STATE RESEARCH

BULLETIN No. 15

THE TRADITION OF JURY VETTING – OLDFIELD IN IRELAND – FILES ON THE NON-CONVICTED – ANDERTON AND SUBVERSION – ECONOMIC LEAGUE OPENS UP

NEWS & DEVELOPMENTS

THE BLUNT AFFAIR – SECURITY ABOVE THE LAW

A major security scandal was uncovered on November 15 when Sir Anthony Blunt, the Queen's art adviser, was revealed to have been a Soviet spy between 1940 and 1945. To all intents and purposes the affair was wrapped up just a week later. A parliamentary debate was held on November 21 when former Prime Ministers and Ministers had their memories corrected on the deal made with Blunt in 1964, when he was granted immunity from prosecution. Despite half-hearted Labour front-bench pressures, there is to be no public inquiry. What stands out in all the blood and thunder surrounding the affair, is that MI5, the security service, managed to impress on their political masters their Cold War ideology and to decide for themselves just which Ministers should be told of Blunt's activities. It is a moot point whether Blunt, who had left MI5 in 1945 and had fallen under suspicion in 1951-2 when he was interrogated 11 times, was of much use to MI5 in 1964, let alone 1979. The Russians had ordered Blunt to leave the country in 1951 and knew that he had been interrogated. The evidence indicates that MI5 and MI6 (the external espionage agency) wanted to avoid yet another scandal after a decade of exposure.

Blunt was a close associate of Burgess who fled with Maclean to Russia in 1951. Both worked for the Foreign Office. Kim Philby, who headed the Russian section of MI6 was cleared by MacMillan in 1955 but fled to Moscow in 1963. In 1956 a

Conference of Privy Councillors investigated the Burgess and Maclean defections and reviewed security procedures (Cmd 9715). The Radcliffe Committee conducted another detailed examination of security in 1961-62 following the Vassall spy case (Cmnd 1681).

Then, in 1963, the Profumo affair led to yet another investigation this time by Lord Denning (Cmnd 2152). Among the changes that followed this last report was the creation, by the Tory government of a new and permanent body, the Security Commission, to conduct future inquiries, including the Lord Lambton affair in 1973. Members of the Commission form a panel of seven from whom three, including the Chairman, are selected for an inquiry. The present Chairman is Lord Diplock (see Bulletin No 1). It was in this context that the Tory Attorney General, with a General Election approaching, agreed to grand Blunt immunity from prosecution and the Home Secretary, Henry Brooke, was told on March 2, 1964. (He did not inform Sir Alec Douglas Home, then Prime Minister).

When Labour won the election in October 1964, Harold Wilson appointed George Wigg as Paymaster-General with the job of trying to ensure that no scandals arose to embarrass the government. Significantly, Wilson and the Home Secretary, Roy Jenkins, were not told of the immunity given to Blunt until 1967 – after Wigg had left parliament. This four year gap tends to confirm Wilson's suspicion, voiced in the summer of 1977, that as Prime Minister, and the person formally responsible for the security service, that he was kept in the dark about security matters. After 1967 all the succeeding Attorneys General were told of the deal on taking office – in 1972, June 1974 and June 1979.

During the Commons debate Mrs Thatcher successfully turned down the idea of an inquiry saying that she had satisfied herself that in future the Director-General of MI5 would inform the Home Secretary or the Attorney General, who would in turn tell the Prime Minister. The existence of the Security Commission was ignored in the debate. Past practice suggests that MI5 have decided who to tell and in what form. There is all the difference in the world in bringing a matter to a Minister for a decision and asking them to simply confirm the practice of previous Attorneys General. Henry Brooke and Harold Wilson initially denied that they had been told about the Blunt deal. Brooke's memory was corrected by Mrs Thatcher from a brief provided by MI5. Wilson, after inspecting the official record of his premiership, realised that he too had been informed, but only in 1967.

