

[REDACTED] [REDACTED]  
First Statement of Roy Alastair Harrington

Statement Number: 1

Date: 08.11.2022

IN THE MATTER OF AN INQUIRY UNDER THE INQUIRIES ACT 2005

INTO UNDERCOVER POLICING

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FIRST WITNESS STATEMENT

OF ROY ALASTAIR HARRINGTON

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I ROY ALASTAIR HARRINGTON CIO GOVERNMENT LEGAL DEPARTMENT WILL

SAY as follows:

**Personal details**

1. I am Roy Alastair Harrington. I am currently retired from the Civil Service. I was employed as a civil servant between 3 July 1967 and 3 July 1996.

- [REDACTED]
- [REDACTED]
2. I held various roles during my career in the Civil Service, whilst I am not completely confident about the dates, from memory I think this included: the position of principal private secretary to the Secretary of State for Northern Ireland between 1979 to 1982; the role of Head of Security and International division for the Northern Ireland Office (N 10) between 1982 and 1983; the Head of the F4 Division in the Police Department between 1984 and 1987; the Head of Metropolitan Police Division between 1992 and 1993; and the Head of the Criminal Policy Division between 1994 and 1996.
  3. I make this statement in response to the Inquiry's rule 9 request of 11 August 2022.
  4. The contents of this statement are true to the best of my knowledge, information and belief. Where appropriate, I indicate which statements are matters of information or belief. Where matters are not within my knowledge, they are based on documents I have seen or are derived from the person or sources I identify.
  5. In preparing this statement there have been shown to me 142 documents provided by the Inquiry, which I have considered and which help inform my statement. I have attempted to answer each question in the Inquiry's Rule 9 request, and I have used the documents provided by the Inquiry to assist me in doing so, but it will be apparent that I do not know the answers to a number of questions. This is usually because the questions relate to matters which fall outside my time in the relevant post or in which I had no direct involvement. I have given all of the Inquiry's questions careful attention and I have been as detailed and thorough as I can be in answering them.

### **Personal Details and Civil Service Career**

In this section of my statement I address, to the extent that I am able to do so, questions 1 — 3 of the Inquiry's Rule 9 request.

*Q.1 Please give your full name and date of birth.*

6. My name is Roy Alastair Harrington and I was born on [REDACTED] 1944.

[REDACTED]

[REDACTED]

*Q.2 Please provide a short summary of your Civil Service career together with relevant dates, if known. This summary should include at least the following information:*

- *When you joined the Civil Service.*
- *As best you can recall, an outline of the positions you held within the Civil Service and at which grade.*
- *Details of any roles or positions (even if informal) in which you were required to oversee, coordinate or otherwise interact with the Metropolitan Police Service Special Branch ('MPSB').*

*Q.3 Please provide an explanation of the departments, sections or agencies within the Home Office which existed to direct or superintend the police, and, to your knowledge, how these changed over time.*

7. I joined the Civil Service on 3 July 1967; from this date to 1970 I spent my time in training posts within the General and Prison departments of the Home Office.
8. From September 1970 to 1972, I held the position of private secretary to the Parliamentary Under Secretary of State, Mark Carlisle QC.
9. In 1972 I was promoted to the grade of Principal in the Police Department with responsibility for the law relating to the control of firearms and preparation of a green paper on possible firearms control legislation.
10. From 1975 to 1978 I was seconded to HM Treasury; my post was concerned with financial support for the coal industry.
11. From 1978 to 1979 I held a post at the Home Office involving the UK interest in European development of law and practice relating to data protection and privacy.
12. During September 1979 I was promoted to assistant secretary and took up the post of principal private secretary to the Secretary of State for Northern Ireland. I held this post until 1982.

- [REDACTED]
- [REDACTED]
13. Between 1982 to mid-1983 I held the position of Head of the Security and International Division of the NIO.
  14. From mid-1983 to March 1984 I was Head of the Industrial Relations Division of the Prison Department.
  15. From 6 March 1984 to 1987 I was the Head of the F4 Division ("F4") in the Police Department of the Home Office. Amongst other things, this role included: policy on legislation relating to terrorism; submissions to the Secretary of State on applications from police forces in England and Wales for extended detention of suspects under the Prevention of Terrorism Act; submissions to the Secretary of State on applications from police forces in England and Wales and the Security Service for telephone interception warrants; policy relating to counter-terrorist contingency planning for incidents arising in England and Wales and managing and conducting the counter-terrorist exercise programme; advising ministers on matters relating to large-scale public order problems which included in particular the Miners' Strike from March 1984 to March 1985; and the UK lead on European interests in counter-terrorism planning.
  16. During my time in F4 I had a close working relationship with Metropolitan Police Special Branch ("MPSB"), particularly on the matters referred to above with reference to domestic and international terrorism and major public order issues. It was not, however, our role to coordinate or oversee their activities in any operational sense; that would have been the responsibility of the Commissioner.
  17. To the best of my recollection, the Police Department was split into several separate divisions, perhaps eight or nine, but I cannot recall this properly: F1 dealt with funding and manpower; F2 with police powers and the Police and Criminal Evidence Act 1984 (PACE); F3 with road traffic; F4 dealt with highly classified work which I explain in more detail below; I cannot recall what F5 covered; F6 may have dealt with IT and Radio; and F7 perhaps covered training but I cannot be certain of this. I cannot recall what F8 and F9 covered if such divisions existed.

- [REDACTED] [REDACTED]
18. During 1987 [REDACTED] I worked closely with the Security Service [REDACTED] to support work on its relationship with Whitehall departments following the murder of Yvonne Fletcher. As far I recall this did not last longer than approximately nine months.
19. From late 1987 to 1990 I was the Head of the Nationality Division with the Home Office.
20. From 1991 to 1992 I was involved with scrutiny of the National Collection of Criminal Records.
21. From 1992 to 1993 I was the Head of the Metropolitan Police Division, advising on and discharging the Home Secretary's role as police authority for the Metropolitan Police.
22. From 1993 to 1996 I was the Head of the Criminal Policy Division at the Home Office, handling the drafting and Parliamentary proceedings of the Police and Magistrates Court Act 1994.
23. I left the Civil Service on 3 July 1996. From then until around 2008 I worked as a self-employed consultant, including on some projects for government departments.
24. The important point to emphasise in light of the questions that have been posed is that my involvement in the areas with which the Inquiry is concerned, including special branch policing and the interaction between the police and Security Service, was limited to the March 1984 to 1987 period.

### **Special Branch**

In this section of my statement I address, to the extent that I am able to do so, questions 4 — 9 of the Inquiry's Rule 9 request.

*Q.4 What was the purpose and remit of MPSB as you understood it?*

*Q.5 What was the nature of the relationship between the Home Office and MPSB?*

- *Did this change over your time within the Home Office? If so, how?*

[REDACTED] [REDACTED]

*Q.6 During your time within the Home Office, what interaction, if any, did you have with officers or managers of MPSB?*

25. From the time when I joined the Home Office in 1967 until taking up post as the Head of F4 in 1984, I cannot recollect that I had any direct contact with MPSB. From several posts which involved working closely with the police service during the earlier years, I would have been well aware that all police forces in England, Wales and Scotland had their own special branches of which MPSB was by far the largest. I think I would have been aware that special branches had a role in sensitive security matters arising within police forces.

26. Before joining the NIO in autumn of 1979, when I took up the post of principal private secretary to the Secretary of State, I had briefings from the Security Service, Secret Intelligence Service and MPSB covering the complex differing arrangements for gathering intelligence relating to Irish Republican and loyalist terrorism within the UK and terrorism abroad.

27. Accordingly, before taking up the position as the Head of F4 in 1984, I would have had no basis for assessing any change in the nature of the relationship between the Home Office and MPSB. My time in the NIO, however, made me aware of the complexities regarding intelligence gathering. The increasing strains created by these complexities and the widening concerns of international terrorism was a major preoccupation throughout the time I was in that post.

