



THE GOVERNMENT REPLY TO THE NINTH REPORT
FROM THE HOME AFFAIRS COMMITTEE
SESSION 2008-09 HC 212

Project CONTEST: The Government's Counter- Terrorism Strategy

**Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty**

September 2009

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**PROJECT CONTEST: THE GOVERNMENT'S COUNTER-TERRORISM
STRATEGY**

INTRODUCTION

The House of Commons Home Affairs Committee (HAC) sub-committee on counter-terrorism published the report of its inquiry "CONTEST: Government's Counter-Terrorism Strategy" on 7 July 2009.

The inquiry focused in particular on:

- the UK's overall approach to counter-terrorism, the machinery of government and the CONTEST strategy itself;
- transport infrastructure; and,
- the 2012 Olympics.

This Command Paper sets out the Government response to the conclusions and recommendations in the Committee's report.

The Government welcomes the Committee's useful contribution to this crucial area of work. The report contains many important observations and constructive recommendations.

It is important to recognise, as the Committee has done, the progress that the Government has made on counter-terrorism over the last few years. On 24 March 2009 we launched CONTEST, our revised and updated strategy for countering international terrorism. Alongside an unprecedented level of unclassified information about the history of the threat we face, the impact that this has had on the UK, our understanding of its causes and our view of its likely direction, CONTEST sets out the principles that govern our response to that threat, emphasising our commitment to human rights and the rule of law. The strategy further outlines comprehensive future programmes of action to address the threat, tackling both the immediate threats from terrorism but also addressing the long term causes. CONTEST has been hailed as one of the most comprehensive and wide ranging approaches to tackling terrorism in the world.

The Government's strategy has had practical and tangible impact: between 2001/02 and 2007/08 almost 200 people were convicted of terrorist-related offences and since 2001 the police and the security and intelligence agencies have disrupted over a dozen attempted terrorist plots in the UK.

We have also dedicated considerable effort and resources to building capacity: in recent years the number of police personnel dedicated to counter-terrorism work has grown by over 70 per cent and the Security Service has doubled in size. We have run over 900 training exercises with tens of

thousands of people throughout the UK, from security staff to shop managers, on dealing with a terrorist attack.

It is however important that we tackle not only the symptoms of terrorism but also its causes. With this in mind, we have significantly increased the scale of resources devoted to stopping people becoming terrorists or supporting violent extremism in the first place – what we call *Prevent*. Our community based response to violent extremism now extends across the country, reaching over 40,000 individuals.

We recognise the importance of building on these successes in the future and we are therefore pleased to accept the general conclusions and recommendations from the Committee's report. The protection of the British public is the Government's highest priority and we remain steadfast in that commitment.

GOVERNMENT'S RESPONSE TO THE COMMITTEE'S RECOMMENDATIONS

The Committee made a number of conclusions and highlighted recommendations for action by the Government, including for the Home Office, the Department for Transport and Transport for London and the Department for Culture Media and Sport. In this response the recommendations are identified according to the paragraphs in which they appear in the HAC's report. Some responses are grouped together where they respond to the same issue.

15. As part of our inquiry, we visited OSCT and saw the range of work which the organisation undertakes. We were extremely impressed by the professionalism, dedication, esprit de corps and creativity of OSCT and its employees. It must, by necessity, do much of its work in the dark, and most of what we were told was on a confidential basis. We would like to affirm that it is work of the highest importance and quality, and OSCT deserves every support and praise.

We welcome the Committee's positive comments and thank them for their words. The Committee has rightly identified the Office for Security and Counter-Terrorism (OSCT) as at the heart of the Government's effort to tackle the terrorist threat we face. OSCT was established in 2007 within the Home Office. By setting the direction and coordinating CONTEST – the Government's strategy for countering international terrorism – OSCT performs a vital role in the Government's counter-terrorism machinery.

16. We accept that the UK Government's intelligence and security apparatus can at first seem fragmented and confusing. Responsibility seems to be diffuse and there is no single, controlling figurehead. The Prime Minister is personally responsible for matters of intelligence and security, and the UK has no senior, dedicated, cross-departmental homeland security minister. We were initially unconvinced that the Government was following the most logical and coordinated approach to these matters which are so vital to our national interest. However, based on the evidence we have taken both in public and in private, and the briefings we have received, we are satisfied that the UK's counter-terrorism apparatus is first-class, effective and as 'joined-up' as any system of government can expect. We have considerable confidence in OSCT and in its liaison with other departments and agencies.

