

Reid to toughen secrecy laws

*By Richard Norton-Taylor, Guardian
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Plans for tougher official secrecy laws to prevent whistleblowers from revealing information about government policy have been drawn up by the home secretary, John Reid. He wants to stop members of the security and intelligence agencies, as well as other Whitehall officials with access to sensitive information, from claiming they acted in the public interest and were exposing wrongdoing or unlawful acts by the government. Ministers have been embarrassed by a spate of leaks revealing their private concerns about the legality of the US-led invasion of Iraq, including concerns allegedly expressed by Tony Blair about American tactics in the country. They are also concerned about how Katherine Gunn, a former official at GCHQ, the government's eavesdropping centre, threatened to use the defence of "necessity" in court. She was charged under the Official Secrets Act for revealing a document which showed how the US had asked GCHQ to intercept the communications of foreign diplomats at the UN during attempts to secure a security council resolution backing the invasion of Iraq. The case was dropped after she threatened to expose doubts about the legality of the invasion expressed by government lawyers. The parliamentary intelligence and security committee revealed in its annual report last week that a draft bill drawn up by the Home Office would remove the common law defence of "duress of circumstance" as a potential whistleblower defence. The measure, the committee said, would "address unauthorised disclosure by members, or former members, of the security and intelligence agencies". It said the question of who could "authorise" a disclosure of official information - at present often at the discretion of senior officials - should be placed on an explicit statutory footing. Punishment should also be increased from the two-year jail sentence under the 1989 Official Secrets Act. The parliamentary committee said the Home Office proposal had not yet received "policy clearance" in Whitehall.

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