

Britain: Labour government minister bugged by police

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It was revealed this week that Labour Member of Parliament Sadiq Khan was bugged by the police during two meetings he held with one of his constituents. Khan, a government minister in the Whip's Office, was meeting with Babar Ahmad, who is presently being held on remand pending an extradition request from the United States.

According to the *Sunday Times*, which broke the story, Khan discussed "sensitive personal and legal matters during the recorded meeting." He told the newspaper, "this is an infringement of a citizen's right to have a private meeting with his MP," adding that he was "outraged" by the bugging.

Ahmad is accused by the US government of operating a website that allegedly raised funds for the Taliban and "Chechen terrorists" in the late 1990s. However, he has not been charged with any crime in the UK.

Khan and Ahmad have been friends since their school days. Khan, who before becoming an MP was a prominent human rights lawyer, has publicly opposed the extradition, making official representations to the Home Secretary and also handing over a petition of 18,000 signatures demanding Ahmad's release.

The two have met twice since Ahmad was imprisoned, once in 2005 and again in 2006, with both meetings being secretly recorded. According to the *Sunday Times*, the bug had previously been used to record conversations Ahmad held with family members who play a prominent role in the campaign for his release. When it became known that Khan was planning to visit Ahmad at Woodhill Prison in Milton Keynes, the anti-terrorist squad are said to have requested the bug be activated again.

At least six tables in the prison's visiting area have been specially adapted to conceal listening devices. These "talking tables" transmit conversations to a nearby office, staffed by specialist detectives. Prison officers are said not to have known about the bugs, but they could not have been installed and operated without the agreement of the Prison Governor.

The second bugging incident in June 2006 came at a critical point in Ahmad's campaign for release. The *Sunday Times* writes, "The antiterrorist officers would have heard Khan and Ahmad discussing tactics for his appeal, which was due to start shortly. The two men also talked about the civil case he was

taking against the police, alleging that he was physically assaulted by officers when he was first arrested in December 2003."

The bugging of Khan has exposed a breach of the so-called "Wilson Doctrine," supposed to prevent the use of covert surveillance against MPs by the police and secret services.

In 1966, the then-Labour Prime Minister Harold Wilson banned the use of phone taps against members of parliament, a ban that has been upheld by every prime minister since.

It is well known that Wilson himself believed he was a target of secret service operations, and he was right to do so. Former MI5 agent Peter Wright, in his book *Spycatcher*, talks about a dirty plot to destabilise Wilson and smear him in the 1974 general election by leaking fabricated stories that he was a "security risk."

But the secret services have never abided by the Wilson Doctrine, as was recently confirmed by veteran Labour parliamentarian Tony Benn, a cabinet minister in the Wilson government. Benn told the press, "The Wilson doctrine is a complete illusion," citing several examples when he believed he had been bugged. "They have always intercepted MPs. The idea that MPs have been protected is not true."

The police have argued that it is Ahmad, as a "suspected terrorist," who was the target of the surveillance, and not the MP Sadiq Khan. But there are strong indications that the police may have had their own reasons for wanting to bug Khan.

One press report cites an anonymous senior Scotland Yard officer saying that Khan's work as a defence lawyer had engendered "ill feeling" in the Metropolitan Police. And the BBC's political editor, Nick Robinson, writes in his blog that "sources" had told the BBC that Khan was of "significant interest" to the police, some of whom regard him as "subversive."

The *Independent* commented, "He scored some notable victories over the Metropolitan Police by representing black and Asian officers and victims of police misconduct, including the families of people who died in custody. Some led to landmark rulings which made case law. So it would be surprising if he hadn't made enemies at Scotland Yard."

Far from being a "subversive," Khan has a track record of support for New Labour's right-wing policies. He became a

Labour councillor in Wandsworth at the age of 23, and was elected Labour MP for Tooting, London, in May 2005, being one of only four Muslim MPs. Khan is also chair of the Fabian Society and previously chaired civil liberties organisation Liberty for three years.