28. During my time in F4, the growing concern over terrorism domestically and internationally necessitated a close working relationship with the relevant members of the Security Service and MPSB. In the case of the MPSB, members of F4 (sometimes but not always me) would often attend intelligence assessment groups in the Cabinet Office. From my recollection, the representation of MPSB at these groups was usually at Chief Superintendent or Commander level. My own closest contacts with MPSB on

[REDACTED]

[REDACTED]

other matters were generally with the Deputy Assistant Commissioner, Colin Hewett, or the Commander of Operations, Peter Phelan.

*Q.7 Please consider **MPS-0733126**, specifically page 5, which concerns a request to Special Branch from the Home Office for an assessment of the proposed demonstration to coincide with the anniversary of the death of Blair Peach in 1980.*

- *Did the Home Office consider that the justice campaign which followed the death of Blair Peach was a proper target for Special Branch investigation? Why so?*
- *What was the purpose, as you understood it, of such assessments (including post-demonstration assessment such as **UCPI0000035151**) prepared by MPSB for the Home Office?*
- *In your experience how frequently were such assessments sought?*
- *As far as you are able to assist, how were the responses received from MPSB (see pages 6-9 and 29-32) regarded within the Home Office?*
- *Were they considered to be of value? Why so?*

*Q.8 Please consider **UCPI0000035096** which appears to be a note authored by Hayden Phillips concerning the Home Office reaction to a report provided by MPSB (which is not within the Inquiry's possession but appears to concern 'Political Extremism and Campaign for Police Accountability within the Metropolitan Police District').*

- *If possible, please can you explain what this MPSB report contained and why it prompted 'very serious concern' within the Home Office?*
- *If you are unable to recall the report, based on the documents provided, why do you consider that this report is likely to have prompted the concern it did?*
- *As far as you can recall, was there any awareness within the Home Office that MPSB may be pushing to the limit a 'broader concept of public order intelligence'?*
- *If so, why was this a concern and what, if anything, was done in response?*
- *If not, please explain why this appears to have been of particular concern to the Home Office?*
- *Were the actions proposed within paragraph 3 in fact taken in response? What was the result?*
- *What did Hayden Phillips mean when he said he considered that this was 'dangerous in implication'?*

- Was this a concern based on the limits which you considered properly applied to Special Branch activities? If so, what did you consider these to be in this regard?
- What did he mean by 'that particular skeleton is still in our cupboard'?
- Was the 'review of the role of Special Branches' (paragraph 3) a reference to work which was ongoing at this time to update the Special Branch Terms of Reference?
- How did Hayden Phillips consider that this review would deal with this issue?
- As far as you are concerned did this take place?
- Do you now consider this to have been adequate?

*Q.9 The Inquiry has seen documents relating to public concern articulated to the Home Office about the involvement of Special Branch officers within trade unions and industrial disputes (see, for example **UCPI0000035102**, **UCPI0000035101**, **UCPI0000034700**, **UCPI0000035100**, **UCPI0000034699** and **UCPI0000035086**).*

- What were considered to be the proper limits, if any, on Special Branch activities within trade unions and industrial disputes?
- How did the Home Office ensure that activities remained within such limits?
- As far as you can recall, how were the specific concerns detailed above viewed within the Home Office?
- Within **UCPI0000035100**, [REDACTED] notes the need to give the Home Secretary 'fairly specific information of the kind of activity that goes on'. As far as you are able to assist, what sort of information was provided?
- More generally, how much information of the activities of Special Branch was ordinarily shared with the Home Secretary? In what circumstances would this take place?
- What was the attitude within the Home Office towards blacklisting or passing of information about those deemed to hold subversive views to employers or other private sector organisations?
- Do the comments made on page 2 of **UCPI0000034699** represent the approach as you recall it?
- The Inquiry understands that these concerns, at least in part, led to the issuing of a circular authored by the Security Service entitled *Subversive Activities in Industrial Disputes* (**UCPI0000034699** and **UCPI0000004545**). Is this understanding correct?
- If so, please explain why this was considered necessary and/or desirable?



[REDACTED]

[REDACTED]

29. I have carefully considered the documentation to which the Inquiry has referred in Questions 7, 8 and 9. In each case, the documentation in question pre-dates my appointment as Head of F4 and I do not recall seeing this material before it was provided to me by the Inquiry. It follows that I am unable to assist the interpretation of these documents, the extent to which their contents are reflective of the 'approach' or 'attitude' of the Home Office at the material time, or what was done in response to these documents.

### **Subversion**

In this section of my statement I address, to the extent that I am able to do so, questions 10 – 17 of the Inquiry's Rule 9 request.

*Q.10 What role did you understand Special Branch played in countering subversion?*

- *How did you understand this role to correspond with that of the Security Service?*

*Q.11 During your time within the Home Office, what did you understand the applicable definition of subversion to be?*

- *Did you understand it to be that given by the then Home Secretary, Sir David Maxwell-Fife, as a directive to the Security Service in 1952 (UCPI0000034262)?*
- *Thereafter, did you understand it to be that (privately) defined by John Jones of the Security Service and, later, publicly espoused by Lord Harris of Greenwich in 1975 (UCPI0000034264 and UCPI0000034265)?*
- *Did you understand that both limbs of this definition would need to be met before an activity or group could be deemed subversive, as the then Home Secretary explained to Parliament in 1979 (UCPI0000004431, p7)?*
- *If so, as far as you understood it, how realistic or immediate would the threat posed by a group or activity to the safety or wellbeing of the state need to be to fall within this definition?*
- *What role did the Home Office play in establishing these definitions and their revision?*

[REDACTED]

[REDACTED]

*Q.12 Please consider **UCPI0000035086**. Does the analysis of [REDACTED] (on page 1) - that the application of the definition of subversion ultimately remained a matter for Chief Constables, correspond with your understanding? If not, why not?*

- *If so, what consideration was given to ensuring that this interpretation remained consistent with the definition?*
- *Was the 'proper role of the Security Service in relation to subversion' (paragraph 2) considered the primary means by which judgements made by Special Branch were kept within acceptable bounds?*
- *If so, as far as you are aware, how did this work in practice?*
- *If not, what else was used to ensure that Special Branch was operating within this definition?*

*Q.13 Please consider **UCPI0000004658**. The comments made by a representative of the Security Service at paragraph 6 suggest, in his view, the problems which led to criticism of Special Branch lay within the definition of subversion, and specifically attempts to equate it with non-criminal activity. As far as you were aware, was this view shared within the Home Office? If possible, please explain why this was or was not the case.*

30. By the time I began to have any direct involvement in these matters as Head of F4, I believe I would have already been generally aware that the lead responsibility for countering subversion rests with the Security Services rather than the special branches of police forces.

31. I do not have any clear recollection of an established definition of 'subversion' being in use at the Home Office during my time in F4 and, as I have indicated above, my understanding was that the lead responsibility for countering subversion rested with the Security Service. The documentation to which I have been referred in Question 11 all substantially pre-dates my appointment and I do not recall being aware of it at the time. I frankly doubt whether at any time I had direct reference to the Maxwell Fyfe directive of 1952. I had no involvement in such matters at the time of the documents referred to in this question, and thus no recollection which might provide a factual basis for responding. But I have the impression that as early as 1974, for example in James Waddell's note (UCPI0000035124), developments in society made the clear

[REDACTED]

[REDACTED]

distinctions of 1952 less obvious in practice. The strain on this distinction, for example, might increase because persons and bodies who were a proper subject of Security Service investigation by reason of possible involvement in subversion might also be involving themselves in threats to public order necessarily of interest to special branches of police forces — and of course vice versa.

32. I only have a rather general recollection of the closing stages of what became the "Home Office guidelines on the work of a Special Branch". It was issued as a circular to chief officers of police on 19 December 1984 bearing my signature. It is important to note that this document had been in the course of preparation, at varying rates of progress, for some years before I became involved in the very final stages.

