

## Foreword

Did the events of September 11th 2001 change our thoughts on the nature of terrorism and our responses to it? Have the current Labour Government's reactions been adequate to deal with the new threats which confront us? How much should we know about these new threats? What liberties should be exchanged, if any, in the name of increased security?

This paper by Mark Prisk MP, Parliamentary Chairman of First Defence, sets out to examine the fundamental issues which confront free, democratic and open societies today as we come to terms with the idea that the advent of al-Qaeda marks a new form of terrorism and a new type of terrorist. It considers the new thinking which is required both by government, and by ourselves as individuals, and it looks at the roles we will all have to play to maintain security, but not at the expense of liberty we enjoy.

First Defence is about practical thinking. In this paper Mark Prisk MP offers some practical ideas which government should adopt. He reinforces the notion that we should not only be vigilant about our security, but that by responding to the new kind of terror we do not succumb to the desired end-game of our enemy; the very end of our open and democratic society.

"Eternal Vigilance-the defence of a free society" reflects the views of the author and does not represent the views of the Conservative Party.

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Mark has taken a keen interest in defence matters since leading pro-NATO campaigns in the 1980s. On election to Parliament he became secretary of the Conservative Defence & International Affairs Policy Group at Westminster, October 2001 and Parliamentary Chairman of First Defence.

In November 2002, Mark was promoted to the Conservative frontbench as Shadow Financial Secretary to the Treasury.

## **Executive Summary**

- Suicide bombers characterise the nature of the new threat and UK security policy and resources need to be completely re-thought.
- Our defence and security in the face of a new threat requires much greater integration of intelligence, military and civil contingency measures.
- Since 11th September, the UK Government has confused ad-hoc activity with real achievement, whilst the US has overhauled its Homeland Security apparatus and funded the military and security investment needed to prosecute a war against terror.
- A cross-government defence and security review should be undertaken, not an appended chapter to SDR. The balance between military and homeland security priorities may need to be re-fashioned.
- A Cabinet Office of Homeland Security (COHS) should be established in the UK, to deal with the new threat, with a responsible Minister accountable to Parliament, and its own Select Committee.
- The Intelligence and Security Committee should become a full Select Committee of the House of Commons, independent of Whitehall.
- Government's mindset of secrecy must change. The Public cannot be vigilant without understanding the risks and what practical actions are needed to counter them.
- The Government should instigate a simple system of warning and reporting which will alert the public to potential threats, giving the public confidence in the system.
- Where Government seeks new powers it must provide the counterbalance of improved Parliamentary and local scrutiny and accountability.
- Pre-scrutiny of draft legislation will allow proposals to be tested before they come to Parliament.
- Legislation should, as a norm, incorporate a Sunset Clause, giving a date of expiry for the provisions and powers sought.
- Legislation should carry a Liberty Test statement, which will explain the balance between a diminution of our liberties, against the benefits that will accrue from its adoption.



## ***Eternal Vigilance - The defence of a free society***

### **None of us is exempt**

Terrorism is not new. The systemic use of murder and destruction to secure political change has been a familiar feature of life since the end of the Second World War. Groups like the IRA, Baader-Meinhoff and the Red Brigade have all sought to coerce governments and their peoples into conceding to their various demands, using bombs and bullets to express themselves.

These groups have a rational political outlook, however wrong, and can be as hierarchical and structured in their organisation as the societies they seek to challenge. The Provisional IRA describes its units as "Active Service Units" when operating on the UK mainland; or else it refers to "Brigades" within Northern Ireland. Al -Qaeda - and those who now share its agenda - is different, in outlook and organisation.

### **The Will**

Rooted in an irrational radicalism, Al-Qaeda's purpose is the annihilation of Western liberal society and as such this distinguishes them from 'conventional' terrorist groups.

The most obvious expression of this mindset is the use of planned suicide bombers. Of course, all terrorists know they might die for their cause. However, that is not their aim. Suicide bombers, in contrast, seek death to achieve their goal and so are beyond reasoning. In doing so they represent a wholly different threat, one from which there is no complete protection. Tragically, as Israel has discovered, no matter what security measures you take, suicide bombing cannot be completely prevented in a modern society.

