



Special Branch more than doubles in size

Analysis of the Special Branch's role in conducting surveillance for MI5 and on public order

Tony Bunyan, Statewatch editor, comments:

"Since the height of the Cold War and the ongoing conflict in Northern Ireland in the 1970s the Special Branch has more than doubled in size. In addition, it now has far more civilian staff and the means for the mass surveillance of telecommunications and the payment of informers which it never had in those days.

The combination of the "war on terrorism" which is targeting migrant communities and demands to combat EU-wide protests on a whole range of issues - peace and the environment, racism and globalisation - means that domestically the political police - Special Branch and MI5 - are more intrusive in every day political activity than at any other point in British history.

The Special Branch was set up in 1883 and until the mid-1960s was solely based in London's Metropolitan Police force (when it had around 300 officers). Out of London police forces only started to create SB branches of their own after the mass protests of 1967 and 1968. Over the years the number of Special Branch officers has been hard to establish.

In 1977 Statewatch's predecessor State Research carried out a survey of Chief Constables' annual reports and worked with MPs to try and establish the facts.

In May 1977 Dr Summerskill MP answered a parliamentary question for the Home Secretary (then Labour's Meryl Rees) which said that the size of the Special Branch was: "1% of the total size of the police force". On this basis it was possible to estimate that the approximate strength of the SB was 550 in the Metropolitan Police Special Branch (MPSB), 550 in the other 42 police forces in England and Wales and a further 80 SB officers in Scotland.

By 1980 a fuller and more accurate picture had been compiled especially as a number of Chief Constables' reports now included the number of SB officers in their forces. Following much public discussion and criticism, the overall figures were finally provided by the Home Secretary, Meryl Rees. There were 1,259 SB officers in England and Wales (Hansard, 24.5.78) and 279 SB officers in Northern Ireland (Hansard, 13.6.78). The numbers for the eight Scottish police forces of 100 SB officers was still an estimate although it was known that the Strathclyde force (the largest) had 60 SB officers. Thus for the first time it was possible to give a breakdown of SB strength:

England and Wales

<i>Met (MPSB):</i>	<i>409 (Hansard, 24.5.78)</i>
<i>42 out of London forces:</i>	<i>850</i>
<i>Scotland:</i>	<i>100</i>
<i>Northern Ireland:</i>	<i>279</i>
<i>total:</i>	<i>1,638</i>

Lest it should be thought that in comparison to the present day that these were quiet times it should be remembered that in the late 1970s the Cold War was still in full swing, that industrial strikes were commonplace, the conflict in Northern Ireland was ongoing and the TUC annual conference had passed a resolution highly critical of the role of the Special Branch. Mass confrontations at Grunwick's factory and the enormous anti-racist demonstration in Southall in 1979 (where Blair Peach was killed by a Special Patrol Group officer), the deportation of ex-CIA agent Philip Agee (whose book the "CIA Diary" was published in the UK and became a worldwide best-seller) and Mark Hosenball, a journalist, the subsequent "ABC" (Aubrey, Berry, Campbell) Official Secrets Act trial and "uprisings" in 26 British cities in 1981 meant

these were turbulent times.

Her Majesty's Inspector of Constabulary's report for 1988, which covers all the forces in England and Wales except the Met Police said there were "about 700" SB officers in the 41 provincial forces. However, to this figure must be added a proportion of the 738 officers permanently employed in the UK the National Ports Scheme (NPS, which covers ports and airports, this role was provided nationally by the Metropolitan Police Special Branch, MPSB, until 1978).

Figures in the 1990s showed that the size of the MPSB had risen to 523 plus 124 civilian staff (Met Police, November 1992). However, it should be noted that by this time a number of its functions had been hived off and assumed a life of their own, for example, the Anti-Terrorist Branch (SO13) had 93 officers and 16 civilian staff and the Royalty and Diplomatic Protection Squad (SO 14/15/16) 847 officers and 33 civilian staff. Most significantly the Met Special Branch's original nineteenth century role of gathering intelligence on Irish Republican activity in mainland Britain was taken away from it in 1992 and handed to MI5 (it retained a secondary role in support of MI5 on this issue and international terrorism in general).

