



INTELLIGENCE AND SECURITY COMMITTEE OF PARLIAMENT



The Rt. Hon. Hazel Blears, MP

Renate Samson
Chief Executive
Big Brother Watch
55 Tufton Street
London, SW1P 3QL

ISC4.21/146

17 March 2015

Dear Ms Samson,

Thank you for your letter, dated 13 March 2015, regarding extracts from the public session held on 15 October 2014 that were reproduced in the Intelligence and Security Committee of Parliament's Report "*Privacy and Security: A Modern and Transparent Legal Framework*". The Committee has asked me to reply on its behalf.

The relevant section of the session consisted of a series of questions from Committee members to witnesses seeking to clarify whether witnesses considered bulk interception acceptable or not. We attach the full transcript of evidence (this is publicly available on our website). The particular question and answer to which you refer reads as follows:

Chair: If evidence emerged through bulk interception that even you acknowledged had led to terrorists being arrested or prevented from carrying out their objectives, are you saying that, as a matter of principle, you believe so strongly that bulk interception is unacceptable in a free society that you would say that that was a price we should be willing to pay, rather than allowing intelligence agencies to use bulk interception methods?

Isabella Sankey: Yes.

Dr Metcalfe: Yes. Just as you would solve a lot more crimes if you had CCTV in everyone's houses, and if you opened everyone's mail and e-mail and read it on a daily basis. Yes, you would solve a lot more crimes and a lot more terrorists would be in jail; that would be a good thing, but it would be bad for our society as a whole.

Chair: And that is the view of your colleagues as well?

Emma Carr: Yes.


The question being asked by the Chair is whether witnesses agreed that bulk interception is unacceptable in a free society, even if it had led to terrorists being prevented from carrying out attacks. Dr Metcalfe agreed, and included some other scenarios such as CCTV to illustrate his point. His full answer did not alter the

direction of the discussion and therefore it is not clear how the remarks can be considered to have been taken out of context.

Even if Ms Carr had understood the Chair's supplementary question to relate to Dr Metcalfe's response, given that Dr Metcalfe had clearly stated in that response that he agreed, by answering in the affirmative Ms Carr can only be taken to be agreeing with his position. (This conclusion is supported by Big Brother Watch's public statements which have clearly set out your opposition to bulk interception.) If Ms Carr only agreed with one part of Dr Metcalfe's comments, then she should have made that clear rather than providing general agreement.

If you had concerns that the evidence given by Ms Carr was insufficiently clear, then you have had opportunity to clarify your evidence: the transcript has been publicly available on our website since October, and the Chair specifically said "*If you want to make any further comments, we will obviously be happy to hear from you in due course.*" Nevertheless, if Big Brother Watch wishes to clarify its position in respect of whether bulk interception is unacceptable in a free society even if it leads to terrorists being prevented from carrying out attacks, then we would be happy to note that position.

There is a serious debate to be had about the Agencies' capabilities and the associated privacy and security concerns. No doubt Big Brother Watch welcomes the substantive recommendations in the Report - regarding improving privacy protections, strengthening safeguards, improving the law, and increasing transparency. These are the important issues which we hope will be the subject of public consideration and frame the future debate.


HAZEL BLEARS 