

[REDACTED]

SECURITY SERVICE POLICY ON RUNNING AGENTS IN SERIOUS CRIME

1. The Security Service Act 1996 gives the Service the function of acting in support of the police and other law enforcement agencies in the prevention and detection of serious crime. This note sets out the principles to be adopted by the Service in employing and running as an agent a person who is to obtain intelligence to assist the Service in performing that function.

2. The Service's remit in the prevention and detection of serious crime is distinct from and designed to "add value" to the work of the law enforcement agencies. In order for its contribution to be fully effective, the Service will deploy the full range of techniques it has developed in other areas of its work, including counter-terrorism. These techniques include the recruitment and tasking of agents for the purpose of gathering intelligence; this raises the issue of participation in criminality. Home Office Circular 97/1969 contains guidelines issued by the Home Office to police forces on the use of informants who take part in crime. [REDACTED]

[REDACTED] were specifically formulated to guide police forces in obtaining information from informants.

3. [REDACTED] whilst running informants or agents may involve balancing competing public interests, the balance will be different depending on the nature of the investigation in which the person is providing information. [REDACTED]

[REDACTED]

[REDACTED]

4.

[REDACTED] the Service will primarily take account of the guidance given by the courts on the appropriate use of informants involved in criminal activity. In addition the Service will have regard to the principles contained in the Home Office [REDACTED] and to police and other relevant practice under those guidelines. However the Director General is responsible for the operations of the Security Service. He retains at all times, control of and responsibility for Security Service staff [REDACTED]

5. The balance of public interests may favour an agent being allowed, under proper control by the Service, to continue his participation in criminal activity in order to maintain a flow and development of intelligence. [REDACTED]

[REDACTED] In particular attention should be paid to the following:

- (i) Before any person is employed as an agent in order to obtain information on serious crime, approval must be given [REDACTED]

[REDACTED]

- (ii) The agent must be clearly instructed that his employment or continued employment as an agent does not carry with it immunity from prosecution.

[REDACTED]

[REDACTED]

[REDACTED]