We thank the Committee for their words of encouragement. Modern counter-terrorism necessarily involves a wider range of partners than ever before. Communities, schools and universities have a crucial role alongside the traditional players like the police and the security and intelligence agencies. The argument has been made that all of the organisations involved in counter-terrorism should be brought together under the authority of one Government Department – as has happened in

some other countries. However, there is a risk this would create a large and ineffective bureaucracy.

The Government agrees with the Committee that the current structures in place in this country give us the best of both worlds: OSCT acts as a coordinating hub but individual departments and agencies carry out their own operations within this framework using their own considerable specialist expertise. We agree with the Committee that the terrorism apparatus in the UK is first-class, effective and 'joined-up'. There is extensive interchange of personnel and expertise between agencies and Departments and collaborative working is the norm.

29. We welcome the Government's latest iteration of its counter-terrorism strategy. We believe that, within the recognised and understandable constraints of security, the maximum degree of openness is a beneficial factor in the fight against terrorism. The Government should do all it can to publicise its successes; while we understand the constraints of sub judice, we are concerned that the Government is imposing too strict a self-denying ordinance on itself, and could be more open, albeit in very general terms, about the extent to which it is winning the battle against terrorism.

The revised CONTEST strategy, launched on 24 March 2009 sets out for the first time in an unclassified document a detailed account of the history of the threat, the impact that this has had on the UK, our understanding of its causes and our view of its likely direction.

It also sets out the principles that govern our response to the threat, particularly our commitment to human rights and the rule of law; and our intention to address not only the immediate threats from terrorism but its causes. Finally, it explains who does what in counter-terrorism, sets out what we have achieved to date and outlines comprehensive future programmes of action here and overseas.

We have deliberately tried to make publicly available as much information on counter-terrorism as possible. This is reflected in the CONTEST document, the shorter and more accessible public leaflet, in the DVD about the strategy and at public events where we have explained CONTEST to audiences across the UK.

But in commenting on specific counter-terrorism operations and, in particular on active legal proceedings, there are legal risks which the Government must take into account. Comments about the individuals or suspects involved in a terrorist plot could either amount to the offence of contempt of court or could prejudice the proceedings (including a successful conviction). Government Ministers' comments will be considered by the courts to be well-informed and authoritative (including because of access to intelligence material that will not or can not be submitted in court) and therefore may be regarded as more prejudicial than idle speculation in the media.

Notwithstanding these issues, the Government recognises the Committee's concerns and will continue to try to explain the detail and significance of counter-terrorism successes.

- 30. We are encouraged by the proactive attitude of the Government towards the information war, as this is a central part of countering radicalisation. The work of RICU is of enormous value and impressed us greatly. The Government should continue to support the organisation and engage fully in the intellectual arguments surrounding radicalisation and violent extremism, lest it be left fighting the symptoms rather than the causes of the challenges facing the United Kingdom.**

We appreciate the Committee's strong endorsement of the work that RICU and others do to use communications to prevent and deter people from becoming terrorists. Such cross-party support for a relatively new area of Government work is important and welcome. We do not underestimate the challenges of operating in this area, whether through direct Government communications or by enabling communities to communicate more effectively as credible voices at home or overseas. We agree with the Committee that the entirety of this work is vital to the overall effort.

- 31. We note that a decision has been taken to review the use of powers to stop and search under Section 44 of the Terrorism Act 2000 for counter-terrorism purposes in the light of an assessment of their effectiveness and impact on the community. This demonstrates a welcome flexibility in the Government's approach to the use of counter-terrorism powers.**

We welcome the findings of the Committee on the use of Section 44. For completeness, the Government would like to note that we have also taken steps to ensure that S44 authorisations are being subjected to an appropriate amount of critical scrutiny and challenge by the Home Office to address these concerns as expressed, amongst others, by Lord Carlile, the independent reviewer of terrorism legislation. This examination is not just a "one off" event but will be continuously undertaken to ensure that the power continues to be used only in appropriate circumstances.

