



# Tamil Information Centre

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Committed to Human Rights and Community Development

## TIC Note

Date: 29 June 2007

### **A Note on the arrest of Tamils on LTTE charges in Britain on 21 June 2007**

Arunachalam Chrishanthakumar and Goldan Lambert were arrested by police in London and charged for supporting the Liberation Tigers of Tamil Eelam (LTTE).

On 28 February 2001, the British Home Secretary included the LTTE in the list of proscribed organizations under the Terrorism Act 2000. The ban on the LTTE in Britain came into force on 29 March 2001. A proscribed organization or any person affected by the ban may appeal to the Home Secretary for the removal of the ban. If such an appeal is rejected, an application for review may be made to a tribunal known as the Proscribed Organizations Appeal Commission. Appeal on a point of law from the decision of the Commission lies to the Court of Appeal.

No appeal against the decision of the Home Secretary was made by the LTTE or any person at the time of the ban. The TIC is aware that no appeal has been made up to the time of the arrests. No reasons have been made public by the LTTE for the decision not to make an appeal.

The arrests of Chrishanthakumar and Lambert took place on 21 June 2007. They were produced before the City of Westminster Magistrates Court on 28 June 2007.

The charges against Chrishanthakumar are:

- Assisting in the arrangement of the Hyde Park meeting 25 July 2006
- Speaking at the event for the purposes of encouraging support for the Tamil Tigers
- Receiving £1,500 in January 2005, intending that it be used, or having reasonable cause to suspect that it may be used, for the purposes of terrorism
- Receiving manuals entitled Underwater Warfare Systems, Explosive Ordnance Disposal and Naval Weapons Systems, as well as possessing six trenching spades, 39 compasses and a piece of ballistic body armour. It is alleged that these materials may all have been received for the purposes of terrorism
- Between January 2005 and June this year, he was a member of the Tamil Tigers

The charge against Goldan Lambert is:

- assisting in the management of the Hyde Park event on 25 July 2006, knowing it was for the purposes of supporting a proscribed organisation, the Tamil Tigers

Chrishanthakumar was denied bail and remanded to custody until 5 July 2007. Goldan Lambert was granted conditional bail but later remanded as the surety was not paid. Hearing to decide whether the case should be committed to the Crown Court is scheduled for 9 August 2007.

### **Relevant sections of Terrorism Act 2000**

#### **Section 11            Membership**

- (1) A person commits an offence if he belongs or professes to belong to a proscribed organisation.
- (2) It is a defence for a person charged with an offence under subsection (1) to prove —
  - (a) that the organisation was not proscribed on the last (or only) occasion on which he became a member or began to profess to be a member, and
  - (b) that he has not taken part in the activities of the organisation at any time while it was proscribed.
- (3) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding ten years, to a fine or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.

#### **Section 12            Support**

- (1) A person commits an offence if—
  - (a) he invites support for a proscribed organisation, and
  - (b) the support is not, or is not restricted to, the provision of money or other property (within the meaning of section 15).
- (2) A person commits an offence if he arranges, manages or assists in arranging or managing a meeting which he knows is—
  - (a) to support a proscribed organisation,
  - (b) to further the activities of a proscribed organisation, or
  - (c) to be addressed by a person who belongs or professes to belong to a proscribed organisation.
- (3) A person commits an offence if he addresses a meeting and the purpose of his address is to encourage support for a proscribed organisation or to further its activities.
- (4) Where a person is charged with an offence under subsection (2)(c) in respect of a private meeting it is a defence for him to prove that he had no reasonable cause to believe that the address mentioned in subsection (2)(c) would support a proscribed organisation or further its activities.
- (5) In subsections (2) to (4) —
  - (a) “meeting” means a meeting of three or more persons, whether or not the public are admitted, and

- (b) a meeting is private if the public are not admitted.

(6) A person guilty of an offence under this section shall be liable —

- (a) on conviction on indictment, to imprisonment for a term not exceeding ten years, to a fine or to both, or
- (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.

## **Section 15            Fund-raising**

(1) A person commits an offence if he—

- (a) invites another to provide money or other property, and
- (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.

(2) A person commits an offence if he—

- (a) receives money or other property, and
- (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.

(3) A person commits an offence if he—

- (a) provides money or other property, and
- (b) knows or has reasonable cause to suspect that it will or may be used for the purposes of terrorism.

(4) In this section a reference to the provision of money or other property is a reference to its being given, lent or otherwise made available, whether or not for consideration.

## **Section 22            Penalties**

A person guilty of an offence under any of sections 15 to 18 shall be liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding 14 years, to a fine or to both, or
- (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.