

EXCLUSIVE



War games at the bottom of the garden; soldiers rehearse moving through the long grass in Exercise Brave Defender

Official Army photograph

SECRET LAWS FOR WARTIME BRITAIN

Draconian new laws are being secretly put to the test in this week's major Army exercise, 'Brave Defender'. The new laws will sacrifice civil rights to British and American military plans, reports DUNCAN CAMPBELL. Research by Patrick Forbes

DRASTIC NEW EMERGENCY war laws have been approved by the Cabinet, to be put into action in a crisis. The new laws — contained in three secret Emergency Powers Bills, now held in every government ministry — would give special powers to government, police and military very early in an international crisis.

The legislation introduces a system of Ground Defence Areas, which extend the defence lines of hundreds of military bases and important industrial sites far beyond their peacetime perimeters. Within a GDA the military would be able to move residents and commandeer their houses or property —

demolishing or adapting houses to create free firing zones or gun emplacements as required. The total GDA system covers 'half the country', according to one official source.

Details of the GDA system emerged after a Cambridgeshire woman, who lives close to a major US Air Force base, tried to find out whether in war her home would be commandeered by US troops. For six months, Mrs Christine Saltmarshe, of Alconbury Weston, got no reply from the Defence Ministry. She then suffered a bizarre series of incidents, including her house being 'buzzed' by a helicopter. A Home Office minister, Lord Glenarthur, has now admitted — after questioning by the Labour peer Lord Hatch about the progress of her enquiries — that every US and British military base has made its own GDA plan.

A Ground Defence Area is the 'area associated with the tactical plan for defending a base and each vital installation has an individual GDA tailored to its needs and the local geography', wrote Parliamentary Undersecretary Lord Glenarthur in June, 'I hope this sets Mrs Saltmarshe's mind at rest'. It didn't.

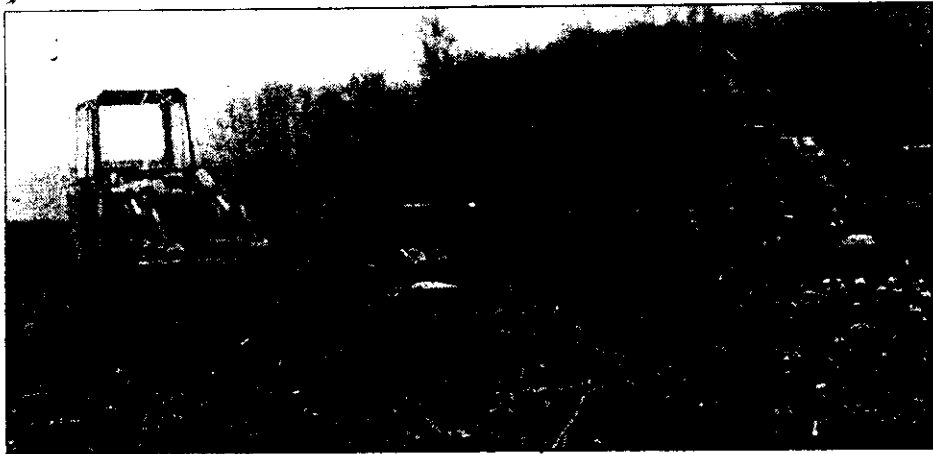
This week a major army exercise, Brave Defender — the largest military exercise to be held in Britain since the Second World War — will be testing the new GDA system. The exercise has been portrayed as a response to the threat of infiltrating Soviet 'special forces', or 'Spetsnaz' troops. Soviet observers were invited to attend the exercise, under the terms of the Helsinki accords, but chose not to come.

Mrs Saltmarshe's initiative was reinforced this week by CND chair Joan Ruddock, whose Berkshire home lies close to another key point, the British nuclear weapons factory at Burghfield. Ms Ruddock is visiting Burghfield on Friday to ask for details of how she and her neighbours would fare under such crisis conditions.

CND will be following this up with a national campaign for more public information about the secret GDA system. 'People living next to military bases already have to put up with so much', Joan Ruddock said, 'they have a right to know what these military GDA plans will mean for them in a crisis. It's clear that we shall lose our civil rights very early — and with them, our right to say no to war'. NCCL's General Secretary Sarah Spencer said that the plans indicated 'a disdain for democracy.'