Secrets Bill withdrawn

The only positive result of the Blunt affair has been the withdrawal of the Protection of Official Information Bill. On November 20, Mrs Thatcher told the Commons that the Bill would not proceed 'in the present circumstances'. The majority of the national press came out against it when the Blunt affair broke; it was evident that Anthony Boyle's book, **The Climate of Treason**, which led to Blunt's exposure might never have been published if the Bill had been law. Although this Bill has been withdrawn, Mrs Thatcher made it clear that the security and intelligence agencies required the greatest protection and a different Bill might still be introduced in the next session of parliament.

Unlike the 1911 Official Secrets Act which was intended for use against foreign spies, this Bill was directed against British citizens in order to ensure that the security and intelligence agencies and their activities were removed from public scrutiny and debate.

The Bill, which was intended to replace Section 2 of the 1911 Official Secrets Act, would have made it an offence to **disclose** official information (S.4) or to **refuse to hand over** the source on which a disclosure was based (S.5). Disclosure did not have to cause 'serious injury' to constitute an offence, except in defence matters and international relations. The Bill would

have made it an offence to disclose any information in the following categories (S.1.2): a) defence (including internal security) and international relations; b) security and intelligence; c) law enforcement and prisons; d) the interception of communications; e) relations with other governments and states; f) government contracts and confidential information about firms and individuals.

The scope of the Bill was potentially limitless because it was based on the concept of 'protected' information, which was simply that defined as 'protected' by the agencies covered by the Bill. It would have outlawed the publication of information on the military, the Foreign Office and the diplomatic service, the police, the prisons, the Special Branch, and information about their associated activities like telephone tapping, the surveillance of political and industrial activity, and the state's plans to intervene in strikes.

ULSTER: STRATEGY FIRST POLITICS SECOND

Sir Maurice Oldfield, head of the Secret Intelligence Service (SIS or MI6), between 1973 and 1975, was appointed as Security Co-ordinator for Northern Ireland on October 2. His appointment coincided with the replacement of the General Officer Commanding (GOC) Northern Ireland, Sir Timothy Creasey, by Major General Richard Lawson, and of the Chief Constable of the Royal Ulster Constabulary (RUC), Sir Kenneth Newman, by one of his two deputies, Mr Jack Hermon.

Sir Maurice's appointment was 'to assist the Secretary of State in improving the co-ordination and effectiveness of the fight against terrorism,' according to an official statement. It followed steady pressure by the Army that the policy of 'Ulsterisation', under which the RUC was intended to take more control of day-to-day operations, should be reversed. Army grievances over the restrictions which this placed on them were aired in the press; a good summary of the Army's view was carried in the Financial Times on September 21. The new appointment is an endorsement of the Army position; operations can now be cleared with the Security Co-ordinator rather than the police. Rivalry between the two forces has been a problem for the past ten years.

Successive governments have accepted the military's strategy; the present one has fully endorsed Army tactics. The Army is aware that its actions have suppressed support for the IRA among the minority community, but that there is no support for the security forces; they are prepared for a long war. (see Bulletin No 12).

Containment of the Conflict

The British Government sees its urgent task as containment of the conflict, rather than resolution. The official statement announcing Sir Maurice's appointment said: 'Security objectives, political and constitutional development and economic and social policy interact with each other in Northern Ireland and need to be carefully linked toghether in HMG's total Northern Ireland policy so that each is pursued consistently with the others'. It also claimed that 'the aim continues to be to eliminate terrorism and extend normal policing throughout Northern Ireland.' The latter is less believable than the former; the minority areas of Northern Ireland have never been policed 'normally'. The new Chief Constable, for example, is a staunch loyalist. During the loyalist troubles of 1977, he struck a secret deal with Dr Ian Paisley, in order to achieve the dismantling of barricades with the use of 'a minimum of force' against loyalist demonstrators. He has spent the last 12 months on attachment to Scotland Yard. General Lawson, to take another example, was Chief of Staff in Aden in 1967, when British troops were accused by Amnesty International of ill-treating nationalists.

