

Terrorism & Security Research in the UK: Using and Understanding Legal Resources

Research Training at the Institute of Advanced Legal Studies, London, 15 June 2012

Hosted by the Law, Terrorism and the Right to Know programme: www.reading.ac.uk/LTRK

Summary and Notes for Researchers

The group

The event was full to its capacity of 60, having sold out about a week in advance. Around 40 PhD students from across the UK and Ireland attended. They were working in disciplines including Law, Politics, Sociology, History, Literature, Engineering, Computing, War Studies, Islamic Studies, and Journalism. Another 10 participants were from NGOs, the media and the legal profession. The 14 specialist presenters and chairs – many of whom stayed as participants for the day – were drawn from academia, NGOs, the media, the House of Commons library. The Independent Reviewer of Terrorism Legislation delivered the keynote closing address. Notably, many of those involved in the day had experience across multiple sectors.

The aims

The event aimed to develop:

- Insights into what makes for good research in this area.
- Awareness of – and ability to use and understand – the very wide range of legal resources and research that can be drawn upon, and the scope and limits of those resources. A key focus was on the ways that primary sources can be located and accessed.
- An advanced understanding of the range of ways research is done, how research is applied or used, how it can be disseminated, and how ‘non-lawyers’ and non-law scholars do valuable work with and in the sphere of law;
- A grasp of the contemporary debates and perspectives on terrorism and security, and the ways that academic research can inform those debates and might engage with them.
- The ability of academic researchers to understand the roles, aims and needs of research users, and to provide an opportunity for networking and interaction to bridge that divide.

Notes for researchers

The following pages contain notes for researchers that I have compiled. They should function as a summary of the presentations, provide some useful links for researchers, and provide a way to keep in touch with the work of presenters and their organisations. Some of the links and comments are drawn from the presentations or information provided by presenters. Others have been added by me.

In addition to the notes on the presentations, I have also provided some information about three further web sites that may assist in locating primary sources, keeping up with current developments, and facilitating researcher engagement with the development of policy and the communication of research to the public more generally.

Where presenters have made their powerpoint slides available for posting on the web, these will be available at the ‘events’ section of LTRK web site: <http://www.reading.ac.uk/LTRK/Events/ltrk-events.aspx>.

Future events

It is likely that we may run a similar event in the next academic year. I would welcome suggestions about what may be of interest to participants and any expressions of interest in taking part as a presenter.

Lawrence McNamara
17 June 2012

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RESEARCH – LOCATING PRIMARY RESOURCES

<p>Gerard Power, Institute of Advanced Legal Studies</p> <p>The IALS Library is excellent for legal research. They also host the Current Legal Research Topics database which is a list of current law PhD projects from across the UK.</p> <p>Among the links mentioned by Gerry and others was Bailii (the British and Irish Legal Information Institute) which is an excellent free online database of case law, legislation and a selection of other legal materials. If you have access to Law libraries in universities, Westlaw and Lexis databases will usually be available for research. You may sometimes need to check more than one resource to ensure you have the most up-to-date version of statutes.</p>	<p>Twitter: @IALS_law</p>
<p>Alexander Horne, House of Commons Library</p> <p>The Parliament web site is a good starting point. It includes tabs to What's On, Bills & Legislation, and Parliament TV. There is a wealth of Parliamentary research material online. Examples of research briefing papers include:</p> <ul style="list-style-type: none"> • Example of a Commons Library Research Paper: Terrorism Prevention and Investigation Measures Bill: Committee Stage Report - Commons Library Research Paper RP11/62 (24 August 2011) • Example of a Commons Library Standard Note: Select Bibliography of Terrorism Resources - Commons Library Standard Note SN05866 (11 June 2012) • Example of a Lords Library Note that briefs peers before a second reading speech for a Bill: House of Lords Library Note - Justice and Security Bill 2012 LLN2012/024 (14 June 2012) <p>Parliamentary committees call for evidence and produce detailed reports. You can browse committees using the A-Z links. By way of example, the Joint Committee on Human Rights is currently considering the Justice and Security Bill.</p>	<p>Twitter: @UKParliament @AlexanderHorne1</p>
<p>Katherine Gundersen, Campaign for Freedom of Information</p> <p>As Katherine put it, it is easy to submit an FOI request but harder to submit an effective request. FOI can be a great source of information but training and practice will help if you are to use it to best effect. The Campaign for Freedom of Information web site has a guide for FOI users. CFOI also run training courses which are (from memory) around £40 for individuals or £90 for academics or organisations.</p> <p>One point mentioned was that parliamentary questions may be an alternative way of seeking information from government, though sometimes MPs will use FOI as a way of getting information. A source mentioned during Katherine's presentation was They Work For You. This is a good site for records of parliamentary questions and the search engine often seems to be better than that on the parliament site.</p>	<p>Twitter: @CampaignFOI</p>

