

British police and intelligence using children as spies

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British police and intelligence forces were revealed last week to be using children as spies. The filthy practice affects an unknown number of young people and has been ongoing for an unknown time period. Some child spies are reported to be under 16 years of age. The exposure only came to public attention because of concerns raised by the House of Lords committee charged with scrutinising secondary legislation.

According to the scrutiny committee's 35th report, the government was seeking to amend both the Regulation of Investigatory Powers Act 2000 and a Draft Investigatory Powers Order 2018 by revising codes of practice on "aspects of covert surveillance." The change aimed to increase from one to four months the period over which a young person can be utilised as a "CHIS" [Covert Human Intelligence Source] without further authorisation.

The government's intention, according to answers from the Home Office to the scrutiny committee, appeared to be to make life easier for the police and "law enforcement agency stakeholders."

Currently a "juvenile CHIS" can only be authorised for one month at a time. The unfortunate child spy "may not have been able to complete the tasking within the initial one month." By extending the authorisation to four months, the government sought to remove pressures to demonstrate quick results or meet authorisation deadlines.

The Home Office hinted that "pressure to obtain results" could be "unhelpful to the juvenile CHIS," could make it "more difficult to ensure the safety and welfare of the young person" and "could lead to the investigation progressing in a way that does not achieve the best long term result."

No examples were provided or requested of the

specific ordeals and disasters into which young people have been pitched to complete their "taskings". But even the measured language of committee chair and former Conservative minister Lord Trefgarne indicated alarm.

Trefgarne wrote to Home Office minister Ben Wallace raising concerns that the extension of the authorisation "may be founded on administrative convenience as it does not make clear how the welfare of the young person in this situation will be taken into account."

Trefgarne noted that those consulted on the change included "representatives of the police, intelligence agencies, National Crime Agency, Crown Prosecution Service, College of Policing and the National Policing leads for CHIS and undercover policing." He pointed out that the list "does not mention consultation with organisations or professionals that might be expected to offer views on the mental and physical welfare of juveniles."

He continued, stating the obvious, "We are concerned that enabling a young person to participate in covert activity for an extended period of time may expose them to increased risks to their mental and physical welfare." He noted the committee's "considerable anxiety concerning the principle of employing young people—sometimes very young people—in this way." The committee noted that it did not understand how police and intelligence handlers would know how to assess the impact of undercover operations on a young person's mental health.

Wallace's response revealed the type of operations into which the British authorities have thought it fit to pitch young people.

He wrote: "Given that young people are increasingly involved, both as perpetrators and victims, in serious

crimes including terrorism, gang violence, county lines drugs offences and child sexual exploitation, there is increasing scope for juvenile CHIS to assist in both preventing and prosecuting such offences. They may have unique access to information about other young people who are involved in or victims of such offences.”

Trefgarne commented: “These are serious, violent crimes and we have grave concerns about any child being exposed to such an environment.” He expressed surprise that Wallace was “unable to give any information on the number of juveniles so authorised.”

A former undercover police officer, Neil Woods, told the *Guardian*: “It sounds like infiltration to me, direction and infiltration.” Woods made clear the grossly manipulative means used by the authorities. “It’s basically a kid that has been caught for the first time and, instead of rescuing them they are sending them back in.” Woods warned that infiltrating juvenile spies into the illegal drugs trade would only heighten the dangers facing every young person caught up in the industry.

The exposure generated a wave of revulsion and condemnation from rights organisations.

Rights Watch (UK) told the *Guardian*: “Enlisting children as foot soldiers in the darkest corners of policing, and intentionally exposing them to terrorism, crime or sexual abuse rings—potentially without parental consent—runs directly counter to the government’s human rights obligations.”

The group continued, “Under domestic and international law, decisions which affect children must be taken in their best interests. Their welfare must be the primary consideration. It is difficult to imagine any circumstance where it would be in a child’s best interest to be used as an informant.”

CAGE, the group set up in 2003 to expose the arbitrary imprisonment and torture of prisoners held by the US government at Guantanamo Bay, warned in a press statement: “In addition to the flagrant disregard for the rights of children, it is possible that youths caught for crimes are ‘re-deployed’ into spying operations, and then undergo surveillance themselves while spying, for vetting purposes.”

CAGE continued, “Serious questions then arise as to whether these ‘juveniles’ are being coerced into spying to avoid prosecution; this would amount to ‘state

sanctioned child abuse’.”

The group’s research director Asim Quresh explained, “This is nothing more than the recruitment of child soldiers in a more sugar-coated guise.” He continued, “We thought it was bad when MI5 was shown to be taking advantage of the vulnerable including the mentally challenged, but this approach is even more cynical and abusive.”

The response from the leading political parties combined hand wringing along with a preference for the policy to be better managed. Green Party peer Jenny Jones intended to raise a “motion of regret” in the House of Lords.

For her part, Diane Abbott, Labour’s shadow home secretary, called for the practice to end. Abbott made clear, however, the terms on which she considered it could continue: “There appear to be no guarantees from the government that safeguarding measures are in place, no indication of parental authorisation, and no detail on whether these ‘child spies’ are given any support once they have finished with them.”

A spokesman for Prime Minister Theresa May took the cue from the Labour Party. Child spies, Downing Street reassured, “are used very rarely and they’re only used when it is necessary and proportionate. ... The use is governed by a very strict legal framework.”

A *Guardian* editorial summed the matter up, pointing to the extreme vulnerability of the young people most likely to fall into the clutches of the police and intelligence agencies. Teenagers targeted for use as undercover agents were victims of “years of austerity which have stretched services to breaking point.” Nevertheless, the authentic voice of what little remains of British liberalism concluded: “If there is a case for their use it should be made openly, with provision of appropriate evidence and a full discussion of the necessary safeguards and oversights.”



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