



**Investigatory Powers
Commissioner's Office**

PO Box 29105, London
SW1V 1ZU

The Rt Hon. Harriet Harman QC MP
House of Commons
London
SW1A 0AA

24 August 2018

Dear Harriet,

The use of young people as CHIS

Thank you for a copy of the letter dated 16 August 2018 addressed to Ben Wallace, the Minister of State for Security and Economic Crime.

In light of the request made of me by Baroness Williams, I will be reporting in some detail in due course on this issue, but given my oversight responsibilities I seek now to ensure that two things are clearly understood.

First, although it would be foolish of me to attempt to pre-empt with any finality the numbers that will be revealed by the statistics, I am confident that over the last five years, very few children have been used as Cover Human Intelligence Source (CHIS). Although the figures may always reveal a surprise, my current understanding is that at any one time young people acting as CHIS are unlikely to reach double figures. Furthermore, their involvement is usually of short duration.

Whenever we inspect any public authority which is entitled to authorise CHIS, my Inspectors ask if there have been any young people authorised since our last inspection. For the vast majority of public authorities the answer is 'No'. If any juvenile CHIS have been deployed, my Inspectors would consider the detail of each case.

Although the circumstances will vary, an inspection in this situation would include my Inspectors looking at:

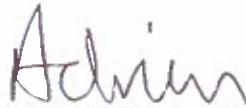
- The details of the recruitment of the CHIS, with particular focus on whether the young person has previously been uninvolved in relevant criminality and is being asked to report on criminals with whom they would not normally associate. In reality, this never, or only extremely rarely, occurs.
- The risk assessment and welfare management of the juvenile CHIS, both during the period authorised and for the period after the deployment (depending on the case, these may be extensive or they may be limited to ensuring the CHIS understands to contact the Source Handling Unit if there are any problems);
- The tasking given to the source, focusing particularly on the element of danger and ensuring the young person is not being asked to mix in criminal circles to which they would otherwise not have been exposed.

- Whether the parents have been informed and consulted (in some cases sharing this information with the parents may create a risk to the young person).

In summary, there is detailed focus by my Inspectors on the 'duty of care' and they seek to ensure that children are not being put into dangerous situations. Perhaps one of the key factors is that juvenile CHIS reporting on crime are, with very few exceptions, involved in criminality or youth gangs before they are recruited.

As I have indicated above, once the material I have requested is to hand, I will report more comprehensively on this issue.

Best wishes,

A handwritten signature in black ink, appearing to read "Adrian". The signature is written in a cursive, slightly slanted style.

The Rt Hon. Lord Justice Fulford
The Investigatory Powers Commissioner