The political initiatives over Northern Ireland seem more closely connected with

the campaign outside the province than inside. They are designed to answer critics of government security policies particularly in the Republic of Ireland and the United States. There has been constant heavy pressure on Mr Lynch to accept totally the British view of security matters, particularly since the murder of Lord Mountbatten. But it cannot be too overt, lest it strengthen the elements within Mr Lynch's party who are already very critical. Political initiatives in the North help him a little. The Irish leader has admitted that the over-flying of the Republic by British aircraft has been made easier, and that it has occurred on 500 occasions in the past five years (**Daily Telegraph**, 21.11.79). In addition, sideways looking-radar must already make much of the Republic's territory visible to British forces.

American Criticism

As for the United States, Sir Maurice is not without influence. As head of SIS, he was in charge of Britain's equivalent of the CIA, and thus versed in covert operations and propaganda. As Chief of the MI6 Station in Washington between 1960 and 1964, he formed a close relationship with leading members of the U.S. Intelligence community. Those friendships will doubtless be invaluable in marshalling U.S. support for the British Government's line, and in organising opposition to the criticism voiced by Senator Edward Kennedy, Governor Hugh Carey, and other leading Democrats.

Diplomatic persuasion will doubtless be used first. The U.S. intelligence community has a powerful influence on the administration, and Sir Maurice will no doubt enlist their support. But MI6 has demonstrated its capacity to mount 'dirty tricks' and disinformation operations. If Edward Kennedy gets close to the White House without moderating his criticism of the Conservative position on Northern Ireland, he may well be a target for such actions.

POLICE DEFEND TOTAL COMPUTER SECRECY

The Police Federation has demanded that all police computers be exempt from scrutiny by anyone other than the police themselves and the Home Secretary, on the grounds that vital intelligence passed to the police by informers would no longer be forthcoming if there was the slightest chance of an outsider having access to police computerised records.

The Police Federation statement, made in a report in October, is the latest move by the police to avoid any form of independent scrutiny of their computerised records. The Federation totally rejects even the relatively weak proposals put forward in December 1978, by the Data Protection Committee, chaired by Sir Norman Lindop. The Committee recognised three different categories of police and national security records. While all systems should be registered with the proposed Data Protection Authority (DPA), only the basic police records dealing with matters of fact such as criminal records and stolen vehicles should appear on the public register. Police criminal intelligence should be exempt from the register but still subject to the DPA and the relevant Codes of Practice. Only national security systems, identified by ministerial exemption and limited by statutue, should only be overseen by one DPA member with high security clearance.

The Home Offfice responded with a compromise suggestion that all police and national security computer systems should be treated in the way that Lindop proposed solely for national security records. The Police Federation's statement is a rejection of that compromise. Their reasoning is peculiar as, first, it seems highly unlikely that one DPA member with high security clearance would leak information to criminals thereby endangering the informal network. Their second argument, that the system as it is has worked well, is also suspect, since outside the police peo-

ple do not know how it works. Even the Lindop Committee were refused access to the police intelligence computer (see Bulletin No 11).

The original proposals put forward by the Lindop Committee fell way short of the data protection laws already in force in many Western European countries and the USA, to protect the rights of individuals. Specifically, it did not propose that individuals should have the right to inspect records held on them and make corrections where incorrect information was included. Interpol, the international police organisation, has suspended plans to computerise millions of its records, precisely because they would contravene French data protection law. As its headquarters are in Paris, Interpol's records, if computerised, would be subject to a new French law which requires computer banks on individuals to be licensed, and restricts the collection and transmission of personal information.

SCOTTISH REGISTER OF NON-CONVICTED PEOPLE

A national register of persons warned by the public prosecutor in Scotland is being established on the instructions of the Scottish Crown Office (SCO) which is responsible, in Scotland, for the administration of the criminal justice system. The plans were outlined in a confidential circular, No 1643, headed 'Warnings to Accused Persons' issued by the SCO procurators fiscal (local public prosecutors) on May 3 this year, the day of the General Eelction. The SCO was then still the responsibility of the Labour government, in particular of the Solicitor General, Lord McCluskey. The confidential circular was reported on at length by **The Scotsman** on October 17 and 18.

