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HOME OFFICE GUIDELINES ON THE WORK OF A SPECIAL BRANCH

Status and organisation

Each of the police forces in England and Wales has its own Special Branch. Except for the Metropolitan Police Special Branch which has responsibilities in relation to Irish Republican extremism and terrorism throughout Great Britain, the responsibility of each Special Branch relates only to the area of the force of which it is a part.

2. All members of a Special Branch are responsible to the chief officer of the force through the head of the Branch and any intervening supervisory ranks in the force structure.

Specific functions

The specific functions listed below comprise those tasks which will most commonly fall to be undertaken by the force Special Branch. However, in some force areas, it may be necessary or desirable for some of these functions to be undertaken by other parts of the force CID or specialist units. It will be an operational matter for each chief officer to decide how best to utilise his resources within the force Special Branch.

4. The work of a Special Branch arises from the chief officer's responsibility for the preservation of the Queen's Peace. Its work is to assist the chief officer in discharging this responsibility.

5. A Special Branch gathers information about threats to public order. Such information will enable the Branch to provide assessments of whether marches, meetings, demonstrations and pickets pose any threat to public order and help the chief officer to determine an appropriate level of policing.

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6. A Special Branch assists the Security Service in carrying out its tasks of defending the Realm against attempts at espionage and sabotage or from the actions of persons and organisations whether directed from within or without the country which may be judged to be subversive to the State. These tasks include the study and investigation of terrorism, but see also paragraph 14.

7. Definitions:

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Espionage - Attempts to acquire information covertly or illegally in order to assist a foreign power [or to further a subversive political aim.]

Sabotage - An act falling short of a military operation, or an omission, intended to cause physical damage in order to assist a hostile foreign power, or to further a subversive political aim.

Subversion- Subversive activities are those which threaten the safety or well being of the State, and which are intended to undermine or overthrow Parliamentary democracy by political, industrial or violent means.

Terrorism - The use of violence for political ends, including any use of violence for the purpose of putting the public or any section of the public in fear.

8. Special Branch officers provide armed personal protection for ^{certain} people who are judged to be at risk. Particular attention should be paid to anyone who may plan to harm prominent individuals for political reasons or because of mental disturbance.

9. A Special Branch assists in the application of the Travel Notification Scheme for diplomats and officials.

10. A Special Branch provides the Metropolitan Police Special Branch with information about Irish Republican extremists and terrorist groups.

An S.B. provides the Security Service with information about extremists and terrorist groups (including the Irish Republican extremists and terrorist groups) (see HOSB)

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11. At airports and seaports, Special Branch officers
- arrest wanted criminals
 - detect offences
 - gather information relating to their other functions and other criminal matters
 - act as examining officers under the legislation on the prevention of terrorism

12. On behalf of the Immigration and Nationality Department of the Home Office, a Special Branch co-ordinates and supervises naturalisation enquiries, aliens enquiries and maintenance of aliens' records and enquiries relating to Commonwealth immigration. A Special Branch may also be involved in prosecutions related to these matters. In practice much of the routine work in these areas may be undertaken by other parts of the force; the appropriate organisational structure will be determined by the size of the force and the number and nature of these enquiries.

13. A Special Branch should be informed at an early stage of any offence connected with firearms and explosives unless it is immediately clear that there is no security interest. It may be advisable to include in force orders an instruction that Special Branch be informed immediately of all such cases coming to the notice of the police.

Relations with others

14. The Metropolitan Police Special Branch is responsible for the assessment of intelligence about Irish Republican extremism and terrorism in Great Britain. Each Special Branch, under the direction of its chief officer, helps the Metropolitan Police Special Branch in discharging these functions.

15. The Metropolitan Police has certain national responsibilities for the provision of personal protection to members of the Royal

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Family, Ministers of the Crown, former Ministers, diplomats and other people at risk. Where a Special Branch has protection duties which are connected with the matters which are the responsibility of the Metropolitan Police, the local Special Branch and the Metropolitan Police Special Branch or Royalty and Diplomatic Protection Department work in close liaison with each other.

16. The National Joint Unit at New Scotland Yard, which is staffed by officers from Metropolitan and provincial Special Branches, co-ordinates enquiries and applications from police forces in Great Britain concerning people held under prevention of terrorism legislation. The Unit processes, for onward transmission to the Home Office or the Scottish Home and Health Department as the case may be, applications for extensions of detention and exclusion orders under the legislation and co-ordinates the preparation of up-to-date assessments in connection with the review of exclusion cases. The National Ports Office, based at Heathrow Airport, provides a liaison and advisory service for ports units in other force areas.

Records

17. Records should be maintained in order to discharge effectively the functions listed in paragraphs 4-13 above. It is important, however, because of the particular sensitivity of the information concerned, that only information relevant to those functions should be recorded. Close attention should therefore be paid to paragraphs 4-13, and in particular to the definitions, in deciding what information should be recorded or not recorded. Data on individuals or organisations should ^{under no circumstances} ~~not~~ be collected or held ^{solely} ~~merely~~ on the basis that such a person or organisation supports unpopular causes or on the basis of race or creed.