33. However, I feel that the (accurate) quotation from [REDACTED]'s minute to the Home Secretary's office dated 30 January 1985 (UCPI0000035086) - "that the application of the definition of subversion ultimately remained a matter for chief constables" - may be misleading when taken out of the context of the paragraph in which it appears. The context makes clear that the starting point is that investigation of subversion is the responsibility of the Security Service, not the police. Where, however, there is in a particular case both a Security Service interest in subversion and a police public order interest, there may need to be some sharing of information available from their respective resources. It is the duty of chief officers of police to ensure that the activities of their respective forces remain within the limits of what is within the law and necessary to maintain the Queen's Peace. Chief officers of police should decline any request from the Security Service that might drag their officers beyond police responsibilities. Other documents provided by the Inquiry record doubts about whether in practice chief officers would ever decline requests for assistance from the Security Service, contradicted quickly by assertions that in fact chief officers did on occasion decline such requests.

34. The document to which I have been referred in Question 13 references notes of meetings that took place in 1983 and at a late stage in the preparation of the guidelines

[REDACTED]

[REDACTED]

I have referred to above, which were eventually issued in December 1984. I was not involved in those meetings, which took place before my appointment to F4, and so I have no recollection of the views recorded in the notes being expressed and am unable to say whether they were more widely held within the Home Office at that time. For my part, I do not recall becoming aware, following my appointment to F4, of concerns on the part of the Security Service of the nature expressed in these notes.

*Q.14 Please consider **UCPI0000035107** (particularly the comments repeated within paragraph 2), which considers a response to a recent controversy concerning Special Branch and was signed on Hayden Phillips' behalf.*

- *Was it accepted that 'political views of potential subversives' were a legitimate area of interest to Special Branch?*
- *If so, was monitoring of potential subversives considered consistent with the first limb of the test for subversion (requiring an actual threat to the safety or wellbeing of the state)? In answer to this question you may wish to refer to the comments made by David Heaton in November 1979, with the context of the revision to the Terms of Reference to Special Branch (**UCPI0000004716**, paragraph 2).*
- *Was it accepted that Special Branch officers would need to become involved on the fringes of legitimate political activity?*
- *If so, why was this considered justified?*
- *Were you aware that Special Branch faced difficulties in distinguishing between legitimate political activity and subversion as suggested?*
- *If so, given that this was leading to some public concern, what was done to ensure that Special Branches were able to act appropriately in this regard?*
- *Did you understand Special Branch officers to be 'highly skilled and well supervised'?*
- *Where did this understanding come from? Was this based on anything other than reassurances provided by those who managed them?*

35. I have carefully considered the material to which I have been referred in Question 14, but the matters to which it relates occurred several years before my appointment to F4 and I have no recollection of being aware of the case referred to in these

[REDACTED]

[REDACTED]

documents. Accordingly, I am unable to assist with the interpretation of the contents of these documents and what, if anything, was done in light of the concerns expressed.

*Q.15 Please consider the F4 discussion paper, likely authored in 1980, within UCPI0000004437. The Inquiry understands that UCPI0000004459 represents the underlined 1970 Terms of Reference, referred to as Annex A with paragraph 15 of the discussion paper. The author appears to have underlined the terms ‘which may be judged to be subversive’ (para 2), ‘subversive or potentially subversive’ (para 3(d)) and ‘a subversive or political [objective]’ (para 3(e)) as difficult aspects of this document.*

- Do you agree that this suggests that the author considered there was a problem with how broadly subversion was drawn?*
- Did you or others within the Home Office share this concern? Why/why not?*

*Q.16 Please also consider the proposed revision to the Special Branch Terms of Reference at Annex B to this discussion paper UCPI0000034701. At paragraph 4 the understood definition of subversion is repeated, but this is then supplemented with the words ‘activities of organisations or individuals which, while operating at present within the law, have as their long terms aim the overthrow of Parliamentary democracy’.*

- Did you consider this to be a widening of the definition or a clarification?*
- Did you or others within the Home Office consider this proposed extended wording of the accepted definition would have unequivocally caught activity which was lawful and posed no present threat to the continuation of Parliamentary democracy?*
- Was this extended definition of concern? Please give reasons for your answer.*

[REDACTED]

36. The material to which I have been referred in Questions 15 and 16 also substantially predates my appointment to F4 and so I am unable to assist with its interpretation or the nature and extent to which the views expressed in these documents were held within the Home Office.

*Q.17 The Inquiry notes that this proposed amendment was not repeated within the revised Guidelines which were later published, but was included within the unpublished covering letter addressed to Chief Constables [UCPI0000004538] and [UCPI0000004584], paragraph 5.*

- *What consideration was given by you or others within the Home Office to the appropriateness and implications of taking this course of action?*
- *Why was this considered desirable and justified?*
- *Why was this not included within a published document, but rather remained only within a confidential covering letter?*

37. By the time I arrived in post in March 1984, consultation about the guidelines involving the Association of Chief Police Officers (ACPO) and the Security Service was at an advanced stage. From the document at UCPI0000004659, it appears to have been agreed that the guidelines should advise chief constables about the circumstances in which cooperation between special branches and the Security Service was necessary and justified, apparently to include the content of earlier Security Service letters to chief constables. Though I have no recollection of the discussion, the meeting note at UCPI0000004645 seems to acknowledge an earlier decision that there would be a separate covering letter to chief officers of police which would not be published, dealing with matters relating to police cooperation with the Security Service which were of exceptional sensitivity and were operationally vulnerable to publicity.

### **Special Branch Terms of Reference**

In this section of my statement I address, to the extent that I am able to do so, questions 18 – 32 of the Inquiry's Rule 9 request.

[REDACTED]

[REDACTED]

*Q.18 The Inquiry understands that Terms of Reference for Special Branch (UCPI000004425) were finalised on 8 April 1970 and promulgated by ACPO on 15 June 1970 (UCPI000004459). These were later supplemented by letters from the Security Service to Chief Constables dated 29 May 1974 (entitled Subversive Activities in Industrial Disputes [UCPI000004545]) and dated 16 December 1975 (entitled Subversive Activities in Schools [UCPI0000034698]), and represented the (unpublished) documents governing the activities of English and Welsh Special Branches until 19 December 1984. Does this accord with your understating?*

38. Based on the documents with which I have been provided, my understanding of the Terms of Reference for Special Branch accords with that of the Inquiry, as set out in Question 18. I would emphasise, however, that the documents all pre-dated my appointment to F4 and I had no involvement in their development. In particular, I did not play any role in the drafting or promulgation of the original terms of reference or the revised versions produced in the 1970s and early 1980s.

*Q.19 Did you play any role in the drafting or promulgation of these original Terms of Reference or their revision in the late 1970's and early 1980's? If so, please explain the nature and extent of your involvement?*

*Q.20 Comments by David Heaton of 2 October 1978 (UCPI0000035084, p3-4), suggest that he anticipated increasing public scrutiny and questioning of Special Branches, and so felt that public guidance would be helpful to deploy in response. He drew an analogy to the published Security Service Charter (see the 'Maxwell-Fife Directive' [UCPI0000034262]).*

- As far as you can recall, was responding to public scrutiny the only or main reason why the Terms of Reference were considered worthy of updating?*
- If not, please explain what else prompted the initial exercise to update the Terms of Reference?*

*Q.21 Please consider the note prepared by [REDACTED] in April 1979 (UCPI000004719) which refers to comments made by HM Chief Inspector of Constabulary ('HMCIC') that 'the Security Services sought more information from Special Branches than they really needed' and that the 1970 Terms of Reference were unclear on the proper limits of this relationship. Similarly, a comment by David Heaton on 13 October 1978 (page 4 of UCPI0000035084), repeats a view apparently expressed by Sir Colin*

[REDACTED]

Woods (who was, at that time, HMCIC) that MPSB might well do less work for the Security Service.

- Were you aware of any concern (expressed by HMCIC, MPSB or any other body) that excessive or improper demands were placed on MPSB by the Security Service?
- If so, please explain the nature and origin of this concern and any action which was taken in response.
- If not, please explain how you believe the Home Office would have approached such an issue?
- Do you recall that the Terms of Reference issued in 1970 were considered insufficient in this or any other regard?
- If so, please explain the nature and origin of this concern and any action which was taken in response.

