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**Walker, Clive. *Blackstone's Guide To The Anti-Terrorism Legislation*.
Oxford: Oxford University Press, 2002.**

Blackstone's Guide To The Anti-Terrorism Legislation represents an important and timely contribution to the growing body of legal literature relating to Britain's anti-terrorism laws by an author who has written extensively on the subject. Clive Walker's expressed purpose is "to describe and analyze critically the legislation in detail, in context and in combination," (p. xii) and the book achieves its stated aim and much more. Walker offers the latest contribution to the discourse on anti-terrorism legislation in the context of human rights.

The first chapter sets the historical context and the background issues that were involved in the birth of the Terrorism Act 2000, Britain's first permanent piece of anti-terrorism legislation. The bulk of the book (chapters 2-7) concerns the Terrorism Act 2000, while the Anti-Terrorism, Crime and Security Act 2001 is afforded only two chapters (8 and 9). Walker's reasoning for that structure was that the Anti-Terrorism, Crime and Security Act 2001 built upon and reinforced measures already contained in the Terrorism Act 2000, as opposed to "striking out in new and alarming directions such as military tribunals." (p. 7) The final chapter serves to tie up any loose ends by providing various concluding remarks.

Although originally intended to be a commentary on the Terrorism Act 2000, the book was expanded to include Britain's post-9/11 rush to new legislation in the form of the Anti-Terrorism, Crime and Security Act 2001. (p. ix) From the outset, Walker makes no secret of his weariness for the introduction of new measures against terrorism as "the United Kingdom was [already] the most legally fortified country in Europe." (p. 10) Furthermore, he's not convinced that existing threats to the UK's national security warrant the use of permanent measures contained in the Terrorism Act 2000, let alone the introduction of even more "draconian" measures contained in the Anti-Terrorism, Crime and Security Act 2001. At most, the author seems willing to concede that the powers contained in the Terrorism Act 2000 are sufficient to deal with the present terrorist threat. Lamenting the reintroduction of a form of internment, embodied in the detention provisions of the Anti-Terrorism, Crime and Security Act 2001, Walker does much to illuminate the precarious position of the UK government when it came to the extradition of suspected international terrorists. Widely viewed as the most flagrant violation of human rights that necessitated derogation from the European Convention on Human Rights under Article 15 (in the case of a national emergency), Walker convincingly argues that derogation was unnecessary as existing measures were sufficient. Instead of introducing new measures contained in the Anti-Terrorism, Crime and Security Act 2001, he proposes "an alternative strategy of policing by way of surveillance, calling in aid all the police powers in the Terrorism Act 2000 plus the Regulation of Investigatory Powers Act 2000 and elsewhere." (p. 11) Although this strategy would be more costly, he considers it to be more proportionate to the threat. (p. 11)

Early on, Walker offers his own model of anti-terrorism legislation. For him, it is preferable to already possess well conceived legislation with the appropriate safeguards that adhere to his "limiting principles which reflect the value of individual rights, constitutionalism, and democratic accountability." (p. 15) Walker insisted that this "break glass in case of emergency legislation" is to be preferred since it would avoid much of the ill conceived decision-making that has taken place in an atmosphere of panic. (p. 16) These extraordinary powers have the added bonus of being placed back into the case once the security threat has sufficiently receded. Despite its attractiveness, Walker's strategy also contains some shortcomings: mainly the propensity toward overuse every time a crisis arises. (p. 17) Nonetheless, he maintains that "the legislation should most often remain behind the glass, but legislation should be there." (p. 19)

A major strength of this book is Walker's ability to firmly place the development of these new acts in their proper historical context. He clearly traces the origins of many of the special provisions contained within the Terrorism Act 2000 to other Acts that were borne out of the Troubles in Northern Ireland. Previously designed to target Irish terrorism, many of these provisions have been extended following a government inquiry and consultation paper to include all forms of terrorism: domestic, international, and Irish. Although the government afforded more time to consider which provisions should be included in the new legislation and which should be dispensed with (namely the power of internment contained in the Northern Ireland [Emergency Provisions] Act 1996), Walker is disappointed to find that it contains very few safeguards, such as a review process and Parliamentary debates on the necessity of the measures. With the introduction of the Anti-Terrorism, Crime and Security Act 2001, which resurrected detention without trial, Walker notes that in essence "what the one Act gives, the other takes away." (p. xi) Lacking the principles of "constitutionalism," "democratic accountability," and respect for "the value of individual rights," (p. 15) Walker is not particularly impressed by the Terrorism Act 2000 since it did not include these limiting principles.

This thorough commentary on the main provisions of both acts include some penetrating analysis and exposes the complexities of Britain's terrorism legislation in relation to international law, European Conventions, and its own Human Rights Act 1998. Walker also offers some prescriptive suggestions for improvements to the Terrorism Act 2000 that could bring it more in line with his limiting principles.

Finally, though he conceded that "the Terrorism Act 2000 represents a worthwhile attempt to fulfill the role of a modern code against terrorism," Walker notes that "it fails to meet the desired standards in all respects. There are aspects where rights are probably breached, and its mechanisms to ensure democratic accountability and constitutionalism are even more deficient." (p. 289) With both acts included in appendices, as well as an extensive bibliography, *Blackstone's Guide To The Anti-Terrorism Legislation* is both a thorough and readable commentary on two important pieces of anti-terrorism legislation that students of law and terrorism will undoubtedly find very useful and informative. Despite the emotionally charged atmosphere in the aftermath of the 11 September attacks, Walker succeeds in producing a sober, well-balanced, and straightforward

assessment of two very important acts, as well as offering reasonable suggestions for their improvement.

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