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SPECIAL BRANCHES

Now that the new session of Parliament is almost upon us, I thought we might take stock of where we are in relation to the Special Branch guidelines and the Home Affairs Select Committee enquiry.

On the guidelines, I expect you will know that we have now received the comments of the ACPO Crime Committee on the draft circulated with [REDACTED]'s letter of 13 August (I attach copies of Peter Imbert's and Maurice Buck's letters in case you have not seen them). These comments can all I think be accommodated without difficulty, and are reflected in the attached revisions of the guidelines (see paragraphs 6 and 9) and covering letter (see paragraph 5). I plan to submit the guidelines and covering letter for the Home Secretary's approval very shortly now, and to issue them to Chief Constables immediately after that.

This will mean that we shall be in a position to make the new guidelines available to the Home Affairs Committee if and when we find it prudent to do so in the course of their enquiry. I think it is inevitable that the Committee will press the Home

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Secretary when he gives oral evidence to say what guidance he gives Special Branches on the conduct of their duties, and that will probably be the moment to say that he has recently introduced new guidelines, and to offer to make them available to the Committee. We have of course been careful to ensure that there is nothing in the new guidelines that could not be made public, and I think there will in fact be positive benefit in making available guidelines which demonstrate that Special Branches carry out necessary functions in a properly controlled way. The guidelines will also give police witnesses a solid base on which to rest their remarks to the Committee. I am sure that they will not wish to be drawn much beyond what is referred to in the guidelines, and the Committee will know that they cannot expect police witnesses to comment on detailed operational matters.

We have as yet little idea of how the Select Committee is likely to approach its enquiry. The signs are that it might not pursue the Special Branch enquiry too energetically to start with, and we understand that it has another report to complete before it gets down to business on Special Branches. This makes it unlikely that we will get any clearer idea of how they intend to proceed before about mid-November. We know that the clerk of the Committee sought written evidence from a variety of organisations before the recess, but as far as we know the

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Committee has not made any decisions about whom to call for oral evidence (though we assume that they will want to hear from the Home Secretary).

I do not think there is much point in our having a meeting until we have a better idea of how the enquiry will be conducted, and in particular of whom the Committee will wish to call to give evidence on behalf of the government and the police service. But we are giving thought to some briefing notes that could be drawn on by the Home Secretary and other witnesses. These will need to include positive points to stress (eg the vital role of Special Branches in the fight against terrorism), and defensive notes on likely areas of criticism and causes célèbres (eg activities in the miners' dispute, Duncan Campbell case etc). Perhaps we might think in terms of having something ready to look at at a briefing meeting towards the middle of November.

I should welcome your views as to who apart from those who have helped us on the guidelines, might be asked to attend on the police side. If by then we have any indications of who might be called to give evidence, it would of course be helpful to have them along too.

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I am copying this to [REDACTED] and [REDACTED] (Security Service); Colin Hewett (MPSB); [REDACTED] (NIO) and [REDACTED] (SHHD).

R A HARRINGTON

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