



Home Office

Rt Hon Ben Wallace MP
Minister of State for Security and
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John Woodcock MP
House of Commons
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3 October 2018

Dear John,

COUNTER-TERRORISM AND BORDER SECURITY BILL: DESIGNATED AREA OFFENCE

I am writing further to the Report stage debate on the Counter-Terrorism and Border Security Bill on 11 September 2019, in which you asked how many individuals might have been prosecuted on return from the conflict in Syria and Iraq if the designated area offence at clause 4 of the Bill had been on the statute book (Official Report, 11 September 2018, column 658).

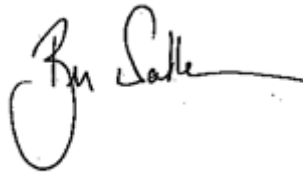
I would like to take this opportunity to repeat my thanks for your efforts in developing the case for this new power and supporting its introduction. We anticipate that it will be very helpful in the future, in a conflict or other situation overseas where there is a terrorism risk associated with UK nationals or residents travelling to become involved. The offence will not apply retrospectively, but it will apply to individuals who have previously travelled to an area that is subsequently designated, and who remain there, without a reasonable excuse, following a grace period of one month.

The Government has made clear that individuals who return to the UK from Syria will be investigated by the police and, where appropriate, will face prosecution.

Prosecution decisions in individual cases will be taken by the independent Crown Prosecution Service, based on all the available evidence and on the applicable criminal law at the time. The nature and the extent of evidence available will vary from case to case, and in relation to the designated area offence will likely depend on the particular circumstances of the area designated, which will of course vary from one area to another.

It is not possible to comment on the number of hypothetical prosecutions that might have been brought against the 400 returnees from Syria and Iraq, had this offence been in place earlier, as the evidence available in those cases was of course not considered against an offence that did not then exist. This would also have depended on the precise area or areas that had been designated, the timing of the designation, and so on. While I recognise that this information would be of interest, I hope you will agree that it would not be proportionate to ask the police or the Crown Prosecution Service to divert their valuable resources from ongoing cases to review a large number of historical cases to this end.

I am copying this letter to Nick Thomas-Symonds, Joanna Cherry, Gavin Robinson, Gavin Newlands and Sir Edward Davey, I am also placing a copy in the library of the House.

A handwritten signature in black ink, appearing to read 'Ben Wallace', with a long horizontal flourish extending to the right.

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