Q.22 Please consider **UCPI000004718**, which is a letter from Hayden Phillips to Rex Bryan of the MPS, sent in August 1979, which proposes the possible revision to the 1970 Terms of Reference.

- Please explain the circumstances, as you recall them, which led to the sending of this letter.
- Page 2 repeats comments made by Sir Robert Armstrong; 'the climate of opinion in which Special Branches... operate has changed quite considerably since 1970'. Is the Inquiry correct to infer that he considered the existing Terms of Reference were inadequate for the work Special Branch was doing in the late 1970s?
- Did you share this view? Why?
- This letter suggests that Hayden Phillips did not consider that a revision was likely to lead to the end of 'disturbing' incidents, as that was better addressed through proper supervision and experience. Was the purpose of the proposed revision, at least in part, therefore intended to address and/or reduce such incidents?
- What overview, if any, did the Home Office have of the adequacy of Special Branch recruitment, training and deployment? (In response to this question you may wish to consider the final paragraph of the MPSB letter received in reply [**UCPI0000035109**] and the comments at the end of page 1 of **UCPI0000004417**).
- Was the role of HMCIC considered important in this regard? Why?



[REDACTED]

[REDACTED]

*Q.23 Please consider **UCPI0000035108** which was a note from HMCIC, received in reply, and which opposes any publication of a revised Terms of Reference for Special Branch.*

- *Did you and/or others within the Home Office agree that publication could be 'emotive or even provocative' amongst some groups?*
- *How was this response viewed generally within the Home Office?*
- *What effect did the reluctance to publish expressed have on the proposed revision?*
- *Please also consider a similar letter sent in September 1983 (**UCPI0000004666**). Are you able to explain why HMCIC appears to have consistently taken a more conservative view regarding publication than the police themselves throughout this process?*

*Q.24 Please consider **UCPI0000004426**. This letter from the Security Service suggests that a meeting chaired by Sir Robert Armstrong in December 1978 did not conclude that there was a pressing need to revise the 1970 Terms of Reference.*

- *Does this accord with your understanding, notwithstanding the documents referred to above?*
- *Within this letter the author also suggests that they considered little advantage would be gained from redrafting the Special Branch Terms of Reference as had been proposed. What effect did this reluctance have on this process?*
- *How was this response viewed generally within the Home Office?*

*Q.25 Is the Inquiry correct to understand that this reluctance to publish a revised Terms of Reference from HMCIC and the Security Service led to such plans being dropped in the autumn of 1979 (see the comments of Phillipa Drew at p8 of **UCPI0000035084**)?*

*Q.26 Please consider the subsequent submission made to Sir Brian Cubbon by David Heaton (**UCPI000004715**), along with a paper prepared by F4 on the topic (**UCPI0000004437**), the proposed revision to the Terms of Reference (**UCPI0000034701**) and Sir Brian's response (**UCPI0000004427**).*

- *Does the paper prepared by F4 accurately reflect the issues behind attempts to update and publish the Terms of Reference for Special Branch at this point in time? If not, why not?*

- *Did the view expressed by David Heaton that attempts to consolidate the existing guidance had resulted in a 'poor thing' (UCPI000004715, p4) reflect the general view within the Home Office at the time?*
- *In your view is the Inquiry correct to infer that the questions posed by David Heaton at paragraph 11 of his submission were considered to be of significant importance by the Home Office? Why?*
- *Do you recall that ministers at this time (late 1980) failed to share the same disquiet about the work of Special Branches as their predecessors (paragraph 14)? Presumably a reference to ministers in the previous Labour Government. If so, please explain what you mean.*
- *Is the Inquiry correct to conclude that work on revision to the Terms of Reference was paused after the meeting proposed by Sir Brian Cubbon? In answer to this question you may be assisted by reference to paragraph 4 of UCPI0000035095.*
- *If so, can you explain why this occurred, despite the comments by David Heaton within the final sentence of page 1, paragraph 2 of UCPI000004437?*

*Q.27 Please consider UCPI0000035095 and UCPI000004431. Did this note and letters authored by Hayden Phillips, which appear to signal the resumption of the process of revising and publishing the Terms of Reference, come at the prompting of the police (specifically, Ken Oxford)?*

- *What view did you take of the 'veto' which had been used by the Security Service?*
- *Did you consider their position to be overly conservative?*
- *Do the comments in paragraph 5 ('the relationship with the Security Service might be made more explicit to discourage any private enterprise by police forces on subjects where the Security Service should be taking the lead') suggest that Hayden Phillips understood this was a problem which needed to be addressed?*

39. As for the documents referred to in Question 27, these appear to have been produced in early 1983 which, again, was before my appointment to F4. It is apparent from the documents that the revival of work on guidelines or terms of reference was stimulated by Ken Oxford, Chief Constable of Merseyside, but I have no direct knowledge of the surrounding circumstances or what led to that decision. At that time (early 1983) I had no direct involvement in this aspect of the Home Office's operations and I have no

[REDACTED]

recollection of this being an issue on which I became sighted when I took up my F4 post in March 1984.

*Q.28 Please consider **UCPI0000004434**. To your knowledge, was this the first time that a draft of the new Guidelines (as they become known by this time) was shown to the Home Secretary?*

- Was this process undertaken with the Home Secretary's knowledge and/or agreement? If not, why not?*

40. Although I cannot know for certain, I think it very likely that the document referred to in Question 28 records the first time that a draft of the new guidelines was shown to the Home Secretary. I do not find it surprising that consideration of the draft guidelines would have been initiated without the Home Secretary being informed. The papers show clearly that he was consulted in good time, and that he regarded the completion of the guidelines as helpful with regard to matters about which he expected to be questioned by the Home Affairs Select Committee.

*Q.29 Please consider **UCPI0000035090**. Is the Inquiry correct to understand that the announcement of an investigation into Special Branches to be held by the Home Affairs Select Committee in the spring of 1984, prompted the acceleration and conclusion of the process or revision which had been resumed a year beforehand? As far as you are able to recall, why did this change matter?*

41. I have no recollection of the announcement by the Home Affairs Select Committee in spring 1984 to hold an inquiry into special branches, however from the documents provided by the Inquiry I would agree that that announcement is likely to have given an urgency to the completion of revising and issuing the guidelines.

*Q. 30 Please consider **UCPI0000004645**, a note of a meeting chaired by you. Why was the decision taken not to publish the covering letter to the Special Branch Guidelines 'under any circumstances' (paragraph 5)?*

42. I have reviewed document UCPI0000004645 which is a note of a meeting chaired by me, in particular paragraph 5 which refers to discussions about the publication of the

[REDACTED]

[REDACTED]

covering letter to accompany the revised guidelines. It had already been decided at an earlier meeting that, though the greater part of the guidelines would be available for chief officers to use in answering questions about the role of special branches, there should also be a separate covering letter to chief officers which would not be intended for publication. My understanding as to why that decision had been taken was because the Security Service had expressed concerns about information going into the public domain concerning their working relationship with special branches where Security Service investigations relating to subversion, and special branches' interests in public order matters, necessitated the sharing of information.

*Q.31 Please consider **UCPI0000004637**. It appears that the passage in question concerning 'potentially subversive' organisations was then included within the covering letter to the Guidelines (**UCPI0000004415**, page 6 and **UCPI0000004678**). Why did you consider that these comments could be accommodated 'without difficulty'? You may wish to note that [REDACTED] also took a similar view (**UCPI00000035129**, paragraph 6).*

- *Was the original omission of this category deliberate? If so, why?*
- *Was any consideration given to the fact that addition of this category would theoretically increase the range and scope of Special Branch activities into groups which did not, at that moment in time, meet the test for subversion? If so, what was the result?*
- *Was the inclusion of this passage intended to provide authorisation for the reality that groups of this nature were already being covered by the activities of Special Branch?*
- *Why was this category omitted from the Guidelines which were to be published (**UCPI0000004542**), and only explicitly included within the covering letter?*
- *Was this based on concern at possible public reaction to the scope of Special Branch activities which this would reveal?*

43. Document UCPI0000004678 appears to be a draft letter for me to send to Ken Oxford from November 1984, which I believe would have sent, in which I state that the points raised in a letter from Peter Imbert, Chair of ACPO Crime Committee, reflecting the views of David Hal, Chief Constable of Humberside, were incorporated in the revised guidelines and covering letter. I thought these revisions to be sensible and reflective

[REDACTED]

[REDACTED]

of the views of key stakeholders, who had been involved in the drafting of the guidelines and covering letter to date.