The public prosecutor in Scotland has considerable discretion whether or not to prosecute suspected offenders and warnings may be issued for minor offences such as speeding, minor breaches of the peace, or shoplifting. If the person in question clearly admits guilt there is no problem. A warning is administered and a record made by the appropriate prosecutor. If there is a clear denial of guilt, no warning may be given and the procurator fiscal must decide whether to proceed or not. The SCO circular will make no change in these cases. Problems arise in the cases of persons who make either a non-commmittal reply or no reply to the police. The circular states that in such cases the warning must be worded 'in language which indicates that the procurator fiscal would have been entitled to prosecute, but not that the procurator fiscal considers the person to be guilty of the offence.' Nevertheless, warnings in such cases must be entered on the register and will be available for future reference by the procurator fiscal.

The main thrust of the circular is to clarify for procurators fiscal the procedure to be followed in each of the three cases and to announce the intention to move towards a national warnings register. In the meantime, registers will continue to be maintained on a local basis.

Ironically, publicity on the question of warnings and their recording comes at a time when an official Committee on Alternatives to Prosecution under a High Court judge, Lord Stewart, is examining this very question (among others). The Committee's questionnaire asked 'Should there be an admission of guilt before a formal warning is issued?' Policy and practice have pre-empted the work of the Committee which has yet to report.

ANDERTON: SUBVERSION IS THE MAIN PROBLEM

In reply to a question on the BBC programme Question Time on October 16, Mr James Anderton, the Chief Constable for Greater Manchester, made the extraordinary assertion that the main problem for

the police in the 1980s would not be crime but subversion and sedition. Below is the full text of the question and Anderton's answer:

Q: What in the panel's opinion is now the greatest threat to the preservation of law and order in this country?

Robin Day: Chief Constable.

Anderton: This is a far-reaching and wide question and cannot be answered really in simple terms. My own personal view, quite frankly, is this, that we are fast approaching a situation in this country where people are beginning to lose confidence in the ability of those in authority, those who have the job like me of preserving order, to do it effectively in the wider public interest.

There are at work in the community today – and I say this quite openly – factions, political factions, whose designed end is to overthrow democracy as we know it. They are at work in the field of public order, in the industrial relations field, in politics in the truest sense. And I think from a police point of view that my task in the future, in the 10 to 15 years from now, the period during which I shall continue to serve, that basic crime as such, theft, burglary, even violent crime will not be the predominant police feature. What will be the matter of greatest concern to me will be the covert and ultimately overt attempts to overthrow democracy, to subvert the authority of the state, and in fact to involve themselves in acts of sedition designed to destroy our parliamentary system and the democratic government in this country.

TORIES ATTACK BBC ON IRELAND AND CUTS

The BBC's right to editorial independence is under attack from the Conservative government. The two immediate causes of this attack are the coverage of the anti-cuts campaign and a Panorama film on Ireland. Michael Heseltine, the Environment Secretary, condemned the BBC's coverage of the anti-cuts demonstration in Lambeth, London, saying 'The battle against inflation is too critical to allow slap-happy selective journalism to undermine the national will to defeat inflation', (**Sunday Times**, 18.11.79). Mrs Thatcher and senior Conservative MPs attacked the BBC after the Panorama film crew had filmed masked IRA members carrying guns in Carrickmore, Co Tyrone. The film, whose showing was banned by BBC Board of Directors, was seized by the Anti-Terrorist Squad (ATS). An inquiry is being conducted by Peter Duffy, Commander of the ATS. It was ordered by the Director of Public Prosecutions, Sir Thomas Hetherington, at the request of the Attorney General, Sir Michael Havers.

These attacks on the BBC's news and current affairs coverage come barely a month after the ending of a secret agreement between the BBC News and Current Affairs group (NCA) and the Metropolitan Police. In July 1979 the Leveller magazine published details of a series of discussions held between July 1978 and March 1979 involving Peter Neivens, Deputy Assistant Commissioner at Scotland Yard and the NCA. Following the BBC 2 series on 'Law and Order', which began in April 1978, the police had been pushing for a form of contract which would guarantee material being shown to them before transmission, and not being transmitted in the event of their disliking it. The agreement finally arrived at in March 1979 was not as far-reaching as that originally proposed. The scope of the material to be looked at was limited to that considered by the police to be sensitive (privacy, 'sub judice', national security etc), and meetings to take place before production began were substitutued for the proposed contract. However, the modified agreement still gave the police infinitely greater editorial say than they had previously had.