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18. It is also important to ensure that, wherever possible, information recorded about an individual is authenticated and does not give a false or misleading impression. Care should be taken to ensure that only necessary and relevant information is recorded and retained. Each Special Branch should therefore maintain an effective system both for updating information where necessary and for weeding out and destroying information which can no longer be clearly related to the discharge of its functions.

19. A Special Branch may not use information for purposes other than those for which it was collected and access to information held by Special Branches should be strictly limited to those who have a particular need to know. Under no circumstances should information be passed to non-official agencies or individuals, to commercial firms or to employers' organisations.

20. The security of records maintained by Special Branches is of paramount importance. Because of the sensitivity of the information concerned and because of the damage to individuals which might result if unauthorised persons were to gain access to it, or if improper use were made of the information, Special Branches must ensure that the most stringent and appropriate precautions are taken to safeguard the information and to protect it against both unauthorised access or disclosure and accidental loss.



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The Chief Officer of Police

Dear Chief Officer

HOME OFFICE GUIDELINES ON THE WORK OF A SPECIAL BRANCH

The attached guidelines for running a Special Branch have been drawn up by the Home Office in consultation with the Association of Chief Police Officers and the Security Service. They have been approved by the Home Secretary who commends them to the attention of chief officers.

2. In large part the guidelines are based on the terms of reference for Special Branches issued by the Association of Chief Police Officers in 1970. By agreement with the Association, chief officers should regard these guidelines as updating and replacing those terms of reference.

3. At this stage the guidelines are not being made public but it is possible that this will happen in due course. Every effort will be made to inform chief officers beforehand that this is to be done. It is not the intention that this classified letter should be made public now or in the future.

Training

4. Because of the exceptional sensitivity of much of the work undertaken by Special Branches, it is of the utmost importance that Special Branch officers attain a high degree of professional competence and that to this end ~~all~~ Special Branch officers should attend the training courses run by the Metropolitan Police Special Branch. Officers should attend refresher courses, particularly when they have been away from Special Branch duties for some time.

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Assistance to the Security Service

5. When a Special Branch is operating in support of the Security Service chief officers should attach importance to the need to consult that Service and to seek its advice as necessary. This is particularly important in the subversive field. Under the definition of subversion given in the Guidelines (paragraph 7), an organisation currently operating within the law may nevertheless be subversive ^{because its long term aims satisfy the definition} and therefore a proper subject of investigation. Senior officers must exercise strict control over the selection of targets for investigation when the current activities of an organisation are legitimate and peaceful. When intelligence is gathered on subversive organisations, very great care should always be taken not to give grounds for Special Branch enquiries being misrepresented as wrongful police interference in the exercise of civil and political liberties. This applies especially to coverage of demonstrations and protest marches, which will often provide an opportunity for the collection of information about subversive elements in a particular organisation.

6. Special Branch investigations into subversive activities in particularly sensitive fields, for example in ~~schools and other~~ educational establishments, in Trade Unions and in industry and among racial minorities, must be conducted with particular care so as to avoid any suggestion that Special Branches are investigating matters involving the legitimate expression of views. Enquiries into subversive activities in these fields which may be necessary to meet the requirements of the Security Service should only be initiated after consultation with the Security Service.

7. Care should also be taken to ensure that investigations in relation to industrial disputes are not misrepresented as being aimed at the penetration of trade unions rather than the investigation

of
/ / subversive groups...

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of subversive groups which may be active in disputes or for public order purposes. Subversion should not be confused with industrial militancy. Industrial militancy is the use or threatened use of strikes, sit-ins or other disruptive action in the furtherance of industrial disputes, and an unwillingness to seek or accept compromise solutions through negotiations, conciliation or arbitration. The actions of industrial militants only become subversive when their intent is to threaten the safety and well-being of the State and to undermine or overthrow Parliamentary democracy.

8. It is not the function of the force Special Branch to investigate individuals and groups merely because their policies are unpalatable, or because they are highly critical of the police, or because they want to transform the present system of police accountability.

Surveillance

9. Special Branches are reminded that Home Office guidelines issued to the Chief Officer concerning the use of equipment in police surveillance operations apply to them as much as to other police officers. A copy of the current guidelines is at Annex A.

Consultation

10. In carrying out enquiries for the Immigration and Nationality Department of the Home Office, they or any local Immigration Officer may be consulted for advice as necessary.

Personnel and physical security

11. Advice on personnel and physical security is given by the Home Office from time to time in circulars to the Chief Officer. The most recent such circular is at Annex B. A Special Branch is particularly concerned in the conduct of normal and positive vetting.

Police authorities

12. Chief Officers may find that they come under increasing pressure to provide more information about Special Branches than they have given before or than would be in the public interest. It is considered

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important that there should be consistency in the statements made by chief officers to police authorities about Special Branch work. In cases of difficulty, chief officers are invited to seek Home Office guidance about dealing with such requests for information.

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