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### **A brief history of suicide bombing**

The first modern instance of a specifically planned suicide attack occurred in December 1981, when the Iraqi Embassy in Lebanon was attacked, killing 27 and wounding over 100.

10 religious and secular groups have been identified as capable of using suicide terrorism against their enemies. These are: the Islam Resistance Movement (Hamis) and the Palestinian Islamic Jihad in the occupied territories; Hizballah of Lebanon; the Islamic Egyptian Jihad (EIJ) and Gamaya Islamiya (IG) of Egypt; the Armed Islamic Group (GIA) of Algeria; Barbar Khalsa International (BKI) of India; the Liberation Tigers of Tamil Elam (LTTE) of Sri Lanka; the Kurdistan Workers Party (PKK) of Turkey; Al-Qaida of Sudan/Afghanistan.

Islamic Jihad began its campaign in Egypt, in August 1993, with an attempted attack on the Minister for Tourism, which failed. In November 1993, they tried to kill the Egyptian Prime Minister, this also failed but a school girl was killed. In November 1995, they attacked the Egyptian Embassy in Islamabad, Pakistan, killing 16 and wounding 60.

In August 1998 Al-Qaeda carried out suicide bombing attacks on US Embassies in Kenya and Tanzania, 223 people died and more than 5,000 were injured. On October 12th 2000, they attacked the USS Cole, in Aden, killing 13 US Navy personnel.

According to Israeli Government Sources, there were around 70 Palestinian suicide bomb attacks between 1993 and November 2001. 28 attacks have been made between October 2000 and November 2001. From January-September 2002, 189 people have died and 1,213 were injured in suicide attacks.

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There is an alternative view, however. This proposes that Usama bin Laden is a wealthy Saudi dissident, safe in the fastness of the Pakistani-Afghanistan border, issuing directives to his band of followers, while they actually run the risks. This is a cynical view, but one which cannot be entirely dismissed. However, it does not alter the fact that we still need to defend ourselves against the actual attacks.

### **The Means**

In terms of organisation, Al-Qaeda is radically different from the old conventional hierarchies of previous terror groups.

The revolution in information technology allows them to operate in a virtual network from around the world, with money and materials controlled remotely, and sophisticated communications that are hidden in the ceaseless tide of global electronic chatter. Equally, as we become more reliant on these systems, so terrorists will, in turn, attack them.

The ever-widening dissemination of technical know-how has helped bring weapons of mass destruction into the terrorists' arsenal. The Sarin gas attack in June 1994 on the Tokyo metro was perhaps the first sign of the changing order. Since then we have seen the use of Anthrax in the US. These events show how technology is helping the smallest terror cell attack the largest, most powerful states.

### **The Target**

Of course in a free society, it is our very openness that makes us vulnerable. In seeking to intimidate, terrorists know the value to them of striking without warning, and striking indiscriminately.

Thus whilst much of the security cordon is conventionally focused around Government and military sites, the new terrorist campaign is more concerned with using public fear to undermine society, by hitting soft targets.

This phenomenon comes at a time when we have become an increasingly self-centred society, concerned more with material comfort and pleasure than notions of national duty, faith or fighting for a common cause. Thus, as a society, we are far less willing to accept fatalities in conflict. The death toll on September 11th 2001 was approximately 3,000. Yet on the first day of the Somme offensive in 1916, British and Commonwealth forces suffered 60,000 casualties, of which 27,000 were fatalities. Today such losses would devastate our will to win. When Usama speaks of a corrupted, weak, western society he may be thinking as much of our society as of our governments.

Instant live TV news enhances the terrorist's message. On September 11th we all watched the horrific events unfold on our own TVs, at home or at work. The effect of that attack was thus etched on the minds of the whole world, not just those in downtown New York.

Whilst most editors and journalists handled the awful events as well as could be expected, journalists and politicians now agree that considerable care needs to be exercised by the media in how the war against terrorism is presented, today and in the future.