The publication of the agreement lead to protest from journalists and broadcasting staff at the BBC current affairs headquarters. It was described as 'unac-

ceptable, a clear breach of editorial independence' by Tony Hearn, the Association of Broadcasting Staff general secretary (**Leveller**, August 1979) and in October the Journalist, newspaper of the National Union of Journalists, announced that the agreement had been terminated. However, recent events make it clear that threats to the independence of the BBC's news and current affairs coverage have not ended.

POLICE MUST ENFORCE TORY IMMIGRANTS POLICY

A new procedure which involves the police in serving orders from the Home Office refusing overstayers' requests to remain in Britain has been laid out in an official Home Office circular to Chief Officers of Police, dated July 30. The circular makes clear where the idea originated: 'It has now been agreed, at the suggestion of the Association of Chief Police Officers, that the police should play a greater part in the service on overstayers of notices of refusal of their applications to the Home Office for extensions of stay'.

The change became necessary as a result of two judgements given in the courts, in the cases of **Subrananian** and **Sutherdran**, relating to S.24(1)(b) of the Immigration Act 1971. The judges in these two cases expressed doubts that the standard Home Office written procedure, through a registered letter, was adequate. Under the new procedure, a police officer has to serve the notice in person 'by reading it over to the overstayer and by leaving a copy of the original in his possession'. The police then have to retain a copy of the notice until the overstayer has left the UK and forward it with a report to the Home Office.

Police Review, in an editorial, said of this new procedure that it was not the job of the police to help the Home Office out of a corner, nor should they be asked to act 'as an arm of government'(13.7.79). The editorial goes on to ask: 'Should the supervision of immigrants be part of the police function?' Police in major cities already have responsibility for investigating immigrants, their rights of residence, marital status etc. They were first given this function because the Immigration Service did not have the staff to cope. Police Review says that in the past a low priority has been given to this work but recently the Home Office has been attaching 'urgent' tags to requests for information about immigrants. Accompanying these 'urgent' requests are files for each inquiry together with specific questions to be asked of immigrants about their status. These questions included ones such as 'did you see any photographs indicating that the subject's marriage was a stable one?' and 'Do the wife's parents approve of the marriage?' At one London police station in July 'there were 19 such files awaiting completion; four bearing ''urgent'' tags; all contained lists of 12 or more personalised questions to be put to the immigrant or answered by the officer'.

The new involvement of the police in enforcing the Immigration laws and the new urgency given by the Home Office to the questioning of immigrants occurs at a time when the Conservative government has announced strict measures for further restricting entry to this country.

New immigration rules

Conservative Manifesto promises to introduce 'firm immigration control' have been fulfilled within seven months of the election of the Conservative government with the publication of the White Paper on Proposals for revision of the Immigration Rules (Cmnd 7750 HMSO, £1.50) on November 14. The rules come into operation on that date as they do not need any further legislation to be applied. The proposals have met with widespread opposition, ranging from the Equal Opportunities Commission to the National Association of Citizens Advice Bureaux to even some Tory MPs, and have been

criticised both for their racism and their sexism. Proposals include:

1. Right of entry to foreign born husbands and fiances only if the woman they are coming to join was born in the UK. This is an explicit attempt to halt marriages arranged within the Asian community with partners from the Indian subcontinent. Home Secretary William Whitelaw has stated that other (i.e. white) cases would be considered 'sympathetically for favourable treatment outside the rules' (**Guardian**, 15.11.79).

2. Elderly people over 65 will have the right of entry if they are wholely or largely dependent on someone in this country and do not have a relative in their own country to turn to. One of the standards to be applied is that a person will have to 'have a standard of living substantially below that of their own country'.

3. Children under 18 will be admitted provided they are unmarried. Those over 18 will be allowed to enter 'in the most exceptional compassionate circumstances'. Special consideration may be given to unmarried daughters under 21 who formed part of the family unit overseas.

