

TERMS OF REFERENCE FOR A SPECIAL BRANCH

I: RESPONSIBILITY

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Special Branch officers are police officers and are responsible through the head of the Branch to their chief officer. The duties of a Special Branch, whether in its work for the Security Service or on behalf of other Government departments or in its enquiries into issues affecting public order or other matters relating to the force, are such as to require the strictest control by a senior officer of the force. It will, of course, be for the chief officer, on whom responsibility ultimately rests, to delegate this responsibility to another senior officer, preferably an Assistant Chief Constable. Ideally, the head of the Special Branch responsible for its day-to-day operation should be of not less than Detective Inspector rank, though this will naturally depend on the size of the Branch.

It is important to acknowledge that the responsibilities of a force Special Branch can only be set out in broad terms. The practical style of working of Special Branches and the scope of their activities in any field would be indicated in more precise terms in any agreed training programme for force Special Branches and would necessarily be affected by any particular instructions issued by the chief officer.

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II: FUNCTIONS

1. To provide the Chief Officer with intelligence affecting public order.
(See also 7 below.)

This includes the provision of assessments of the threat to public order posed by marches, meetings, demonstrations, pickets and covering such events.

2. To carry out protection duties (usually in cooperation with Metropolitan Police) in respect of visits of Royalty, Foreign Heads of State and other important persons as the need arises.

This is an important area of responsibility and, during enquiries into militant extremist individuals or groups, requires constant attention to be paid to emigré and immigrant individuals and groups and other persons likely to wish to cause harm or embarrassment to prominent persons anywhere in the United Kingdom. Periodic attention must also be paid to mentally disturbed individuals who come to notice of the police as likely to approach such persons.

Functions undertaken on behalf of the Security Service

In the carrying out of all tasks on behalf of the Security Service it should be borne in mind that the Security Service are always available for consultation, briefing and advice.

3. On behalf of the chief officer to provide the Security Service with intelligence affecting national security, i.e. relating to espionage, sabotage and about the activities of all terrorist groups, with the exception of Irish Republican extremist groups (see 10 below).

Terrorism is defined as the use of violence for political ends, and includes any use of violence for the purpose of putting the public in fear.

4. With the approval of the chief officer, to provide support to the Security Service in operations in the fulfilment of the Security Service's task of defending the realm from acts of terrorism, attempts at sabotage and from actions of persons and organisations judged to be subversive of the security of the state.

Subversive activities are defined as those which threaten the safety or well being of the state, and which are intended to undermine or

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overthrow Parliamentary democracy by political, industrial or violent means. This includes the activities of organisations or individuals which, while operating at present within the law, have as their long term aim the overthrow of Parliamentary democracy.

5. In consultation with the Security Service, to collect, process and record information about subversive or potentially subversive organisations and individuals.

Great sensitivity is required in fulfilling this function. This is particularly so in making any approaches or enquiries at schools, universities, polytechnics and other educational establishments. No enquiries at such establishments should be made without first consulting the Security Service. In general, direct approaches to individuals and financial inducements to students should also be avoided. Information should be sought only from a proven contact, i.e. someone who has a certain amount of verified reliability from a security point of view. This is to avoid the possibility of damaging "revelations" being made about Special Branch enquiries at such establishments which would undermine the essential purpose of this form of intelligence.

6. To investigate or to assist in investigating offences having as their purpose the achievement of a subversive or political objective especially those relating to sabotage and against the Official Secrets Act, consulting the Security Service as necessary.

Considerations such as the size of the Branch, the experience of its members and the seriousness of the offence will doubtless influence chief officers to decide whether their Force Special Branch will "investigate" or "assist in investigating".

7. In consultation with the Security Service, to investigate any subversive background to demonstrations and breaches of public order.

The function at 1. above will provide the opportunity for the collection of information about subversive elements, whether individuals or organisations, in a particular demonstration. Investigations should go no further than is necessary to fulfill the function and should be conducted with sensitivity in order to avoid any suggestion that the Special Branch is investigating legitimate expressions of views.

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8. In consultation with the Security Service, to investigate any subversive background to certain industrial disputes.