The frontline in this particular war is on our streets and in our workplaces which, thanks to our reliance on convenience and mobility, gives the terrorist an easy environment in which to operate. For those who believe it is simply the USA which is the target, only need look at the British and Australian victims of Bali to know that we are all in this together. The US may be the largest, most obvious target, but none of us is exempt.



## New threats require new thinking

September 11th 2001 was said to change everything. Sadly no one seems to have told Whitehall. In the Government's response three long-held Whitehall traits have come to the fore - interdepartmental warfare, keeping the public in the dark and the desire for more powers to curtail individual liberties.

### Departments at war?

Since September 11th 2001, much effort has been expended in seeking to strengthen our security. The Ministry of Defence has prepared a new chapter for the 1998 Strategic Defence Review (SDR); civil contingency planning by government, nationally and locally, has been reviewed; and the management of the intelligence community has been re-formed to improve co-ordination and information sharing.

And yet the impression given is one of individual departments tinkering, rather than a strategic rethink by the whole Government about the purpose and provision of the nation's defence and security. The House of Commons, in its report on UK defence and security highlighted the problem:

*"The Government has not taken the opportunity to conduct a proper and comprehensive examination of how the UK would manage the consequences of a disaster on the scale of September 11th. In many areas the Government has confused activity with achievement."*

Defence & Security in the UK,  
House of Commons Select Committee, July 2002

Indeed, the fact that the MoD has, on its own, tacked on a chapter to the existing SDR tells us what is wrong about the predominant mindset in Government. The SDR was written in 1998 to provide a comprehensive assessment of the balances of risks, post Cold War and to then reshape our defence forces accordingly.

What is needed today, is not a new chapter written by one Department, but a new Government-wide Defence and Security Review, which provides an holistic re-assessment of the risks and re-allocates resources accordingly.

Such a rounded review would address perhaps the most awkward question: namely have we got the balance right between military and security expenditure?

The "new" chapter of the SDR and the government's Comprehensive Spending Review, were both unveiled in July 2002. While both the MOD and Home Office budgets are increased over a three year period, it is not immediately apparent how much of this is intended to meet the security requirements identified, following the attacks of September 11th 2001.

Immediately after the attacks in the USA, the Government rightly concluded that

the UK was a likely target for similar attacks. Yet the response, a year later, has been underwhelming and ad-hoc. Preparations and contingency plans as a response to any contingency have been shrouded in the habitual secrecy of Whitehall.

For example, the MOD identified £155 Million of urgent operational requirements, for equipment to deal with the new threat. The principle outcome of the "new" chapter review, was the provision of 500 reservists in each of the RDA areas, conforming to UK military districts. When the Comprehensive Spending Review was announced, in July 2002, the UK defence budget was increased by 1.5%, albeit from a period of sharp reductions.

Then, it was announced separately that £1bn of new capital and £0.5bn for new resources was allocated to the "new threat" over the three year period. There was little attempt to define this figure in terms of a balance between home defence and the external war on terrorism. The US, by contrast increased its annual defence budget by \$48bn, as a response to the New York and Washington attacks, a sum more than twice Italy's entire annual defence budget.

Meanwhile an increase in the Home Office budget was announced, with spending overall increased by £2.9bn over the three years 2003-06, with £1.5bn of that going to the police. It is not made clear how much of this new money is directed at front-line services, in the fight against terrorism. Nor has there been any clarity in the measures adopted by emergency services, to deal with any contingencies.

The resulting impression is that Whitehall departments have seized on the opportunity to lobby for more funds, on an ad-hoc basis, without the required "joined-up" approach to the new threat.

Equally there seems to be an imbalance in resources and priorities, given that the first duty of any Government is the peace and security of the UK homeland and its people. There has been no rationalisation of why only an additional 1.5% is needed by MOD, or which elements of police or emergency services will receive the new money. No one doubts the need for an international outlook and horizon, but the starting point has to be that the civilian population, living in the UK, is protected from attack.

