

# Exclusive: More than 40 convicted terrorists have used human rights laws to remain in UK

*From the [terrorists have used human rights laws to remain in the UK](#), according to an unpublished report delayed by the Home Office. The study highlights the near insurmountable problem for the Government in deporting dangerous jihadists and follows a series of Islamic State-inspired attacks in the UK. In the court cases, lawyers – typically funded through legal aid – have successfully prevented foreign-born terror suspects from being sent back to their home countries.*

At a time when Britain's security services are fully stretched, the additional burden of monitoring so many foreign terrorist inevitably adds to the strain.

Details are contained in a report ordered by Theresa May when Home Secretary into a scheme called Deportation with Assurances (DWA). The DWA scheme led to the removal of Abu Qatada, a notorious al-Qaeda-linked cleric who was sent back to Jordan in 2013 to stand trial on terrorist offences. Qatada was cleared but since his case, it is understood, that no other foreign terror suspects have been returned under the scheme.

The analysis of the Government's practice of deportations with assurances was carried out by David Anderson QC, the then independent reviewer of terrorism legislation, and co-written with Professor Clive Walker, an international law expert.

It was delivered to the Home Office in February.

Prof Walker said: "My research suggests there are more than 40 foreign terrorists convicted in the UK who have avoided deportation using the human rights act. The figure is much larger than was previously thought."

Among those understood to have used the Human Rights Act to resist deportation including jihadists with links to the failed 21/7 bomb plot in 2005 who were jailed in the UK and subsequently released after serving their sentences. Another is an Algerian terrorist imprisoned for funding al-Qaeda training camps but since free after serving his sentence.

The intelligence agencies and counter terror police are under huge pressure after it emerged that in the three recent Islamist terror attacks, the perpetrators were known to security services. . . The threat to the UK from foreign-born jihadists remains high in the wake of those attacks and the inability to deport known terrorists compounds those concerns.

It is understood just 12 foreign-born terrorists have been deported under the DWA. By contrast, France has deported more than 120.

Britain set up the DWA scheme to send back terrorists under 'non-torture' deals. But in 2014, the official in charge of DWA – Anthony Layden, the former ambassador to Libya and Morocco – resigned because it wasn't working. He has declined to say precisely what the problem was but told The Telegraph he had no wish to 'help the terrorists'. He said his problem lay with the Home Office.

*And I'm afraid to have to say it, but the Home Office, like the Ministry of Justice, retired and made redundant its 'old school' officials and is now heavily staffed by officials of 'diversity' origin.*