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Counterterrorism in the United Kingdom: Module 1: History, Radicalisation and the current Al-Qaeda Threat by Paul Smith

Slide 1: Content of Module 1

The following three modules address counterterrorism in the United Kingdom. This first module considers the recent history of terrorism in the UK, radicalisation amongst the UK's Muslim Community, and the UK's current threat from Al-Qaeda and the Islamic State.

Slide 2: "The Irish Troubles"

The British have a long history of terrorism, from Robin Hood fighting the Normans in the 11th Century to the campaigns against the Irish Republican Army (IRA) in the 20th Century. Undoubtedly the last of these campaigns against the IRA has been the most significant in terms of influencing the current British approach to terrorism. The British Army's deployment to Northern Ireland, Operation Banner, which began in 1969, only officially came to an end in 2007. It is the longest campaign in the history of the British Army, inciting violence not only in Northern Ireland, but throughout the UK and even on the continent of Europe. Over 3000 civilians, around 600 soldiers, and 300 policemen died in a sectarian struggle that at one stage went beyond terrorism to briefly become low level insurgency. In addition, 30,000 civilians were injured – all in a population of only 1.5 million. Few families in the Province have remained unaffected by "the Troubles" in the last 30 years.

But what has this meant for the British population at large and for the Government's response to the current threat from Islamic extremism?

Slide 3: The Impact of "the Troubles" on UK Counterterrorism Policy

The British counterterrorism experience in Northern Ireland resulted in a wealth of counterterrorism experience for the British military, police, and intelligence services. First, many individual officers in MI5, the UK police, and the British Army have served in Northern Ireland and against the Provisional Irish Republican Army (PIRA) on the UK mainland. As a result, they appreciate the challenges of conducting a fast-paced, covert investigation, which may run for several weeks.

Secondly, after numerous strategic and tactical counterterrorism mistakes in the early days of Northern Ireland – and turf wars between the British Army and the local

police force, the Royal Ulster Constabulary – the British developed a counterterrorism doctrine for the investigation of terrorism by the early 1990s. This doctrine brings together intelligence collection by the intelligence services, army, and police to provide evidence in support of executive action carried out by the police under the rule of UK law. Interagency counterterrorism committees and command groups have been organised, trained, and operationally tested at every level of control, from Whitehall down to the local constabulary. The procedures originally established in response to the Irish threat have now been adopted to respond to the threat from Al-Qaeda ISIS. Thanks to terrorism in Northern Ireland, UK doctrine and counterterrorism organisation already existed years before 9/11.

Finally, the British population is used to being blown up! This sounds cynical, but after 30 years of frequent bombings by the IRA, the British people accept that there is no such thing as 100% security, that required counterterrorism laws may conflict with civil liberties, and that a counterterrorism campaign is a long struggle over “hearts and minds.” As a result, counterterrorism measures that would be considered unacceptable in the USA, such as detention without charge for up to 14 days and the deployment of over a million of closed-circuit television (CCTV) cameras on UK streets, pass without popular comment in the UK. Based on the UK’s experience of Irish Republican and Islamic extremist terrorism, there is general public support for the government’s counterterrorism measures – not suspicion and opposition to what is often perceived as greater government “interference with a citizen’s rights under the guise of counterterrorism” by political opposition, the press, and the public in the USA.

Slide 4: The Development of UK CT Legislation 1

The increasing threat of terrorism in the UK facilitated a gradual development of counterterrorism legislation over the last 30 years.

The UK definition of terrorism is provided in Section 1 of the Terrorism Act 2000, which states, “terrorism means the use or threat of action where the use or threat is designed to influence the government or to intimidate the public or a section of the public, and the use or threat is made for the purpose of advancing a political, religious or ideological cause.”