THE MEDIA AND THE COURTS (and primary resources)

<p>Will Gant, Central News</p> <p>Will spoke about how the media access material and report the courts, and the ways that as members of the public or as researchers you might yourself set about getting access and documents. For court listings for the next day, see Courtserve. (To obtain more detailed or advance listings, you need to pay.) The police and CPS make some press releases and statements available online; see for example the Met's Press Bureau or the Crown Prosecution Service (CPS) News Centre. In terrorism matters the CPS also publishes material on terrorism prosecutions since 2006.</p> <p>Will has published pieces in The Guardian which discuss recent decisions relating to access to documents and the inconsistency of approaches to open justice in Coroners' Courts.</p> <p>The Courts also publish information for the media and the public. The media deal with the Judicial Communications Office at times, but there is a deal of information on the media page of the Judiciary site, including press releases, speeches and recent decisions. They have a good twitter account. The UK Supreme Court has its own web site and twitter account and hearings are televised live on the Sky News Supreme Court Live site. Scotland's courts run separately and have an excellent twitter feed and site.</p> <p>If you are observing court proceedings and intend to write about them or tweet then be <i>absolutely sure</i> that there are no legal restrictions applying to reporting the proceedings or regarding some of the things you may mention. A good guide can be found on the BBC's College of Journalism material on Reporting Court Cases in England and Wales. If you are proposing to tweet from court then the Guidance issued by the Lord Chief Justice in December 2011 is essential reading. You should be <i>very, very</i> careful if you propose to write about legal proceedings based on your own observations in court, and especially so if a case is in progress. You can cause a trial to be aborted if you breach restrictions and you can find yourself in a whole world of trouble.</p>	<p>Twitter:</p> <p>@CourtNewsUK</p> <p>@JudiciaryUK</p> <p>@UKSupremeCourt</p> <p>@JudgesScotland</p>
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USING SOCIAL MEDIA – LOCATING PRIMARY RESOURCES, DISSEMINATING RESEARCH, BUILDING NETWORKS

<p>Judith Townend, Journalist; PhD Candidate, Centre for Law, Justice and Journalism, City University</p> <p>Judith's work as a journalist and researcher has involved very significant use of social media. She runs Meeja Law, a web site that covers a wide range of media law and ethics matters, and is very actively engaged in campaigning for the opening up of court data and information.</p> <p>Social media can be an extremely effective tool for building networks for research and engagement. A wide range of media was identified, though twitter was the key focus. A twitter account enables you to contact people you otherwise could not easily reach, or perhaps would not come across at all. As was observed a few times during the day, people were at the event due to contact on twitter. Judith suggested Tweetdeck as a very useful tool that enables you to manage your twitter and other social media very effectively.</p> <p>Like any aspect of research, however, you need to be thoughtful and reflective in using it. As Judith explained, take account of the need to verify information before re-tweeting or writing about it, and consider the ethical implications of (perhaps inadvertently) identifying contacts that you may have made.</p> <p>You can be on twitter without tweeting. It can be an excellent way of receiving extremely up-to-date information on topical issues that may have a bearing on your research. You do not need to tweet or produce content at all.</p>	<p>Twitter:</p> <p>@jtownend</p> <p>@meejalaw</p> <p>@cityclji</p>
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THE INDEPENDENT REVIEWER OF TERRORISM LEGISLATION

<p>David Anderson QC, Independent Reviewer of Terrorism Legislation</p> <p>For anyone researching in terrorism and security, the web site of the Independent Reviewer of Terrorism Legislation is an essential port of call. The publications section, in particular, provides valuable resources and analysis. The publications include annual reviews of the legislation, submissions to parliamentary committees, and also snapshot reports. These include the most recent by the present reviewer (David Anderson QC) on arrests under Operation Gird which related to a suspected plot to harm the Pope on his visit to the UK. Also available is the Report on Operation Pathway, written by the previous reviewer Lord Carlile of Berriew QC.</p>	<p>Twitter:</p> <p>@terrorwatchdog</p>
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ACADEMIC RESEARCH

