

A New 'Suspect Community'

*A decade ago Liberty produced a damning report on the way anti-terror laws were criminalising the Irish community in Britain. As she investigates the impact on Britain's Muslim community of the legislative responses to 9/11, **Tazeen Said**, Liberty's researcher, explains how little has changed.*

“A suspect community has been constructed against a backdrop of anti-Irish racism. This community has suffered widespread violation of their human rights and civil liberties. As a consequence, the United Kingdom's reputation throughout the world in upholding human rights and civil liberties has been constantly compromised.”

Taken from *Suspect Community - People's Experience of the Prevention of Terrorism Acts in Britain*, Paddy Hillyard.

This was one of the conclusions reached following an extensive study published in 1993, looking at the operation of the Prevention of Terrorism Acts. Ten years on, substitute 'Irish' for 'Muslim', and this could easily read as a description of the impact and operation of the Anti-Terrorism, Crime and Security Act 2001 ('ATCSA').

Before ATCSA, there already existed in the UK strong and recently revised, anti-terrorism measures. These measures were far-reaching, and many seriously impacted upon the civil liberties and rights of ordinary citizens. The existence of such measures, coupled with our vast body of criminal law, raises the question as to whether more anti-terrorism measures under ATCSA were truly needed.

Admittedly, the events of 11th September 2001 have left governments world-wide dealing with a new kind of terrorism threat. But were existing measures so inadequate as to be unable to deal with these dangers? Were these new measures necessary to fill a gap in our laws? In practice, the provisions introduced under the Act have done little to ensure Britain is safe and secure from terrorist attack.

The speed at which this legislation passed through Parliament does not reflect to any extent the public controversy and debate surrounding many of its provisions. The Act contains measures which infringe the civil liberties of those living in the UK. The impact that some of these measures will have on terrorism is also questionable.

Since 11th September 2001, the majority of those arrested under terrorism acts have been Muslims, many of whom have been released without charge. Furthermore, a great deal of these arrests could have been made under the ordinary criminal law, rather than special anti-terrorism laws.

Liberty's earlier publication *Anti-Terrorism Legislation in the United Kingdom*, noted that of the more than 7,000 people detained in Britain under the Prevention of Terrorism Act, the vast majority have been released without charge and only a small fraction have ever been charged with terrorism related offences. Almost without exception these people could have been arrested under the ordinary criminal law.

Suspects falling within the ambit of special anti-terrorism legislation have fewer rights. The safeguards present in the ordinary criminal law are absent, creating a twin-track criminal

justice system. The infamous miscarriages of justice which involved Irish suspects and use of the Prevention of Terrorism Acts are a reminder of the dangers this can present.

The current situation has led to isolation and growing feelings of alienation amongst some of the 1.6 billion Muslims in this country. There is disillusionment with a Government which, rather than protect them from the backlash following the attacks in the United States and the accompanying surge of Islamophobia, is effectively criminalising them as a community.

Paddy Hillyard's study noted that one of the results of the police treating the Irish as a suspect community is that the public are encouraged to do the same. This is easily applicable in this context. Recent research, such as that undertaken by the European Monitoring Centre on Racism and Xenophobia, has revealed a huge increase in anti-Islamic feeling since 11th September 2001.

This backlash has manifested itself in various forms. The number of reported verbal and serious physical assaults against Muslims has risen sharply. Mosques across the country have been vandalised and Muslim cemeteries desecrated.

The media has also played a part in fuelling this anti-Islamic feeling. Irresponsible and unbalanced reporting has helped foster stereotypes and misconceptions. Unfortunately, for the many people who rely upon the media as a principle source of information, these images are all too easy to believe. Islam is frequently portrayed in terms of fundamentalism. The images on our televisions, be they news coverage or fictional programmes, are too often of extremist Muslim action, without equal representation of majority moderate Muslim followers. A link is commonly made between Islam, terrorism and (an emotive and often sensationalised media issue in itself) asylum seekers.

Liberty's new investigation will both audit the use of the anti terrorist legislation and explore the role of the media and Government in the portrayal of Islam in Britain. We are hoping to work closely with leading organisations in the field in exposing the discrimination and alienation suffered by the Muslim community of Britain, as well as highlight the ineffectiveness of anti-terrorist laws.

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More information

'Suspect Community - People's Experience of the Prevention of Terrorism Acts in Britain', Paddy Hillyard, Pluto Press (1993) ISBN 0745307264 is widely available.

Liberty's guide 'Anti-Terrorism Legislation in the United Kingdom', published 2002, is available from Liberty

We expect our new investigation to report in early 2004.

For more information: www.liberty-human-rights.org.uk