In the *Spectator* magazine's Parliamentarian of the Year awards, Khan was voted "Newcomer of the Year" and was runner-up in Channel 4's "Rising Star" awards. He has proved his loyalty to the Labour government, supporting measures aimed at strengthening national security, including a consistent voting record for the anti-terrorism laws, for the introduction of ID cards and against investigating the Iraq war. Although only an MP for two years, Jack Straw made him his Parliamentary Private Secretary in early 2007, when Straw was Leader of the House. And in July 2007, incoming Prime Minister Gordon Brown appointed him a minister in the government Whip's Office, where, according to his own website, "He has special responsibility for managing Ministry of Justice legislation. Sadiq's duties also require him to build consensus to proposed legislation."

Expressing concerns in ruling circles that the bugging could undermine the "hearts and minds" role Khan plays as an ambassador for New Labour's reactionary politics among British Muslims, the *Independent* writes, "what worries Khan most is the damage this affair will do to relations between Muslims and the rest of the community. He has worked tirelessly to persuade fellow Muslims to trust the British system and work within it."

In lock step with the aggressive foreign policy pursued by both Blair and Brown—support for the invasion of Afghanistan, the war against Iraq and its ongoing occupation—under New Labour, Britain has witnessed a steady erosion of long-standing democratic rights.

In place of individual and collective rights, in the name of the so-called "war on terror," the government proclaims the "rights" of the state to garner massive amounts of private information about its citizens and secretly record their activities.

Bugging and communications interception have long been routinely practiced by the Secret Intelligence Service (MI6), the Security Service (MI5) and GCHQ—the secret government communications centre, as well as the Serious Organised Crime Agency. To this, New Labour has also added a plethora of other state agencies and all 474 local authorities, which can now initiate surveillance operations, including the examination of email, text messages and phone records. According to the most recent report, 122 local authorities made use of their powers in 2006, making a total of nearly 1,700 requests.

The so-called Surveillance Commissioner, Sir Christopher Rose, has reported a rise in the frequency and number of local authorities making use of these powers, revealing that some 40,000 surveillance operations were launched in 2006-2007.

In his 2005-2006 report, Sir Swinton Thomas, Interception of

Communications Commissioner, wrote, "The work of the commissioner has changed and grown out of all recognition since I took up my post in April 2000."

He documents a total of 786 other organisations that have joined the secret services in being able to request private communications data. He records that some 253,557 requests for personal communications data were lodged in the last nine months of 2006. Over the same period, the Home Secretary authorised 1,333 intercept warrants. Police and Revenue and Customs officers placed some 350 bugs in 2006-2007, but the number of devices planted by the secret services is not revealed as the government says this would "assist those hostile to the UK."

"National security" is also cited as the reason for the non-disclosure of the number of intercept warrants approved by the Foreign and Northern Ireland Secretaries.

Nominally, the Home Secretary is supposed to authorise all intercept requests from the secret services. However, covert action by other agencies can be approved merely by a "senior manager."

To all this can be added the fact that the UK has more than 4.2 million CCTV cameras recording the movements of vast numbers of individuals in all major conurbations. The national DNA database holds the records of 3.9 million people in Britain, including many who have never been convicted of any crime.

On Wednesday, with the Khan bugging still making the headlines, Prime Minister Gordon Brown rose to address the Commons and announce that so-called "intercept evidence"—gathered as a result of covert wiretaps and listening devices—would in future be admissible in British courts.

His statement overturned a long-standing policy disallowing such material in court.

Brown told the assembled MPs, "The use of intercept in evidence characterises a central dilemma we face as a free society—that of preserving our liberties and the rule of law, while at the same time keeping our nation safe and secure."

In reality, Brown represents a government that has done more than any other to undermine fundamental democratic rights—the curtailing of the right to silence, overturning "double jeopardy" (so that a defendant can be tried twice for the same crime), placing limits on the right to a jury trial, extending detention without charge up to 42 days (with the government now pressing for this to be further lengthened to 90 days), and so the list goes on.



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