge their imprisonment. The second is giving power to the President to detain until further notice anyone (including people from the US and abroad) who is suspected to be engaging in terrorist activity and the President can "compel" the prisoners to confess to a crime they may not have anything to do with for example, by torturing them, when trying their case and the suspect will be held in secret US military prisons as they are believed to be a threat to national security. The third purpose of this act is to give US officials exemption from prosecution for torturing the prisoners that were captured before the end of 2005 by both the US military and the CIA.⁴⁶

⁴¹ Department of Justice website (<http://www.lifeandliberty.gov/highlights.htm>)

⁴² The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001

⁴³ 9-11 Research website (<http://911research.wtc7.net/post911/legislation/hsa.html>)

⁴⁴ Homeland Security Act 2002

⁴⁵ Support Anti-terrorism by Fostering Effective Technologies Act of 2002

⁴⁶ Military Commissions Act 2006

British response legislation

Firstly, Britain had the **Prevention of Terrorism Acts 1974-1989** this act gave emergency power to the police force when they suspected terrorism. This act has 7 functions. The main 4 parts are:

- 1.) *Proscribed Organisations* – This allowed the police force to arrest members, who were part of an illegal organisation for example, Irish National Liberation Army (INLA).
- 2.) *Exclusion Orders* – This applied to terrorism relating to Northern Ireland. This involves issuing orders against individuals to prevent them from entering the UK. It was considered to be an offence if someone helped another person who had received this exclusion order from entering the UK or if the individual violated the order.
- 3.) *Financially assisting terrorism* – This makes it illegal to provide resources for a group associated with terrorist activity or have anything to do with the organisation.
- 4.) *Arrest, Detention and Control of Entry* – This allowed for the police force to arrest an individual without an arrest warrant provided that they arrested the individual on reasonable suspicion that they were guilty of an offence under the Act or they are helping prepare for an act of terrorism. The maximum period for detention is up to 48 ours, but this was extended to a maximum of 5 days

The other 3 are *Information, Proceedings and Interpretation, Further Provisions for Northern Ireland, and Supplementary* – This extends the right for law enforcements to search property.⁴⁷

After this the government enacted the **Terrorism Act 2000** this is the main piece of counter-terrorism legislation and contains the most crucial counter terrorism measures. This replaced the previous legislation which dealt mainly with the Northern Ireland terrorist threats. This act made it illegal for specific groups to operate in the UK; this included international terrorist groups like the Al Qaida.⁴⁸ Also, the police force was given greater power to prevent terrorism, this included giving them more power to stop and search people, the power to keep suspects in custody for a period of 28 days after it has been approved by a magistrate.⁴⁹

The **Anti-Terrorism, Crime and Security Act 2001** was established to provide the police with more dominance to explore and avoid terrorist activity.⁵⁰ The aims of this

⁴⁷ Prevention of Terrorism Acts 1974-1989

⁴⁸ Terrorism Act 2000

⁴⁹ Home Office website (<http://www.homeoffice.gov.uk/security/terrorism-and-the-law/terrorism-act/>)

⁵⁰ Anti-Terrorism, Crime and Security Act 2001

are to prevent people from giving terrorists financial support, ensure nuclear industries are safe, and to effectively prevent terrorism.⁵¹

The **Criminal Justice Act 2003** attempts to modernise the criminal justice system to ensure people receive justice. This will happen by the Police force and the Criminal Prosecution Service ensuring more crimes are identified and offending on bail is reduced. The change in the criminal trial process will help the courts convict more defendants who are guilty as the case can focus on the relevant information and the magistrate, judge and jury will be able to hear all the relevant information and be presented with the important evidence. This act works in combination with the **Police Reforms Act 2002** and **Courts Act 2003**, the **Criminal Justice Act 2003** aims to create a fair system that punishes offenders, deters crimes from being committed and ensures victims are given justice.⁵²

Furthermore, the **Prevention of Terrorism Act 2005** permits for control orders to be made against any suspected terrorist, whether they are a UK citizen or a non-UK citizen. A control order allows law authorities to impose conditions on individuals. This could range from being prohibited to view certain material (such as on the internet) or limits their meetings with certain individuals. This also includes curfews and restrictions on where they go. In the case of an emergency the Home Secretary can put into force a conditional control order, which must be reviewed within 7 days by the court. Control orders are limited for a certain period of time and can only be imposed for a maximum of 12 months at a time. After this there must be a new application to renew the control order.⁵³

The **Terrorism Act 2006** explicitly intends to make it more complicated for terrorists to mistreat our freedom and to encourage others to commit terrorist acts.⁵⁴ This act makes it a criminal offence to commit an act preliminary to terrorism, the aim of this is to detain those planning terrorist activity. Moreover, the act makes it an offence to directly or indirectly encourage terrorism or anyone who has given or received training in terrorist methods; if they are found guilty of this they can be prosecuted. This includes attending a place where terrorist training takes place.⁵⁵

⁵¹ Home Office website (<http://www.homeoffice.gov.uk/security/terrorism-and-the-law/anti-terrorism-crime-security-ac/>)

⁵² Criminal Justice System website (http://www.cjsonline.gov.uk/the_cjs/parliament/legislation/index.html)

⁵³ Prevention of Terrorism Act 2005

⁵⁴ Office of Public Sector Information (<http://www.opsi.gov.uk/acts/acts2006/20060011.htm>)