By contrast, in the US a revolution has taken place in the organisation of the defence of the homeland.

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### **US Homeland Security**

#### **Developments since 11th September 2001**

- Established the Office of Homeland Security (OHS) "to co-ordinate the executive branch's efforts to detect, prepare for, prevent, protect against, respond to, and recover from terrorist attacks within the United States".

- Homeland Security Council (HSC) comprises; the President, Vice President, Secretary of the Treasury, Secretary of Defence, Attorney General, Secretary of Health and Human Services, Secretary of Transportation, Directors of the FBI, CIA, Federal Emergency Action Agency (FEMA) and the Director of the OHS.
  - Department of Homeland Security established on 6th June 2002. On July 16th the White House unveiled a National Strategy for Homeland Security.
  - The National Homeland Security and Combating Terrorism Act of 2002, reorganizes the federal government to address the terrorist threat. It establishes the Department of National Homeland Security as a new cabinet agency.
  - The new Department will incorporate 20 government agencies and encompass 170,000 people. It will have 4 divisions and a budget of \$37.5bn.
    - The Border and Transportation Security Division.
    - The Emergency Preparedness and Response Division.
    - The Science and Technology Division.
    - The Information Analysis and Infrastructure Protection Division.
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It is fair to say that the US needed radical change, as its domestic security was porous and its ability to respond was severely hampered by poor resources and severe inter-agency rivalry.

However, this is not sufficient to dismiss the question as to whether the UK too needs to radically change the balance of its security priorities and to put domestic security first.

### **Who's in charge?**

To date, the Government's attempts to develop a co-ordinated response to an emergency have failed to breakdown the barriers between different Government departments, or to provide the pace of change needed.

The Civil Contingencies Secretariat (CCS) has neither the clout or the terms of reference needed to make a real impact. The Emergency Powers Bill seems to be a hotch potch of measures; and the recent confusion over how to warn the public about threats have all shown how the UK Government is failing to respond effectively and purposefully to the new security environment.

Even by the end of 2002, the Government's planning for the response to a major terrorist attack was reported to be in disarray. Perhaps typically of this Government, the "news" of this state of affairs came from a leaked e-mail.

It is time for the CCS to be up-rated and become the Cabinet Office for Homeland Security (COHS), which would bring together the policing and civil emergency services in the UK, and which would be tasked with leading any Government response to a significant emergency. Whilst the intelligence agencies would continue to report direct to the Prime Minister, COHS should have its own minister.

### **Trust the people**

One of the significant differences between the reactions of Washington and London to the new threat is in how and what to tell their citizens.

In the US, the Government has based its actions on informing and involving the public wherever reasonably possible. Thus a simple nationwide colour-coded warning system has been launched to guide everyone as to the level of threat at any time.

Here, the Government is in a muddle over what to say, when and to whom. Ministers issue warnings, then withdraw or correct them. The Prime Minister asks the public to be vigilant, but fails to say how. At Westminster, perhaps an obvious target, MPs and their staff still do not receive regular information about the threat level nor do we routinely practice emergency evacuations. Meanwhile several multinational companies, based in London, have reported slow and sometimes confusing advice from Government.

In short, the Government is failing to provide effective information or to involve the public in the fight against terrorism. Given that the home front is the terrorists' first target, this failure is unacceptable.

Government now needs to trust people and provide them with the information they need to understand the risks and to know how to be vigilant. This means overcoming both traditional Whitehall reticence and New Labour superficiality in government press offices.

First, the Government needs to explain to people about the different threats involved and, where relevant, to show them what practical steps they can take to protect themselves and help the police. A measured public information campaign needs to be sustained across the media and in our workplaces. One-off speeches will not suffice.

This process can be enhanced by promoting a significant improvement in the level of first aid cover and emergency procedures in key point locations, within Government, at work and our national infrastructure. The public is used to safety demonstrations on aircraft, and warnings in crowded places about the dangers of pickpockets. Knowledge will help to reduce the danger of unknown threats causing needless panic.