- 49. It is clear to us that the men and women who work for Transport for London responded admirably and, in many cases, heroically to the challenges of July 2005. While the loss of life on 7 July was tragic, we are in no doubt that the actions of TfL staff prevented the death toll from being significantly higher, and we pay tribute to their dedication and professionalism. Without question, the attacks exposed some weaknesses in the procedures and preparations of TfL. However, we are satisfied that these have been identified and accepted, and are in the process of being addressed.**

We agree with the Committee that the response of transport staff, the emergency services, as well as members of the public to the tragic events of 7 July 2005 helped to save lives. Transport for London (TfL), like other agencies, continues to learn lessons and improves its response from not only the events of 7 and 21 July, but also through its ongoing programme of exercises. By continuing to learn, TfL seeks to ensure that its investment in people, infrastructure and systems are proportionate with the need to provide a safe and reliable network.

50. No mass transit system in a large city can ever be without vulnerabilities. The London Underground network will always be a high-profile and iconic target for would-be terrorists, as is the case with similar networks in other countries vulnerable to terrorism. The demands of a mass transit system on the scale of the London Underground will always be incompatible with airport-style security. We would, nevertheless, seek to reassure the House and the public that a great deal of work has been done, both overtly and behind the scenes, to protect the millions of passengers who use the Transport for London network every day. However, there is no room for complacency, and this work must remain a high priority.

The Government recognises that open mass transit systems like the London Underground are potential targets for terrorists but we thank the Committee for reassuring the House and the public of the work that has been done to protect passengers and the wider public. Our aim is to reduce the risk to our transport systems as much as possible, whilst still allowing people to go about their day to day business. Through the CONTEST strategy, Government works with stakeholders including the British Transport Police (BTP) and Transport for London (TfL), to ensure that the protective security measures put in place are proportionate, appropriate and commensurate with the risks to London's transport network. A considerable amount of work has already been undertaken to provide a more secure transport environment. For example passenger screening trials tested and demonstrated the ability of dogs to detect explosives, or traces of explosives on rail and the Underground. BTP now carries out highly visible and regular patrols at stations with a number of additional trained dogs.

57. OSCT has clearly identified the 2012 Olympic Games as a major challenge for the Government in terms of security, public order and logistics. We welcome the decision to give OSCT overall responsibility for the security of the XXX Olympiad, and are reassured that the issue is being treated with the appropriate gravity and priority. Engineering a successful, and, moreover, safe and secure Games, will be a litmus test for the Government's counter-terrorism strategy.

The Government places the highest priority on ensuring a safe and secure Olympic and Paralympic Games in 2012. The Government acknowledges that planning for the London 2012 Olympic and Paralympic Games will be of continuing interest to the Committee, both in terms of counter-terrorism and of wider issues such as policing and emergency preparedness. We will continue to keep the Committee regularly informed of our work.

59. We believe the UK is properly cognisant of and prepared for the threats it faces, insofar as they are foreseeable. Already, we have been tested as a nation, most notably on 7 July 2005 but on many other occasions before and after, and, while many lessons have been learned from each incident, we have not been found wanting. Moreover, we are satisfied that the departments and agencies with direct involvement in matters of security, intelligence and resilience are developing very satisfactorily.

We know that we face a real and serious threat from terrorism. As such, we are pleased with the committee's assessment of the progress made by the various Government Departments and Agencies involved in counter-terrorism. It must be stressed, as the Committee points out, that we always seek to learn lessons from every counter-terrorism operation. This learning is reflected in the constant evolution of the CONTEST strategy.

60. The Government's counter-terrorism strategy is an important component of efforts to make the UK safer, and we welcome its latest iteration as a vital part of an overall security strategy. Co-ordination across government in these issues is very difficult to achieve, and different countries have approached it in different ways. After a slow start, much has been done to improve the UK's counter-terrorism structure, most notably the workings of OSCT and the Counter-Terrorism Units. This is impressive. We note that there is still much work to be done in these areas to make the UK's arrangements more efficient and effective.

We are under no illusions that the threats facing us have lessened significantly, nor that they will lessen in the immediate future. It has been said that "Eternal vigilance is the price of liberty". We agree.

We welcome the Committee's comments about the progress that has been made. We believe the current structures for counter-terrorism are coherent and effective. There is clear leadership of the counter-terrorism strategy, through the Home Secretary and OSCT, and the development of a regional CT policing network is one of our proudest achievements (along with ACPO and the police service). The network consists of the Counter-Terrorism Command in the Metropolitan Police Service; four regional counter-terrorism units the West Midlands, North East, North West and South East and four smaller counter-terrorism intelligence units in the East Midlands, Eastern, South Western and Welsh regions. This regional

presence is vital for interacting with local communities and building trust and for carrying out counter-terrorism operations outside of London. However, we agree with the Committee that there is always more work to be done: we will not be complacent.



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