

DA(01)42
28 June 2001

Copy No: ■

Cabinet

Domestic Affairs Cabinet Committee

National Operational Deterrence and Intelligence Surveillance
System

A memorandum submitted by officials

Summary

1. This is a proposal for an integrated National Operational Deterrence and Intelligence Surveillance System (NODISS) strategy to be accomplished over a five to fifteen year period concurrent with the introduction of compulsory Identity Cards and the Tracking Database ("audit trail") of the National Identity Register. It has been prepared by the Domestic Affairs Cabinet Committee Officials Committee, chaired by the Cabinet Office.
2. Ministers are invited to endorse the analysis in the memorandum and to commission the recommended actions.

Introduction

3. The aim of the strategy is to provide integrated streams of real-time data to law enforcement and designated official structures in a way which maximally utilises the range of disparate legal powers available for their acquisition, and comprehensive virtual links between hitherto isolated silos of data for intelligence exploitation, with key benchmarks of value to sustain public and political support. Although powers exist under Crown Prerogative which are well-established by precedent, it would be prudent to align with long-term reform of explicit constitutional arrangements, at a pace contingently determined by evolving public acceptability.
4. The "Identity Card" scheme will generate for each identity-verified transaction an audit log of chronological location and linkage information (the Tracking Database) to secondary logs in NIR-enabled systems.
5. Data-mining the Tracking Database is anticipated to yield the following types of intelligence beneficial for the prevention and detection of crime, the interests of national security, the effective and efficient provision of public services, the control of illegal working, and the enforcement of immigration provisions:

- (i) Corroboration of the identity of persons generating communications data (account usage and traffic pattern analysis) from fixed and mobile devices for telecommunications access obtained under RIPA 2000 Part.1
 - (ii) Monitoring of behaviour of known and suspected offenders, intelligence targets, or anti-social groups, with real-time alerting of suspicious patterns of association and identification of new "targets of interest".
 - (iii) Through leveraging the national database of facial biometrics, with the increasing digitisation and wireless deployment of CCTV systems, the capability to generate geographically-specific and computationally efficient watch-lists for face-recognition, with human operator confirmation from local and regional control centres.
 - (iv) Fusion with communications intercepted under RIPA S.16 (domestic interception under subject-matter certificated trawling warrant) to identify and corroborate in real-time the identity of communicating parties.
 - (v) The ability to harvest behavioural data on randomly selected population sub-groups, for socio-economic research, disrupting the activities of subversive groups, perception management and information operations.
 - (vi) With progressive deployment of remote biometric verification terminals at tactical and strategic choke points, a comprehensive grid for internal movement control monitoring of individuals.
 - (vii) Fusion and consolidation with transaction data extracted from private sector databases where lawful administrative (non-judicial) authority exists to requisition information routinely or exceptionally (e.g. SSBF 1996, ATCSA).
6. Unambiguous identification has been the key obstacle to date preventing systematic data fusion of these various sources of data. The creation of a central biometric database for routine and remote authentication offers the possibility of resolving the identity of persons making private and public sector transactions, utilising public transport systems and public services, and maintaining a near-perfect national archive of mass behaviour. In the long term this "Domesday Log" will be of immense value to historians and retrospective official investigations. More immediately it offers an unprecedented possibility of tackling crime and disorder, because the strong likelihood exists that any perpetrator will be tied to the scene of any transgression by at least one biometrically-verified trail from interlocking surveillance systems with sufficient proximity to guarantee an automatic conviction with guilty plea. The large majority of offences can therefore be dealt with summarily. The deterrent effect is likely to largely eliminate the possibility of undetected impropriety at every level of society.
7. It is essential for the achievement of these long-term strategic benefits that:

