

Evidence for The Public Bill Committee on Counter-Terrorism and Sentencing Bill by Dr Rob Faure Walker (As part of SOAS COP for SOAS University of London)

Polygraphs

Sections 32, 33, 34 & 35 introduce Polygraph licence conditions for terrorist offenders and Polygraph licence conditions in terrorism cases.

Section 42 introduces a polygraph measure to TPIMs.

The lack of scientific proof for the validity and reliability of polygraphs means that their introduction to the British justice system creates a risk of immediate abuses of power. This risk is heightened by polygraphs offering the appearance of a scientific method to a process that is anything but scientific.

All reference to the use of polygraphs should therefore be removed from the Bill. Thus, Sections 32, 33, 34, 35 & 41 should be removed.

Prevent Review

Section 47 removes the requirement that the Review of Prevent be delivered within a set period of time. This also removes the statutory obligation that the report and recommendations made by the review “must be accompanied by a statement by the Secretary of State responding to each recommendation made as part of the independent review”, as set out by Section 20 (subsection 10) of the Counter-Terrorism and Border Security Act 2019

Rather than remove the aforementioned time limit for the Prevent Review as the Bill currently does, the Bill must be amended to ensure that it contains a new time limit for the delivery of the review and for the Secretary of State’s response to each of the recommendations made by the review.

Terrorism prevention and investigation measures (TPIMs)

Sections 37-43 remove the safeguards and time limitations on the use of TPIMs from the Terrorism Prevention and Investigation Measures Act 2011. This leaves TPIMs open to abuse by the current and future governments by creating indefinite restrictions on liberty that are not subject to independent review.

Sections 37-43 should be removed from the Bill.

Increased Sentences

Section 26 seeks an “Increase in maximum sentences for certain terrorist offences”.

However, more time spent in prison increases the likelihood that someone will go on to commit an act of violence. ([SOAS COP Briefing on Increased Sentencing for Terrorist Offences](#))

Increasing sentences should not be considered before the Government have carried out a comprehensive review of the Prison and Probation services. In the absence of such a review, Section 26 should be removed from the Bill.

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