

Campaigners fear new surveillance powers in wake of Lee Rigby murder

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Civil liberties groups fear the government may use a report next week from the Intelligence and Security Committee into the Woolwich murder of Lee Rigby to press for emergency anti-terror legislation.

The ISC report, which may be issued as soon as Tuesday after it has been sent to David Cameron, is likely to expose failures by the security services in keeping in contact with the soldier's two killers, partly owing to a lack of surveillance powers.

The report is to appear after ministers have been saying for weeks that it could take emergency legislation to prevent potential extremists being radicalised by travelling to Syria.

The pressure for extra legislation has been given additional impetus by a European court of justice ruling in April that struck down data protection laws in the EU requiring internet and phone companies to store people's billing and other communications data for between six months and two years. Britain's implementation of that directive had required companies to retain the personal data for 18 months.

The intelligence committee has been conducting an inquiry behind closed doors into what MI5 knew about Woolwich killers Michael Adebowale and Michael Adebolajo.

In the wake of the savage killing of Rigby in broad daylight it emerged that Adebolajo and Adebowale were both known to [MI5](#) (1).

But Adebolajo refused to cooperate and in public continued to express radical views.

The gamble spectacularly backfired two and half years later when an even more radicalised Adebolajo, along with Adebowale, butchered Rigby outside his barracks in Woolwich, south-east London.

A crucial issue for the committee will be whether MI5 felt they lacked surveillance powers, or instead simply misjudged the level of security threat posed by Adebolajo.

Civil liberties groups voiced concern that emergency legislation might follow the publication of next week's report.

Mike Harris, campaign director for Don't Spy on Us, said: "It is vital that parliament is not forced into passing emergency legislation, but instead parliament is given time to make a considered judgment. We have not yet had the further report from the ISC due later in the year into the impact of the Snowden revelations, including the reforms needed to keep the security services better accountable to the law and to parliament."

In April, the EU's highest court, the European court of justice, declared the EU directive on data retention invalid.

It said: "By requiring the retention of those data and by allowing the competent national authorities to access those data, the directive interferes in a particularly serious manner with the fundamental rights to respect for private life and to the protection of personal data."

Since the ruling, EU countries, including the UK, have been considering whether or how to remove the directive from local legislation.

But the Home Office minister James Brokenshire has instructed telecoms providers that they "should continue to observe their obligations as outlined in any notice", regardless of the European court's ruling.

A Home Office spokesperson said: "The retention of communications data is absolutely fundamental to ensure law enforcement have the powers they need to investigate crime, protect the public and ensure national security."

Any call for legislation may represent a dilemma for Labour, which has taken an increasingly strong stand on the need for greater oversight of the security services in the wake of the Edward Snowden revelations.

(1) *MI5 : the Security Service*

(570 words)