<p>Prof Peter Neumann, International Centre for the Study of Radicalisation, King's College London</p> <p>The International Centre for the Study of Radicalisation has an excellent web site which includes many research papers, links to their current projects, information about staff (and you can sign up to their mailing list).</p> <p>Prof Peter Neumann's staff page at ICSR includes a listing of some of his publications, including op-ed pieces in the international media, books, journal articles and policy reports which may be of interest to researchers across a wide range of disciplines.</p>	<p>Twitter:</p> <p>@ISCRblog</p>
<p>Dr Lawrence McNamara, Law, Terrorism and the Right to Know (LTRK), University of Reading</p> <p>The LTRK project has a web site which keeps you up to date with what the project does. It has some resource pages, including a detailed set of materials on the government's current 'secret justice' proposals under the Justice and Security Bill 2012. Among those resources we have compiled a list of the cases we think would be affected under the proposals. For a quick guide to my views about the Bill you can read a couple of comment pieces in the Guardian and or a comment at Index on Censorship. The best way to keep up to date with our publications, events, etc, will be to follow our twitter account or check the web page.</p> <p>In the morning session I mentioned the Ministry of Justice research web pages which include links to protocols for research on courts and tribunals. That information also contains links for research involving prisons. The Judiciary of England and Wales web site has separate protocols and procedures for judicial participation in research projects.</p> <p>On our twitter site you can find The LTRK List which lists twitter accounts we find useful for primary sources, analysis and news about law and terrorism in the UK, with a focus on media and right to know issues.</p> <p>The LTRK project is funded by the ESRC and AHRC under the Research Councils UK <i>Global Uncertainties</i> research programme. The Global Uncertainties web site may have a number of projects of interest to researchers working on terrorism and security. The ESRC Security and Conflict Research page may have projects of interest, as may the joint AHRC & ESRC Religion and Society programme. Specifically on terrorism the ESRC Terrorism Research page may have research projects of interest.</p>	<p>Twitter:</p> <p>@UniRdg_LTRK</p>

<p>Sam McIntosh, Law, Terrorism and the Right to Know (LTRK) at the University of Reading; PhD candidate at the Centre for Law, Justice & Journalism at City University.</p> <p>As well as being a research assistant on the LTRK project at Reading, Sam is a PhD candidate at the Centre for Law, Justice and Journalism at City University. Sam's doctoral project explores the role of open justice in inquests where a death has occurred at the hands of the state. He has a piece in the next issue (July 2012) of the journal <i>Public Law</i>, 'Fulfilling their purposes: Inquests, Article 2 and next of kin'.</p> <p>Sam's twitter account is different from that of the LTRK project account. Sam's tweets will tend to cover matters relating to inquests and inquiries, open justice, policing, the rule of law and European human rights law, as well as some terrorism and security issues.</p>	<p>Twitter:</p> <p>@sammc123</p>
<p>Dr Matthew Tariq Wilkinson, Cambridge Muslim College</p> <p>Matthew spoke about his experience providing expert evidence in <i>R v Faraz</i>, a case concerning a prosecution for possession of terrorism materials. (The sentencing remarks in the case have not been published. Summaries and comment can be found on the websites of the CPS, the defendant's solicitors, and the BBC among many other news outlets.)</p> <p>Matthew has written a piece for The Guardian that gives an overview of his experience and evidence. You can read the full transcript of his three days of evidence on the Cageprisoners web site (the link is to Day 3, but within it are links to days 1 and 2).</p> <p>For an explanation of what an 'expert witness' is, and how they differ from other witnesses, paragraphs 36.2 – 36.3 of the CPS Disclosure Manual provide a simple general statement.</p>	<p>Twitter:</p> <p>@ISCRblog</p>
<p>Dr Basia Spalek, University of Birmingham</p> <p>Dr Spalek was unfortunately unable to make it at the last minute. Her research on policing and communities has been published widely and her web page includes links to publications.</p> <p>Her presentation at the conference was to be based on an article recently published in the journal <i>Religion, State and Society</i>, 2011, Vol 39, pp 191-207: “'New Terrorism' and Crime Prevention Initiatives Involving Muslim Young People in the UK: Research and Policy Contexts”.</p>	

