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REVIEW OF GUIDELINES FOR SPECIAL BRANCHES

I am writing to you in Roy Harrington's absence on leave in your capacity as chairman of the ACPO Crime Committee.

As you know, early in 1983 Mr Oxford, on behalf of ACPO, initiated a discussion here about the role of Special Branches and what should be said about them in chief constables' annual reports. One of the main conclusions drawn at a meeting in March 1983 was that there was a case for reviewing the existing terms of reference of Special Branches issued in 1970. Both we and the police representatives thought that the Home Office, on behalf of the Home Secretary, should take responsibility for the guidelines by issuing any revised version.

At consultative meetings since then we have benefitted from the advice of some of your colleagues, notably Ken Oxford, Gilbert Kelland and Colin Hewett, together with your Scottish and Northern Ireland colleagues. Most recently we discussed the guidelines at the meeting on 16 July which you attended.

We now consider that the next step should be some more formal consultation with ACPO, and to this end I attach copies of the latest version of the draft revised guidance. You will see that this consists of a set of guidelines and a covering letter both of which are classified CONFIDENTIAL. We do not intend that the covering letter to chief officers should be made public at anytime, but the guidelines have been drafted in a form which would allow them to be made public should this become appropriate.

In reviewing the existing terms of reference for Special Branches, we have attempted to take account of the growth of terrorist activity since 1970 and the introduction of legislation concerning the Prevention of Terrorism. However, we have also sought to take account of continuing

campaigns against the police, and in particular, against Special Branches. You will know that there have been continuing attempts by some police authorities to obtain more details of Special Branch activities using the argument that they cannot fulfill their statutory obligations without them. In the light of these pressures, the police representatives at our consultative meetings have all agreed that guidelines carrying the Secretary of State's authority and approval would be an asset to chief officers.

A new development has been the decision of the Home Affairs Select Committee to hold an enquiry into Special Branches. The enquiry will not begin in earnest until the autumn, but the Home Office was asked to submit a preliminary factual background paper, whose draft we showed to Ken Oxford and Brian Morrissey. Nothing has yet been said to the Committee either about the fact of the preparation of new guidelines or about their content. But I think it is becoming increasingly likely that we shall find it prudent to make the new guidelines (though not of course the covering letter) available to the Committee at an appropriate moment. You will no doubt wish to keep this possibility in mind in considering the draft of the new guidelines.

Whether or not the guidelines are eventually made available to the Select Committee, I think you will understand that it would be highly desirable to have issued them before the Select Committee begins the main part of its enquiry. I should, therefore, be grateful if you could arrange for the draft guidelines and covering letter to be considered at the meeting of the Crime Committee which I understand is scheduled for early September, and let me have any comments as soon as possible thereafter.

I am copying this letter to Mr Hall, Mr Oxford, Mr Buck and Mr Morrissey.

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