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*Miss Kiddle  
for draft reply pl.  
S.K.M. 5/11*

*MSD  
6-11-84*

cc Mr [redacted]  
Mr [redacted]

*5/11/4.  
Kell*

COVERING [redacted]  
[redacted]

Mr [redacted]  
B4

HOME OFFICE CIRCULAR ON THE WORK OF A SPECIAL BRANCH

I attach a copy of the latest draft of these guidelines, and of the Confidential covering letter which will accompany the guidelines when they are distributed to chief officers. We are hoping to clear the guidelines with Ministers in the next week or two with a view to issuing them shortly thereafter. As you may know the Home Affairs Select Committee will be holding an inquiry on Special Branches in the coming Session, and we foresee pressure to make the guidelines available to them. We had originally thought that the guidelines themselves might remain confidential, but they were drafted with a view to making them public should the need arise, and the police and Security Service are now effectively reconciled to the fact that the guidelines will come into the public domain. However the confidential covering letter will remain classified.

2. Looking back on our papers I see that the last consultation with IND on the guidelines seems to have been in September 1983. A minute of 9 September 1983 from Mr Phillips indicated that a review was taking place on the functions which the police provide for IND, and that this might result in the need for some change to paragraph 16 of the draft guidelines, which has become paragraph 11 in the current draft. I should be grateful if you could let me know how matters now stand, and whether there is any need for change in paragraph 11, or indeed elsewhere in the guidelines, to take account of current practice.

[redacted]

F4 Division  
30 October 1984

PS Mr Hilary has suggested that the wording of the last part of the first sentence of paragraph 11 ("aliens enquiries . . . Commonwealth immigration") is rather out of date, and could be replaced by "and may deal with immigration enquiries and with the registration of foreign nationals." I should be grateful for views.

COVERING [redacted]

## HOME OFFICE GUIDELINES ON THE WORK OF A SPECIAL BRANCH

### Status and organisation

Each of the police forces in England and Wales has its own Special Branch. Except for the Metropolitan Police Special Branch which has responsibilities in relation to Irish Republican extremism and terrorism throughout Great Britain, the responsibility of each Special Branch relates only to the area of the force of which it is a part.

2. All members of a Special Branch are responsible to the chief officer of the force through the head of the Branch and any intervening supervisory ranks in the force structure.

### Specific functions

3. The specific functions listed below comprise those tasks which will most commonly fall to be undertaken by the force Special Branch. However, in some force areas, it may be necessary or desirable for some of these functions to be undertaken by other parts of the force CID or specialist unit. It will be an operational matter for each chief officer to decide how best to utilise his resources within the force Special Branch.

4. The work of a Special Branch arises from the chief officer's responsibility for the preservation of the Queen's Peace. Its work is to assist the chief officer in discharging this responsibility.

5. A Special Branch gathers information about threats to public order. Such information will enable the Branch to provide assessments of whether marches, meetings, demonstrations and pickets pose any threat to public order and help the chief officer to determine an appropriate level of policing.

6. A Special Branch assists the Security Service in carrying out its tasks of defending the Realm against attempts at espionage and sabotage or from the actions of persons and organisations whether directed from within or without the country which may be judged to be subversive to the State. A large part of this effort is devoted to the study and investigation of terrorism, including the activities of international terrorists and terrorist organisations.

7. A Special Branch provides information about extremists and terrorist groups to the Security Service (or, in the case of Irish Republican extremists and terrorist groups, to the Metropolitan Police Special Branch).

8. A Special Branch assists in the application of the Travel Notification Scheme for diplomats and officials.

9. Special Branch officers may provide armed personal protection for certain people who are judged to be at risk. Particular attention should be paid to anyone who may plan to harm prominent individuals for political reasons or because of mental disturbance.

10. At airports and seaports, Special Branch officers

- arrest wanted criminals
- detect offences
- gather information relating to their other functions and other criminal matters
- act as examining officers under the legislation on the prevention of terrorism

11. On behalf of the Immigration and Nationality Department of the Home Office, a Special Branch ~~co-ordinates and supervises~~ <sup>undertakes</sup> naturalisation enquiries, aliens enquiries and maintenance of aliens' records and enquiries relating to Commonwealth immigration. A Special Branch may also be involved in prosecutions related to ~~these~~ <sup>immigration</sup> matters. In practice much of the routine work in these areas may be undertaken by other parts of the force; the appropriate organisational structure will be determined by the size of the force and the number and nature of these enquiries.