Like most other countries, the UK legal response to terrorism has been driven by terrorist attacks and the overall threat. In 1939, during the first IRA campaign on the

UK mainland, suspects could be held for 7 days without charge. This was suspended in 1952 and finally repealed in 1973. However, the PIRA attacks on two Birmingham pubs in 1974, which killed or wounded almost 200 people, led to new legislation, the Prevention of Terrorism Act. The act reintroduced a 7 day detention with a magistrate judge's consent. This was supposed to be temporary legislation; however, due to the continuing terrorism in Northern Ireland, it was renewed by Parliament every year. From 1974 until 1996, almost 27,000 people were arrested under this legislation, but fewer than 15% were subsequently charged. The disparity in numbers is explained by the fact that during the 1970s and 1980s the British Army used these legal powers to arrest multiple suspects in Northern Ireland. Most were questioned for around 4 hours and then released. These interviews were used to fully establish a suspect's identity and also allowed the British Army to question the local population about recent terrorist activity in their communities. This tactic of "screening" was also an effective cover under which sources could be debriefed. However, mass arrests proved to be very detrimental to the wider "hearts and minds" campaign to convince the population to reject terrorism. Consequently "screening" by the British Army was eventually phased out. Instead targeted interviews by the local police, the Royal Ulster Constabulary (RUC - now the Police Service of Northern Ireland), became more the norm and both Army and police sources were run in a more clandestine way, which did not require "screening".

Slide 5: The Development of UK CT Legislation 2

Meanwhile, as opposed to the constant cycle of threats and attacks in Northern Ireland, the PIRA campaign on the British mainland was a more sporadic affair. After a series of random attacks against pubs and shopping centers in the 1970s and 1980s, by the 1990s PIRA gangs, or "Active Service Units", focused their attacks on high value targets in major English cities. For instance, on 7 February 1991, an ASU mortared No 10 Downing Street whilst Prime Minister John Major was chairing a Cabinet Meeting. There were no casualties, but it was stark evidence of the threat PIRA posed right across the UK. As a direct result of that attack, there was a senior security review, which resulted in MI5 (the British Security Service) assuming the lead for intelligence gathering and assessment against PIRA on the mainland. But, regardless of this significant organizational development, there was no immediate operational need to amend, at that stage, the UK's existing counterterrorism legislation.

Slide 6: The Development of UK CT Legislation 3

However, by 2000 it was clear that terrorism was going to be a permanent feature of life in the UK. The temporary Prevention of Terrorism Act was replaced by the Terrorism Act 2000. A 2003 amendment to this act extended detention without charge from 7 to 14 days, but still required a judge's approval. Its subsequent use is a good example of improved UK counterterrorism awareness since the early days of Northern Ireland, when, in 1971, "internment" without trial was attempted on the Catholic community with disastrous results. This arbitrary arrest of individuals, based on incomplete intelligence and their subsequent detention without trial, alienated the entire Catholic community and encouraged numerous new recruits to join PIRA.

Thankfully, this error was not repeated when UK legally responded to Al-Qaeda. By 2003, the principal threat of terrorism in the UK had changed from Irish to Al-Qaeda, and this potentially involved Muslim youths in every major city in the UK.

Consequently, between 2000 and 2005, the 14-day detention period was used very sparingly, as the UK government realised that holding a suspect without charge for an extended period handed a propaganda victory to the Muslim radicalizers. It is worth noting that UK law regarding pre-charge detention did not change immediately after 9/11, despite the introduction of the 2001 Anti Terrorism, Crime and Security Act, which gave UK police stronger powers to "stop and search" on the street to intercept possible suicide bombers.

After the Al-Qaeda attacks on the London Underground on July 7, 2005, the UK government attempted to introduce a 90 day pre-charge detention period. Their justification was not based on the need for longer time to *interrogate*, but rather to *investigate* because international counterterrorism cases had become exceedingly complex. The House of Commons rejected the 90 day detention period, but passed a compromise of 28 days. In 2008, an attempt by the government to extend this to 42 days was passed in the House of Commons, but was rejected in the House of Lords. The deciding factor in the debate was the widespread concern that unjustified, excessive legal powers would seriously alienate the UK's Muslim Community, from which the current Al-Qaeda threat emanates.

Slide 7: The Legal Response to the Threat from ISIS

The need to avoid the alienation of the Muslim community has been critical in the development of further UK CT legislation. Since 2005 improved intelligence gathering across UK has led to numerous successful interdictions of AQ and ISIS terrorist plots. As a result, in 2011 the provision of 28 days detention without charge was reduced to fourteen. Similarly, because minority communities felt that they were being unfairly targeted by police, “stop and search” remains on the statute book in UK, but by 2010 its operational use had significantly declined.