Special Branch investigations into industrial disputes should go no further than is necessary to assist the chief officer in the discharge of his responsibility for the maintenance of law and order, and to meet any Security Service request for intelligence on the role played by subversive elements, whether individuals or organisations, in the dispute. Due care should be exercised. Such investigations might be misrepresented as being aimed at the penetration of trade unions, rather than the investigation of subversive groups which may be active in industry as in other fields of public life. Subversion should not be confused with industrial militancy. Subversion is defined at 4. above. Industrial militancy is the use or threatened use of strikes, sit-ins or other forms of disruptive action in furtherance of industrial disputes, and an unwillingness to seek or accept compromise solutions through negotiations, conciliation or arbitration. It is not subversive unless the purpose of the militants is to undermine or overthrow the Parliamentary democratic system. Opposition to industrial policies of the Government of the day is not in itself subversive.

It is standing Security Service policy not to pass to non-official agencies, commercial firms or employers' organisations, any information deriving from their investigation into subversive activities in industry. It is equally important that police forces should not give to their contacts in trade unions, firms or employers' organisation information deriving from official sources about subversive organisations or individuals.

9. With the approval of the chief officer, to assist the Security Service in the operation of the Travel Notification Scheme for diplomats and officials.

Functions undertaken on behalf of the Metropolitan Police Special Branch

10. On behalf of the chief officer to provide the Metropolitan Police Special Branch with intelligence affecting the activities of the Irish Republican Army, the Irish National Liberation Army and other extremist Republican groups. The authority for this requirement rests in Home Office circular number 25/1954 of 18 January 1955

The Metropolitan Police Special Branch has a national responsibility for the

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collection, analysis and dissemination of all information about the activities in Great Britain of Irish Republican extremist groups and acts of terrorism committed by them in Great Britain. The MPSB is also the channel for communication to the Garda Síochána (Irish Police) of all enquiries relating to Irish Republican extremist activities in Great Britain.

Functions undertaken on behalf of the Home Office and the Security Service:

11. To carry out all naturalisation enquiries, conduct any prosecution arising therefrom as necessary and cooperate with the Security Service on any specific security issue which may arise.

Naturalisation cases provide an opportunity for overt interest in emigré communities.

12. To coordinate all aliens enquiries and supervise the maintenance of aliens records.

In practice this responsibility would vary from force to force, depending upon the amount of routine work involving aliens in the force area.

In forces having large alien populations and numerous enquiries regarding aliens - e.g. enquiries on behalf of the Home Office regarding visa applications by persons wishing to visit this country - it is recommended that the Special Branch responsibility be limited to vetting each proposed enquiry regarding an alien in order that it may be assessed for security content, the enquiry being taken over by Special Branch in suitable cases. Similarly in regard to the maintenance of aliens records, it may be considered expedient in forces having a small resident alien population for the records to be maintained by the Special Branch. Areas having larger alien populations may consider it more practical for the Special Branch to be closely involved with the aliens section, but not have responsibility for day-to-day control of the records.

13. To carry out enquiries relating to control of Commonwealth immigration

Such enquiries if conducted by Special Branch provide opportunities for intelligence about the immigrant community within the force area.

In forces with large immigrant communities, it is recommended that the role of the Special Branch be confined to vetting and being aware of all such enquiries, taking over responsibility for enquiry in those cases which have an apparent security content.

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14. At airports and seaports to make arrests of wanted criminals, to detect offences and to gather security and criminal intelligence in collaboration with the Ports Office of the Metropolitan Police Special Branch. In addition, to act at airports and seaports as examining officers under the Prevention of Terrorism (Temporary Provisions) Act 1976 and its subordinate legislation in collaboration with the National Joint Unit at New Scotland Yard.

15. To report on any security implications in cases of possession of or dealing in firearms and explosives.

All cases involving firearms or explosives, except those having a clearly identifiable criminal object, need to be assessed by the force Special Branch for possible security (including Irish Republican) content. The Special Branch involvement in the early stages is usually achieved most effectively by the insertion in force orders of an instruction that Special Branch be informed immediately of all such cases coming to the notice of police.

Other functions

16. To maintain such records as are required and ensure the security of their content.

17. To ensure that classified correspondence and papers are correctly handled in accordance with Government instructions for personnel and physical security.

Physical security is governed by Home Office circular POL/67 19/2/7 and POL/68 19/2/8 issued on 11 March 1969. Personnel security in regard to positive vetting is governed by Home Office circular POL/61 20/9/7 issued on 13 September 1963. It is recommended that the field enquiries into the positive vetting of all members of the Special Branch and the civilian staff attached thereto be conducted by the senior officer(s) of the force Special Branch.