

# Guardian reveals threats of imprisonment and closure over Snowden leaks

Robert Stevens  
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The British government threatened to jail *Guardian* editor Alan Rusbridger and close the newspaper last July, over the newspaper's reporting of the Edward Snowden revelations.

The *Guardian*, via its former journalist Glenn Greenwald, began to release the revelations on June 5, 2013, detailing how the US National Security Agency (NSA), in close alliance with Britain's Government Communications Headquarters (GCHQ), had created a global surveillance operation illegally monitoring the world's population.

On July 20 last year, the government sent two security service agents to the *Guardian*'s London office to oversee the destruction of hard drives and memory cards containing encrypted files from Snowden on two computers.

On Friday, the *Guardian* released footage of the hard drives and computer equipment being destroyed.

Alongside the footage it published several articles by journalist Luke Harding, revealing more details about the extraordinary and unprecedented military-style three-hour operation. One of the articles, "The day GCHQ came to call on the Guardian", is an edited excerpt from a new book released this week, *The Snowden Files: The Inside Story of the World's Most Wanted Man*, authored by Harding.

Harding reveals that the day after the *Guardian*'s exposé, UK spies had bugged foreign leaders at two G20 summits, Rusbridger was contacted by Prime Minister David Cameron's press officer, Craig Oliver. Oliver informed Rusbridger that intelligence officials were angry over the story being published and that some wanted to see him imprisoned. "But we are not going to do that," Oliver added.

Sir Jeremy Heywood, the cabinet secretary, was then sent to the *Guardian*'s offices by Cameron to request that it hand over the material it had received from Snowden.

Harding reports that Heywood claimed that the *Guardian* being in possession of the Snowden material meant it was now a target of foreign powers, including China.

He asked, "Do you know how many Chinese agents are on your staff?"

In another move to intimidate the newspaper, Harding reports that Heywood intimated that the intelligence agents were monitoring the paper's office at the time. Heywood "gestured at the flats visible from the *Guardian* windows and said, 'I wonder where our guys are?'" he writes.

By July 12 the government had decided to stop the *Guardian* continuing reporting the Snowden revelations by forcing it to hand over the material. When informed by Rusbridger that the raw Snowden files had been copied and were with journalists in the US, Heywood warned, "We can do this nicely, or we can go to law."

Harding states that Rusbridger then "suggested an apparent compromise: that GCHQ could send technical experts to the *Guardian* to advise staff on how the material could be handled securely. And, possibly in due course, destroyed."

The government wasn't interested in offering any such "advice", with Rusbridger being told three days later by Oliver Robbins, Cameron's deputy national security adviser, "You've had your fun. Now it's time to hand the files back."

The morning after this warning Robbins called the *Guardian* and declared it's "all over". He explicitly warned that if the Snowden material held by the newspaper was not destroyed, it faced being closed down.

Robbins, says Harding, told the *Guardian* that GCHQ technicians wanted to inspect the files to see if a third party had intercepted them. In response, Rusbridger told Robbins, "This doesn't make sense. It's in US hands. We will go on reporting from the US. You are going to lose

any sense of control over the conditions. You're not going to have this chat with US news organisations."

"Rusbridger then asked: 'Are you saying explicitly, if we don't do this, you will close us down?'"

"I'm saying this," Robbins confirmed.

A few days later, according to Harding, *Guardian* deputy editor Paul Johnson and Robbins agreed that instead of the government seizing its computers, at Johnson's suggestion, "the *Guardian* would bash up its own computers under GCHQ's tutelage."

The operation went ahead with GCHQ instructing the *Guardian* to buy the necessary equipment, including angle-grinders, Dremel revolving drills and masks. Harding reveals that GCHQ also provided its own machine known as a degausser, able to "destroy magnetic fields, thereby erasing hard drives and data."

Following the destruction of the drives the remnants of the computer hardware were put through the degausser.

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Yet more intimidation took place during the operation with "Ian", one of the GCHQ agents overseeing the operation, giving details as to how he would have been able to break into the *Guardian's* HQ and take control of a computer anyway. He stated "I would have given the guard £5k and got him to install a dummy keyboard. Black ops would have got it back. We would have seen everything you did."

In his previous account of the event Rusbridger stated that as the computer equipment was wrecked one of the GCHQ agents also said, "We can call off the black helicopters."

That such an extraordinary operation was mounted against a newspaper of national and world renown, with accompanying brazen statements about the military being on standby, testifies to the drastic and perilous erosion of democratic rights in the UK.

The government/GCHQ operation against the *Guardian* then escalated with the illegal detention of David Miranda, the partner of Greenwald, for nearly nine hours at Heathrow Airport on August 18. Police threatened Miranda with jail and seized his laptop, camera, cell phone and other personal items. Miranda had on his person encrypted files containing documents passed on by Snowden.

This was the first time that journalistic materials were seized by the authorities under the pretext of the Terrorism Act. In papers made public in November at a hearing in which Miranda challenged the legality of his

detention, the police, in league with the UK government and its intelligence agencies, described Miranda as being involved in terrorist activity.

The police document, cited by Home Office lawyers at the High Court, stated, "Intelligence indicates that Miranda is likely to be involved in espionage activity which has the potential to act against the interests of UK national security... We assess that Miranda is knowingly carrying material, the release of which would endanger people's lives."

"Additionally the disclosure, or threat of disclosure, is designed to influence a government, and is made for the purpose of promoting a political or ideological cause. This therefore falls within the definition of terrorism and as such we request that the subject is examined under schedule 7."

Harding reveals in his upcoming book that it was the UK domestic spying operation MI5 that initiated the detaining of Miranda. He writes, "MI5 tried to conceal its role in the affair, telling the police at Heathrow in a briefing: 'Please do not make any reference to espionage activity. It is vital that MIRANDA is not aware of the reason for this ports stop.'"

Senior government and intelligence officials have aired constant calls for the *Guardian* to be prosecuted. To this end, Rusbridger was subjected to an intensive and hostile interrogation by Parliament's Home Affairs Select Committee in December.

The Metropolitan Police are currently investigating the material seized from Miranda and are attempting to establish if the newspaper can be prosecuted under section 58(a) of the Terrorism Act—which involves eliciting, publishing or communicating information about members of the armed forces.



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