HIGHER PROFILE FOR ECONOMIC LEAGUE

The Economic League, a right-wing organisation which compiles blacklists of trade union militants on behalf of employers, is planning a more agressive public approach to its activities. This anti-labour movement organisation has been very loath in its 60 year history to admit to the existence of its blacklisting services. Trade unions have grown increasingly concerned about the League's activities. In March 1979 the TUC General Council asked the Labour government to curb the League's activities and to ensure that no nationalised industries contributed money to it or used it. Past evidence has shown that at least one company in the British Steel Corporation has had recourse to its services. (For a detailed analysis of the history, activities and finances of the Economic League see **Bulletin No 7.**)

The changing political climate, and the confidence inspired by the character of Thatcher's Tory government, has led to a more bold approach by the Economic League in recent months. In his chairman's report for 1978, published on September 11, Saxon Tate wrote:

> 'The League itself may have maintained a profile too low for the turbulent conditions in which we live today . . . The League puts considerable effort into monitoring the activities of subversive groups and individuals – those people who are known for certain to be actively striving to undermine not only free enterprise, but state-controlled industry and public services too . . . the Central Council's policy has been to shun publicity . . . it has been decided that this policy should be changed in favour of a more aggressive one.
>
> The League has pursued the same objectives for 59 years and in monitoring subversion **it has amassed a substantial store of information about the activities of subversive groups and the individuals prominent in them**. The League answers enquiries from the media as well as its own members and we see no necessity to continue to be reticent about the fact that we have such information or that it is available' (our emphasis).

The League's full time workers are distributed through six regions, with offices based in Croydon, Birmingham, Glasgow, Aberdeen Cardiff, Warrington, Leeds, Hull and Newcastle upon Tyne, with staff 'often recruited from local industry.' The League's income in 1978 amounted to £760,000. This figure is far in excess of disclosed company donations monitored by Labour Research Department, which found companies giving a total of £128,820 in 1978 (**Labour Research**, November 1979). Top company supporters were Shell (£7,639), Rank

Hovis McDougall (£7600), Imperial Group (£7,000), and the big four banks, Barclays, National Westminster, Midland and Lloyds (a total of £22,415).

Alongside their files, the League has always maintained an aggressive propaganda role, claiming, in 1978 alone, to have distributed 18 million leaflets at factory gates and on housing estates, promoting wealth ('created by successful free enterprise') and attacking strikes, extremists and nationalisation – all policies which are hallmarks of the present government.

The new aggressive line is confirmed by the League's new director-general, Peter Savill, in his conclusion to the 1978 report: 'We intend to oppose with even greater vigour the intrigues and manoeuvres of subversive groups.'

One interesting addition to the League's Central Council is Lord Hewlett. Not only is he chairman of the Anchor Chemical Co, Borg Warner UK and Burco Dean but he is also President of the National Union of Conservative and Unionist Associations (i.e. The Tory Party) and chairs the North West Industrialists Council. (Other changes to the list of Central Council members printed in Bulletin No 7 are the addition of P.G. Edwards and the deletion of Sir Halford Reddish, Lord Brookes, E.G. Carter, J.E. Hughes, D.S. Martin and R.H. Wilkins.)

Now that the Economic League has admitted that it maintains files, the questions it ought to answer are what facts – or non-facts – are on record, and where does this information come from?

SCOTTISH POLICE REPORT
A 'GOOD YEAR'

'A good year for the police with a boost to morale which has not been seen since the Royal Commission reported in 1962' is how David Gray, HM Chief Inspector of Constabulary for Scotland, describes 1978 in this, his last, report. Police strength stood at almost twice its 1938 level, supplemented by a civilian staff which has increased 50 fold on its pre-war level, and, for the first time in many years, most forces were approaching their authorised strengths. The inspector argues that further civilianisation could take place, freeing more police officers. He repeats the proposal made some years ago that the civilian staff could be brought under the direct control of the Chief Constable 'with enhanced status, better rates of pay and an improved career structure' in return for a limitation on their right to strike. This would prevent the crippling of the police service by strikes by key civilian staff.

