

Increasing Sentencing for Terrorist Offences by Dr Rob Faure Walker (11th Feb 2020)

Following attacks by recently released terrorist convicts, the Government has proposed to increase sentences for terrorist offenders. However, **more time spent in prison increases the likelihood that someone will go on to commit an act of violence.** The mother of Sudesh Amman, the Streatham attacker, has said that he was radicalised in jail and this phenomenon has been seen elsewhere. For example, the former leaders of both al-Qaeda and ISIS are reported to have been radicalised by their imprisonment and the EU's counterterrorism co-ordinator has described prisons as a massive incubator for radicalisation. **Major reform of the prison system and the prioritisation of rehabilitation is vital, otherwise the Government's proposals to increase sentences for terrorists will increase the threat of terrorism.**

Sudesh Amman was initially convicted for possession and distribution of extremist material. As former DPP, Ken Macdonald QC, has stated, "not all terrorists get long sentences, depending on how serious their crime is, so we will always have terrorists being released. We need to look at conditions inside prisons to reassure ourselves people are being reformed before release". Research part-funded by the Home Office and carried out by The Youth Empowerment and Innovation Project suggests that marginalisation, injustice, anger and division are what lead people to commit acts of political violence. Prisons are blighted by violence, drugs and over-crowding, and they offer little chance of rehabilitation: **increased prison sentences are likely to create the conditions that the Streatham attack has already shown us can turn propagandists into killers.**

Usman Khan murdered **Saskia Jones** and **Jack Merritt** in November 2019. He was released early without a Parole Board review, because the Probation Services have been hollowed out by successive governments' austerity programmes. Former Head of the Parole Board, Nick Hardwick, has said that austerity has made it harder for The Parole Board to keep us safe. In 2016, the Government recommended that each prisoner should have a dedicated prison officer to assess them for parole. This has not been implemented because austerity has removed the funds required by prisons to do so. The impacts of austerity outside of prison are also a driver for political violence. Both the UN and academic researchers warn that austerity is resulting in a failure to deliver social justice and in the deaths of the most vulnerable in our society. **Most terrorist offenders are young men, so this situation is worsened by austerity halving the number of youth clubs in major cities since 2010.** And, the previous role of schools and universities in providing safe spaces for the discussion of concerns has been irreparably damaged by the "chilling effect" of The Prevent Strategy and counter-extremism. **Through austerity and the suppression of debate by attempts to counter extremism, the Government is creating the marginalisation, injustice, anger and division that is so fertile for future acts of political violence.**

Increased sentences may be appropriate in some cases but **attempts to apply new legislation to existing terrorism offenders are likely to face insurmountable legal challenge, as will proposals for a "terrorists register"**. The government needs to commit to the implementation of existing legislation and recommendations for prisons and The Parole Board if they are to make us safer. This must include adequate funding for prisons, the parole board and public services. **A reduction in reoffending for those convicted of terrorism offences can only be achieved by a serious commitment to end austerity, to return funding to former levels, and to carry out full and independent reviews of The Prevent Strategy and of counter-extremism more generally.**

Visit our website for further briefings (<https://blogs.soas.ac.uk/cop/>). If you would like a personal briefing or clarification on any of the issues raised here, please contact the author at rw52@soas.ac.uk or 07960092763. Do contact Professor Alison Scott-Baumann and her team for further briefings and access to other experts as150@soas.ac.uk