

Freedom of Information Act
Policy Team
Customer Service
Improvement Directorate
UK Border Agency
Lunar House
40 Wellesley Road
11 Floor, Short Corridor
Croydon CR9 2BY
Web

www.ukba.homeoffice.gov.uk

Mr Abdul Majeed

By email: request-80029-
0efb38d5@whatdotheyknow.com

Date : 5 August 2011

FOI ref: 19354

Dear Mr Majeed

Thank you for your e-mail of 14 July 2011 in which you ask for information on Sheikh Raed Salah. You have specifically asked for a response to questions put forward by Anas Sarwar MP to Damien Green MP.

Your request has been handled as a request for information under the Freedom of Information Act 2000.

I have listed the questions below for your ease of reference:

- 1) On what grounds her Department issued an exclusion order against Sheikh Raed Salah;
- (2) When her Department notified the UK Border Agency of the exclusion order served on Sheikh Raed Salah;
- (3) When and where her Department served the exclusion order on Sheikh Raed Salah;
- (4) When her Department was informed of Sheikh Raed Salah's presence in the UK;

(5) What contact her Department had with officials at the UK Border Agency regarding Sheikh Raed Salah (a) before and (b) after his arrest."

Response to Q.1

The Secretary of State has the power to exclude or deport individuals whose conduct she considers non-conducive to the public good. This includes individuals whose behaviour falls within the Government's published unacceptable behaviours policy. This policy applies to any non-UK national whether in the UK or abroad who uses any means or medium including:

- writing, producing, publishing or distributing material;
- public speaking including preaching;
- running a website;
- using a position of responsibility such as a teacher, community or youth leader;

To express views which:

- foment or justify terrorist violence in furtherance of particular beliefs;
- seek to provoke others to terrorist acts;
- foment other serious criminal activity or seek to provoke others to serious criminal acts;
- foster hatred which might lead to inter-community violence in the UK.

The list is indicative and not exhaustive. Mr Raed Salah was excluded on the grounds that his presence here would not be conducive to the public good. The Home Secretary considers that a number of comments made by Mr Raed Salah are evidence of his engagement in unacceptable behaviour.

Response to Q.2

The UK Border Agency is an executive agency of the Home Office. I can confirm that Mr Raed Salah was excluded from the UK on 23 June.

Response to Q.3

The exclusion decision was served on Mr Salah on 28 June 2011 in the UK.

Response to Q.4

UKBA was notified that Mr Salah was in the UK on 27 June 2011.

Response to Q.5

I am afraid that I am not able to comment further on the details of the case as we have concluded that the information you have requested is exempt from disclosure under section 40(2) of the FoI Act. This exempts personal data if disclosure would

breach any of the data protection principles. Your request for personal information has been considered in line with our obligations under the Freedom of Information (FoI) Act. However, we have concluded that the information you have requested regarding information on any contact the Home Office had with officials at the UK Border Agency regarding Sheikh Raed Salah (a) before and (b) after his arrest is exempt from disclosure under section 40(2) of the FoI Act.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 19354. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
E-mail: FOIRequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Mrs. Isra Hussain
Freedom of Information Team
UKBA