44. The original omission of "potentially subversive" from the guidelines was deliberate; it was a restatement of the existing position and intended to enable a sensitive matter that could not be dealt with publicly to instead be addressed in the confidential covering letter for chief constables. I joined F4 during the development of these documents and so I do not remember whether the addition was made following receipt of Peter Imbert's letter, or whether it had always been intended for inclusion in some form. I do not believe that it was the intention to increase the range and scope of special branch activities into groups which did not meet the test for subversion. The content of the confidential covering letter was intended to reflect the existing practice of the Security Service and special branches, to cooperate on sources of information where Security Service investigations relating to subversion, and special branch activities related to public order, might at times produce information of interest to both, which could properly be exchanged and discussed between them. It was not intended to provide any authorisation for wider activity; it was intended to provide for cooperation and consultation between the Security Service and special branches where their respective activities produced information of mutual value.

*Q.32 Please consider **UCPI000004632**. Did you consider the comments on the increasing need for better intelligence on public order to be a reference to the work of the SDS? If so, how did this aspect of MPSB's work affect the attempts to revise the Terms of Reference?*

- *More generally, to what extent, if at all, were the work and operational practices of the SDS, as opposed to Special Branch, considered when work was done to revise the Special Branch Terms of reference?*

45. The document referred to in Question 32 is before my time in F4. By the time I arrived in March 1984, the preparation of draft guidelines was at an advanced stage and was to apply to the special branches of all police forces, not MPSB alone. I have no recollection that the Special Demonstration Squad (SDS) was a particular consideration

[REDACTED]

[REDACTED]

in the drafting of this document. Given the particular secrecy that was given to the nature and role of the SDS, I think it is very unlikely that it would have been mentioned in discussions about special branches generally. My recollection is that there was no mention particularly of the SDS in the closing stages leading up to the issue of the guidelines.

### **Special Demonstration Squad**

In this section of my statement I address, to the extent that I am able to do so, questions 33 - 47 of the Inquiry's Rule 9 request.

*Q.33 During your career, what knowledge did you have of the Special Demonstration Squad of MPSB?*

- *What did you understand its origins to be?*
- *What did you understand its purpose and remit to be?*
- *What groups did you understand it sought intelligence in respect of?*
- *Did you understand these to be primarily left-wing in political nature? If so, why?*

46. Until my appointment to F4 division I had no knowledge of the SDS, its origins, its purpose and remit, or the groups on which it sought intelligence.

47. My recollection is that I first heard of the SDS by chance, soon after I joined F4. Upon attending Scotland Yard for a meeting with MPSB on other matters, I think Peter Phelan pointed out to me, or I noticed, some scruffily dressed unkempt people walking by, which caused him to tell me briefly about "the hairies" as the SDS was sometimes known. He explained merely that they were undercover officers on special operations as part of that squad and the brief conversation ended with that; I think he may have said that he would tell me more about it on some other occasion.

48. In the documents provided by the Inquiry there is an exchange of letters between MPSB and Michael Partridge, Deputy Secretary, about authorising the existence and financing of the SDS for a further year (MPS-0724116, MPS-0724109, MPS724130, MPS-0724177);

[REDACTED]

[REDACTED]

that letter gave approval. I do not think I was aware of that at the time because I believe the first I knew of the annual report and the request for renewal was when I was asked to go and see Sir Brian Cubbon. He asked me to visit senior officers at MPSB to discuss the 1983 annual report. He told me he wanted me to find out more about how MPSB was managing the tasking and deployment of the SDS, given the sensitivity of its operations. I believe Sir Brian's primary concern was whether the way MPSB's operations were conducted were reasonably likely to maintain the very high degree of security and secrecy which surrounded it. I had a long and quite detailed conversation with Peter Phelan, Commander of Operations; he told me what groups they sought intelligence on and I think he told me there were 14 officers undercover at any one time, infiltrating a large number of groups. The list of groups that I saw was categorised by interests of activity, but we did not go through them one by one and there would have been no point in doing so, as it was not for me to take an interest in the particular bodies under investigation.

49. From the documents provided by the Inquiry I can see that the SDS was set up in the late 1960s; it was instigated to deal with anti-Vietnam war demonstrations in Grosvenor Square. I understood its purpose and remit to be to get information about organisations which were causing large scale public order issues. The SDS's information was to help the police make suitable contingency plans for large scale demonstrations. I have no recollection of the list of target groups which were of interest at the time when I was in F4, although I was, for other reasons, particularly well aware that it was working on the Greenham Common women's camps, as described below. I did not, however, regard it as part of my role to know about target groups more broadly, nor do I think that was part of Sir Brian Cubbon's reason for asking me to talk to MPSB about the annual report for 1983.

50. In respect of the groups being targeted or infiltrated by the SDS, most of the names meant nothing to me and it was not possible to assess whether they were left-wing in nature by just their names, which I do not recall beyond the Greenham Common matter.

*Q.34 How much information regarding the detail of authorisation or operation of the SDS was shared with the Home Secretary?*

- [REDACTED]
- [REDACTED]
- *What was the rationale behind this approach?*

51. I do not know how much information, if any, was made available to the Home Secretary about the authorisation or operation of the SDS. If it was done, it was not done at my level. At no stage did I ever personally pass any information to the Home Secretary in respect of the SDS.

*Q.36 As far as you were aware, did knowledge of the SDS extend outside the Home Office into other parts of Government?*

- *If so, did this extend to Downing Street and/or the Cabinet Office and/or the Prime Minister's Office, and what was the level or extent of detail known?*

52. I do not know whether knowledge of the SDS extended beyond the Home Office into other parts of government such as Downing Street or the Cabinet Office. It is clear from current documents that its existence and role was of course well known to the Security Service, though I doubt whether I would have known anything about the extent of their knowledge during my time in F4.

53. I was certainly aware early in my time in F4 (once I became aware of the existence of the SDS), that its targets included groups demonstrating at the Royal Air Force station at Greenham Common, where the United States mobile nuclear weapon convoys were stationed and from which they from time-to-time went out on exercise deployments to practise and demonstrate their mobility.

54. I recall concerns on the part of the then Defence Secretary about the convoy deployments which resulted in direct liaison between me and the relevant head of unit in the Ministry of Defence ("MOD"). My recollection is that the MOD were extremely anxious that there should be no leak about the date or route of a convoy deployment. They discussed this with me because they thought the police would be the likely source of any leak. At the same time, however, they were concerned that Thames Valley Police (TVP) should handle any public order problems effectively. I had a good working relationship with my opposite



[REDACTED]

[REDACTED]

number in the MOD, as a result of which he obtained authority to give me personal notice of a convoy deployment. I am quite certain that I would not have discussed the existence of the SDS with any MOD official and therefore I think it extremely unlikely that the MOD had any knowledge of the SDS. My MOD contact was, however, informally aware that, for knowledge of the days of the convoy deployment to be of any use to the police in handling public order problems, it was my practice to pass on to the Chief Constable of TVP, Peter Imbert, information I had received about the date of deployments. I am certain that there was never any discussion between us about the SDS and I have no knowledge about whether the Chief Constable of TVP was aware of any MPSB undercover resources which might be relevant.

*Q.36 What methods did you understand that the SDS used to obtain the intelligence it sought and how did this differ from more traditional Special Branch tactics?*

55. I only knew that the SDS consisted of a small number of undercover officers tasked to obtain intelligence relevant to handling major public order problems, At the time I arrived in F4 I would have known little about the operational practices of MPSB and special branches in provincial forces.