However, the rise of ISIS has resulted in further CT legislation in UK. The most significant recently has been the Investigatory Powers Act 2016. This involves the investigation of a suspect’s computer based communications and became necessary after the leaks by Edward Snowden, the former contractor in NSA who fled to Russia, via China, in 2013. He took 1.5 million classified documents with him, including considerable detail about USA and UK’s covert international and domestic CT electronic surveillance programs.

The resultant publicity, in which the UK Guardian newspaper played a prominent role, led to significant disruption to those programs as terrorists worldwide altered their communication patterns to avoid NSA and GCHQ surveillance and the internet service providers (ISP) in America, on the grounds of civil liberties, refused to continue to support the covert programs. This issue of “going dark” has still not been resolved in USA, but UK were able to arrive at a bilateral solution with the US ISPs.

This was possible because those companies were willing to share communication coverage and data with UK intelligence and police agencies because the targets were UK citizens. The civil liberties of American citizens were not affected. The legal outcome of these bilateral negotiations is the Investigatory Powers Act 2016 mentioned above. This legislates that all UK related metadata will be retained by the ISPs for a year in case any of it is required to retrospectively support counter terrorist or major criminal investigations.

Opponents of the Act have dubbed it “The Snooper’s Charter” and it is currently under review by the European Court of Human Justice. The possibility of an unelected European body over ruling the will of Parliament is an example of the types of sovereignty issues which led to the decision of the UK electorate to leave the European Union (EU) in the Brexit referendum of June 2016. UK’s separation from

the EU is now anticipated to occur in 2019. Either then or before, in the eyes of the British people, as expressed by their Members of Parliament, the continued terrorist threat in the UK will result in the eventual implementation of “The Snooper’s Charter”. Once again, this is a clear example of the UK implementing more robust CT legislation than USA because the vast majority of British citizens support its use in the face of various terrorist threats which has plagued UK over the last 50 years.

Slide 8: The Current AQ and ISIS Threat in UK.

In a November 2007 speech, Jonathan Evans, the then Director of the British Security Service, summarized the current domestic threat from Al-Qaeda as:

Approximately 2000 extremists;

In approximately 200 networks;

Of which, at any one time, approximately 30 may be plotting terrorist attacks which represent a threat to life and property.

Consequently, the government advises its citizens that there will be more attacks and further casualties in the UK. It is not a question of “When?” but “Where?”

Slide 9: The Range of Islamic Extremist Threats in UK

Al-Qaeda and ISIS activity in the UK has included:

- Centrally Al-Qaeda Core directed operations aimed at inflicting mass casualties, such as the Vehicle Born Improvised Explosive Device (VBIED) plot in 2004, the mass transit attacks in London on July 7 and July 21, 2005, and the Airline Plot in 2006;
- Loosely Al-Qaeda directed operations aimed at inflicting mass casualties, such as the 2004 VBIEDs in London, an attempt to prepare a ricin poison attack in 2004; and the attempted VBIED attack on Glasgow Airport in 2007;
- Various lone wolf attempts (sometimes by British converts to Islam) to mount small attacks in their local cities, such as the murder of Fusilier Lee Rigby in London on 22 May 2013;
- Large scale fund raising and procurement of equipment for Al-Qaeda and ISIS operations overseas; and
- The dispatch of British volunteer foreign fighters to fight for ISIS in Syria and Iraq.

The size of the threat and range of Al-Qaeda and ISIS' activity in the UK demonstrate the importance of radicalisation within the UK's Muslim Community.

Slide 10: The Islamic Community in the UK

Whereas Muslims comprise a mere 0.6% of the total US population, they represent 2.7% (approximately 1.6 million) of the total population of the UK. Half of all Muslims residing in the UK are native born. The UK Muslim population is diverse, with around two-thirds originating from South Asia, specifically India, Pakistan and Bangladesh, and the rest from the Near and Middle East, Africa, and Eastern Europe. African-Caribbean and White converts constitute a relatively small proportion of the Muslim Community in Britain.

43% of all UK Muslims are of Pakistani origin, and a further 16.8% are Bangladeshi. The majority of Al-Qaeda suspects in the UK come from these communities. Many Pakistani families moved to the UK in the late 1960s and early 1970s. The parents were law-abiding citizens seeking to take full advantage of the West, and many settled in industrial cities, such as Greater London, West Midlands, Lancashire, and Yorkshire, to work in the cotton industry. Many came from Pakistani Kashmir and the Northwest Frontier Province, having been driven out of their villages by religious violence and poverty. Consequently, the UK Pakistani community's interest in politics and conflict in Kashmir and the Tribal Areas continued. Links home still remain very strong, with money regularly sent from Pakistani families in the UK back to those in Pakistan. There are also over 40,000 air flights every year between the UK and Pakistan, as family members travel in both directions.

