



HOME OFFICE

Queen Anne's Gate, LONDON, SW1H 9AT

Direct line: 01-213 6207

Switchboard: 01-213 3000

Our reference:

Your reference:

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K G Oxford Esq CBE QPM CBIM O St J
 Chief Constable
 Merseyside Police
 PO Box 59
 Liverpool L69 1JD

D. Ken.

SURVEILLANCE AND SPECIAL BRANCHES

As you probably already know we are looking for a date for a meeting to discuss the following subjects:

1. Surveillance Guidelines

We have extensively revised the existing draft of the guidelines in the light of the comments received from ACPO (Maurice Buck's letter to me of 29 February) and from other quarters. I attach a copy of the re-draft. This adopts a more operationally-orientated approach than did the earlier draft, and gives greater recognition to the use of surveillance equipment in the non-crime context and to the different standards which need to be applied to such use. We have also dropped the attempt to define "serious crime". The definition was difficult to get right in itself, and we have come to the view that a definition here could become a hostage to fortune in other contexts. We can say more about this at the meeting. The new draft allows authorising officers more discretion to decide what types of crime are serious enough to merit the use of intrusive surveillance techniques.

We are not proposing any change to the SECRET covering letter to chief constables as circulated with Joe Pilling's letter of 5 January, though we appreciate the concern that has been expressed that it may over-emphasise the role of the Security Service in relation to operations against subversive (including politically motivated terrorist) targets. I hope that some further discussion at the meeting may help to resolve the doubts that are felt on this score.

I should hope that after the discussion we can get the revised draft guidelines to the ACPO Crime Committee in good time to be considered at their September meeting.

2. Special Branch Guidelines

I attach a revised draft of these guidelines which incorporates the changes agreed at the meeting held on 3 November 1983, together with the contributions which the Security Service undertook to produce. You will see that the definition of terrorism that has been used is the same as that in the Prevention of Terrorism

Act, and that the substance of the two Box 500 letters that were to have been annexed to the covering letter has (at the Security Service's suggestion) been subsumed in a slightly expanded covering letter. Once again I would hope to get the Special Branch guidelines to ACPO for formal consideration at the September Crime Committee meeting.

3. Home Affairs Select Committee Enquiry into Special Branches

I should like to have a preliminary discussion of tactics in relation to the enquiry. An important point which we need to settle early on is whether the new Special Branch guidelines (but not, of course, the covering letter) should be made available to the Committee, and if so at what stage.

I am copying this to the others who I hope may be able to attend or be represented at the proposed meeting: Maurice Buck, John Dellow, Colin Hewett, [REDACTED] SyS Officer [REDACTED], [REDACTED] SyS Officer [REDACTED], [REDACTED] (SHHD) and [REDACTED] (NIO).

Yours,

[REDACTED]
R A HARRINGTON