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The Rt Hon Sajid Javid MP
Home Secretary

07 September 2017

Dear Home Secretary

Since 1st March 2017, it has been my privilege to be the Independent Reviewer of Terrorism Legislation, and to play a small part in the maintenance and scrutiny of the statutory powers which underpin the UK response to all forms of terrorism. I am grateful for the unfettered access and welcome I have been afforded to all areas concerned with the operation of counter-terrorism strategy, in so far as they touch on the operation of the Terrorism Acts 2000 and 2006, together with the Terrorism Prevention Investigation Measures Act 2011 and the Terrorist Asset Freezing etc (TAFA) Act 2010.

In common with everyone in Government and in the wider population, I was shocked by the terrorist atrocities which occurred in London and Manchester last year, commencing with the attack on Westminster Bridge on 22nd March, three weeks after I took up my role. I have done what I can to assist in the debate around the use of our terrorism statutes in the aftermath of those attacks. I was pleased to present to your predecessor my report entitled 'The Terrorism Acts in 2016', which was published in January this year. That was followed by my second report, 'The Westminster Bridge Terrorist Attack', published in March. I await your written response to both reports. If time permits, I will incorporate your responses into my third report 'The Terrorism Acts in 2017', which was delivered to the Home Office in July and which awaits publication. I have also played an active part in commentary on the current Counter Terrorism and Border security Bill 2018.

As your officials were aware in May this year, I submitted an application for appointment as Director of Public Prosecutions. That application was successful, and was confirmed to your officials on 23rd July, necessitating my resignation as Independent Reviewer in October. I have subsequently been able to confirm that my last day in post as Independent Reviewer will be Friday 12th October. I am sorry that this means my departure before the expiry of my intended three year term.

Had I been able to remain in post as Independent Reviewer, I would have wished to focus upon matters including the following, within the next annual report ‘The Terrorism Acts in 2018’:

1. The practical implications of repealing Part 1 of TFA 2010 in favour of a new terrorism sanctions regime under the Sanctions and Anti-Money Laundering Act 2018, on which I have given evidence in Parliament when it was a Bill.
2. A fresh review of the definition of terrorism within section 1 of Terrorism Act 2000, particularly in light of the changing nature of the threat from international terrorism, including the Salisbury Novichok attack.
3. A continued focus on the appropriate use of Schedule 7, Terrorism Act 2000, including in Northern Ireland.
4. A review of the use of stop and search pursuant to section 47A of Terrorism Act 2000, which occurred in September 2017 for the first time since 2011.
5. An investigation into any wider ramifications of Brexit in relation to the operation of the legislation which I have reviewed.

Of course, these matters will be for my successor, once identified, to consider and to confirm or reject. I do not intend to fetter my successor in any way.

I have enjoyed my time in this important and necessary role, and would like to thank you, your fellow Home Office ministers and your officials for facilitating my work and for making me welcome without reservation.

Yours sincerely,

A handwritten signature in blue ink that reads "Max Hill". The signature is written in a cursive, slightly slanted style.

Max Hill Q.C.
Independent Reviewer of Terrorism Legislation