

PWR (AP) (Appellant) v Director of Public Prosecutions (Respondent)

Case ID: 2020/0076

Case summary

Issue

- (1) Does section 13(1) of the Terrorism Act 2000 create a strict liability offence?
- (2) If so, is section 13(1) compatible with Article 10 of the European Convention of Human Rights

Facts

Mr Pwr attended a demonstration in London on 27 January 2018, the broad purpose of which was to protest against the perceived actions of the Turkish state in Afrin, a town in north-eastern Syria. During the demonstration, he was filmed waving a red flag which had the face of Abdullah Ocalan on it. Abdullah Ocalan is the founder of the Partiya Karkeren Kurdistanê, an organisation proscribed under the Terrorism Act 2000 (the "2000 Act").

Mr Pwr was removed from the protest and charged with an offence contrary to section 13(1) ("section 13") of the 2000 Act. He was convicted by District Judge Snow in the Westminster Magistrates' Court. On appeal, the Crown Court dismissed Mr Pwr's application of no case to answer, the basis of which was that (1) section 13 should be interpreted as requiring mens rea; and (2) to be compliant with Article 10 of the European Convention on Human Rights, section 13 must include an element of deliberate incitement to violence. The Divisional Court upheld the Crown Court's findings. Mr Pwr now seeks to appeal to the Supreme Court.

Judgment appealed

[\[2020\] EWHC 798](#)

Parties

Appellant(s)

Rahman PWR

Respondent(s)

Director of Public Prosecutions

Appeal

Justices

Lord Lloyd-Jones, Lady Arden, Lord Hamblen, Lord Burrows, Lady Rose

Hearing start date

18 November 2021

Hearing finish date

18 November 2021

Watch hearing

18 Nov 2021 [Morning session](#) [Afternoon session](#)

Judgment details**Judgment date**

26 January 2022

Neutral citation

[2022] UKSC 2