Second, the Government must establish an easy-to-understand warning system, communicated to everyone, to keep people vigilant at particular times, and

communicated through the media, workplaces, mobile phone networks and in public places. A simple system can alert people to be vigilant. After all, the capture of the Washington sniper arose because a trucker was warned to be on the lookout for suspicious goings on, through the CB network.

Third, Government can overcome its instinctive reluctance to release any information by distinguishing between sensitive intelligence and contingency measures. The line will not always be clear, but where public safety and contingency preparation is involved, there should be a presumption in favour of informing those affected.

### **Putting people first**

Our liberties have diminished since September 11th. Naturally in the face of new terrorist attacks, the Government will need to secure new legal powers. The problem is that all too often this Government's behaviour has been crude and authoritarian.

For example, the original Anti-Terrorism Crime and Security Bill included the ability for any Government department to look at our private bank accounts, if we were part of any investigation into any crime whatsoever. Equally, the Government has been seeking to change the ancient right of Habeus Corpus, by attempting to incorporate into this Act a provision for the detention of terrorist suspects, without trial.

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#### **Attempt to bypass Habeus Corpus**

- Habeus Corpus is a fundamental protection against arbitrary detention without charge or trial, which dates back to Magna Carta. It was affirmed by Parliament in the Petition of Rights and later enshrined in Statute in 1640 and again later in 1679. It is still on the statute book.
- Detainees successfully appealed against their detention without trial [i.e. an application for bail] under Part 4 of the Anti Terrorism Crime and Security Act.

#### **Background**

- Part 4 of ATCSA contains measures concerned with the capacity of the UK's immigration and asylum procedures to deal with people whose presence in the UK is not conducive to the public good. Article 5 of the European Convention on Human Rights provides for the right to liberty, subject to: [5.1.f.] "...the lawful arrest and detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition...."

### **The Challenge**

In considering the appeal the Special Immigration Appeals Commission (SIAC) which has the same powers as a High Court, had to weigh:

- Whether persons in similar circumstances have been treated differently in an area covered by the convention.
- Whether this difference is based on nationality.
- Whether the difference has a legitimate aim.
- If so, whether according to the principle of proportionality, there is a reasonable relationship between the means employed and the aims sought.

### **The verdict**

- The Special Immigration Appeals Commission found that the Act was discriminatory in its provisions and that the terrorist threat was not limited to those who were of non-British nationality.

- The detainees are also appealing against the validity of their certification and detention. This appeal is pending as of December 2002.

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Whilst efforts to co-ordinate the EU-wide fight against terrorism should be welcomed, the EU Arrest warrant presents a challenge to our long-held rights and liberties. The Government has invoked the threat of terrorism as a justification for the UK's adoption of this measure, but has failed to show the benefits that might outweigh the corresponding loss of liberty.

The EU Arrest Warrant will allow any Member State to issue a Warrant for a crime with a sentence of 12 months or more. The complication lies in the fact that there may be a disagreement between EU partners on what constitutes an offence. Currently there is no "Single Market" for justice across the EU, and the UK would normally expect to extradite a suspect if there was equivalence in both the criminal justice system and in the level of protection for the rights of the accused.

A caricature of this dilemma was shown in the arrest of British aircraft enthusiasts in Greece for an offence, which is not a crime in the UK. Those charged faced the loss of their liberty, but they were eventually released. Can we imagine an automatic procedure which would allow for the extradition of somebody, for an alleged "crime" merely on the presentation of an arrest warrant signed by a magistrate in an EU partner country?

There are many examples in our recent past, of bureaucratic misdeeds and miscarriages of justice, done in the name of democracy. The root of these failings has often been in shoddy drafting of legislation and in a rush to close a perceived loophole in the law, or to respond to an emergency. Vigilance is the watchword when it comes to protecting our security, but alongside this should stand scrutiny, when it comes to protecting our liberties.

