



The Official Secrets Act 1989

The Official Secrets Act 1911 to 1989 provides legal protection in the UK against espionage and unauthorised disclosure of information. The 1989 Act replaced Section 2 of the Official Secrets Act 1911, under which it was a criminal offence to disclose official information without lawful authority. Under the 1989 Act it is an offence to disclose official information only in six specified categories and only if the disclosure is damaging to the national interest.

This guide gives answers to basic questions about the law and how it might affect you. It does not cover everything in the Act but should leave you in no doubt about the importance and your obligations under these provisions.

Who is affected by the Act?

The Act applies to:

- Crown Servants including
 - Government Ministers
 - The Police
 - Members of The Armed Forces
 - Civil Servants, including members of the Diplomatic Service
- Any Constable or any other person employed or appointed in for the purposes of any Police Force.
- Government Contractors, including anyone who is not a Crown Servant but who provides or is employed in the provisions of goods and services for the purposes of a Minister.
- Members of the public and others who are not Crown Servants or Government Contractors but who have had, or have had, official information in their possession.

What is Official Information?

The Official Secrets Act contains a number of offences concerning the unauthorised disclosures of information, documentation and articles. The term 'Official Information' is used to mean information, documents or articles that are in possession of Crown Servants (to include the Police) or Government Contractors.

What are the Six Specified Categories of Official Information Protected by the Act?

The 1989 Act creates offences connected with the unauthorised disclosure of information in six specified categories by Government employees. These are:

- Security and Intelligence
- Defence
- International Relations
- Information which might lead to the commission of crime
- Foreign Confidences
- The special investigation powers under the interception of Communications Act 1985 and the Security Services Act 1989

What does the Act mean for me?

For employees or former employees of the security and intelligence services any unauthorised disclosure of a document or information relating to security and intelligence is an offence. However, a Crown Servant (eg Police) is only guilty of an offence if they make an unlawful disclosure in one of the six categories which is deemed 'damaging' (listed above).

Is it an offence to disclose information?

Simply, yes. It is an offence for anyone to disclose information, without a proper lawful purpose, which it would be reasonable to expect might be used to obtain access to information protected by the Act.

Further information on the Official Secrets Act can be found here:

[The Official Secrets Acts and Official Secrecy - House of Commons Library \(parliament.uk\)](https://www.parliament.uk/about/offices/house/commons/library/official-secrets-acts-and-official-secrecy/)