

Taking liberties

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Like a suitor who is not deterred by past rejections, Gordon Brown went to the Commons yesterday to propose that his government should be granted new powers to deal with terrorism suspects. It is less than two years since the house defeated plans for 90-day detention, but Mr Brown made a fresh pitch with great skill. He declined to make a totem, as Tony Blair had, of 90 days - or of any other limit. Instead he claimed that while he believed the current 28-day limit should increase, he wanted to see this achieved with as much consensus as possible.

The desire to avoid looking partisan was taken to extraordinary heights, with Mr Brown making a brazen grab for one policy long championed by the Conservatives - a single border force, encompassing customs and immigration officials. In practice, the new force is not what the opposition envisaged, as it excludes the police. But the move deprives the Tories of one of their distinctive offerings on security, increasing the pressure on them to restore their tough-on-terror credentials by falling into line with ministers on pre-trial detention. The shadow home secretary, David Davis, a sceptic of state control, helped to engineer the defeat of 90-day detention last time.

For all the government's newly measured tone, its argument on detention pays little regard to other anti-terror measures - such as post-charge questioning and the possibility of using intercepts in court - which ministers have embraced. Ministers are right to say that these other new measures will not solve all the problems. But then neither will the extended detention of people who may be innocent. As for the evidence the government produced to back its claim that 28 days is not enough, the revelation that the volume of data involved in terrorist plots has tended to increase is hardly a surprise, given the growth in computing. Technology ensures that this trend can only continue. Does it follow that limits on detention should extend continually in step?

Emphatically not. Facing a far graver threat to the nation than that posed today by militant Islamism, Winston Churchill remained clear that internment was an evil that should not be lightly indulged. He said in 1943: "The power of the executive to cast a man into prison without formulating any charge known to the law ... is in the highest degree odious, and the foundation of all totalitarian government".