12. A Special Branch should enquire into the implications of any offence connected with firearms and explosives unless it is immediately clear that there is no security interest. It may be advisable to include in force orders an instruction that Special Branch be informed immediately of all such cases coming to the notice of the police.

#### Relations with others

13. The Metropolitan Police Special Branch is responsible for the assessment of intelligence about Irish Republican extremism and terrorism in Great Britain. Each Special Branch, under the direction of its chief officer, helps the Metropolitan Police Special Branch in discharging this function.

14. The Metropolitan Police has certain national responsibilities for the provision of personal protection to members of the Royal Family, Ministers of the Crown, former Ministers, diplomats and other people at risk. Where a Special Branch has protection duties which are connected with the matters which are the responsibility of the Metropolitan Police, the local Special Branch and the Metropolitan Police Special Branch or Royalty and Diplomatic Protection Department work in close liaison with each other.

15. The National Joint Unit at New Scotland Yard, which is staffed by officers from Metropolitan and provincial Special Branches, co-ordinates enquiries and applications from police forces in Great Britain concerning people held under prevention of terrorism legislation. The Unit processes, for onward transmission to the Home Office or the Scottish Home and Health Department as the case may be, applications for extension of detention and exclusion orders under the legislation and co-ordinates the preparation of up-to-date assessments in connection with the review of exclusion cases. The National Ports Office, based at Heathrow Airport, provides a liaison and advisory service for ports units in other force areas.

### Records

16. Records should be maintained in order to discharge effectively the functions listed in paragraphs 3-12 above. It is important, however, because of the particular sensitivity of the information concerned, that only information relevant to those functions should be recorded. Close attention should therefore be paid to paragraphs 3-12, and to the definitions given in paragraph 20, in deciding what information should be recorded or not recorded. Data on individuals or organisations should not under any circumstances be collected or held solely on the basis that such a person or organisation supports unpopular causes or on the basis of race or creed.

17. It is also important to ensure that, wherever possible, information recorded about an individual is authenticated and does not give a false or misleading impression. Care should be taken to ensure that only necessary and relevant information is recorded and retained. Each Special Branch should therefore maintain an effective system both for updating information where necessary and for weeding out and destroying information which can no longer be clearly related to the discharge of its functions.

18. Access to information held by Special Branch should be strictly limited to those who have a particular need to know. Under no circumstances should information be passed to commercial firms or to employers' organisations.

19. The security of records maintained by Special Branch is of paramount importance. Because of the sensitivity of the information concerned and because of the damage to individuals which might result if unauthorised persons were to gain access to it, or if improper use were made of the information, Special Branches must ensure that the most stringent and appropriate precautions are taken to safeguard the information and to protect it against both unauthorised access or disclosure and accidental loss.

## Definitions

27. Espionage - Covert or illegal attempts to acquire information or materials in order to assist a foreign power.
- Sabotage - An act falling short of a military operation, or an omission, intended to cause physical damage in order to assist a hostile foreign power, or to further a subversive political aim.
- Terrorism - The use of violence for political ends, including any use of violence for the purpose of putting the public or any section of the public in fear.
- Subversion - Subversive activities are those which threaten the safety or well being of the State, and which are intended to undermine or overthrow Parliamentary democracy by political, industrial or violent means.



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Your reference

The Chief Officer of Police

Our reference

Date

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 not at present being made public but have been drafted in a form which would enable them to be made available to Parliament and for police authorities if it became the policy so to do. Every effort will be made to inform chief officers beforehand that this is to be done. It is not the intention that this classified letter should be made public now or in the future.

Training

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

[REDACTED]

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 2) an organisation currently operating within the law may nevertheless be subversive because its long term aims satisfy the definition and therefore 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 and 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 only be initiated 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. A copy of the current guidelines is at Annex A.

[REDACTED]

[REDACTED]

Consultation

10. In carrying out enquiries for the Immigration and Nationality Department of the Home Office, they (or any local Immigration Officer) may be consulted for advice as necessary. *in connection with enquiries (made) out on their behalf.*

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 such circular is at Annex B. A Special Branch is particularly concerned in the conduct of normal and positive 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. They are also invited to consult the Home Office about any request or proposal for the guidelines to be made available to their police authorities.

R A HARRINGTON

[REDACTED]