- (i) Public confidence is maintained by playing a political "dead-bat" to irresponsible media, parliamentary and activist accusations of a "surveillance agenda"
 - (ii) NODISS capabilities, and attendant measures for public reassurance through "oversight" arrangements, are handled with utmost sensitivity, with nurtured popular support for each increment promulgated to enhance deterrence (often best presented as a response to a specific moral panic). Privy Council briefing channels are used to obtain senior cross-party political support for the progressive roll-out of integrated covert capabilities, and these are presented in this context as measures in support of national security
 - (iii) A permanent committee of officials be established to administer the strategy and utilisation of the NODISS capabilities, and determine the procedures for involvement by government ministers. The committee will need to be shielded from public and parliamentary scrutiny through the flexible exclusion and exemption provisions of legislation, with "ring-fenced" oversight by responsible Commissioners with political security clearance for sanitized material.
 - (iv) The biometric and tracking databases, and NIR-enabled subsidiary systems, are established and operated in a centralised fashion, permitting maximally secure overt and covert data processing activities, free from interference or detection from hostile powers or subversive elements.
 - (v) Provision is made for the control, including incarceration, of extreme anarchistic or insurrectionary fringe elements which might react negatively to the known level of public surveillance (in so far as it is determined judicious to avow publicly the existence of the capability).
 - (vi) Strategies are devised for encouragement of public opinion and smooth news management of progressive roll-out phases, minimising unhelpful commentary and monitoring the state of public opinion closely
8. To dispel and fragment political opposition from the civil liberties minority groups, there exists the possibility of offering vetted community leaders limited access (without exposing the full capabilities) to intelligence product from NODISS, in order that they may achieve a manageable but politically attractive degree of devolved communitarian governance. This may extend to variable geometry judicial process and detection and punishment of apostasy and cultural infractions, thus nipping in the bud fringe and extremist sub-cultural trends.
 9. By targeting, tracking and correlating the behaviour and activities of cultural and media elites, it may prove feasible to reliably shape and stimulate public consent for a wide range of government objectives, by reinforcing trustworthy opinion-former relationships and suppressing or neutralising the economic and political effectiveness of dissenting actors. For example, well-chosen and appropriate interventions in the private lives or professional success of favoured agents and subtle thwarting of the advancement of "hostile" organisations

and individuals would over time improve capabilities for comprehensive perception management and even permit sophisticated tactical information operations in support of specific political programs.

10. The gradualist and relativist political narrative to ease transition to the NODISS-enabled modes of governance should continue to emphasise the essentially British qualities of the "nothing to hide - nothing to fear" agenda. It should ignore, marginalise, or ridicule imputations of our true intentions as "conspiracy theory". When pressed it should acknowledge that such fears might have validity in democracies other than the United Kingdom. At various points in the transition, invented fashionable new ideology can opportunistically be developed to overcome surges of unease or resistance, in conjunction with information operations around synthetic causes and pseudo-events (preferably with human-interest appeal). The views of the substantial minority constituency of natural authoritarians can be reinforced and portrayed as majority endorsement through NODISS-enhanced feedback through apparent grass-roots channels (the technique known in the US as "Astroturf"), conventional PR and carefully managed public opinion surveys. This should prove adequate to keep elected parliamentarians onside. However, progressive reform to reduce the conservative, liberal and independent elements of the House of Lords may be necessary to accomplish key phases of enabling legislation. Particularly stubborn opponents, or those wielding disproportionate or democratically unaccountable influence, can be countered through measured specific operations, informed by comprehensive surveillance of their private lives. In the vast majority of cases, some factual infraction or indiscretion has already been found which can be exploited via tabloid news media. Nuanced leakage to peer groups is one proven way to push suspicion of "dirty tricks" to the margins.
11. As the range of publicly disclosed capabilities is progressively widened, with popular support for social normalisation and the successful reduction of harmful deviancy, the terminal point of stability will be an appropriate and utilitarian simulacrum of a safe, just and tolerant society, in line with our mission statement. This will restore social deference, secure democratic consent and achieve international admiration, restoring Britain's reputation in the world as a well-ordered, just and tolerant society. No predetermined left-right axis of politics need to be chosen to mandate the transition. Over time, full public availability of the national biometric database and associated datasets will come to be regarded as a normal and universal good, and the economic and social fruits of a benevolently administered transparent society will be maximised.
12. A millennial era of mutual respect, order, and justice will at last have been safeguarded, governed by a stable system of appropriate custodians.

Financial considerations

13. Treasury officials have been fully engaged in the development of this analysis. They are satisfied that the budgetary implications for taking forward the strategy can be taken into consideration in the forthcoming Spending Review for 2002.

Legal considerations

14. Treasury counsel has confirmed the strategy can be made to appear compatible with the Human Rights, Data Protection, and Disability Discrimination Acts, and the proposed Weapons of Mass Destruction (Suppression) and Respect for Sensible Social Responsibility Bills planned for the 2001/2 legislative session.

Regulatory impact

15. Officials' initial regulatory impact assessment suggests that the net effect, weighed against the public policy benefits, would be within agreed tolerances.

Recommendations

16. Ministers are invited to:

- (i) Note the analysis prepared by DA(0), including the legal and budgetary considerations.
- (ii) Commission officials to undertake the next phase of development with a further report to DA in due course.

Signed: Sir Bonar Neville-Kingdom
Cabinet Office
28 June 2001