SINCE 1979, British 'Home Defence' tactics have been completely revised on Cabinet instructions. These cover plans to defend hundreds of vital military and economic installations, each of them a so-called key point. Additional military priorities have been created following the signature in 1983 of a secret agreement with the United States, the Joint Logistic Plan. This plan promises to hand over British military and civil resources to the United States.

Until Mrs Saltmarshe's campaign, the government had regarded all aspects of Key Point protection plans as classified. The 1985 Defence White Paper said only that 'our aim is to have a complete set of plans for the defence of



Bulldozers were used to dig surface-to-air missile battery emplacements among fields and houses up to a mile from Upper Heyford US Air Force base, during an unpublicised Home defence exercise held in April this year.

Andy Kaye

vital installations in the United Kingdom, both military and civil.

The new plans for Ground Defence Areas and for meeting US logistic requirements have been deemed to require special emergency legal powers if they are to work effectively. This new emergency legislation was drafted before 1983. A small, secret team inside the Home Office is now putting the final touches to the dozens of special war regulations that will also be needed.

We have obtained details of these new war laws from several senior officials who have been concerned with top-level defence planning. These sources, separately, describe the war laws as 'terrifying', 'draconian', and 'sweeping... far beyond anything that was proposed before'. The three new Emergency Powers Bills have already been printed. Their terms go far beyond previous emergency Acts or the provisions of the Defence Regulations made in the Second World War.

The Emergency Powers (No1) Bill gives powers to designate any suitable part of the country as a 'GDA. In these areas, military commanders have complete rights to have people and property moved, in accordance with their plans.

The second phase of Emergency Powers extends the special laws to cover the whole of Britain. A primary objective is to guard American and British 'Lines of Communication'. The third Emergency Powers Bill gives government ministers total 'life and death' powers — which can be exercised as arbitrarily as they may think circumstances require. Ministers have deliberately misled Parliament about the fact these Emergency Powers Bills already exist.

MONDAY THIS WEEK saw the start of the 'mobilisation' phase of Exercise Brave Defender. Since then, 65,000 regular and reserve troops have been reporting to military bases, ready to be posted to Key Points throughout Britain.

Were the scenario in Brave Defender for real, even though not a shot had yet been fired, fears that the worsening east-west conflict might lead to war would have led the government to start guarding key bases. Parliament would have been asked to pass the first phase of Emergency Powers. Despite the sweeping powers contained in the Bill, present government plans require that it be passed within 24 hours at most.

Although those planning Brave Defender initially wanted to exercise as though full emergency powers had been granted, they were firmly turned down. Road blocks and armed military patrols in public places *will* be set up — but under strict civil police supervision.

Before Brave Defender could go ahead, the Defence Ministry had to negotiate with every Chief Constable in the country about how and where they would be allowed to exercise. One police force, Durham, turned them down. Others, such as Kent, warned the Army that they could not allow their war games to interfere with the public or disrupt ordinary traffic movement in key centres such as the Dover docks.

Colonel Bill Norman, spokesman for the Army Eastern District Command, told the *New Statesman* last week that 'our soldiers who are guarding key points do so under the authority of the Chief Constable. The police are there to make sure what we do is within the law. We've not been given special powers in this exercise'.

But, were Brave Defender for real, what follows would now be the position:

Emergency Powers (No1) Bill: Defence zones around key points are declared to be Ground Defence Areas (GDAs) by the Secretary of State for Defence. Within GDAs, everyone and everything is subject to military plans. Residents may be expelled or forced to move according to US or British defence requirements. Road blocks and checkpoints can be set up under military control. Canals, seaways, roads and tracks can be closed. Houses will be demolished to give free-fire zones. 'Subversive' protestors or others within GDA areas can be detained without charge or trial on order from the Home Secretary. Demonstrations can be controlled under public order rules.

The first Emergency Powers Bill, it was decided, should not legally censor press and broadcasting media. But official 'guidance' would be provided by a special organisation based on the Prime Minister's office.

The next step in Brave Defender's scenario is British and NATO mobilisation. British reserve forces are called out by Royal Proclamation — called Queens Order No 2. As British troops leave for Europe, massive US forces start arriving on the east coast by air and sea. Following mobilisation, Parliament would be recalled within five days, if not sitting already, to pass the second phase of Emergency Powers.

