

Responded on 24 Aug (sent response to Private office)

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Cheshire Police Authority

To: David ...  
13/7

RECEIVED BY  
12 JUL 2007  
Mark Sellwood  
Chief Executive  
HOME SECRETARY



The Rt Hon Jacqui Smith MP  
Home Secretary  
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Date: 11 July 2007

Referred to  
Private Office

Our Reference MS/CPA/VC	Your Reference	Telephone (01244) 614001	Ask for Mark Sellwood
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Dear Home Secretary

**HOME OFFICE CONSULTATION: COUNTER TERRORISM BILL**

The Authority on 26 June considered the Home Office consultation paper on proposals for further counter terrorism legislation.

The Authority generally supports the proposed package of measures that your predecessor outlined in his Ministerial Statement dated 7 June 2007, subject to appropriate and necessary safeguards. Specifically, the Authority offers the following comments on some of the proposed counter terrorism measures outlined:-

- Pre-charge detention – this is supported subject to judicial approval every seven days.
- Post-charge questioning – these proposals are also supported in principle for terrorist cases together with appropriate notification requirements post conviction and sentence.
- Control orders – these need urgent improvement to ensure they are effectively enforced and monitored.
- Intercept as evidence – the use of intercept material as evidence is supported in principle subject to reassurances that:
  - (a) the court system could develop a system of disclosure which did not reveal sensitive techniques or the extent of the capability in this area; and
  - (b) rules were devised to ensure that the effort of transcribing material was not so onerous to take effort away from the prevention and detection of other attacks. Under present rules huge additional resources would be needed to transcribe and edit intercept material if it was accepted in evidence.

- Stop and question – the introduction of such powers across the UK are not supported and are unnecessary.
- Increased security at key gas sites – any new legislation in this area should extend to other key sites such as major petro-chemical installations etc.

There is an additional matter not linked directly to the proposed legislation but vital in this area. New technology will mean that the internet is used increasingly for telephone calls. Once this happens, police and security services will lose the capability they have at the moment. This will impact not only on counter terrorism investigations but many other investigations into serious crime, such as murder. Mobile phone data plays an important part now in such investigations. I understand ACPO have proposed a project to modernise intercept techniques which could involve developing new technology or changing legislation to ensure service providers keep full records, however, the Government is saying that they have no money for the project. The Authority believes failure to progress this issue will seriously affect the services' investigative ability in the future.

In generally supporting this proposed package of measures the Authority would wish to see any legislation acknowledging the balance between improving security and countering terrorism with the maintenance of human rights.

Yours sincerely



*Sent email to Jill  
re: contribution.*

Mark Sellwood  
Chief Executive

cc Fionnuala Gill, APA