## Checks and balances

The challenge to modern society posed by the "new" terrorist means that the State needs to be more flexible and agile in facing up to asymmetrical threats. The Government will have to galvanise its bureaucracies, and be able to pre-empt attacks. The new environment will require the tracking of potential terrorists in cyber space and through financial routes, co-operation with foreign governments, as well as dealing with large-scale emergencies in the UK.

Reluctantly, therefore, we have to recognise and accept that government may from time to time need to arm itself with new, or different, powers to do these jobs effectively. This will mean, at times, a greater degree of intrusion into our daily lives. Not just the security checks in public places, which we have become used to, but perhaps also e-mail surveillance and greater scrutiny of financial arrangements.

The real challenge is how can this accrual of power be counterbalanced by effective scrutiny and accountability, to protect our essential liberty?

### Eye Spy

First, an overhaul of the current arrangements for the scrutiny of the intelligence and security apparatus is required, with a system that puts Parliament, not the Government, at the apex of the process. The Intelligence and Security Committee, which comprises a cross-party panel of MPs, should have the status of a Select Committee, which would make it independent of Whitehall.

Currently the Intelligence and Security Committee is appointed by the Prime Minister and it reports to him. The report is then laid before Parliament, together with the Government's response. Finally, Parliamentarians get the opportunity to debate the report. Naturally there are elements of confidentiality, which prevail in a sensitive area, unlike other policies, which require care in their handling. However, there is also scope within this "ring of secrecy" for government policy to go unchecked. Not operational matters relating to the pursuit of terrorists, but the thrust of government policy, which in the absence of effective scrutiny can fall prey to the depredations of mandarins and complicit ministers, at the expense of the citizen.

If the Intelligence and Security Committee was independent of Whitehall and the Government had to report to it, the boot would be on the other foot. The confidentiality, which Whitehall would seek to protect, would still be respected by the selection of MPs as it is now, where it comes to operational details. Where matters are particularly sensitive, Westminster could borrow the Washington model, and hold evidentiary hearings with principals, in camera.

Similarly the security services are currently policed by the Investigatory Powers Tribunal, which is chaired by a judge. Any member of the public is entitled to bring a complaint, if they feel their rights have been infringed. Just as the Intelligence and Security Committee should be part of Parliament, the

"Ombudsman" or the Investigatory Powers Tribunal should also be required to report independently to Parliament. This would reinforce the protection for people in defence of their civil liberties.

### **Scrutiny**

If a Cabinet Office of Homeland Security is introduced, Parliament will need to re-organise its Select Committee system, to mirror this. Given the scope of contingency planning requirements that would devolve to local government, Whitehall would need to improve its scrutiny at this level. Local people would need to understand and be confident of the measures enacted on behalf of their communities.

At County Council level, or in Unitary Authorities, members who are not part of the executive could oversee the implementation of the relevant contingency measures that their Council was charged with. The Parliamentary Select Committee could then oversee the whole process from top to bottom.

### **Making good laws**

The second check on government power would be to bolster the scrutiny by Parliament of new laws, and to distinguish between crude authoritarian actions and targeted security measures.

Westminster is often criticised for its slowness but where government requires powers, such as after the Omagh bombing, in 1998, Parliament can oblige within 48 hours. In fact many legislative problems are rooted in Whitehall.

All too often Government sends to Parliament a "Christmas tree" bill, laden down with superfluous sections, which goes too far and which then gets stuck. The Anti Terrorism Crime and Security Bill is a classic example of this. Included within the provisions of the draft bill were powers, which would have enabled intrusive investigations to be carried out on people suspected of any crime whatsoever. This provision was very similar to proposals tabled in another piece of Home Office legislation, before 11th September 2001, which was supposed to be the justification for these powers in the first place.

The quality of future legislation could be improved by several measures, including-

**Pre-scrutiny of legislation:** which will enable all those concerned with human rights or civil society, to examine proposed bills and make comments, in a way that is similar to the current Green Paper-White Paper route. One safeguard, however, should be the ability to question the need for legislation in the first place. This would also serve as a brake on the red-tape culture of this Government.

