

Schedule 7 stop and search border powers are islamophobic and violate rule of law requirements

Statement by British legal rights NGO, CAGE to the Human Dimension Implementation Meeting of the OSCE 23 September 2019

Schedule 7 is a border power that has been in operation across the UK for nearly two decades. Though it is claimed to protect national security, there is widespread and growing criticism for the draconian way in which it violates human rights and the rule of law. Schedule 7 grants police officers the power to detain and interrogate without suspicion. You do not have the right to remain silent, DNA and fingerprints can be taken from you and you can be detained for up to 6 hours. It is estimated **over a million people** have been impacted, **99.99%** of whom are innocent of any wrongdoing.

In a landmark ruling earlier this year the European Court of Human Rights ruled that Schedule 7 powers violated human rights and were “susceptible to arbitrary exercise”.

Schedule 7 is a discriminatory and Islamophobic law, which allows police officers to stop and search individuals based on their race and religion, so long as that’s not the *sole* reason for the stop. CAGE has documented cases where Muslim women were required to remove their hijab after being stopped and interrogated without suspicion. Statistics show **78%** of those detained are from ethnic minorities and a study found that **88%** of those stopped at a particular airport were Muslims. The Home Office has refused to release the data on religious profile, even though its interrogation forms collect this data.

Only **0.007%** of those stopped have been convicted, which amounts to merely 44 people out of a million. This time two years ago, I myself was facing trial after having been stopped under Schedule 7. I was threatened with a prison sentence for not disclosing my password, which I was unable to do as I was protecting the confidentiality of a torture survivor.

This year, legal rights NGO CAGE published, for the first time, a comprehensive analysis of Schedule 7. It is an emergency power that should never have been normalised into law. Now, immediate steps need to be taken to remove the secrecy surrounding data on Schedule 7.

We call upon the UK government to:

1. Release the data on religious profile of those stopped,
2. Release the missing statistics of the first 8 years, and
3. Initiate steps to repeal the law

END

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