

Intelligence chiefs draft secrets law

By Peter Hennessy

The small group of officials and security chiefs who advised the Prime Minister of intelligence matters have instructed that preparatory work should be undertaken on a draft law, to prohibit the naming in public of M15 and M16 officers and agents.

The enterprise is at a very early stage and no plan has been put to Mrs Margaret Thatcher and the tiny Cabinet committee she chairs on security and intelligence. Given the priority afforded by the Prime Minister to the maintenance of security, it is likely she would agree to such a statute if recommended by intelligence chiefs and her official advisers.

Such a bill, which would be modelled on the United States Intelligence Identities Protection Act, 1982, would not be included in next autumn's Queen's Speech, but be announced in Parliament without warning. There is no possibility, however, of its happening in the present sessions.

There is concern in Whitehall that neither the Official Secrets Act nor the D-notices, the voluntary system of self-censorship practised by the British media on certain defence and intelligence matters, are adequate instruments for curbing the practice of naming British intelligence officers, serving or retired.

The issue has been a long-standing concern of the intelligence community. It re-emerged last year with the publication of *British Intelligence and Covert Action* by Jonathan Block and Patrick Fitzgerald.

An appendix named British officials it claimed were, or had been, involved in British intelligence.

Although Whitehall believes the book is riddled with errors; the consensus is that its publication was "indefensible" as, unlike most other studies of British intelligence, it covered events and personalities "so near to the present day", as one insider put it.

The contrast between the voluntary nature of D-notice No 6 on "British Security and Intelligence Services", and the United States statute is striking.

The D-notice "requests" that nothing shall be published without reference to the Secretary of the Defence, Press and Broadcasting Committee, which identifies officers.

The US Act has a scale of penalties for those who expose agents, ranging from ten years' imprisonment and a \$50,000 fine for former intelligence officers who expose colleagues; to three years' imprisonment and a \$15,000 fine for outsiders who publish such information.