

Rt Hon Priti Patel MP  
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Your Ref: n/a  
Our Ref 20210922 SH  
Date: 22 September 2021  
Enquiries to: Suzanne Harris  
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Dear Home Secretary,

I write in response to the HMICFRS inspection report '*A shared confidence: A summary of how law enforcement agencies use sensitive intelligence*'.

I acknowledge the 14 recommendations made in this report (listed in appendix A for reference) and understand that recommendations 8 and 9 reference Chief Constables.

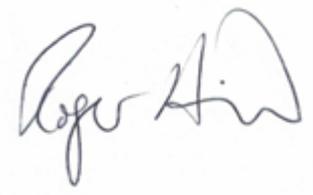
I support the concept of a standardised approach to the use of Sensitive Intelligence by the Sensitive Intelligence Network (SIN), and in doing so I welcome recommendations 8 and 9.

The Chief Constable has provided a detailed response to me regarding each of the recommendations relevant to Essex Police. This assures me that Essex Police is in a strong position and takes seriously its approach to the use of, and access to, sensitive intelligence. I am confident that Essex Police will do what is required to ensure the achievement of the recommendations in the report.

Sensitive intelligence is key in providing opportunities to protect our communities and bring offenders to justice, especially in relation to serious and organised crime. It is therefore essential that its use is managed in an appropriate way.

I will continue to monitor the work of Essex Police in this regard, and to hold the Chief Constable to account, including through the monthly Performance and Resources Scrutiny Board.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roger Hirst', enclosed within a light grey rectangular border.

Roger Hirst  
Police, Fire and Crime Commissioner

c.c. Ben-Julian Harrington, Chief Constable, Essex Police.

## **Appendix A – Recommendations**

1. *By 31 December 2021, the National Police Chiefs’ Council lead for serious and organised crime and the Director General of the NCA should define the term ‘sensitive intelligence’.*
  2. *By 1 July 2022, the National Police Chiefs’ Council lead for serious organised crime should establish an accreditation process for sensitive intelligence units.*
  3. *By 1 July 2022, the National Police Chiefs’ Council lead for serious organised crime should establish standard operating procedures for managing sensitive intelligence.*
  4. *By 1 July 2022, the Director General of the NCA should establish a process for identifying, evaluating and, if appropriate, adopting best practice from other intercepting authorities.*
  5. *By 31 December 2021, the Director General of the NCA should give guidance to staff on its interpretation of the Investigatory Powers Act 2016, specifically the terms “minimum that is necessary” and “authorised purposes”.*
  6. *By 1 July 2022, the Home Office should consider the benefits of a national serious organised crime intelligence structure.*
  7. *By 28 February 2023, the Home Office should work with the National Police Chiefs’ Council lead for serious organised crime and the Director General of the NCA to devise a technical solution to make exchanging sensitive intelligence between organisations more efficient and effective.*
  8. **By 31 December 2021, the National Police Chiefs’ Council lead for the Police National Database should give guidance on access permissions in relation to sensitive intelligence. Chief constables should comply with that guidance.**
  9. **By 1 July 2022, the National Police Chiefs’ Council lead for serious and organised crime should set standards to make sure that each regional sensitive intelligence unit has full and ready access to all intelligence systems of each force in their region. Chief constables should comply with those standards.**
  10. *By 1 July 2022, the Director General of the NCA and the National Police Chiefs’ Council lead for serious and organised crime should agree appropriate access for the NCA to all regional sensitive intelligence unit intelligence databases.*
  11. *With immediate effect, the National Police Chiefs’ Council lead for serious organised crime and the Director General of the NCA should implement a method for the analysis of targeted intercept material within sensitive intelligence units that meets the operational needs of all parties. This should be formalised with a memorandum of understanding and standard operating procedures. Compliance with these procedures should then be tested in an accreditation process.*
  12. *With immediate effect, the Home Office should make sure that the sensitive intelligence network’s user requirements are considered in the design stage of the replacement interception dissemination platform, Themis, and that the network is invited onto the Themis implementation oversight board as a full and equal member.*
  13. *By 1 July 2022, the Director General of the NCA and the National Police Chiefs’ Council lead for serious organised crime should make sure that the principles of Project Harmproof, designed to minimise the likelihood of intelligence failure, are embedded across the SIN.*
  14. *By 31 December 2021, the National Police Chiefs’ Council lead for serious and organised crime and the Director General of the NCA should give guidance on how sensitive intelligence should be used to consistently inform the MoRiLE, organised crime group mapping and serious organised crime system tasking processes.*
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