Since the 1970s, the Muslim population in the UK has dramatically changed. Today, it is disproportionately young, with approximately half under the age of 25. And, with the collapse of the UK cotton industry, unemployment rates for Muslim men and women are higher than for non-Muslims. Currently, around 15% of eligible Muslims are unemployed, compared with 5% of the total population. Moreover, about 16% of Muslim males have never worked or are long-term unemployed, a figure that is five times higher than the UK population as a whole. One third of Muslim children grow up in households where there are no working adults, compared to 18% nationally. Two income families are rare in the UK Pakistani community as their religious and social culture discourages women from leaving their household and family responsibilities to take up outside employment. Even when employed, Muslims, particularly those of South Asian origin, disproportionately work low wage jobs. As a

result of these factors, three quarters of Pakistani and Bangladeshi children live in households earning less than half the national average.

This poverty can be concentrated. In the 1960's and '70's, entire villages were occasionally displaced from Kashmir and resettled in the UK. As a result, complete housing estates in many British cities are now inhabited entirely by a single ethnic group. These are not necessarily slums or ghettos, but areas in which all residents know one another as a result of attending the same mosque, church, school, or place of employment. Family units are large, with grand parents often living with their children and grand children. Arranged marriages between local families within the same South Asian community are still common.

Add to this social ethnic cocktail a degree of racial prejudice by the UK population at large, perceived government disinterest in the Muslim Community's problems, the impact of increased criminality fuelled by drugs, improved education of the individual raising aspirations, 24/7 coverage of world events by the global media, and increased inter-generational friction, and it is relatively easy to understand the attraction of militant Islamic radicalization.

In addition, the established historical and family links to Pakistan bring disaffected youths from the British Pakistani Muslim Community into direct contact with Al-Qaeda Core along the Afghanistan/Pakistan border. Imagine the impact on the USA if Usama bin Laden were Guatemalan.

Slide 11: The Impact of ISIS on the UK Terrorism Scene

The rise of ISIS, particularly since 2012, has attracted support from British Muslim youths for the same social, religious and cultural reasons as AQ. But there have also been significant developments in UK radicalization since AQ attracted British recruits after 9/11. The emergence of ISIS in Iraq/Syria enabled their leaders to directly request help from European Muslim populations in the defence of the local Sunni population against what was seen as Shia (Iranian) and Western attack.

ISIS' reach into these European target populations was significantly facilitated by the explosion in IT communication and social media. ISIS have proved extraordinarily adept at promoting their cause with English speaking audiences with on line chat rooms, propaganda magazines like Dubiq and use of the "dark web". British foreign fighter in ISIS have fought on the battlefield in the morning and then boasted of their

exploits on social media to their family and friends in the UK during the afternoon. Their efforts to recruit their contacts to travel to the battlefield have resulted in “clusters” of ISIS terrorists and extremists developing in cities across the UK.

The sudden expansion of “The Caliphate” in 2014 gave the impression that ISIS was a going concern and foreign fighters were joining an Islamic republic based on Sharia ideology, rather than just a terrorist organization. During this phase 2014-5, ISIS appealed to Europe for more than just foreign fighters. As ISIS held cities and ground, they now requested British Muslim mechanics, doctors and skilled professionals move to Iraq and Syria to staff the infrastructure of “The Caliphate”. A number of British Muslim volunteers responded, together with a number of young British Muslim female teenagers who were inspired to travel to Iraq/Syria in to marry foreign fighters.

Their movement was also favoured by geography. Travelling to Syria is far easier from Europe countries than going on jihad to Afghanistan had been earlier. Crossing Europe from UK to the Turkish – Syrian border was facilitated by the fact that all the transited countries are in the European Union (EU). Consequently, in accordance with EU regulations promoting the free movement of labour, there are no border controls to intercept foreign fighters en route and well established illegal crossing points existed on the Turkish – Syrian border. These “rat lines” had previously supplied European foreign fighters to AQ Iraq during the Iraq War.