**Sunset Clauses:** another provision where legislation impinges on liberty, should be the introduction of sunset clauses. Such a clause gives a piece of legislation,

and the powers that go with it, a definite time limit. An Act and all the secondary legislation that goes with it will lose its validity unless it is renewed.

It used to be the case that the renewal of the Prevention of Terrorism Act required an annual vote in Parliament. This legislation has been folded into the Terrorism Act and New Labour decided to give it permanence.

There should be a presumption in favour of Sunset Clauses in all relevant legislation. A sunset clause should be mentioned in the initial citation of the full title of the Act, which currently includes the date when the legislation comes into force. It would mark the date of expiry. It would become the norm for all new legislation, so that people can keep track of what powers Government has.

**Liberty Test:** The idea of a Liberty test was first advanced by Oliver Letwin MP, Shadow Home Secretary, following the "Free Country" conference, organised by the Daily Telegraph, in May 2002. A statement, explaining how a proposal would impinge on the liberties of the individual would accompany any new piece of legislation.

From time to time our liberties may need to be limited, as in the case of the PTA, but it should not be possible for the Government to bring forward additional measures under the cloak of the original legislation. A Liberty test would also prompt a debate in Parliament as to the perceived benefits of a new law, against any adverse impact on freedom that would accompany it.

By way of comparison, Whitehall is, already, required to produce a Regulatory Impact Assessment, to measure the impact of its laws on business. Similarly where existing UK statute law is ruled incompatible with the European Convention on Human Rights, the Government is able to propose to the Joint Committee on Human Rights, remedial orders. No provision has yet been introduced into our legislative system, which puts the defence of liberty at the centre of law making, at the outset of the process. A Liberty Test would correct this omission.

### **Eternal Vigilance**

One of the strengths of our society is its tolerance and its openness. Societies that are confident of their values and beliefs welcome diversity and debate. The USA epitomises such a society, before and after the attacks in New York and Washington. Western society in general likes to see itself as open and free. Particularly so, when an intolerant undemocratic system, Communism, had so patently failed to deliver to its citizens the freedom and prosperity that the West came to take for granted.

The attacks of September 11th 2001 were an assault on our values by those who chose to exploit the very freedoms, which we cherish. After the attacks, we are rightly more cautious. In our response to these attacks and what they represent, however, we must not adopt a siege mentality nor allow our reactions to create a climate of fear. We should not shrink from those measures which will be

necessary to safeguard our way of life, equally we should not unquestioningly submit to "emergency powers", which might extinguish the very values we live by.

There is no panacea in a war against terrorism. The terrorist must be disrupted and defeated, society must be protected from attack, and contingency plans made to deal with the consequences of any attacks that may occur. The public must have confidence in the measures carried out in its name, and this can only occur where there is trust in their system of Government. By strengthening the place of Parliament in this process, the Government will be bolstering its defences against the terrorist, not weakening itself. The price of freedom is eternal vigilance; against attack and against an overzealous state.

## Appendix

### Cabinet Office of Homeland Security

#### Minister of State-Cabinet Office Permanent Secretary-COHS Secretariat

Proposed responsibilities might include

- Civil contingencies-planning, training and response; ensure preparedness of first responders, in the event of an emergency.
- Warning and reporting service-with JIC and security services; maintain external watch and internal vigilance, information campaign & alerts.
- Port and Airport-security and surveillance; safeguard travelling public from hi-jack and terrorist attack.
- Key point security-planning and resilience; safeguard significant landmarks and events-with police and security industry.
- Infrastructure protection-water, electricity, power generation, transport; safeguard key national assets.
- Local Authority liaison; work with local authorities and devolved Government to increase awareness.
- Money Laundering and Criminal practices; liaise with FSA and financial institutions to track funds and seize assets of Terrorist groups.
- Inspection teams; conduct spot checks and spread awareness of best practice.
- WMD; monitor developments in Nuclear, Bio-and chemical weapons development.
- Tribunal; deal with complaints and appeals, liaise with judiciary.

The Minister of State and COHS would report to Parliament, and legislation would be debated annually to review the powers and actions of the Office of Homeland Security.