Amending the 1978 figures at the beginning of the 1990s gives the following:

England and Wales

<i>MPSB:</i>	<i>523</i>
<i>42 outside/London forces:</i>	<i>1,318 (700 plus 618 (NPS))</i>
<i>Scotland:</i>	<i>100 (later figure not known)</i>
<i>Northern Ireland:</i>	<i>279</i>
<i>total:</i>	<i>2,220</i>

Apparently prior to 11 September 2001 some local forces were "down-sizing" their Special Branches (HMIC review below). However, in October 2001 a Home Office Minister in answer to a written question said that there were 552 SB officers in the MPSB. Another answer elicited the number for the RUC in Northern Ireland as being 684 SB officers at 1 February 2000. A further overall figure was confirmed in a written answer in February 2003, namely that as at 31 March 2002 there were a total of 3,463 SB officers in England and Wales including 619 NPS SB officers (HMI). The figures can thus be amended again as follows:

England and Wales

<i>MPSB:</i>	<i>552</i>
<i>42 outside/London forces:</i>	<i>2,911 (including 619 NPS officers)</i>
<i>Scotland:</i>	<i>100 (later figure not known)</i>
<i>Northern Ireland:</i>	<i>684</i>
<i>total:</i>	<i>4,247</i>

The figure for Scotland is almost certainly an under-estimate as no concrete figures have ever been provided by the government.

The 1999 Patten Report on policing in Northern Ireland said the RUC Special Branch was 10% of the regular force, that is, 850 officers - this SB is very much a "force within a force" (see *Statewatch* vol 12 no 1)

What is absolutely clear from these figures is that there has been an unprecedented expansion of the Special Branch (including NPS) outside London from 1,318 at the beginning of the 1990s to 2,911 by 31 March 2002. Whereas the comparable increase in the MPSB is from 409 to 552 officers.

The size of the Special Branch has risen from 1,638 in 1978 to 2,220 at the beginning of the 1990s to at least 4,247 by February 2003. These figures also excluded the increasing role played by civilian staff such as intelligence analysts.

Overall it can be said that the Special Branch of today in the "war against terrorism" and EU demands for the surveillance of potential travelling protestors is more than two-and-a-half times larger than it was during the Cold War era and the conflict in Northern Ireland.

"A need to know": HMIC thematic inspection of Special Branch and Ports policing

In January 2003 a rare report on the activities of the Special Branch prepared by Her Majesty's Inspector of Constabulary (HMIC) was published and received surprisingly little attention in the media. The remit of the review was to look at the SB's contribution, post 11 September, to "the national security structure of this country" and "the prevention and detection of serious crime and public disorder".

The review makes a number of recommendations the most controversial of which is the proposal that local Special Branches should no longer be accountable to the Chief Constable on operational matters which would mean they would no longer be accountable to local police authorities. Other ideas include the creation of regional SB offices and a National Coordinator. Out of London officers will be seconded to SBs for a minimum of five years and be expected to speak a foreign language (like the MPSB officers). How these would square with the SB being the local "eyes and ears" is unclear.

More importantly the review presents an opportunity to look at the current role of the Special Branch covering national security and public and its relationship with MI5.

Structure

Each local Special Branch is part of the local police force, for example, Merseyside or Greater Manchester, under the direction of the Chief Constable. Each of the 43 police forces in England and Wales have Special Branches which vary in size from a couple of dozen to several hundred. Within their force area the SB also cover sea and air ports to surveil those entering and leaving (the National Ports Scheme, NPS).

Special Branch officers are police officers with powers of arrest. For this reason they are a natural complement to MI5, the internal Security Service, who do not have powers of arrest. Thus MI5 operational teams will bring in the local SB to carry out arrests and to present evidence in court.

The Special Branch's primary roles concern national security (especially terrorism and "subversion") and the maintenance of public order. Special Branch officers are subject to "positive vetting". Outside London this means that the Head of Special Branch and their deputy get "Developed Vetting (DV)" while the remainder are "Security Checked (SC)". In the MPSB the majority of officers are subject to "DV". Special Branch officers are trained on a national basis by the MPSB and MI5.

The Special Branch provides officers at ports and airports which "is an integral part of their counter-terrorist role". Larger

air and seaports have a "dedicated Special Branch presence" including the designated nine major airports (Policing of Airports Act 1974) which are centrally funded. Other "Ports Units" are drawn from local Special Branches. An example is given where MI5 put through an urgent request for the stopping or surveillance of target(s) where it is not "possible for a member of the Security Service to reach the port in time".