*Q.37 What influence, if any, did the Home Office have over the methods or tactics used by the SDS?*

*Q.38 What influence, if any, did the Home Office have over the groups targeted by the SDS?*

56. Given the importance of MPSB, by reason of its national role and also the fact that at that time the Home Secretary was the police authority for the Metropolitan Police, believe that the Home Office could have had a greater degree of influence over MPSB operational matters than they would have had, or would have wished to try to apply, in respect of a provincial force. At the time of my arrival in F4, and during my time in that post, I am not aware that the Home Office tried to apply any such influence either over methods or

[REDACTED]

tactics, or the groups targeted. As I have explained, the only discussion I had with MPSB regarding the SDS was at the request of Sir Brian Cubbon in 1984.

*Q.39 During your time within the Home Office, what interaction, if any, did you have with officers or managers of the SDS?*

57. As a result of growing concerns about vulnerability to international terrorism within the UK following the murder of WPC Fletcher, and continuing concerns about terrorism connected with Northern Ireland, the amount of work for F4 in this area increased and widened for the three years that I was in post. The working relationship between F4, the Foreign and Commonwealth Office's (FCO) newly created Security Coordination Department, the Security Service and MPSB became closer — particularly as a result of the increased volume of intelligence material being circulated on those subjects — resulting in increased attendance by those units at joint assessment groups. For F4, the result was a very substantial continuing increase in workload which, despite occasional protests by me, did not result in any change in staffing levels.

58. These changes certainly meant that I was often, at times almost daily, attending Cabinet Office assessment meetings which, depending on the subject, might have included Colin Hewett and Peter Phelan, or other MPSB representatives. Those meetings did not specifically relate to the SDS, nor is it likely that the SDS would have been mentioned, as some of the others in attendance were not aware of its existence. In the course of ordinary business I would have cause to have contact with Colin Hewett, Peter Phelan or the Chief Superintendent on international terrorism, whose name I cannot remember; I do not recollect any discussions about the SDS or ever meeting covert officers or their managers.

*Q.40 To your knowledge, what role did the Home Office play in the establishment, continuation, authorisation and funding of the SDS? In answer to this question you may be assisted by reference to the SDS Annual Reports and corresponding letters from the Home Office authorising its continuation within your witness pack.*

- *What, if any, obligations of secrecy did the Home Office attach to its work?*

- [REDACTED]
- [REDACTED]
- *What consideration, if any, was given by the Home Office to the legality of the operation of the SDS?*
  - *Was any other Government department involved in any of these tasks? If so, which?*

59. At the time of my arrival in F4 in March 1984 I had no knowledge whatsoever of the establishment, authorisation or funding of the SDS, or of any consideration given to the legality of its operations. Throughout my time in the post I was unaware of the history of the establishment of the SDS, and of procedures for its continuation, authorisation and funding discussed in the papers provided by the Inquiry which I have now seen for the first time.

*Q.41 The Inquiry understands that the Annual Reports which were prepared on an annual basis by the manager in charge of the SDS, or his deputy, were not ordinarily shared with the Home Office. Instead, a letter was prepared by a more senior manager within the MPS, based on this report, and sent to the Home Office to seek approval. To the best of your knowledge, is this understanding correct?*

60. During my time in F4 I was not aware of any Annual Reports prepared by the manager in charge of the SDS, and I am confident that no such reports were ever provided to me, other than the 1983 report which was shown to me when I visited Peter Phelan at the request of Sir Brian in 1984. The papers provided by the Inquiry do seem to confirm the procedure implied by Question 41, involving merely an exchange of letters rather than Home Office scrutiny of an internal MPSB report on the SDS.

*Q.42 Please consider **MPS-0724116**, **MPS-0724109**, **MPS-0724130** and **MPS-0724177** which are letters from the Home Office, mostly authored by Sir James Waddell (Deputy Under-Secretary of State), authorising the SDS' continuation in the years immediately following its inception in 1968. As far as you are able to assist*

- *Why was there concern that 'embarrassment' would be caused to the Home Secretary were the squad's existence to become known, so as to require reiteration of the need for secrecy within these letters?*

- [REDACTED]
- [REDACTED]
- *Was this concern based on the nature of the infiltrations conducted by the SDS, either in terms of the types of groups reported or the methods used to that end or both?*
  - *If so, how was it envisioned that publication of this activity would be of concern to the Home Office?*
  - *Was the SDS (at this time or later) considered controversial by the Home Office? If so, why?*
  - *Did this (or any other) concern lead to a requirement from the Home Office that the SDS remained secret?*
  - *Why was the early view expressed by James Waddell (MPS-0724177) that that the SDS 'should not be a permanent feature of the Branch' not followed?*

61. I had no involvement in these matters at the time, but it is evident from MPS-0724116, MPS-0724109, MPS-0724130 and MPS-0724177 that in the early years following the establishment of the SDS in 1968, annual approvals of its expenditure were dealt with at a very high level. Sir James Waddell, then one of only two Deputy Secretaries in the Home Office, at the level immediately below Permanent Secretary, dealt with all of them.

62. The letters of approval seem to suggest that a factor having particular risks of embarrassment in the event of disclosure was the nature of the accommodation being provided for officers engaged in these operations. The reference to "embarrassment" in the 1970 approval letter (MPS-0724130) is specifically linked to that. Ten years or more later, MPSB internal annual reports on the SDS continue to emphasise expenditure on special accommodation, where it includes accommodation needed to enable supervising officers to meet undercover officers, or perhaps groups of them, for supervisory or debriefing purposes, as well as living accommodation consistent with an undercover officer's covert identity. This document also makes clear that the Home Secretary had been consulted about the special arrangements for the SDS, and thus implicitly had approved them.

63. I am unable to assist with specific answers to these questions, but police use of informants or undercover officers generally needs to be secret, because if not, it is likely to be ineffective, and if its necessary secrecy is broken it may involve risk to the officers

[REDACTED]

involved. I cannot speculate what may have prompted Sir James Waddell's comment referred to at Question 42.5 without knowing what problem prompted the setting up of the SDS in 1968, when it may have been hoped that it was directed at some problem which would prove to be temporary.

64. Whilst I cannot comment on the position before or after my own time in F4, in the time that I was in post, knowledge of the SDS was restricted extremely tightly within the Home Office, and it seems reasonable to conclude that there were two reasons for that: knowledge of its existence and its method of working would have been controversial if it had been made public; and by its nature, its work could not be effective if it was not secret.

65. The documents referred to at Question 42 predate my time in F4 and I am therefore unable to assist with the other elements of that question.

*Q.43 The Inquiry has received evidence that police officers deployed within the SDS from the mid-1970's onwards consistently utilised the identities of deceased children in support of their cover identities.*

- *Were you aware of this practice?*
- *Was this practice approved of (either tacitly or explicitly) by you or others within the Home Office?*
- *If not, what is/was your reaction to learning of this practice?*

66. I had no knowledge of the practice of utilising the identities of deceased children in support of cover identities. I had virtually nothing to do with any special branch in England, Wales or Scotland, including MPSB, before I took up post in F4 in March 1984. I did not become aware of the practice until it was publicly disclosed. I cannot recollect now whether it was disclosed publicly before the inquiry carried out by Stephen Taylor, or whether I first heard about it from him when he interviewed me in connection with his report. I have never heard anything to suggest that this practice was approved of or condoned within the Home Office. My reaction to it when I heard, as I am sure I said to Stephen Taylor, was that it was utterly unacceptable, improper and disproportionate as a technique to be used by police officers. I think I probably also said that it was wholly

[REDACTED] [REDACTED]

objectionable on grounds of operational security. If undercover operations are to be effective, they must remain secret. The false identity procedure referred to had been fully publicised by Frederick Forsyth's book *Day of the Jackal*, published, I think, in 1967. To rely on this procedure thereafter would be immediately vulnerable to a search at the General Register Office (GRO).

