



Counter-Terrorism and Security Bill

Top Lines

- The Bill introduces a new power to establish a Privacy and Civil Liberties Board to support the Independent Reviewer of Terrorism Legislation, who will chair the Board. The new Board will expand the capacity and breadth of experience available in our oversight arrangements.
- The Independent Reviewer of Terrorism Legislation, David Anderson QC, performs a very important role in providing rigorous and independent oversight of the operation of CT legislation. Successive independent reviewers have for over 35 years provided this important scrutiny but it is right that, as the legislative landscape changes, we review these processes to ensure they are as effective as possible.
- There will be a public consultation on the functions, appointment and membership of the Board before Parliament will approve the final regulations relating to it.

Background

- During the passage of Data Retention and Investigatory Powers Bill (which received Royal Assent on 17 July 2014), the Government committed to establish a board that would provide further assurance to the public about the current counter-terrorism arrangements, including ensuring that legislation and policies have due regard for civil liberty and privacy concerns in the face of the threat to the UK.

What changes does the Bill make?

- The Bill gives the Secretary of State a power to create a Board to support the Independent Reviewer of Terrorism Legislation.

What will the Board do?

- It will assist, advise and undertake particular duties on behalf of the Independent Reviewer to support him in reviewing the counter-terrorism legislation, with particular regard to whether these are sufficient to meet the threat and adequately take account of privacy and civil liberty concerns.

Who will serve on the Board and how will they be appointed?

- There will be a public consultation on the composition, appointment and functions of the Board.

Will this replace the Independent Reviewer of Terrorism Legislation?

- No. The Board will be chaired by the Independent Reviewer and will support him in discharging his duties. He will not be accountable to the Board.

Has David Anderson been consulted on this measure?

- David Anderson has been kept informed of developments.
- He has said on his website that he can see potential benefits in the creation of a Board.

Didn't David Anderson recommend in his annual report that he should be able to appoint an assistant or junior?

- The Board will give the Independent Reviewer extra capability.

Key facts

- The Independent Reviewer of Terrorism Legislation is currently David Anderson QC.
- The Independent Reviewer is appointed under section 36 of the Terrorism Act 2006 to review annually the operation of the Terrorism Act 2000 and Part 1 of the Terrorism Act 2006.
- He also reviews the Terrorist Prevention and Investigation Measures Act 2011 (under section 20 of that Act) and the Terrorist Asset Freezing etc Act 2010 (section 31 of that Act).

Key quotes

"Significant parts of the law as it relates to counter-terrorism are going unreviewed"

David Anderson QC, Independent Reviewer of Terrorism Legislation, Report on Terrorism Acts in 2013

"Reform of the office of Independent Reviewer is welcome, and a board if properly constituted could bring advantages"

Independent Reviewer of Terrorism, Website, 16 July 2014