Emergency Powers (No 2) Bill: Powers inside the Ground Defence Areas are extended to cover the entire country. The assets of all private haulage and transport undertakings can be requisitioned. Petrol stations will be 'frozen' and supplies released according to a Priority Allocation System. Food and agricultural stockpiles, petrol and oil supplies, and other goods are requisitioned for government use. The Home Secretary's Detention (internment) orders are automatically extended. Strikes in major industries are outlawed. British Rail is taken over. Press and broadcasting organisations become subject to ministerial direction.

At the same time as the No 2 Act becomes law, the government would also take over all British shipping (using the Royal Prerogative) and all aircraft (using powers in the Civil Aviation Act).

The third Emergency Powers Bill has been drafted for the moment when nuclear attack on Britain is thought to be imminent. Despite pious references to the supremacy of Parliament in official documents, officials do not really expect that this Bill would go before Parliament in a pre-war crisis. This Bill would probably be made law by Order in Council. One government defence planner explained: 'It can all be done by proclamation. No one knows what might be happening at that time. Whoever has the guns (i.e. the military authorities) could take over...'

Under the third Act, the government would take full powers to rule by decree. All elected and consultative organisations would be disbanded or stripped of their powers. If a nuclear strike destroyed the organisations of central government, these life-and-death powers are delegated to junior ministers.

Emergency Powers (No 3) Bill: Central government takes total powers, including the authority to modify the judicial system. All laws may be enforced by *ad hoc* courts, and summary penalties (including death) imposed without right of appeal. All public and private undertakings are subject to government direction. Any goods may be requisitioned. Adults and children alike can be directed to work in labour gangs (including military or police duties if required). The Home Secretary or Regional Commissioners can make permanent internment orders against political subversives; and at the same time order the release of ordinary prisoners. Health regulations permit the detention in 'rest centres' of suspected disease carriers. The currency system can be modified. Non-government bodies exercising statutory powers, like the BMA and the Law Society, are wound up in favour of central government. Some of these powers may be delegated to local authority 'controllers' — peacetime Chief Executives. Full powers can be exercised by eleven junior ministers who are appointed, by Royal Warrant, to be Regional Commissioners, or by 22 other Sub Regional Commissioners.

No provision has been made for Members of Parliament to have any function, even consultative, in this system. Nor will they be protected in government shelters.

THE GOVERNMENT HAS intentionally misled Parliament and local councils about the existence of these Emergency Powers Bills. The Bills described above were approved in 1983 by the Cabinet's Home Defence Committee, 'HD'. HD is chaired by the Home Secretary, then Leon Brittan, and includes junior defence

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minister John Stanley and his counterparts from all other Whitehall departments. HD in turn reports to the main Cabinet defence committee, chaired by Mrs Thatcher.

Copies of the Bills they approved — stamped 'Secret' — are now stockpiled in safes in each Whitehall ministry, and in regional offices such as Cardiff, Birmingham, Newcastle, and Edinburgh. Soon after the draft Bills were agreed, the Home Office appointed a retired senior legal official, Mr Peter Harvey, to be the author of the further voluminous Regulations which the government would make under the new Acts.

Mr Harvey, the retired Legal Adviser to the Department of Education and Science, began drafting these Regulations late in 1983. Harvey answers to a secret committee, usually known by the initials HD(O)L. Officially HD(O)L is the War Legislation subcommittee of the Official Committee on Home Defence, one of a group of such committees which have been working on the new Home Defence plans.

If in time of war it were to be considered necessary to take any special legislative powers for the defence of the United Kingdom, this would, of course, be a matter for the Government and Parliament of the day.

Even more disingenuous is the Home Office *Emergency Planning Guidance* handbook, which was issued to local authorities earlier this summer. This says, untruthfully, that:

it is difficult to speculate on precisely what powers Parliament would approve at particular times

But the detailed Emergency Powers Bills had been printed two years before this was written, and officials can have no difficulty 'speculating' on what laws Parliament would be required to pass. Indeed the entire GDA system depends on providing the military authorities with the new powers.

IN COUNTRY LANES and city streets next week, the second phase of Brave Defender will begin. The exercise involves about 200 key points (KPs). This lasts from 6 to 13

points; others have been designated as such for the exercise. The 65,000 defending troops will operate on public and private land around the bases ('with the agreement of the landowners', it is claimed), as well as on their perimeters. The Ministry claims that 'any disturbance to the public will be kept to a minimum'.

