

# Surveillance Britain: Toryland and Police Prying

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*We know what the election victory for the Tories in the United Kingdom signifies. Britain, festooned in the confetti of democratic freedoms, is heading for a further trimming, a pruning that will privilege surveillance powers over that of privacy. Home Secretary Theresa May has been at the vanguard of this movement for some time. Even as David Cameron seemingly runs out of gas – his own campaign having been oddly disengaged – there are others nipping, not merely at his heels, but his arteries.*

The Draft Communications Data Bill, more appropriately known as the “snooper’s charter” is the usual spawn of a misguided security establishment. They, it would seem, can barely find the enemy. The result is a form of mad blind man’s buff, screeching away before the altar of irrelevance. The bill was set to be cemented last year, but Nick Clegg, in a brief attack of conscience, decided to withdraw his support for it. That particular Lib Dem manoeuvre was not something the Tories ever forgave Clegg for. In May’s words, “We were prevented from bringing in that legislation into the last government because of the coalition with the Liberal Democrats and we are determined to bring that through” (*The Guardian*, May 9).

In an interview with the BBC, May explained that a “Conservative government would be giving the security agencies and law enforcement agencies the powers that they need to ensure they’re keeping up to date as people communicate with communications data.”

Cameron’s stance on this has been clear: liberties are easy to move around; the greater the perceived threat by that amorphous indefinable phenomenon called terrorism, the more frantic the need to move more rights around. In what seemed to be a strange cocktail of daftness and institutional paranoia, the prime minister even went so far as to suggest limitations to encrypted communications in the wake of the *Charlie Hebdo* killings in France.

Unfortunately, the attitude is a largely bipartisan one. The manifestoes of both the Tories and Labour prior to the election read like echoes of the terrified security state. What they both did was promise greater regulation of surveillance even as such powers were being enlarged to pry into the everyday affairs of citizens.

The common theme here was one of modernisation: keeping matters “up to date” for a more secure Britain. Governments over the years have mastered the technocratic speak of improvements – that what is supposedly modern is supposedly good. The Tories, ever big on rubbishing European institutions, show how they feel about the niggly nature of human rights, the grand irritant of the British experiment: “scrap the Human Rights Act and curtail the role of the European Court of Human Rights”. We wouldn’t want those intrusive jurists on the continent to be telling Britons about their privacy rights under the European Charter.

Such problems are bound to get more acute, with the Tory government showing an all too

keen readiness, not merely for the security rationale, but a privatised one. Security firms such as G4S loom as the bogeys in this equation, taking over traditional functions of the state, while corporations will have a greater say over the national economy, courtesy of the TTIP. Surveillance is but one aspect of this broader problem of accountability and rights.

The snooper's charter would require internet and mobile phone companies to retain records of customers' browsing and social media activity, voice calls, emails, online gaming and text messages for up to a year. Such material, when stored, does not merely constitute a snooper's charter, but that of a hacker's deliciously tempting incentive. It will increase associated costs and throw up the dilemmas of storage and cloud computing. Such prohibitive policies do not merely conflict with the security imperative, they also fly in the face of the supposedly market friendly policies of conservative governments.

A source of inspiration for Britain's data retention efforts can be gleaned from that of its cousin in the antipodes. Australia has, in a fit of sleepwalking obliviousness, moved into the world of data retention even as others have deemed it unduly intrusive to civil liberties. (Mind you, you won't get much from Prime Minister Tony Abbott on what that data might actually be.) A culture so obsessed with utility has embraced the least useful mechanism for detecting, let alone combating, criminal activity.

This is not a model worth imitating by any unfortunate administration, but countries who serenade Westminster democracy even as they gnaw away at its foundations are happy to follow. "Reviving it [data retention] as a policy priority," observed Privacy International's legal director, Carl Nyst, "is a clear sign both of an insatiable appetite for spying powers, and intentions to continue to sacrifice the civil liberties of Britons everywhere on the altar of national security." The data witch will get what she wants.

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