

New Internet spy agency to be set up in Britain

Mike Ingram
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The British Labour government is planning to set up a new spy centre that can track all email and Internet communication, including encrypted messages.

The Government Technical Assistance Centre (GTAC) is to be built at a cost of billions of dollars as part of a concretisation of the Regulation of Investigatory Powers Bill (RIP) currently going through parliament. The RIP designates Internet Service Providers (ISPs) as "public telecommunications systems". As such they are required to give access to detailed information about Internet traffic upon the demand of the Home Secretary, a judge or even a senior police officer. In introducing the legislation Home Secretary Jack Straw reserved the right to demand the placing of specific devices to monitor ISP traffic.

When the bill was placed before parliament earlier this year, the exact nature of these devices was not specified. It has now been reported that under the legislation, companies that provide Internet service will have to set up secure channels to transmit information about Internet traffic to the new spy centre.

Anticipating the widespread use of encryption technologies as a result of this attack upon privacy, the RIP gives the police the power to demand the codes to read all encrypted messages, including those used by business to protect credit card numbers in electronic commerce transactions.

In what opponents of the bill have termed a violation of the presumption of innocence, failure to comply with a decryption notice would be a criminal offence unless the person could prove they did not have the ability to decrypt the message for any reason, such as losing the password.

The setting up of the GTAC shatters government claims that the RIP is simply an update to existing

legislation over electronic surveillance in light of the development of the Internet. The new centre will be the headquarters of a continuous mass surveillance operation on a scale not seen anywhere in Europe. It goes much further than even the text of the bill itself indicates.

The RIP bill compels Internet providers to assume the role of police spy, threatening employees of a company upon whom surveillance warrants have been served with two years imprisonment for failure to comply or five years for revealing the contents, details or even the existence of a surveillance warrant. There is no time limit on this requirement and there is no "whistle-blowing" clause (allowing employees to reveal practices that are considered to be against the public good).

This last point is extremely significant. In the 1980s a number of high-profile cases of abuse of authority in relation to phone-tapping carried out by the General Communications Headquarters (GCHQ) spy centre in Cheltenham came to light only as a result of the actions of employees. When the Thatcher government banned trade unions at the centre in 1981, the then Labour opposition condemned this as an attack on democratic rights. The "whistle-blower" clause was introduced by the newly elected Labour government in 1996 to give the appearance of a more open and responsive attitude.

The opening of the GTAC spy centre will make the gathering of electronic data of anyone using the Internet, both within Britain and overseas, a routine occurrence. Procedures for the granting of warrants for access to this data are more loosely defined in the RIP bill than in the past. The Home Secretary has the power to sign a certificate to exempt a warrant from naming either a single person or premises as the target for surveillance. With such a certificate in hand, the

authorities can monitor whomever they want and no one will ever know about it.



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