

British parliament passes “Snoopers’ Charter,” expanding spying powers

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The Investigatory Powers Bill (IPB) has been passed by Britain’s Parliament and is due to become law early next year, requiring only Royal Assent from the queen.

On November 16, the House of Lords approved the final version of the Investigatory Powers Bill—widely known as the Snoopers’ Charter. The Bill was already passed in the House of Commons by 444 to 69 last June on a third reading, with no opposition from the Labour Party. The Lords proposed some minor amendments, most of which were rejected.

Liberal Democrat and Scottish National Party (SNP) MPs opposed the bill, safe in the knowledge that this would make no difference to the outcome.

So thorough was Labour’s support for the bill, under its nominally “left” leader Jeremy Corbyn, that the *Guardian’s* Ewen MacAskill felt obliged to note that it gives “the UK intelligence agencies and police the most sweeping surveillance powers in the western world has passed into law with barely a whimper, meeting only token resistance over the past 12 months”.

The IPB was the flagship policy of Prime Minister Theresa May, who put it forward when she was Home Secretary under the previous prime minister, David Cameron. With the expiry, due to a “sunset clause”, of the Data Retention and Investigatory Powers Act (DRIPA) in December of this year, the even-more-authoritarian IPB was advanced as its necessary replacement.

With the IPB, May brought together the current diverse rules governing state surveillance into a single piece of legislation. The new laws are an unprecedented attack on the rights and privacy of every UK citizen. It gives the security services the power to gather information on millions, and to process, profile and store the results. This will be achieved by compelling Internet Service Providers to keep Internet connection

records for a period of 12 months for access by the police and state security services.

The state is now legally able to monitor every Web site a person has visited, every comment made and every search term used. Companies will be forced by the spying agencies to hack into their customers’ devices and override their security. The electronic devices of millions of people will be hacked in bulk, with the agreement of the home secretary as the only prerequisite.

The vast state spying operation that was carried out illegally for years—before being revealed by US whistleblower Edward Snowden—is now being legalised.

After the IPB was passed, Snowden tweeted, “The UK has just legalised the most extreme surveillance in the history of western democracy. It goes further than many autocracies”.

Describing the chilling implications of the IPB, *Independent* columnist Mike Harris wrote, “The bill will allow the Government to hand UK tech firms top-secret notices to hack their customers; the police will be able to look at your internet browsing history, and your personal data will be tied together so the state can find out if you’ve attended a protest, who your friends are, and where you live. The most authoritarian piece of spying legislation any democratic government has ever proposed has sped through Parliament with only a whimper of opposition”.

Newsweek headlined its article on the new laws, “IP Bill Is Most Extreme Surveillance Law Ever Passed in a Democracy”. The article, written by Jim Killock—the director of civil liberties organisation, the Open Rights Group—described the IPB as an “extraordinary document”, which “grants the state the ability to harvest information in bulk and to process and profile it

without suspicion”. What was under way was the “sheer revocation of democracy”, warns Killock.

In the *Guardian*, Killock said, “The UK now has a surveillance law that is more suited to a dictatorship than a democracy”.

From the outset, Labour’s then-Shadow Home Secretary Andy Burnham solidarised with the Conservatives’ demand that new powers were needed, saying they “must give them [the police and security services] the tools to do their job”. Burnham made clear that Labour would put forward a few meaningless amendments, but not oppose the substance of the government’s proposals.

Labour acted not as an opposition but as advisors on how best to bring in the new law. The government made a few “concessions” and amended the IPB as a result of criticism from parliament’s Intelligence and Security Committee (ISC), Labour and Liberal Democrat MPs and backbench critics within the Conservative Party itself. None of this made a jot of difference to the overall aim of the bill. The amendments included protections for MPs and journalists, and the addition of a privacy clause that advises the use of new mass surveillance powers should not be authorised in situations “where less intrusive means could be used”.

Most Labour MPs voted in favour of the law in the House of Commons. In the House of Lords, the 64 Labour Lords who voted to support the government line included frontbench spokesmen Lady Hayter and Lord Rosser and the party’s chief whip, Lord Bassam. The former director of Liberty, now Lady Chakrabarti and a Labour peer, was conveniently absent at the time of the vote.

The vote in the Lords was taken only hours after a ruling by the Investigatory Powers Tribunal that the GCHQ spy centre and MI5 illegally collected vast amounts of personal and confidential information between 1998 and 2015. The tribunal said that during this period, the security services had collected personal data without adequate safeguards or supervision. This included records of individual phone and Web use and other confidential information.

When the IPB returned to the House of Commons for consideration of amendments proposed in the House of Lords, Shadow Home Secretary Diane Abbott, a senior “left” ally of Corbyn, spoke in favour of a Lords

amendment calling for sections of the Leveson Inquiry proposals on curtailing press freedom to be tacked onto the IPB. Abbott did not make a single point of substance in opposition to the most repressive bill ever presented to Parliament, with dire consequences for the democratic rights of 60 million people.

Abbott’s pathetic amendment was opposed by Conservative MPs, determined to force the bill through without any further delay. The government moved a motion opposing the amendment that was carried by 298 votes to 261.

On November 15, the Lords amendments were debated and voted on a second time in the House of Commons. Labour again only focused on adding part of the Leveson proposals. SNP Justice spokeswoman Joanna Cherry also supported the amendments. MPs again voted to reject the Lords amendments by 295 votes to 245, with Labour and the SNP voting for them.

Labour’s ensuring the passage of the IPB must serve as a salutary warning to workers and young people as to its fundamental character as a tried and tested party of the bourgeois state. The election of Corbyn as leader more than a year ago has changed nothing. Despite his “left” pretensions, he has backed the demands of the ruling elite on every critical issue.

On Labour’s role, Killock wrote, “Labour did not table any serious amendments to this draconian legislation in the House of Lords. Labour is simply failing to hold the government to account”.

The reason Labour didn’t oppose the bill is because the party fully supports it. Labour agrees with the Conservatives that under conditions of mounting social and political crisis, the state must be strengthened in order to defend capitalist rule.



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