

Questions raised by BBC's apology to queen over Abu Hamza

By Chris Marsden
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The BBC issued an official apology to Buckingham Palace after its security correspondent, Frank Rolleston Gardner, revealed on BBC Radio 4 that the queen had raised concerns with the government about why radical cleric Abu Hamza al-Masri had not been arrested.

The BBC grovelled before her majesty over how a private conversation “should have remained private and the BBC and Frank deeply regret this breach of confidence. It was wholly inappropriate. Frank is extremely sorry for the embarrassment caused and has apologised to the Palace.”

The apology is in line with the mood of the times, coming as it does amid the pose of outrage and pledges of loyalty by the UK media over the publishing of topless photos of the Duchess of Cambridge, Catherine Middleton, in France. It has highlighted once again the key role played by the monarchy in British political life. Not only is the monarch a symbolic figure epitomising wealth, privilege and obeisance to the nation, but she also confers as a matter of routine with the prime minister and other top government figures.

The BBC itself noted that she holds a weekly visit by the prime minister (David Cameron is her twelfth), during which, she has said, “they unburden themselves”, but which are covered by “a convention of confidentiality” as are other “communications with ministers”.

In addition, she receives all intelligence reports sent to her senior ministers, which are sent to her by the chief of the MI6.

Gardner's “lapse” has been attributed to personal boasting and vainglory on his part, but this is utterly unconvincing. He is a trusted pair of hands and a key figure in British broadcasting, with intimate ties to the highest echelons.

Appointed an OBE in 2005 for his services to

journalism, his parents were both diplomats. A former investment banker, he joined the BBC in 1995—becoming Gulf correspondent in 1998 and Middle East correspondent in 2000. From 2002, he has specialised in covering the so-called war on terror.

While reporting in 2004 from Saudi Arabia, Gardner was shot six times in an attack during which his cameraman was killed. He was left seriously injured, reliant on a wheelchair and a frame. Among his awards is the McWhirter Award for Bravery, in commemoration of the right-wing political figure Ross McWhirter who was assassinated by the IRA in 1975. He was due this year to host the Counter-Terrorism and Specialist Security Awards (CTSS) on behalf of the arms industry before being forced to pull out amid concerns that he was compromising the BBC's pose of impartiality.

For him to declare during an interview on Abu Hamza that the queen had asked a former home secretary why he had not been arrested much earlier is because he—and probably others—wanted this to be “out there”.

“Actually I can tell you,” he told presenter James Naughtie, “that the queen was pretty upset that there was no way to arrest him. She couldn't understand—surely there had been some law that he had broken?”

“Yes, I thought I'd drop that in. She told me.”

He has partially succeeded in his aims. Though unnamed, the revelation prompted former Labour home secretary David Blunkett to “categorically” deny that the queen raised the issue of Abu Hamza with him. “Not surprisingly, because my views and attitude in relation to this individual were very well known.”

In a *Guardian* article, “Abu Hamza: the Queen asks the right question”, Richard Norton-Taylor and Nick

Hopkins comment that it was “not at all surprising the queen was puzzled about why Hamza had not been arrested and put on trial years before he was convicted and sentenced for seven years in 2006 for soliciting murder and racial hatred. Many people were asking the same question.

“David Davis, shadow home secretary at the time, said after the conviction: ‘It would appear the only reason Hamza was actually prosecuted was because the US was seeking his extradition. No. 10’s claims that adequate laws are not available to prosecute is nonsense—six of Hamza’s convictions were under the 1861 Offences Against the Person Act, three of his convictions were under the 1986 Public Order Act and only the least important charge was under the 2000 Terror Act—which in any case would have allowed for prosecution in 2001, rather than 2005’.”

The *Guardian* offers by way of explanation that an unnamed MI5 agent told them that Abu Hamza “was an ‘unwitting’ informant for the security services.”

It notes that Islamic cleric Abu Qatada, who too was not prosecuted for years before being detained in 2003, “offered to act as an informant for MI5”.

However, this barely scratches the surface of the extent to which state and government forces colluded for years with Islamic figures close to Al Qaeda.

Abu Hamza’s extradition to the United States raises serious legal issues and questions of democratic rights. He is in fact only one of five figures whose appeal against extradition was denied by the European Court of Human Rights on Monday.

Babar Ahmad, Syed Talha Ahsan, Adel Abdul Bary and Khaled al-Fawwaz face deportation alongside Abu Hamza—Ahmad and Ahsan for allegedly running a jihadist web site in London and Bary and al-Fawwaz as alleged aides to assassinated Al Qaeda leader Osama Bin Laden.

Their detention is an outrage. Unlike Abu Hamza, the four have never been charged with an offence in the UK, but they have been imprisoned for years without trial. Ahmad, a British citizen, has been detained for eight years.

All have argued correctly that they face inhumane treatment in the US and their extradition should be opposed as a matter of principle. A High Court judge yesterday halted the extradition of Abu Hamza and Al-Fawwaz, after a last-minute appeal was made

“seeking injunctions preventing their removal from the UK”.

Nevertheless, it remains the case that Abu Hamza, though in custody since 2004, has never faced a serious investigation into his activities stretching back into the 1990s. The US has sought his arrest for allegedly setting up a terrorist training camp in Oregon and assisting hostage taking in Yemen, charges for which he faces life imprisonment. But Abu Hamza was only given a seven-year sentence when he was finally convicted in the UK, despite the fact that the majority of the victims of his alleged operation in Yemen were British.

In December 1998, 16 tourists were seized in southern Yemen and their abductors demanded the Yemeni government release six Britons accused of plotting attacks on the British consulate, a hotel and a church. Those arrested included Masri’s eldest son, Mohammed Mustafa Kamel, and his stepson, Mohsin Ghalain. In a failed rescue operation, four of the tourists died, including three Britons and an Australian, while an American woman was shot.

In a September 24 article, Gardner explains that he flew in to interview the survivors and notes, “The lead kidnapper used his satellite phone to call Abu Hamza in London for advice on how to proceed.”

The *World Socialist Web Site* has detailed the extensive evidence that Abu Hamza was allowed to remain free for years, despite evidence far less flimsy than that used to arrest and imprison numerous others; this included a cache of weapons and fake passports discovered in a raid in 2003, because he was acting as a key informant for Britain’s security services and because the Finsbury Park mosque had been heavily infiltrated in order to gather information and stage provocations.

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