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‘…. as we left Kings Cross, at about 8.50am, there was an almighty bang. Everything went totally black and clouds of choking smoke filled the Tube carriage and I thought I had been blinded. It was so dark that nobody could see anything. I thought I was about to die, or was dead. I was choking from the smoke and felt like I was drowning…. A terrible screaming followed the initial silence. .....There was screaming and groaning but we calmed each other and tried to listen to the driver. He told us he was going to take the train forward a little so he could get us out, after he had made sure the track wasn’t live. We all passed the message into the darkness behind us, down the train. ....We were choking and trying not to panic because we knew that would mean curtains’.

This is the account of a fortunate survivor of the first of the 4 London 7/7 bombings, written the day after the event. In total, 52 passengers were killed and 700 people wounded in a series of bomb attacks placed on 3 tube trains and a bus; 26 people were killed on the Kings Cross tube train attack described above.

In the UK we have been subjected to terrorist activity of one form or another for more than 30 years; first terrorism related to Irish Republicanism, and then subsequently Radical Islamic terrorism. But what characterises the Radical Islamic terrorist attacks in this century has been the deliberate targeting of civilians to generate large numbers of casualties. We often take the 9/11 attacks in the US as marking a watershed in terrorist activity, but that attack, and the London attacks of 7/7/2005 and the attack in Madrid in 2004 were really just the most dramatic examples of an escalating disregard for civilian casualties through terrorist attacks that intelligence assessments suggest are likely to continue.

In terms of public policy, how are we to respond to such attacks? It would be politically difficult to argue that there should be no response; passively waiting for the next atrocity is an unacceptable way of responding to an atrocity and seems to be an abdication of any responsibility to protect the public. So if we are to respond, how should we proceed? Broadly speaking in the UK we have identified four approaches – Prevent, Pursue, Protect and Prepare - and these are represented in UK Government policy as the CONTEST strategy. Pursue refers to the apprehension of offenders both after an event and in the process of planning an attack, Protect relates to support for initiatives that support either physical and community resilience (through making potential targets less vulnerable), Prepare relates to essentially forward planning in the event of an emergency to mitigate against harmful consequences, and Prevent relates to both individual and community initiatives to address the causes of terrorism.

At one level, the activities that follow from these approaches are perfectly reasonable. In the course of seeking to arrest a suspect in the immediate aftermath of an event, for example, the police may well limit our movement, check our identity, increase surveillance or otherwise interfere with our day-to-day activity which in some sense might be construed as limiting civil liberties (of movement, of association, etc.); but in the main we accept that this is a necessary but temporary limitation to our normal activities,
and accept it because there is a clear greater good as a result (the apprehension of a offender and perhaps saving lives). Irksome as it may be, on the whole air passengers accept that it is better to be searched before boarding a plane, rather than to risk someone bringing a bomb on board. When that activity seems disconnected from any specific event, however, or where it either seems to yield little in terms of prevention, or where it seems to be particularly and disproportionately onerous, then public acceptance becomes much less robust.

Acceptance of what inevitably amount to restrictions on normal civil liberties should require, in my view, two not necessarily related conditions to be met; that they are evidence based, and that they work. Unfortunately, the history of recent policy development around counter terrorism initiatives in the UK have, it seems to me, to have largely failed the first of the two conditions identified above. Counter terrorism policy development has not been characterised as building on a clear evidence base, and as a result we have implemented policies that are either ineffectual, or even counter productive. The legislation and procedural initiatives to address money laundering seem to offer an example of this. After the 9/11 attacks, limiting access to financial resources was seen as a key counter terrorism factor; and in consequence limitations on opening bank accounts, control over amounts of money transferred, etc. were rapidly implemented by the international community. What this failed to anticipate was the rise in very low cost terrorist activity, where a credit card rather than an enormous bank account is all that the putative terrorist needs. The Glasgow International Airport attack in 2007 illustrates this. Given this it seems that in the contemporary world initiatives to control money flows or opening bank accounts are largely irrelevant to limiting terrorist activity. But worse than that, they may have unintended negative consequences, and a plausible argument can be made that by limiting international money transfers, we diminished the flow of expatriate funding to Somalia, increasing social disadvantage and thereby indirectly aiding the rise of the Islamist al-Shabab movement.

But the fundamental test of any anti terrorism policy is whether or not it is successful. In this regard, current performance is mixed. There have not recently been any major attacks, and there have been a number of well-executed pre-emptive arrests of potential terrorists. In the matrix of benefit and concerns, this might therefore be seen as a largely beneficial outcome, and whilst the recent concerns over torture might temper that judgement, on balance the outcome seems positive. On the other hand, all the evidence points to a continuing growth in radical extremist views suggesting that whilst intervention to prevent specific initiatives may be effective, more general community based initiatives to address the causes of terrorism have not been so effective. And of course it is these kinds of initiatives that are targeted at communities rather than individuals that cause great concern in terms of civil liberties. Stop and search, and intrusive and covert surveillance are examples of areas of concern where the benefits seem much less clear, and where evidence of success is more difficult to discern.

Total protection against the consequences of terrorism seems to be in the present circumstances to be impossible. Some measure of risk of harm, therefore, seems to be inevitable. Managing that risk lies at the heart of the debate, and the reality is that our knowledge of the factors that control or change such risk are limited. Given this, do we err on the side of caution accepting that there will be limitations to civil liberties, or do we take the risk of atrocity to sustain both our liberties and those of people seeking to harm us? A difficult decision indeed; but having seen and experienced the aftermath of terrorism, my view is that we should (and indeed must) seek to limit risk even at the expense of some civil liberties as a necessary protection of the greater good, and in the hope that we have sufficient political maturity to eliminate temporary restrictions when threats diminish.