This period of apparent ISIS success was further boosted by their successful terrorist attacks in numerous European cities (such as Paris, Brussels, Nice and Berlin). By contrast, AQ Core’s leadership in the Afghanistan/Pakistan region and, to a certain extent, elsewhere, was being decimated by Western drone attacks. It is hardly surprising that ISIS became the terrorist organization of choice for UK Muslim extremists.

By 2016 over 800 British citizens had travelled to the Caliphate. The first British Muslim to be used by ISIS as a suicide bomber was Abdul Waheed, who attacked Aleppo Prison in February 2014. Two British Muslims have been prominent on ISIS videos as executioners at staged decapitations of Western prisoners. They are Mohammed Emwazi (“Jihad John” who was subsequently killed in a drone attack) and Siddhartha Dhar. Two other British Muslims were significant international on line

propagandists for ISIS. As a result, Reyaad Khan and Ruhul Amin jointly hold the distinction to have been the first British citizens killed by a British flown drone.

Of the approximately 800 British foreign fighters, approximately 100 have died on the battlefield, 350 are still there and 350 have returned to UK. This latter group are subject of considerable investigation to determine whether they continue to represent a terrorist threat now they have returned to UK.

Thankfully, the battlefield successes that have resulted in the contraction of “The Caliphate” during 2016 have slowed the outflow of foreign fighters from the UK. However, it is vital that government response to terrorism committed by individuals affiliated with AQ or ISIS does not alienate the entire UK Muslim population of 1.6 million. To defeat Islamic extremism in the UK, Her Majesty’s Government is literally engaged in “A fight for the hearts and minds of 14 year olds in the Muslim Community.”

Slide 12: Islamic Radicalisation in the UK

There is no universal template regarding terrorist identification. In 2007, a comprehensive study of 300 identified Muslim terrorists in the UK produced the following conclusions:

- The majority are British nationals (so cannot be expelled), but most parents were migrants to the UK;
- They are ethnically diverse, with Pakistanis constituting the largest group, but African, Middle Eastern, African-Caribbean, and converts all represented;
- Most are male, but the importance of females should not be underrated;
- While most are young (in their early to mid 20s), a significant number are over 30, especially those in leadership positions;
- The majority have steady relationships and most of these have children;
- Many are well-educated;
- Almost all, regardless of educational qualifications, are employed in low grade jobs;
- Most have no previous criminal experience and so, may not already appear on police records;
- Many do not practise Islam regularly and were not brought up in strict religious households; and

- A disproportionate number of converts become radicalised, compared with 4.1% of the total UK Muslim Community.

Slide 13: The Process of Radicalisation

Extremists do not become terrorists overnight. Rather, the UK experience suggests a process of radicalisation. Consider the following hypothetical scenario. A Muslim youth, disillusioned with his parents or his own personal prospects, makes contact with a charismatic leader, who has been trained in the Tribal areas and directed by Al-Qaeda Core to launch an attack. The leader recruits the youth over the following 12 to 18 months, emphasizing the need to defend Islam against the West and the duty of all Muslims to engage in Jihad. The youth's disillusionment progresses to anger, motivating his decision to become "a soldier of Jihad" and join a terrorist suicide attack. "Boot camps" separate the youth from his family, instil group discipline, and increase bonding between team members, facilitating the subsequent preparation and ultimate execution of an attack.

Slide 14: The Preparation and Execution of an Attack

The preparation and execution of an attack generally consists of the following steps:

1. Communication with AQ or ISIS, often by phone, Internet or occasionally by courier, which may be very security conscious regarding SIGINT.
2. Acquisition of a rental facility or apartment for IED preparation.
3. Acquisition of weapons or homemade explosives, such as Hydrogen Peroxide or Ammonium Nitrate.
4. Preparation of devices and/or weapons.
5. Reconnaissance of target.
6. Execution of the attack

It is surprising how many associates and family members are often aware of attack planning. Thus, it is impossible to arrest, charge, and convict all who were conscious of attack preparations. Consequently, investigation of the remainder by MI5 and police typically continues after the attack team is arrested.

Of course, the aim of MI5 and police counterterrorism investigation is to identify suspects during the radicalisation process (before they break UK law), and arrest them during the planning stage of an attack.

Module 2 will consider the UK's policy response to the Al-Qaeda threat.