MPSB

By far the largest SB in the country is MPSB which carries out numerous national roles (in addition to surveiling groups and activities in the capital). Their national roles include:

1. The National Public Order Intelligence Unit (NPOIU) which co-ordinates:

the collection, analysis, exploitation and dissemination of intelligence on the extremist threat to public order

2. The National Terrorist Financial Investigation Unit (NTFIU)

3. The National Joint Unit (NJU) advises round-the-clock on terrorist legislation, detentions and coordinates particular national operations.

4. The Communications Intelligence Unit which deals with interception warrants and forensic recovery of computer disc data.

5. European Liaison Section (ELS) providing a "conduit" to Europol and equivalent agencies in other EU states. Its counter-terrorist role has been extended to cover "non-sporting public order matters"

6. Irish Republican terrorism in mainland Britain (though MI5 now has the lead role).

7. It provides surveillance teams of smaller out of London forces.

The role of Special Branches

Although their remit is local there are: "tensions between the national and local roles of the Special Branch". This is because on the one hand they are close to ground, the "eyes and ears" of local intelligence-gathering (from uniformed police as well as their own sources). On the other hand there are the demands placed on them by MI5. The SBs' role is to support MI5 which effectively coordinates "much of Special Branch's intelligence and operational work".

At the operational level the SB will pass all intelligence "up" to MI5, will conduct surveillance and tracking on their behalf and "provide local support for Security Service operational teams". The review notes that there are some areas of friction between Special Branches and MI5, "rubbing points", for example:

currently one such is the issue of ownership of joint agent operations

The review says that a key aspect of:

Special Branch intelligence gathering is that it extends the reach of the national agencies by utilising the close links between local police and the communities they serve

This intelligence gathering whether solely by the Branch, or jointly with MI5, involves surveillance and "the management of human sources" - a euphemism for infiltration by undercover officers, paid agents or the recruitment of informers. The latter is termed "Covert Human Intelligence Sources - CHIS" and are meant to be authorised under the Regulation of Investigatory Powers Act 2000. Intelligence gathering is directed at threats to national security, serious crime or public order - nationally the latter is coordinated through the "National Public Order Intelligence Unit" (NPOIU) which according to the review conducts intelligence gathering:

in relation to politically motivated disorder (not legitimate protests)

One of the key lessons, the review says, of the investigation into 11 September:

has been the vital importance of extending the reach of the national security agencies by furthering utilising the close links between local police and the communities in which they work

The "golden thread" provided by the Special Branch works through briefing "front line police officers" (those out on the streets) on the intelligence role they can play "arising from their position in the community". The SB's role in providing intelligence for MI5 is based on their local knowledge, "community awareness" and "invaluable contacts", they are the "eyes and ears" of intelligence which "must be retained at all costs".

The review says that in the 1990s, despite the end of the Cold War and the IRA ceasefire in Northern Ireland, new threats for the SB to monitor were emerging like Islamic extremist terrorist groups and:

the emerging threat to public order by extremists such as those within the animal rights movement and others intent on the violent disruption of the global economy

11 September 2001 demonstrated:

the urgent need to monitor those who abuse democratic liberties to further their terrorist intentions

Special Branch operational work is:

directed towards counter terrorism, followed by public order.. the two main methods of targeted surveillance collection being through human sources and surveillance

The term "surveillance" here refers to physical surveillance, that is, observing, following, bugging (homes, offices etc), and tracking (bugs on vehicles). Whereas more sophisticated "technical intelligence collection" (see below) is "costly" and "most Branches prefer to rely external assistance".

Human sources - CHIS

most Special Branch human resource intelligence collection involves the recruitment and running of Covert Human Intelligence Sources (or CHIS), which in the national security context are usually referred to as "agents" by the intelligence community

The local knowledge of Special Branch officers makes them ideally suited to "the identification or "targeting" of potential CHIS". Once recruited "agents" are either run by the SB or run jointly with the:

Security Service or NPOIU

The inclusion of the NPOIU, the national public order intelligence unit, here is interesting because the "maintenance of public order" is a primary function of the SB and also fits into a broad definition of "national security".

The number of agents a local Special Branch can run is limited by the number of "handlers" it has. In smaller Special Branches care has to be taken in "the exposure of case officers operating in small communities or geographically confined areas".

CHIS operations have to be authorised under the procedures laid down in RIPA 2000. As MI5 is subject to RIPA too it is apparently a practice for them to "authorise joint cases under the Act thus providing cover for participating Special Branch officers."

