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Rt Hon Joan Ryan MP
House of Commons
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Dear Joan,

Thank you for your letter of 11 June to the Home Secretary about the annual Al Quds Day march. I am replying as the Minister of State for Policing and the Fire Service. I am sorry for the delay in replying.

It is a long-standing tradition in this country that people are free to gather together and to demonstrate their views, however uncomfortable these may be to the majority of us, provided that they do so within the law.

There is, of course, a balance to be struck. Protesters' rights need to be balanced with the rights of others to go about their business without fear of intimidation or serious disruption to the community. Rights to peaceful protest do not extend to violent or threatening behaviour.

The police have comprehensive powers to take action under criminal law to deal with people who incite hatred or commit other offences. The investigation and prosecution of all criminal offences, including consideration of whether an actual offence has been committed, is a matter for the police and the Crown Prosecution Service.

The Home Secretary has no power to initiate a ban on marches. As set out in the Public Order Act 1986, section 13 prohibiting public processions, a march can only be banned where the police consider that it would result in serious public disorder and that placing restrictions or conditions on such a march – for example its duration, location and size – would not be enough to prevent this. In the London area, the Metropolitan Police Commissioner would need to apply to the Home Secretary for consent to ban the march.

As a major political group and the largest non-state military force in the country, Hezbollah clearly plays an important role in Lebanon, including providing social and political functions. We continue to call on Hezbollah to end its status as an armed group and participate in the Lebanese democratic process on the same terms as other political parties.

Hezbollah's External Security Organisation was proscribed in March 2001, and in 2008 the proscription was extended to Hezbollah's military apparatus including the Jihad Council. Proscription is an important, but not the only, part of the Government's strategy to disrupt the activities of terrorist groups and those who provide support to them.

You may be interested to know that Hezbollah's military wing is also designated in the UK under the Terrorist Asset Freezing Act (TAFA) 2010. Therefore funds and economic resources owned, held or controlled by Hezbollah's military wing in the UK can be frozen. In July 2012, following the Burgas bombing, the EU also designated Hezbollah's military wing as a terrorist organisation under the EU asset freezing regime.

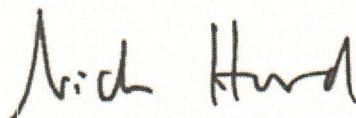
With regards to the perceived lack of action by the police in dealing with possible offences committed at a demonstration, the investigation and prosecution for all criminal offences, including whether an actual offence has been committed, are matters for the police and Crown Prosecution Service. The police have comprehensive powers to take action under criminal law to deal with people who incite hatred or commit other offences. Decisions on when and how these powers are used are operational matters for them.

As you will be aware, the group that reportedly organised the parade, the Islamic Human Rights Commission, is not a proscribed terrorist organisation. This means they can express their views and demonstrate, provided that they do so within the law.

Whilst the UK proscribes Hezbollah's military wing, we do not proscribe the group in its entirety so its political wing is not proscribed. The flag for the organisation's military wing is the same as the flag for their political wing. Therefore for it to be an offence for an individual to display the flag for this organisation the context and manner in which the flag is displayed must demonstrate that it is specifically in support of the proscribed elements of the group.

The investigation and prosecution for all criminal offences, including whether an actual offence had been committed, is a matter for the police and Crown Prosecution Service, who have comprehensive powers to take action under criminal law to deal with people who incite hatred or commit other offences.

As you will be aware, whilst the list of proscribed groups is kept under review, we do not routinely comment on whether an organisation is or is not under consideration for proscription.

A handwritten signature in black ink, appearing to read 'Nick Hurd'.

Rt Hon Nick Hurd MP