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Mr John Allman
Christians Against Mental Slavery
98 High Street
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Our Ref
Your Ref
Date 20 November 2003

Dear Mr Allman,

Thank you for your letter of 18 October. You were concerned that Simon Watkin's previous letter to you, dated 14 October, did not fully address the points that you raised in your correspondence of 10 October.

Your points were as follows:

- 1) You wanted the UK "to become the first of the world's national governments to declare in its own domestic legislation that the technological monitoring or influence of human thought non-consensually amounts to a crime against humanity."
- 2) You also wanted "the UK Government to persuade other Governments to adopt and implement similar legislation in their own jurisdictions, and to persuade them to enter into an international treaty that would eventually make it the common view of most of the world that the technological monitoring or influence of human thought non-consensually amounted to a crime against humanity."
- 3) You wanted "the UK Government to provide information, and thus the chance to seek compensation (ECHR Article 13), to victims of the actus reus of the proposed new crime against humanity, perpetrated before it became defined in law as a crime against humanity, even if that necessitated disclosing classified information to victims who would not ordinarily be eligible of the required level of security vetting."

Firstly, in order for the Government to consider introducing specific legislation to permit or prohibit the use of the technological monitoring or influencing of human thought without prior consent, such technology would have to be proven to be viable. There would be no purpose in introducing legislation based on the vague chance that at some point in the future technology may have developed to such a degree that such actions become a realistic proposition, rather than a theoretical possibility. There is an enormous leap to be made from, for example, observing differences in brain activity as a result of being exposed to different types of words in a laboratory setting where external stimuli are

kept to a minimum, to actually being able to 'read' people's minds.

Even then, the pros and cons of such technology would have to be carefully weighed up. You have yourself identified that it may have some positive applications, and in the case of microwave technology for instance, there may well be potential benefits for those with hearing impairments. However, until such technology actually becomes practicable or science has advanced enough for its use to be conceivable in the near future, the Government will not be able to make an informed decision about what its merits and drawbacks are, nor will it be possible for its use to be regulated in way which is necessary and proper in a democratic society.

In terms of influencing other countries, this would only be relevant once the UK Government has reached a firm view on its own policy.

To the extent that you believe that there are people who have been affected by such technology, these individuals have the right to make a complaint to the Investigatory Powers Tribunal. The Tribunal considers claims that human rights have been infringed by any of the Intelligence Services, and certain Public Authorities. I have included copies of the Investigatory Powers Tribunal Information Leaflet and Claim Forms T1 (Human Rights Claim Form) and T2 (Conduct Claim Form).

If the Tribunal were to find that there had been undue conduct, or a breach of human rights, it would be able to award damages to the affected party.

Yours sincerely,



Dr. Elizabeth Fitton-Higgins
Covert Investigation Policy Team