



UK Mission to the
United Nations
in Geneva

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Note Verbale No. 137
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The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to submit its response to communication AL GBR 5/2026 further to the letter dated 4 February 2026 from the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the independence of judges and lawyers; and the Special Rapporteur on the right to privacy.

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Special Procedures Branch
Office of the United Nations High Commissioner for Human Rights



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United Kingdom of Great Britain and Northern Ireland

Response to Special Procedure communications AL GBR 5/2026 of 4 February 2026 sent by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the right to privacy.

Thank you for your letter of 4 February 2026 regarding the detention of Mr Fahad Ansari under Schedule 7 of the Terrorism Act (TACT) 2000, the seizure and download of his work mobile phone and the continued retention of the copied data.

Your letter refers to the ongoing Judicial Review concerning the port stop carried out on 6 August 2025 by officers in North Wales Police. As a result, it would be inappropriate for His Majesty's Government (HMG) to comment in such a way as to prejudice the proceedings, as the UK's police and the courts are all independent of the government-of-the-day. Mr Ansari is entitled to challenge his port stop and take proceedings before a court of law. It is imperative that this right is protected, including from interference by the Government and international organisations, particularly whilst the case remains *sub judice*.

Please note that we will only outline matters that have been heard by the court as of the 21 January 2026 hearing and will not provide information or commentary on any issues that will prejudice proceedings. This ensures that our response fully respects the ongoing judicial process. It would not typically be appropriate for the Government to comment on an individual use of the power, but we are happy to provide you with information relevant to your questions that has been heard in open court.

The questions that you have raised, which are reproduced below, have been answered as fully as possible, given the points noted above.



1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

HMG maintains that Schedule 7 powers were not misused against Mr Ansari. On 6 August 2025, Mr Ansari was subject to a Schedule 7 examination at Holyhead Port, Anglesey. The examination was conducted by the examining officer to determine whether Mr Ansari was or was not a person concerned in the commission, preparation, or instigation of acts of terrorism as defined in section 1 of the Terrorism Act 2000¹. Mr Ansari's phone was seized and detained by the examining officers pursuant to paragraph 11(2) of Schedule 7. Mr Ansari told the examining officers that he used this phone for both his work as a solicitor and his personal life, and that the phone contained legally privileged material. The United Kingdom remains fully committed to its obligations under international law. The Terrorism Act 2000, including Schedule 7, operates within a statutory framework that is compatible with relevant international human rights law including the ECHR and ICCPR, both of which permit proportionate and lawful interference with certain rights where necessary including in the interests of national security.

2. Please indicate the legal and factual basis for Mr Ansari's detention under schedule 7 of the Terrorism Act 2000, including the grounds for any directed stop, and explain how the measures taken were necessary and proportionate in the circumstances, and in compliance with international law.

Any person, irrespective of profession, can be subject to Schedule 7 if the statutory condition is met. The power to stop, question, search and detain a person under Schedule 7 may be exercised for permitted purposes as defined in section 1 of the Terrorism Act 2000² and outlined above. The accompanying statutory Code of Practice provides that although the selection of a person for examination is not conditional upon the examining officer suspecting that individual of terrorism, the decision to select someone must not be arbitrary, and must be informed by the threat from terrorism to the UK and its interests posed by the various terrorist groups, networks and individuals active in and outside the United Kingdom. There are a number of reasons that a person may be selected for examination, for example based on known and suspected sources of terrorism, patterns of travel through specific ports, observations of

¹ [Terrorism Act 2000](#)

² [Terrorism Act 2000](#)



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a person's behaviour or referrals from other security, transport, or enforcement agencies. This list is not exhaustive.

The powers under Schedule 7 have been amended and improved over the years to ensure they remain compliant with the expectations of the public and provide adequate protections for the rights of the person being examined. The powers are also subject to significant independent oversight by the Independent Reviewer of Terrorism Legislation (IRTL), a position currently held by [REDACTED]. The responsibility of the IRTL is to provide independent oversight, scrutiny and transparency on the application of counter-terrorism legislation, including the powers under Schedule 7. The powers contained in Schedule 7 are also subject to review and scrutiny by the courts by way of Judicial Review including whether the decision is compatible with the ECHR. HMG maintains that the use of Schedule 7 in this case was in keeping with the statutory purpose set out in the legislation and was compatible with relevant international human rights law including the ECHR and ICCPR.

