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Our reference:
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20th August, 1979

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SPECIAL BRANCH

I write to ask your advice about some general questions relating to Special Branches which we think there might now be advantage in examining. I am thinking in particular of the question of guidance to Special Branches and publicity about the work of Special Branches.

Taking the latter first, you will recall that during the debate initiated by Robin Cook MP on 24th May 1978, the then Home Secretary, Mr. Rees, for the first time gave the figures for the number of Metropolitan Police Special Branch officers and the total number of officers in England and Wales engaged in Special Branch work. The ACPO CID committee subsequently drew the attention of chief officers to their conclusion that no harm would be done if chief officers disclosed the existence of a Special Branch unit and its strength in their Annual Reports. In the committee's view this might help counter criticism of Special Branches. As a result a number of Annual Reports for 1978 contain references to Special Branch; some have only a passing reference and give no figures, others give an outline of Special Branch functions and give figures of Special Branch officers in the force in question. You will probably also have seen the article in the August edition of the Leveller which draws together a number of these references, points out how they vary and concludes that they do not contribute much to what is already known.

All this has led us to consider whether it might not now be sensible to consider publishing a basic document about the role of Special Branches which might act as terms of reference akin to the Maxwell Fyfe directive to the Security Service. The advantages as I see it of such a document are:

- a) it would be a convenient point of reference for chief officers, Ministers and others who might want to refer to the work of Special Branches;
- b) by bringing into the open in one authoritative document the functions, responsibility and accountability of Special Branches it might remove at least those suspicions which are based on ignorance;
- c) it might, in addition, and if detailed enough, help counter some of the more mischievous criticism levelled at Special Branches.

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On the other hand, the arguments against "going public" are also powerful:

- a) such a document might act as a stimulus for more questions and probings about the work of Special Branches;
- b) the text of the document might be open to misinterpretation of a damaging or constricting kind.

No doubt other arguments will occur to you.

We have by no means made up our own minds about the merits or otherwise of publishing such a document, indeed, we could not sensibly do so without knowing the views of those most closely involved. What we have done as an aid to further thought on this is to produce a draft of the kind of document we have in mind. I enclose a copy and would appreciate your comments not only on the proposal as a whole but also on the draft itself, which, even if it was decided should not be published, might serve as a useful internal reference document.

Less controversial is the question of internal guidance to Special Branches. The basic guidance which is given rests in particular with the Terms of Reference agreed by the ACPO CID Committee in June 1970. Sir Robert Armstrong commented on them that the climate of opinion in which Special Branches (and the Security Service) operate has changed quite considerably since 1970. He then suggested that we take a critical look at these Terms of Reference and other guidance, such as the two Security Service circulars of 29th May 1974 and 16th December 1975 with a view to updating, consolidating and/or modifying them. We have this in hand and, with your agreement, will consult you to ensure that an accurate and sensible revised draft is produced.

This raises a further question on which I would also appreciate your views: how do we issue these (revised) terms of reference? My inclination is to follow precedent and work through the ACPO CID Committee, which would mean consulting them on a draft at a fairly early stage. Otherwise we may well waste our time producing something which they do not like and have to start again. Alternatively, as the main area of sensitivity is in the work done at the request of the Security Service, consolidated guidance could come from them.

Even when the revised terms of reference are issued, I doubt we shall see the last of what Robin Cook calls "disturbing" incidents. Paper guidance is no substitute for proper supervision and experience on the job. This is where the training the Met and the Security Service provide for Special Branch officers plays an important part and could perhaps play a greater one. If, for example, it seemed on the face of it right to give more detailed guidance, we might conclude that this would be less effective than a more systematic training programme. What I have in mind is that every officer might be required to undertake training when he first takes on Special Branch duties and regularly thereafter. That way it might be possible to aim at consistency of standards throughout the country as well as reminding the officers concerned of the continuing need for sensitivity in their work in Special Branch. I would welcome any thoughts you may have on the value of such training. It would also be helpful if you could give us some details of your existing training courses: a rough outline of what they cover, the numbers trained each year and the ranks at which particular courses are aimed.

R. P. Bryan, Esq.

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A copy of this letter goes to HMCIC. We shall consult the Security Service at the next stage, and in the light of your views.

G. H. PHILLIPS