⁵⁵ Terrorism Act 2006

ANNEX⁵⁶

Al Qaida/Islamic Army
Abu Sayyaf Group
Armed Islamic Group (GIA)
Harakat ul-Mujahidin (HUM)
Al-Jihad (Egyptian Islamic Jihad)
Islamic Movement of Uzbekistan (IMU)
Asbat al-Ansar
Salafist Group for Call and Combat (GSPC)
Libyan Islamic Fighting Group
Al-Itihaad al-Islamiya (AIAI)
Islamic Army of Aden
Usama bin Laden
Muhammad Atif (aka, Subhi Abu Sitta, Abu Hafs Al Masri)
Sayf al-Adl
Shaykh Sai'id (aka, Mustafa Muhammad Ahmad)
Abu Hafs the Mauritanian (aka, Mahfouz Ould al-Walid, Khalid Al-Shanqiti)
Ibn Al-Shaykh al-Libi
Abu Zubaydah (aka, Zayn al-Abidin Muhammad Husayn, Tariq)
Abd al-Hadi al-Iraqi (aka, Abu Abdallah)
Ayman al-Zawahiri
Thirwat Salah Shihata
Tariq Anwar al-Sayyid Ahmad (aka, Fathi, Amr al-Fatih)
Muhammad Salah (aka, Nasr Fahmi Nasr Hasanayn)
Makhtab Al-Khidamat/Al Kifah
Wafa Humanitarian Organization
Al Rashid Trust
Mamoun Darkazanli Import-Export Company

⁵⁶ <http://www.state.gov/s/ct/rls/fs/2002/16181.htm>

APPENDIX TWO

To Jacqui Smith,

I am a student at WWWWWW and as part of my course I am doing an extended project on: 'America's and Britain's response to terrorism and the impact it has on human rights' Therefore I would be grateful if you could help me by answering the following questions and replying to me as soon as possible.

- 1.) How are the new government going to combat terrorism? And what is your role in it?
- 2.) The previous legislation (under Tony Blair) breached many of our human rights, how is the new legislation going to be different?
- 3.) What do you think about the previous legislation?
- 4.) If you were Prime Minister what new legislation would you enact? And what suggestions do you have for Gordon Brown?
- 5.) Do you believe the current anti terrorism legislation effectively combats terrorism? Why/why not? (use evidence and give detailed reason for answers)

Thank you for your time. I appreciate it.

Awaiting your reply

ZZZZ
WWWWWWW

Email address: public.enquiries@homeoffice.gsi.gov.uk

HOME OFFICE LETTER IN REPLY TO CANDIDATE SUPPLIED.

2ND LETTER TO JACQUI SMITH AFTER FIRST REPLY WAS NOT WHAT I EXPECTED

To Jacqui Smith,

I have already viewed the website <http://www.homeoffice.gov.uk/security/terrorism-and-the-law/>. But the information I require is not there and I would also like to have your opinion, as I have to have a primary source in my research and I have chosen to send this email to you. Therefore, I would be grateful if you could answer the following.

I am a student at WWWWWWWW and as part of my course I am doing an extended project on: 'America's and Britain's response to terrorism and the impact it has on human rights' Therefore I would be grateful if you could help me by answering the following questions and replying to me as soon as possible.

- 1.) How is the new government going to combat terrorism? And what is your role in it?
- 2.) The previous legislation (under Tony Blair) breached many of our human rights, how is the new legislation going to be different?
- 3.) What do you think about the previous legislation?
- 4.) If you were Prime Minister what new legislation would you enact? And what suggestions do you have for Gordon Brown?
- 5.) Do you believe the current anti terrorism legislation effectively combats terrorism? Why/why not? (use evidence and give detailed reason for answers)

Thank you for your time. I appreciate it.

Awaiting your reply

ZZZZ

WWWWWWW

Email address: public.enquiries@homeoffice.gsi.gov.uk

HOME OFFICE LETTER IN REPLY TO CANDIDATE SUPPLIED:

COMPLAINT LETTER TO HOME OFFICE BECAUSE OF UNSATISFACTORY REPLY FROM JACQUI SMITH

I have sent this letter twice to Jacqui Smith but she fails to answer my questions. Instead she provides me with a link, which is not relevant to my questions and I have told her the importance of her answering the questions herself and including her opinion. Could you please fill in this letter Jacqui Smith.

To Gordon Brown,

I am a student at WWWW and as part of my AS Law course I am doing an extended project on: 'America's and Britain's response to terrorism and the impact it has on human rights' Therefore I would be grateful if you could help me by answering the following questions and replying to me as soon as possible.

- 1.) How are the new government going to combat terrorism? And what is your role in it?
- 2.) The previous legislation (under Tony Blair) breached many of our human rights, how is the new legislation going to be different?
- 3.) What do you think about the previous legislation?
- 4.) What are your new suggestions to combat terrorism and maintain human rights effectively?
- 5.) Do you believe the current anti terrorism legislation effectively combats terrorism? Why/why not? (use evidence and give detailed reason for answers)

Thank you for your time. I appreciate it.

Awaiting your reply

ZZZZ
WWWWWWW

Email address: ministers@hm-treasury.gov.uk

HOME OFFICE LETTER IN REPLY TO CANDIDATE SUPPLIED
