

## **RIGHT WING GROUPS & PROSCRIPTION**

### **WHAT HAS THE UK GOVERNMENT DONE SINCE 2010?**

- **The Government takes the threat of the far right seriously** – this is why the 2011 Prevent Strategy discusses the threat of extreme right-wing terrorism and radicalisation, and the 2015 Counter-Extremism Strategy sets out how we will challenge extremism in all its forms, including far right extremism.
- **The Prevent Strategy and the Channel programme are safeguarding those vulnerable to far right radicalisation** - around a quarter of the people supported through Channel are referred because of far right concerns.

### **FACTS AND FIGURES**

- The far right has been active in the UK for many years. The decline of the English Defence League (EDL) and British National Party (BNP) in recent years has left the organised far right in the UK fragmented, with numerous small groups.
- Incidents of violence inspired by far right ideology are relatively rare. In addition to Jo Cox's shocking and senseless murder, in the last three years we have seen at least two serious violent incidents linked to the far right: the murder of Mohammed Saleem by Pavlo Lapshyn, and the attempted murder of Sarandev Bhambra by Zachary Davies, an alleged supporter of the neo-Nazi group National Action.

## **NATIONAL ACTION**

### **What is National Action?**

National Action (NA) is a racist neo-Nazi group that was established in 2013. It has a number of branches across the UK, which conduct threatening street demonstrations and activities aimed at intimidating local communities.

Its activities and propaganda materials are particularly aimed at recruiting young people. The group is virulently racist, anti-Semitic and homophobic.

Its ideology promotes the idea that Britain will inevitably see a violent 'race war', which the group claims it will be an active part of.

The group rejects democracy, is hostile to the British state and seeks to divide society by implicitly endorsing violence against ethnic minorities and perceived 'race traitors'.

### **Why has the UK taken action against National Action?**

National Action has been proscribed as it has been assessed to be "concerned in terrorism".

National Action's online propaganda material, disseminated via social media, frequently features extremely violent imagery and language. It condones and glorifies those who have used extreme violence for political or ideological ends.

This includes two tweets posted by the group in 2016 in connection with the murder of Jo Cox (*which the prosecutor described as a terrorist act*), one stating “Only 649 MPs to go” and another containing a photo of Thomas Mair with the caption “don’t let this man’s sacrifice go in vain... Jo Cox would have filled Yorkshire with more subhumans!”.

The group have also disseminated an image which was doctored to condone and celebrate the terrorist attack on the Pulse nightclub in Orlando and another depicting a police officer’s throat being slit.

There are people who may have become aware of these messages who could reasonably be expected to infer that these acts should be emulated and therefore such propaganda amounts to the unlawful glorification of terrorism.

## **PROSCRIPTION BACKGROUND**

- Proscription means that an organisation is outlawed and is unable to operate in the UK. It is a criminal offence for a person to:
  - belong to a proscribed organisation;
  - invite support for a proscribed organisation;
  - arrange a meeting in support of a proscribed organisation; or
  - wear clothing or carry articles in public which arouse reasonable suspicion that an individual is a member or supporter of a proscribed organisation.
- The penalties for proscription offences can be a maximum of 10 years in prison and/or an unlimited fine.
- Proscription is a valuable tool as it supports other disruptive activities, including, immigration disruptions, prosecution for other offences, messaging to deter fundraising and recruitment and EU asset freezes. Additionally, the assets of a proscribed organisation are deemed terrorist assets and are liable to seizure.
- 70 international and 14 Northern Ireland related terrorist organisations are proscribed.
- Between 2001 and the end of March 2016, 48 people have been charged with proscription-related offences as a primary offence in Great Britain, and 21 have been convicted.

## **Statutory Test for Proscription**

- Under the Terrorism Act 2000, the Home Secretary may proscribe an organisation if she believes it is concerned in terrorism. For the purposes of the Act, this means that the organisation:
  - commits or participates in acts of terrorism;
  - prepares for terrorism;
  - promotes or encourages terrorism (including the unlawful glorification of terrorism); or
  - is otherwise concerned in terrorism.

- If the statutory test is met, there are other factors which the Secretary of State must take into account when deciding whether or not to exercise the discretion to proscribe. These discretionary factors are:
  - the nature and scale of an organisation's activities;
  - the specific threat that it poses to the UK;
  - the specific threat that it poses to British nationals overseas;
  - the extent of the organisation's presence in the UK; and
  - the need to support other members of the international community in the global fight against terrorism.