

Oral Ministerial Statement for Home Secretary to Parliament 07 June 2007

Mr Speaker

The House will know that we face an unprecedented threat from terrorism. It is the duty of the Home Secretary to ensure that our response provides the best possible protection against that threat, on a personal, local and national level.

That is why we have increased spending on counter terrorism to £2.25 billion in 2007-08. That is why our security services have never been better resourced. MI5 has doubled the number of people it employs since 2001. And we have given greater powers to the police, such as increasing the length of time they can detain terrorist suspects from 14 to 28 days.

Furthermore in April we refocused the Home Office to concentrate on protecting the public and securing our future in a more effective way. The new Home Office brings together responsibility for managing the Government's counter terrorism strategy, including the new Office for Security and Counter Terrorism.

In pursuit of the same objective we have now completed a comprehensive review of potential counter terrorism legislation. Legislation forms a relatively small, but vital, part of our response to the terrorism threat. It sends a signal to those who wish to plot terror and turn people towards violent extremism that their actions will not be tolerated as well as offering substantial protection. This is a threat that is continuously evolving so it is crucial that our response evolves with it, to include legislation which is effective and proportionate, to provide the maximum possible security and liberty for the law abiding majority.

In approaching this I have tried to incorporate three elements. Firstly, I want to strengthen our capability to counter terrorism and protect this country from acts of terrorism. Secondly I want to try and ensure that as we increase where appropriate these powers we also increase the parliamentary and judicial and sometime public scrutiny to ensure a proper counter-balance against any arbitrary use of these powers. That is essential in any democratic society. Thirdly, it is my intention, wherever possible to proceed to build national consensus on national security, to build cross public and cross party consensus. That is why I will set out proposals today.

It is in that context and spirit that we will bring forward a new counter terrorism bill later this year. Today I want to outline our approach and the main areas of the law it might strengthen.

Because I start from the position that it is desirable to reach a consensus on national security wherever possible, I want to ensure that there is extensive consultation before any legislation is introduced. Today's announcement is only the start of that process.

For very good reasons previous counter terrorism legislation has been fast tracked through Parliament. We have an opportunity here to do things differently. That is why the Prime Minister, my Hon Friend the Member for Harrow East and I have already met members of the Opposition.

Today, following these meetings we will outline the main areas and direction of measures we wish to pursue. Then we will conduct further discussion and consultation, after which we will produce further detail, including a full bill-content paper which will then further inform discussion.

Since it has been said to me, and I completely accept, that the devil is often in the detail of proposals, we then at that stage intend to share draft clauses before introduction and to seek the scrutiny of the Home Affairs Select Committee and Joint Committee on Human Rights in key areas.

I can tell the House that I have also asked today for Lord Carlile, the independent reviewer of counter terrorism legislation, to undertake a report on what is proposed.

In addition to discussions we will have in Parliament, with my colleagues on my own Back benches and the Opposition, I am also committing to discussing fully with those organisations that have an interest in the proposed legislation.

This includes discussing the proposals with the police, representatives of the judiciary, civil liberties groups and with communities.

I hope this House will accept that this is a more comprehensively consensual approach than we have ever used before. But I think this is the best way of establishing counter terrorism measures.

To begin this consultation I have today produced a short document, copies of which will be placed in the House library and will be available on the Home Office website.

Now turning to a number of specific areas:

Pre charge detention

The decision to increase pre charge detention limits from 14 – 28 days has been justified by subsequent events. That means we have been able to bring forward prosecutions that otherwise may not have been possible.

We have made it clear for our part that we believe it is right for terrorist cases and I stress terrorist cases to go beyond 28 days. But I want where possible to build broad agreement on the way forward if that is possible.

I would therefore like to begin discussions now on how we might do this. I am not being definitive but one way might be to legislate now to extend the current limit but to make it clear that there would be further judicial and Parliamentary oversight if such measures were to be implemented.

This would continue to include judicial approval every seven days for any requests to hold suspects. But it might also, for instance, include a detailed annual report to Parliament on the pattern of use of such powers with an accompanying debate. But we will discuss it further.

Post Charge Questioning

We are planning to legislate so that in terrorist cases suspects can be questioned after charge on any aspect of the offence for which they have been charged.

With regard to adverse inferences, we will apply the same rules for post-charge questioning that currently apply to pre-charge questioning.

In addition we are considering notification requirements, similar to those already imperative for sex offenders, once convicted terrorists leave prison.

Enhanced Sentences

Where terrorists are charged with general offences, we believe that the sentences should be enhanced to reflect the additional seriousness that terrorist involvement represents.

Control Orders

The House will know that I do not consider control orders to be our best or most effective option. However, we need to make what we can of them.

We are therefore proposing a number of changes to control orders, including measures relating to fingerprinting, DNA and powers of entry. We do not want to propose any amendments at this stage that might pre-empt the forthcoming judgements from the House of Lords.

Data sharing & DNA

We accept that these are always controversial. We would also like to legislate to place data-sharing powers for the intelligence and security agencies on a statutory basis and put the police's counter-terrorist DNA data base on a similar statutory footing to the National DNA Database. I stress that these measures do not alter the powers of the police and agencies to collect material.

Intercept as evidence

The Government's position on intercept as evidence has consistently been that we would only change the law to permit intercept evidence if the necessary safeguards can be put in place to protect sensitive techniques and to ensure that the potential benefits outweigh the risks.

I have not personally been persuaded that this is the case.

But I accept that the right approach is to address this carefully and fully before deciding on whether to use intercept as evidence. That is what we are and have been doing.

However, we believe that we now need to reach a conclusion on this issue. Therefore, subject to further discussions to agree the structure and timescale, I am today announcing that we will commission a review of intercept as evidence measures and discussions on Privy Council terms.

Stop and Question

Consideration of powers to stop and question, currently available to police in Northern Ireland and suggested for introduction across the UK by the Northern Ireland Office, is at a very early stage and is currently subject to a process of internal government consultation and we will report the outcome of that in due course.

I believe that terrorism remains the greatest threat to the life and liberty that this country faces. This is our greatest challenge and it is important that our

legislation continues to evolve to meet that threat. But I firmly believe that any legislation to deal with the threat to national security should be taken forward with the full support of this house where possible.

I hope that the process I have outlined will enable us to do that.