*Q.44 The Inquiry has received evidence that several officers deployed within the SDS during your time in the Home Office engaged in sexual activity, in their cover identities, with those on whom they reported.*

- *Was this known about within the Home Office?*
- *Was the risk of such behaviour taking place considered within the Home Office? If not, why not?*
- *Was this behaviour approved of (either tacitly or explicitly) by you or others within the Home Office?*
- *If not, what is your reaction to learning of this?*
- *Please consider **UCPI0000027446** which is a Security Service file note recording a conversation between the then head of the SDS, David Short, and representatives of the Security Service. Within paragraph 5 it is recorded that an SDS officer, HN106, had 'probably bedded' someone on whom he was reporting, thus indicating an awareness of this behaviour amongst the management of the SDS and/or representatives of the Security Service.*
- *To your knowledge, was such information ever passed on to the Home Office (by the Security Service or MPSB), either in respect of this or other such incidents?*
- *Would you have expected to have been informed of such behaviour? If not, why not?*

67. I had no knowledge of the practice of SDS officers, in their covert identities, engaging in sexual activity with those on whom they reported. I am appalled to know now that this was happening; it was clearly wholly outside what anybody would have considered a proper component of an undercover police operation, made even worse if it was not a one-off, and even further so if it was condoned by senior officers.

68. If I had even a remote suspicion that undercover SDS officers might be engaging in sexual activity with those on whom they were reporting, whether on a casual isolated basis or as

[REDACTED] [REDACTED]

a long-term relationship, I would have made sure that the obvious fundamental objections to such behaviour were made known to those in senior positions within the Home Office, and within MPSB if, as would be unlikely, I had any reason to think that my suspicions were not already known within MPSB. I would not have stopped raising my objections until necessary action had been taken.

69. As to the Security Service file note of July 1982, I have no knowledge that any such information was passed on to the Home Office either in respect of this or other such incidents. There was certainly never any report of that nature during my time in F4. Had such an incident as described taken place during my time as Head of F4, I would not necessarily have expected to have been informed of it if it had been regarded by SDS managers as objectionable and if necessary action had been taken to deal with it as an operational and disciplinary matter for the chief officer of police. If, on the other hand, enquiry into the matter had revealed that this was not a one-off isolated misdemeanour on the part of an individual officer, I would certainly have expected that the matter would be made known to the Home Office. That would not necessarily be at my level. I had a close working relationship with relevant senior officers in MPSB, but given the implications of such a matter, and the long established high level of secrecy about the SDS and its operations, I would expect that disclosure of such a matter would go into the Home Office at a very high level.

*Q.45 Please consider **UCPI0000027515** which is a further Security Service file note. Within paragraph 5 concern from HN68 (a manager within the SDS) is noted because one of the deployed officers he oversaw ('Phil Cooper') had regular access to an MP at the House of Commons as part of his deployment.*

- 1..1. To your knowledge was information such as this ever passed on to the Home Office (by the Security Service or MPSB), either in respect of this or other such incidents?*
- 1..2. Would you have expected to have been informed of such incidents? If not, why not?*
- 1..3. If the Home Office had been aware of deployments of this nature would this have been considered acceptable? Why so?*

[REDACTED]

70. As to the Security Service file note referred to in Question 45, this pre-dates my arrival in F4 Division. I certainly never heard of any such information during my time in F4. I think it is difficult to draw any clear conclusions as to what I would have expected to have been told about such deployments from this single document. On the face of it the document appears to relate to an operational issue that I would have expected to be addressed by the Security Service and/or MPSB in the first instance.

*Q.46 Please consider **MPS-0730658** and **MPS-0730745**. These concern an internal MPSB review, conducted at the instigation of Commander Matt Rodger in 1976, to assess the continued value of the SDS and intended to support a submission to Sir Robert Armstrong for the continuation of the squad. The short review was conducted predominantly by current or former managers of the SDS but did include some input from police recipients of SDS intelligence, and supported its continuation. The subsequent letter sent to the Home Office seeking continued authorisation for the SDS made reference to this review (**MPS-0728980**, page 13)*

- To your knowledge, was this review ever sent to the Home Office?*
- Having now considered the review and learnt that it was authored solely by MPSB managers, mostly with SDS connections, would it have been considered adequate if this had been known and it had been sent to the Home Office at the time? Why?*
- What view was taken by the Home Office of assurances such as that given in the letter that ‘the degree of coverage necessary is under constant review.in order to ensure the minimising of risk and of unnecessary activity by the squad’?*
- Were they considered satisfactory for your purposes at the time?*
- If yes, with hindsight, do you consider that the Home Office should have taken a different approach? Why?*

71. The documents referred to in Question 46 date from at least eight years before I had involvement in such matters. I cannot comment on how it was prepared or handled and have no knowledge of the nature and context of the working relationship between the Home Office and MPSB at that time.

72. The degree of overlap between the Security Service's concerns with subversion and the special branch concern with some aspects of public order was probably inevitable, and



[REDACTED]

probably became larger with developments in society which continued from the time that the SDS was established. Some of the documents provided to me by the Inquiry give an indication of the way that overlap was handled, of which I would have been unaware at the relevant time between 1984 and 1987.

*Q.47 Please consider **MPS-0730903** (page 1) and **MPS-0737347** (page 9, minute 24) which record that you attended a meeting with Commander Phelan on 5 June 1984. This meeting was arranged at the behest of Sir Brian Cubbon due to concerns about the continued justification for the SDS. At this meeting it appears that you were shown a copy of the 1983 Annual Report and 'expressed the view that he had enough material to allay Sir Brian Cubbon's fears'. It appears that the results of this meeting were reported back, and as predicted, Sir Brian Cubbon was content (**MPS-0734164**).*

- To your knowledge, was this the first time that an SDS annual report had been shared with a Home Office official?*
- If so, what were the concerns which led to this change of approach towards authorisation of the SDS?*
- Did these concerns relate to the public issues surrounding the activities of Special Branches more generally, rather than the SDS specifically, at the time (for example those discussed within **UCPI0000004455**)?*
- Was this concern prompted by the announcement of an investigation into Special Branches to be held by the Home Affairs Select Committee in the spring of 1984 (**UCPI000000350990**)?*
- What impact, if any, did the ongoing effort to revise and publish the Special Branch Terms of Reference have on this apparent change of approach towards authorisation the SDS?*
- To the best of your memory, what within the 1983 SDS annual report (**MPS-0730903**, page 5 onwards) allayed the concerns Sir Brian Cubbon had expressed?*
- Are you able to recall what was included within the internal Home Office note which you intended to prepare after the meeting above?*

73. I remember my discussion with Commander Phelan referred to on page 9 of MPS-0737347, 5 June 1984. note from this document that Michael Partridge had approved the

[REDACTED]  
[REDACTED]  
continuation of the SDS in his letter of 29 May responding to the Metropolitan Police request of 27 February 1984.

74. So far as I am aware, I never saw the incoming letter and was not involved in any consideration of the approval sent on 29 May. That was because, some three weeks after my arrival to take over F4, WPC Fletcher was murdered outside the Libyan People's Bureau in St James's Square on 17 April 1984. One part of the role of F4, which led on domestic counter-terrorism and ran the counter-terrorist exercise programme, was to staff the civil element alongside the police and other services at the scene of a mainland terrorist incident. During an incident, our task was primarily to provide liaison with the government team at the Cabinet Office Briefing Rooms (COBR) — which in this case was close enough to allow the Home Office representative to attend both at the scene and at COBR.

75. As a result, I did not attend my desk until the incident was over, and when I did the primary concern was to start learning the work of the Division, dealing with a vast amount of work within the Home Office and with the FCO as the aftermath of the incident in St James's Square. I needed also to start dealing with the growing public order concerns, and the demands from the Prime Minister and the Home Secretary for related information about the Miners' Strike. I have given a detailed description of the Division's responsibilities at that time at paragraph 15 of this statement. Those matters dominated the work of the whole division — total staff, including two secretaries, 12 people I think.

