

FROM THE RIGHT HONOURABLE THE LORD IRVINE OF LAIRG



HOUSE OF LORDS,
LONDON SW1A 0PW

K Singh Esq
British Sikh Federation
P.O. Box 242
Wolverhampton
WV4 5DH

23 November 1999

Dear Mr. Singh,

ENTRY TO COURT SERVICE BUILDINGS - SIKHS WEARING KIRPANS

Thank you for your letter of 27 September about reports you have received of British Sikhs experiencing problems in attending courts wearing their Holy *kirpans*. I am sorry for the delay in replying.

This issue first arose a couple of years ago and, following legal advice and discussions with members of the judiciary, it was agreed that members of the Sikh religion should be allowed to enter our buildings while wearing their *kirpans* providing that they do not exceed 6 inches in total length. The Court Service Security Officer gave instructions to this effect on 17 October 1997. As you will appreciate, these instructions do not interfere with a judge's inherent right to control his own courtroom or to impose any restrictions that the Judge may feel necessary. Similarly, this policy does not bind magistrates' courts as it is for individual magistrates' courts committees to decide on their approach.

Also, I am sure you will understand that Sikhs cannot be exempted from the general entry controls that are in operation at some courts. These entail a metal detection scan, when the presence of the *kirpan* will be discovered and can be explained, and a baggage search.

Steps have recently been taken to remind all Crown and combined courts of the current policy, but it would be helpful if you could provide the Court Service Security Officer (at 105 Victoria Street, London, SW1E 6QT) with details of the courts where problems have been encountered.

I am also concerned about your intention to publicise this policy in the press. This is, of course, a decision for you but I do invite you to reflect whether it is in the interests of the Sikh Community. The policy which applies to the courts is wholly responsive to the sensitivities of your community and, if there are failures of execution anywhere, then, if you notify the Court Service, these will be dealt with. "High profile" publicity would draw considerable attention to the arrangements and might result in Sikhs within court buildings being targeted by those wishing to remove their *kirpans* to use for their own purposes. This risk, I am sure you will agree, ought to be avoided if possible and I would therefore ask you

to reflect carefully about the wisdom of advertising the policy through the press. I repeat, however, that this decision is for you alone.

You should contact the Court Service Security Officer if you encounter any difficulties within Crown or combined courts in the future. Any difficulties within magistrates' courts should be referred to the appropriate magistrates' courts committee direct.

Yours

Sincerely,

Irune Singh