NGOs

<p>Angela Patrick, JUSTICE</p> <p>JUSTICE has a comprehensive web site. You can sign up to their newsletter for updates. The resources section of the page includes research and analysis in briefings, reports, etc. Angela mentioned they are a part of the International Commission of Jurists and on that web site you can find a wide collection of research reports. One in particular that Angela mentioned was the excellent Assessing Damage, Urging Action report.</p>	<p>Twitter:</p> <p>@JUSTICEhq</p>
<p>Tara Lyle, Amnesty International UK</p> <p>The Amnesty web site has a vast array of resources and links. The ‘Security with Human Rights’ campaign may be of particular interest to those researching in terrorism and security, whether with a UK or international focus.</p>	<p>Twitter:</p> <p>@AmnestyUK</p> <p>@TaraLyle</p>

<p>Sophie Farthing, Liberty</p> <p>Like the two NGOs above, Liberty has an extensive collection of resources on its web site and a range of social media links. The Countering Terrorism page may be of particular interest to those researching in terrorism and security.</p>	<p>Twitter:</p> <p>@LibertyHQ</p>
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BRIDGING THE DIVIDE: ENGAGEMENT BETWEEN ACADEMIC RESEARCH, POLICY AND THE PUBLIC

A few things that were mentioned in passing on the day but which shouldn't slip by.

<p>The Rendition Project</p> <p>The Rendition Project is a collaborative research project between Dr Ruth Blakely (Kent University) and Dr Sam Raphael (Kingston University), working closely with the charity Reprive. It aims to bring together and analyse the huge amount of data on rendition and secret detention in the US-led 'War on Terror'.</p>	<p>Twitter:</p> <p>@samandruth</p>
<p>LSE Impact of Social Sciences</p> <p>The LSE Impact Blog has extensive resources for academics who are looking at engaging outside the academy. The resources include a guide to using twitter for academics and researchers.</p> <p>They also provide good lists of twitter accounts by government, researchers, think tanks, etc. They helpfully divide them into subject areas. For researchers looking at terrorism and security, the Social Science Academic Researchers list may be of interest.</p>	<p>Twitter:</p> <p>@LSEImpactBlog</p>
<p>The Guardian - Law section</p> <p>The Guardian's Law section is an excellent online source in the media for legal news, comment and analysis. You can sign up for a weekly summary by email. The human rights and liberties section may be of particular interest for those researching in terrorism and security.</p>	<p>Twitter:</p> <p>@GdnLaw</p>

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10:30 – 11:00	Registration and coffee
11:00 – 11:25	Welcome and keynote address The importance of research: contributing to debate and reform <i>Professor Peter Neumann, International Centre for the Study of Radicalisation, King's College London</i>
11:25 – 11:45	The research framework Methodology, Law and Ethics <i>Dr Lawrence McNamara, Law, Terrorism & the Right to Know, University of Reading</i>
11:45 – 13:00	Documentary research: key sources <i>Chair: Tara Lyle, Policy Adviser, Amnesty International</i> Courts, cases and comparative materials <i>Gerard Power, Library, Institute for Advanced Legal Studies</i> Parliamentary and government resources <i>Alexander Horne, UK Terrorism & Security Specialist, House of Commons Library</i> Research by non-government and intergovernmental organisations <i>Angela Patrick, Director of Human Rights Policy, JUSTICE</i>
13:00 – 13:45	Lunch
13:45 – 15:00	Expanding your horizons as a researcher: social media, court reporting, FOI <i>Chair: Sam McIntosh, LTRK University of Reading & PhD candidate City University</i> Social media: gathering sources, building networks, disseminating research <i>Judith Townend, journalist, founder of meejalaw.com, PhD candidate</i> How the media report the courts <i>Will Gant, court reporter, Central News</i> Freedom of information as a research tool <i>Katherine Gundersen, Campaign for Freedom of Information</i>
15:00 – 15:30	Coffee
15:30 – 16:45	Participant-based research and how research is used <i>Chair: Sophie Farthing, Policy Officer, Liberty</i> Policing and communities <i>Dr Basia Spalek, University of Birmingham</i> Interview-based research with the judiciary, government and lawyers <i>Dr Lawrence McNamara, Law, Terrorism & the Right to Know, University of Reading</i> The researcher as expert witness and the expert witness as researcher <i>Dr Matthew Tariq Wilkinson, Cambridge Muslim College</i>
16:45 – 17:15	Keynote closing: Academic research and the review of terrorism legislation The role of academic researchers: insights from the Independent Reviewer of Terrorism Legislation <i>David Anderson QC, Independent Reviewer of Terrorism Legislation</i>
17:15 – 17:30	Summary and close