CHIS handlers have to be properly trained and "accredited" under RIPA 2000 and this is done through courses:

often delivered in partnership with universities

The review makes no mention at all of the ways in which "agents" are recruited nor what financial inducements may be made. Broadly "agents" that are "recruited" fall into two categories: a) those who are politically/ideologically opposed to the individual or group they are spying on because of

disillusionment or personal differences and b) those who are in effect blackmailed into becoming "agents", for example, in return for dropping charges (drugs) or embarrassing personal information. Both categories may receive regular payments.

When it comes to demonstrations, local or national, when *ad hoc* groups come together to plan the event, undercover SB officers often attend meetings and may volunteer to help. In this way they can not only monitor the immediate event but can use the opportunity to spot potential "agents". In this situation loose talk by participants means SB officers can pick up useful intelligence.

Nor is there any mention in the report about financial inducements given to "agents", this may be one-off or a regular weekly/monthly payment. Back in the 1970s payments were usually quite small like £5 or £10 a time. Now it appears that regular weekly payments of £100 are not unusual and in one instance cited on the TV programme "True Spies" a current "agent" is being paid £1,000 a week.

Surveillance:

Surveillance, the review says, is in some cases the: "only means of acquiring or developing vital intelligence or of monitoring potentially threatening activity" As this is expensive and involves a lot of resources only the Special Branches of the: "largest metropolitan forces have dedicated full-time surveillance teams". Smaller SBs call in outside help. This may take the form of a surveillance team from a neighbouring force or MI5 may provide teams where "national security targets" and where:

the operation meets the Service's threshold for deployment; the response generally includes one or more surveillance teams, a control element and perhaps additional specialist capabilities

The review recommends that the criteria for assessing Special Branch work on national security and terrorism should be:

- 1. number of intelligence reports submitted*
- 2. number of reports to Security Services*
- 3. number of sources identified/recruited*
- 4. number of threat assessments prepared*
- 5. number of persons interviewed at ports*

The second major role of the Special Branch is the surveillance of demonstrations. This is set out in the 1994 Guidelines which formalised their role in surveiling demonstrations since the beginning of the last century. The review says that Special Branches are responsible for "maintaining the Queen's Peace by providing accurate assessments of public order implications of events such as marches and demonstrations". To this end the review says that this should be measured by:

- 1. number of intelligence reports assessed relating to public disorder*
- 2. number of public order operations ongoing/pending/concluded*

Special Branches are also expected to "gather intelligence on animal rights extremist activity and seek to prevent attacks on persons and property by such extremists".

The distinction between "national security" and public order is blurred in some areas. The concept of "national security" includes "subversion" which is defined as activities intended:

to overthrow or undermine parliamentary democracy by political, industrial or violent means

Although the review makes no mention of it, the Special Branch's "national security" role is not limited to anti-terrorism, but it includes placing "subversive" groups and individuals under surveillance in addition to its public order role. MI5 is not primarily concerned with public order but it is with

"subversion". As the Intelligence and Security Committee Annual Report 2002-2003 puts it MI5 is not directly concerned with threats to public order:

the Security Service would not investigate these bodies unless they posed a threat to national security

This failure to mention "subversion" in the review is part of a wider attempt to downplay the concept. For example, the annual reports of the Commissioner for the Interception of Telecommunications has claimed for a number of years that few, if any, warrants have been issued to combat "subversion". This is because of a conscious policy decision to re-define alleged "subversive" activities as criminal activities.

A BBC series of three documentary programmes last year, "True Spies", showed a catalogue of cases where the Special Branch infiltrated left groups and trade unions and recruited paid agents. The programme's presenter, Peter Taylor, said: "All the conspiracy theories about the security services tapping phones and so on that we all dismissed turned out to be true".

Taking the Special Branch's national security (including "subversion"), anti-terrorist and public order roles together means that they have to place under surveillance and recruit "agents" in all local political and trade union activities - to meet domestic and EU demands - they are in effect, together with MI5, the UK's political police.

"Guidelines on Special Branch work in Great Britain", 1994; HMIC review: "Need to Know", HMIC thematic inspection of Special Branch and Ports policing, January 2003; "The Political Police in Britain", Quartet, 1977, Tony Bunyan; State Research, 1977-1981.

See also EU plans to combat protests on:

www.statewatch.org/news/2003/aug/15protests.htm