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Dear Chief Officer

HOME OFFICE GUIDELINES ON THE WORK OF A SPECIAL BRANCH

The attached guidelines for running a Special Branch have been drawn up by the Home Office in consultation with the Association of Chief Police Officers and the Security Service. They have been approved by the Home Secretary who commends them to the attention of chief officers.

2. In large part the guidelines are based on the terms of reference for Special Branches issued by the Association of Chief Police Officers in 1970. By agreement with the Association, chief officers should regard these guidelines as updating and replacing those terms of reference.

3. The guidelines are being made available to the House of Commons Home Affairs Select Committee and their content is therefore a matter of public record. Thus they may be made available to police authorities on request. But it is not the intention that this classified covering letter should be made public now or in the future.

4. Because of the exceptional sensitivity of much of the work undertaken by Special Branches, it is of the utmost importance that Special Branch officers attain a high degree of professional competence and that to this end all Special Branch officers should attend the appropriate training courses run by the Metropolitan Police Special Branch and Security Service. Officers should attend refresher courses, particularly when they have been away from Special Branch duties for some time.

Assistance to the Security Service

5. When a Special Branch is operating in support of the Security Service chief officers should attach importance to the need to consult that Service and to seek its advice as necessary. This is particularly important when collecting, processing and recording information about subversive or potentially subversive organisations or individuals. Under the definition of subversion given in the Guidelines (paragraph 20), an organisation currently operating within the law may nevertheless be subversive because its long term aims satisfy the definition and therefore be a proper subject of investigation. Senior officers must exercise strict control over the selection of targets for investigation when the current activities of an organisation are legitimate and peaceful. When intelligence is gathered on subversive organisations, very great care should always be taken not to give grounds for Special Branch enquiries being misrepresented as wrongful police interference in the exercise of civil and political liberties. This applies especially to coverage of demonstrations and protest marches, which will often provide an opportunity for the collection of information about subversive elements in a particular organisation.

6. Special Branch investigations into subversive activities in particularly sensitive fields, for example in educational establishments, in Trade Unions, in industry and among racial minorities, must be conducted with particular care so as to avoid any suggestion that Special Branches are investigating matters involving the legitimate expression of views. Enquiries into subversive activities in these fields which may be necessary to meet the requirements of the Security Service should be initiated only after consultation with the Security Service.

7. Care should also be taken to ensure that investigations in relation to industrial disputes are not misrepresented as being aimed at the penetration of trade unions rather than the investigation of subversive groups which may be active in disputes or for public order purposes. Subversion should not be confused with industrial militancy. Industrial militancy is the use or threatened use of strikes, sit-ins or other disruptive action in the furtherance of industrial disputes, and an unwillingness to seek or accept compromise solutions through negotiations, conciliation or arbitration. The actions of industrial militants only become subversive when their intent is to threaten the safety and well-being of the State and to undermine or overthrow Parliamentary democracy.

8. It is not the function of the force Special Branch to investigate individuals and groups merely because their policies are unpalatable, or because they are highly critical of the police, or because they want to transform the present system of police accountability.

Surveillance

9. Special Branches are reminded that Home Office guidelines issued to the Chief Officer concerning the use of equipment in police surveillance operations apply to them as much as to other police officers. The guidance in David Heaton's letter of 1 July 1977 has been superseded by new guidelines which I am circulating today under a separate covering letter.

Consultation

10. In carrying out enquiries for the Immigration and Nationality Department of the Home Office, the Nationality Division may be consulted for advice on naturalisation enquires, and the appropriate Immigration Division or the officer in charge of any local immigration office on immigration matters.

Personnel and physical security

11. Advice on personnel and physical security is given by the Home Office from time to time in circulars to the Chief Officer. The most recent updated and consolidated circular about these matters was issued to chief officers in November 1979. A Special Branch is particularly concerned in the conduct of normal and postive vetting.

Police authorities

12. Chief officers may find that they come under increasing pressure to provide more information about Special Branches than they have given before or than would be in the public interest. It is considered important that there should be consistency in the statements made by chief officers to police authorities about Special Branch work. In cases of difficulty, chief officers are invited to seek Home Office guidance about dealing with such requests for information.

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