76. After the conclusion of the incident in St James's Square I returned to the office, probably without seeing Michael Partridge's approval letter of 29 May which may have been dealt with in my absence by [REDACTED]. As explained above, I had a conversation with Sir Brian Cubbon by attending his office at his request. All I can remember of the conversation is that he referred to the sensitivity of the activities of the SDS and wanted F4 to keep in touch with what it was doing and, in the first instance, for me to assess its current work and how well it was supervised and managed by MPSB. I was already aware in general

[REDACTED]

[REDACTED]

terms of the existence of the SDS and, partly as a result of the recent terrorist incident, knew Commander Phelan reasonably well.

77. I have explained above that whilst I was shown a list of groups targeted by the SDS, I did not have detailed knowledge about those groups. I cannot recollect any detailed discussion of the target organisations mentioned in paragraph 3 of MPS-0730903 or the internal annual report 1983. I certainly would not have had the knowledge to assess the justification for the choice of target organisations which I would have regarded as primarily an operational matter for the police, or where there were overlapping interests, the Security Service. It was clear that by no means all of the target organisations were covered by deploying undercover officers (my recollection is that the number of undercover officers quoted to me was 14, and I see that the report refers to 12). In my meeting with Peter Phelan he explained how officers were selected for undercover deployment, on a voluntary basis by application from MPSB officers, from which they would select mature experienced officers regarded as suitable. He emphasised the need for close and supportive supervision, linked both to the security needs of the operation and the welfare needs of officers who in the nature of their duties would spend some time away from their families. These were days long before mobile phones, and he emphasised that supervising officers were expected to have face-to-face meetings with undercover officers normally at least twice a week and never with an interval longer than a fortnight. He referred to the difficulties of arranging such meetings which linked with the requirement both for suitable living accommodation and other rather different accommodation which could be used for meetings involving a larger number of people.

78. So far as I can recollect, Sir Brian Cubbon's reason for asking me to have this discussion with MPSB was not only about current targets of the SDS operations, but also related to close supervision of undercover officers for welfare and security reasons. I have no recollection of what I reported to Sir Brian, which would have been a minute addressed to him or his private secretary, but it evidently resulted in the letter of 16 July 1984 at MPS-0734164.

[REDACTED]

79. My point in setting this out in as much detail as I can is to emphasise that at no time while I was Head of F4 did I come across any suggestion or suspicion, either within the Home Office or the Metropolitan Police, that MPSB officers, as members of SDS, might be conducting sexual relationships in their undercover identities with persons on whom they were reporting. From the attitude of, and my assessment of, the relevant people in MPSB whom I got to know and trust, that possibility did not cross my mind; I would have regarded it as behaviour wholly incompatible with police duties.

80. I do not know whether the meeting on 5 June 1984 was the first time that the SDS annual report had been shown to any Home Office officials, but it resulted from Sir Brian Cubbon's request for me to discuss it with MPSB, and he may have asked me to do so because of the impending work by the Home Affairs Select Committee.

81. I am not aware that the revision and publication of the Special Branch Terms of Reference was connected in any way to a change of approach, if there was one, towards the authorisation of the SDS. The Terms of Reference related to the work of all Special Branches of police forces in England and Wales. I cannot recall what I may have said within any note which I apparently intended to prepare after the meeting.

### **The Security Service**

In this section of my statement I address, to the extent that I am able to do so, questions 48 - 54 of the Inquiry's Rule 9 request.

*Q.48 What did you understand was the nature of the working relationship between the Security Service (MI5) and the SDS?*

*Q.49 Did you understand that the Security Service had any influence over the groups targeted by the SDS? If so, what type and/or level of influence?*

82. I do not recall considering Security Service influence over SDS targeting during my time in the relevant post as Head of F4. From papers provided by the Inquiry there has obviously been some overlapping interest on the part of the two services in

[REDACTED]

[REDACTED]

intelligence they have gathered. From the papers provided by the Inquiry, that seems almost inevitable and both seem aware of the need to manage it with care.

*Q.50 Was close cooperation between the SDS and the Security Service (see, for example, **MPS-0724116** and **MPS-0730719**, paragraph 4) considered an advantage of the SDS by the Home Office? If so, why?*

*Q.51 What was the value of SDS intelligence, as you understood it, to the Security Service?*

83. I am not in a position to comment on the value of SDS intelligence to the Security Service, but from my own experience given the different primary responsibilities of the two organisations, and what appear to have been the reasons for setting up the SDS, it seems any usefulness of SDS intelligence to the Security Service would be a byproduct of, rather than the reason for, the SDS's existence.

84. The papers referred to in Question 50 relate to a time long before my involvement in these matters and I cannot offer any useful comment.

*Q.52 Did the Home Office consider that intelligence which would be of interest to the Security Service was a by-product of the SDS' core function as a provider of public order intelligence or part of the reason for the squad itself?*

*Q.53 Please consider **UCPI0000035089** which is a note from Sir Brian Cubbon to you concerning the question of Special Branch accountability in the context of the revision to the Special Branch Guidelines (considered above). Sir Brian's expressed view was that, although theoretically possible, in practice, the prospect of Special Branch declining a Security Service task could never arise. In a note responding, HMCIC commented that Chief Constables do, in fact, decline tasks which the Security Service wish their Special Branch to carry out on occasion (**UCPI0000035088**).*

- *Did you consider that a Special Branch could properly and/or realistically decline to assist the Security Service?*
- *What was your understanding of the limits, if any, which applied to Special Branch in assistance to the Security Service?*

- [REDACTED]
- [REDACTED]
- *Do you recall being aware of these limits being met or surpassed? If so, please explain the circumstances?*
  - *Would you have considered any work undertaken by the SDS in assistance to the Security Service would have been equally subject to any applicable limits? Why so?*

85. I have no recollection of the note referred to in Question 52, but I note the speedy comment by Her Majesty's Chief Inspector of Constabulary. Had I been asked during my time in F4 in 1984 — 87 whether a special branch could decline to assist the Security Service, I think I would have said that they could and, where it went beyond the proper role of police as distinct from the Security Service, they should so decline. That would apply equally to the question at 53.3. I have no recollection of any instances where such questions arose.

86. So far as I am aware, there are no prescribed limits which apply to the assistance provided by special branches to the Security Service, beyond the fact that police officers can only act within the law and their powers as a constable, and it is the responsibility of chief officers to ensure that those limits are observed. This would apply equally to officers operating in the SDS. During my time in F4 I was not aware of any activity which would give rise for concern in that respect.

*Q.54 Please consider **UCPI0000035119**, **UCPI0000035124**, **UCPI0000035123**, **UCPI0000034284**, **UCPI0000035121** and **UCPI0000035120** which concern a review commissioned by the Home Office into possible duplication of work between the Security Service and Special Branch (before the inception of the SDS in 1968).*

- *Are you able to recall what was the basis for this concern with the Home Office regarding possible duplication of work?*
- *Do you recall whether a similar concern applied to the work of the SDS?*
- *If so, what, if anything, was done in response?*

*Q.55 Please consider **UCPI0000034266** (an extract from *Defence of the Realm*, by Christopher Andrew), which suggests that the committee on Subversion in Public Life was chaired by Sir Robert Armstrong from its resurrection in 1976. As far as you are able to assist*

- [REDACTED]
- *What was the remit of this committee?*
  - *What awareness did you have of its work?*
  - *What involvement, if any, did you have with its work?*
  - *To what extent was the committee aware of the SDS and its operations and benefit from its intelligence?*
  - *Did you understand the committee to have any relevance to identification of groups selected for infiltration by the SDS, or any other aspect of its work? If so, what?*
  - *Were you aware of any other committees or bodies which operated within Government and had similar areas of interest? If so, please explain what these were.*

87. I have reviewed the documents at Questions 54 and 55 (UCPI0000035119, UCPI0000035124, UCPI0000035123, UCPI0000034284, UCPI0000035121, UCPI0000035120, and UCPI0000034266). These documents all predate my time in F4 and I am therefore unable to assist with these questions. I have no awareness, from my time in F4 or since, of the Committee on Subversion in Public Life.

#### Statement of Truth

I believe the content of this statement to be true.

[REDACTED]  
Roy Harrington

*R Harrington*  
2022

Signed:

Dated:

Full name: Roy Alastair Harrington