3. Please describe the safeguards for legal professional privilege applicable to the seizure, examination, copying, retention and destruction of data from electronic devices in schedule 7 stops, and indicate whether any privileged-material review protocols were followed in this case.

Schedule 7 is designed to be effective at protecting the UK and its people from terrorism, whilst ensuring the work and material of lawyers is also protected. HMG recognises the importance of legal professional privilege ("LPP") and has put in place safeguards to protect this information. The Code of Practice provides that LPP material cannot be accessed. To ensure Article 8 and 10 ECHR compliance, the statutory Schedule 7 Code of Practice³ which governs how the Schedule 7 powers may be exercised provides that Protected Material⁴ obtained under Schedule 7 cannot be

³ The Schedule 7 Code of Practice is issued under paragraph 6 of Schedule 14 to the Terrorism Act 2000. It applies to: (i) the exercise by examining officers of their functions under Schedule 7; (ii) the exercise by review officers of their functions under Schedule 8 to the Act in relation to detentions under Schedule 7; (iii) the training and procedure for designation (where appropriate) of examining officers; and (iv) the training of review officers. See paragraphs 70-75 of the Code of Practice which contain the safeguards relating to LPP – [Link to current version here.](#)

⁴ For these purposes, "protected material" means: "confidential journalistic information" within the meaning of section 264(6) and (7) of the Investigatory Powers Act 2016; material which identifies or confirms a "source of journalistic information" within the meaning of section



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accessed when making copies of information obtained during a Schedule 7 examination. The Code of Practice provides a detailed process by which data that may include material protected by legal professional privilege is separated, sifted and then reviewed by independent legal counsel. This process ensures that: the material is kept isolated from the examining officers until independent legal counsel's review is complete; legally privileged material is destroyed; and only non-protected material is examined under Schedule 7. These safeguards ensure compliance with our legal obligations. The retention of copied data under para. 11A(3) of Sch. 7 is subject to a statutory scheme that encompasses the provisions of Schedule 7, the statutory Code, data protection legislation and statutory and national police guidance governing data retention. The discretionary element of data retention in this context is limited by this Code of Practice as well as the College of Policing issued 'Statutory Code of Practice and Guidance setting National Principles for Police Information and Records Management'⁵ which requires "deliberate, purposive retention" supported by IT systems that enable careful and timely decisions.

The sifting process of the data on Mr Ansari's phone is being conducted by independent legal counsel. Mr Ansari was given the opportunity to provide search terms to be applied to the data to identify potential protected material for separation. In practice, the search terms must be applied by a member of the police digital forensic unit, who is independent of the Schedule 7 examination and the resulting data stored separately where officers involved in the initial examination do not have access. These safeguards ensure that LPP is not compromised.

4. Please confirm whether any data obtained from Mr Ansari's phone have been shared with other authorities, domestic or foreign, and if so, on what legal basis, and indicate whether that data has been deleted in full or in part.

263(1) of that Act; "items subject to legal privilege" within the meaning of section 263(1) of that Act; personal records which a person has acquired or created in the course of any trade, business, profession or other occupation or for the purposes of any paid or unpaid office and which he holds in confidence (see the definition of "excluded material" in section 11(1)(a) of the Police and Criminal Evidence Act 1984); and human tissue or tissue fluid which has been taken for the purposes of diagnosis or medical treatment and which a person holds in confidence (see section 11(1)(b) of that Act).

⁵ [Police information and records management Code of Practice | College of Policing](#)



The data was subject to a sift for legally privileged material by independent legal counsel. At the last hearing on 21 January 2026, the Court was informed that the sift was almost complete. The Schedule 7 Code of Practice requires that independent legal counsel mark for destruction all items of copied material that they have concluded are subject to legal privilege and the identified material must then be destroyed without being examined. The police have confirmed that this is the process that is being adopted in this case

5. Please indicate whether any inquiry has been initiated into the harassment, threats and incitement reportedly directed at Mr Ansari and his firm, including by public figures and media outlets, and what steps have been taken to protect his safety and that of his family and colleagues

HMG condemns any threats or harassment against legal professionals they experience due to the work they undertake. In relation to the reports of harassment, threats or incitement directed at Mr Ansari or his colleagues, such incidents should be reported to the police, who can and do investigate such conduct. As previously stated, the police operate independently of Government and are best placed to assess any potential risks, determine whether the legal thresholds for action are met, and provide appropriate advice and support where required. We cannot therefore comment on operational policing decisions, but the police would investigate any reported threats in accordance with established procedures.