During Brave Defender, SAS troops and other attackers will wear plain clothes, and will be allowed to use subterfuge and deception to get to their targets. They will carry concealed (but unloaded) weapons, and mock explosives in ordinary cars. Pretending to meet with subversive British groups, some of the SAS attackers will frequent restaurants, parks and pubs — which undercover defenders may have under surveillance. But no one else will know that these games are going on. And the attackers and defenders don't know who is playing in the exercise.

Bombs and thunderflashes and blank ammunition will be let off inside and outside military establishments, activities which are expected to flood the police with worried phone calls about terrorist activity. With the police guard down because of the exercise, real terrorists might even have a better opportunity to get through.

The disasters have begun. Explosive experts were called out at the beginning of this week in Inverness, after an explosion at a building society office in the town. In fact, a soldier had let off thunderflashes which had been issued to him for Brave Defender. Gloucestershire police are investigating an incident last week when smoke rockets were used to attack a restaurant.

Civil servants warned army planners more than a year ago that the unprecedented level of public military activity planned for Brave Defender was likely to be highly provocative to peace groups and the uncommitted public alike. So the Ministry has deliberately underplayed or avoided any connection to nuclear weapons. No nuclear weapons sites are included in the exercise as key points.

But British sensitivities are likely to be touched by the inclusion of two US bases in exercise plans. These are Burtonwood, a giant US Army arms depot near Warrington and Bentwaters/Woodbridge, a US Air Force base in East Anglia. Seven hundred American troops will be patrolling these bases and their GDAs.

Another site which is likely to be sensitive is Manchester's Ringway Airport. The civil airport — which is intended to be a major centre for US reinforcements in real war plans — is wholly owned by Manchester District Council and the greater Manchester Council, both leading members of the local authorities' Nuclear Free Zone movement.

Council leaders are angry that the airport authorities have not cleared the exercise with them in advance. Labour defence spokesman Denzil Davies attacked the exercise plans as 'the usual British desire for secrecy. The Emergency Powers Bills have not been discussed in the Commons. It is extraordinary that Ministers have made no statement about them. The public should know.' Liberal front bench spokesman Paddy Ashdown added that, 'the plans hand Britain over... at worst, to rule under the Americans. They should be debated in Parliament.' □



Soldier magazine

Civilian cars being searched at a military roadblock. Exercise Brave Defender will test Emergency Powers Bills enabling military commanders to control movement to and through Ground Defence Areas

In his *Who's Who* entry, Mr Harvey describes himself as a 'Consultant' to the Legal Adviser's Branch of the Home Office. Speaking this week from his home, in Weybridge, Mr Harvey refused to describe his work; 'I'm not saying what my current employment in the Home Office is', he told us, 'you've no business to ring me up like this'. The Home Office said that it was not possible to 'discuss the individual work of civil servants'.

Although government statements have acknowledged that an Emergency Powers Act 'might' be proposed in a crisis, ministers and officials have repeatedly tried to pretend that no one now knows what such Bills might contain. In his letter to Lord Hatch, admitting the existence of Ground Defence Areas, Lord Glenarthur claimed that 'the armed forces have no special powers within GDAs and that US forces in this country are subject to British law and must act within it in both peace and war'.

This was followed by the carefully misleading statement:

September. During this phase, the 5,000 strong 'hostile' forces, including SAS and Royal Marine regiments, will attempt to infiltrate and attack each of the key points. The defending soldiers will maintain static guard posts, with larger 'mobile reactions forces' moving in to reinforce 'threatened' key points.

The official list of key points being tested in the exercise is being kept secret until the last minute, in order to prevent CND and peace movement protests. But we have obtained details of many Brave Defender key points.

These include Liverpool, Hull, Marchwood (Southampton), Dover and Barry docks, Manchester Ringway airport, and the US depot at Burtonwood. Defending these sites from antiwar protesters and saboteurs alike is a critical part of the secret 1983 agreement with the United States.

Key points being 'attacked' next week include army bases, RAF airfields, such as Northolt in west London, and radio and TV transmitters. Some of them are real wartime key

Next week: Britain as a US 'Communication Zone'.