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15 NOV 2018

Dear Sally,

**COUNTER-TERRORISM AND BORDER SECURITY BILL: DRAFT SCHEDULE 3
CODE OF PRACTICE**

In Committee on 12 November, I undertook to write in response to your question about the distinction between "emerging" and "future" hostile activity as referenced in paragraph 24 of the draft Schedule 3 Code of Practice (Official Report, column 1700).

Simply put, 'emerging' hostile activity relates to new trends or patterns of behaviour that may be unfamiliar to our operational partners but has begun to be observed during the course of their work to counter the activity of hostile actors. 'Future' hostile activity, on the other hand, refers to where our operational partners extrapolate from current intelligence or current world events what a hostile actor might begin to do, either proactively or in response to a specific circumstance.

An important part of keeping this country safe relies on the ability of our operational partners not just to respond to hostile activity, but also to look ahead and assess how these actors might behave towards us in years to come or in response to specific scenarios. While an individual ports officer is not expected to be able to determine whether a person travelling through a port is likely to be a future hostile actor (where they are not currently engaged in hostile activity), they are expected to be familiar with the latest intelligence briefs and threat assessments that are shared between the national security community in this country. That information in addition to other considerations, may help an officer decide whether to proceed with an examination of a person.

I am copying this letter to Lord Rosser, Lord Kennedy, Lord Paddick and Lord Blair of Boughton. I am also placing a copy in the library of the House.

Baroness Williams of Trafford