6. Please provide information on the SRA investigation, including its initiation, scope and safeguards to ensure that disciplinary processes are insulated from political pressure when lawyers act in contentious national-security matters.

HMG is committed to upholding the rule of law and defending the independence of the legal profession. The right of access to legal representation and advice, and the right to bring challenges before the courts, are fundamental components of the United Kingdom's constitutional framework.

Legal services regulation in England and Wales is independent of Government. The Solicitors Regulation Authority (SRA) is the statutory regulator responsible for setting and enforcing professional standards for solicitors. It operates independently in the exercise of its regulatory and disciplinary functions.

Where concerns are raised about a solicitor's conduct, it is for the SRA to determine, in accordance with its statutory framework and published



procedures, whether to investigate and what, if any, regulatory action is appropriate. It would not be appropriate for HMG officials or Ministers to intervene in, direct, or comment on the substance of regulatory investigations.

The regulatory framework is designed to ensure that disciplinary processes are insulated from political influence. Decisions taken by the SRA can be appealed to the independent Solicitors Disciplinary Tribunal, and the courts, where appropriate.

- 7. In relation to the High Court proceedings, please explain how any closed-material procedure authorised in this case ensures compliance with the principles of equality of arms and the right to an effective adversarial hearing under article 14 ICCPR and article 6 of the ECHR. In particular, please indicate what safeguards are in place to guarantee that the applicant receives an adequate summary ('gist') of the material allegations or evidence relied upon against him, sufficient to enable him to effectively instruct counsel and challenge the case.**

As with other national security powers, a challenge to the exercise of Schedule 7 may require an application under the Justice and Security Act 2013 for closed material proceedings. If so, the court will request that the Attorney General appoint a Special Advocate to make representations for a Claimant with regards to closed material, the disclosure of which would be damaging to the interests of national security, and for gists of this material to be made available to the Claimant. Closed material proceedings ensure fundamental principles of fair and open justice are properly balanced with the vital need to protect national security. As well as this external scrutiny, there are important safeguards governing the appropriate use of Schedule 7 powers set out in the statutory Code of Practice, including protections for those in the possession of protected material such as information which is legally privileged. The legislative and common law framework which governs this area is compatible with relevant international human rights law including Article 14 of the ICCPR and Article 6 of the ECHR

- 8. Please describe broader measures adopted to ensure that lawyers are not identified with their clients or subjected to reprisals for representing individuals or entities in matters related to counter-terrorism or proscription.**



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HMG recognises the vital role that lawyers play in upholding the rule of law and ensuring access to justice, including in complex and sensitive national security matters. Lawyers must be able to represent their clients, including in controversial or politically sensitive cases, without intimidation, harassment or improper interference.

It is a longstanding principle that lawyers should not be identified with their clients, or their clients' causes, as a result of carrying out their professional duties. This principle is reflected in international standards, including the UN Basic Principles on the Role of Lawyers, and is embedded in the professional framework governing legal practice in England and Wales.

The United Kingdom has a strong and independent legal profession, supported by a self-regulatory framework and an independent judiciary. Allegations of harassment, threats or intimidation against legal professionals are taken seriously and are matters for the appropriate authorities to consider. More broadly, the UK recently signed the Council of Europe Convention for the Protection of the Profession of Lawyer in May 2025, underscoring our commitment to ensuring that lawyers can carry out their professional functions freely, independently and without fear of reprisal. We are clear that attacks, harassment or intimidation directed at lawyers because of their professional work are unacceptable.

We trust this response provides further clarification on Schedule 7 powers, the UK's commitment to the protection of fundamental rights and the responsible use of terrorism related powers.