For the second year in succession, the inspector's report includes a few paragraphs on the Special Branch. Little information is provided other than to repeat that Special Branches comprise less than one per cent of authorised establishments. Even though not one of Scotland's eight chief constables provides any information about the Special Branch in their annual reports to the police authority, the inspector notes that 'despite the air of mystery sometimes attributed to Special Branches, they are in fact merely one of a number of equally accountable specialist units used to provide efficient policing.' The remark that 'they are heavily engaged in anti-terrorist activities covering principal airports and seaports throughout the country' has to be read in the light of the latest statistics on the operation of the Prevention of Terrorism Act. These show that up to the end of September 1979, the number of people detained under the Act was 4,345, 993 of whom were detained in Scotland (800 by Dumfries and Galloway police). Of these only a small proportion (about five per cent) were charged with any criminal offence.

Computer facilities

In the area of police technology, the inspector reports that planning for the computerisation of Scottish criminal records

continued and that a pilot scheme was to begin in 1979 involving the transfer of Dumfries and Galloway records to the computer facilities used by Tayside Police.

Other points of interest are that the special constabulary (the police auxiliary force) continued to decline to an all-time low, causing the inspector to recommend that 'in these troubled times . . . it might be possible for the police to ask community councils to help produce volunteers and local businesses and other organisations might also be asked to try to produce a quota based on the size of their work force.' The disappearance of the 'hard line' tactics adopted some years ago in the shape of commando units, task forces etc is noted with approval on the grounds that 'community support for the police is so essential there is a very real danger in organising men in such a way that they will meet the public only by way of confrontation.' Yet the inspector offers no comment on the existence of at least two SPG type units in Scotland. Finally, for the first time, the inspector remarks on the private security industry, noting that they 'perform a very necessary function in protecting property and discouraging criminal intent.'

Her Majesty's Chief Inspector of Constabulary for Scotland: Report for the year ended 31st December 1978, CMND 7686.

BID TO EXTEND CONTROL OVER POLICE

Labour MP Jack Straw introduced a private member's Bill on November 14 designed to extend local authority powers to control police operations and organisation. The Bill, which has little chance of becoming law because of the parliamentary timetable, aims to amend the Police Act 1964 in five respects. Police authorities would have the power to decide 'general policing policies' for their area. They would have the right to obtain more information from chief constables. Their powers of hire and fire would be extended to cover chief superintendents and superintendents. They would be given a clearer and more important role in dealing with complaints against the police. Finally, they would have a closer link with the inspectorate of contabulary's reviews of police forces.

Proposing the Bill, Straw claimed that, since the 1964 Act, police accountability had weakened. This was partly due to amalgamation of forces and the abolition of watch committees. Larger forces were now responsible to authorities only two-thirds of whose membership were elected and which had "few effective powers." But another reason was the emergence of chief constables like James Anderton of Greater Manchester who were 'more assertive of their independence' and who set bad examples by publicly suggesting they might defy the law.

IN BRIEF

●**MI5:** Immigration officers have confidential instructions to watch out, on behalf of MI5, for people leaving and entering the country. Information about people in various specified categories is sent, or communicated by telex or phone, to 'Box 500' in London (**Guardian** 24.10.79; **New Statesman** 2.11.79). It has been reported that the Director-General of MI5 is now Sir Howard Smith (**Observer** 9.9.79). Sir Howard has been in the Diplomatic Service since 1946 and his last appointment, in 1976, was as Ambassador in Moscow. Between 1971-2, he was UK representative in Northern Ireland and then he was on secondment as a Deputy Secretary in the Cabinet Office 1972-1975.

●**1956 Nuclear Alert revealed:** On July 27, 1956, the day that President Nasser of Egypt nationalised the Suez Canal, a United States nuclear bomber said to be

on a training exercise, crashed at the Lakenheath Air Base in Suffolk. Fuel from the B27 bomber engulfed an atom bomb store there, damaging all the bombs in it. This led to a stampede of personnel and families from Lakenheath and the neighbouring U.S. base at Mildenhall. Although there was no possibility of a complete nuclear explosion, it is claimed that East Anglia could have been turned into a radioactive desert (**Guardian**, 6.11.79).

● **Director of Public Prosecutions:** When deciding whether a prosecution would be in the public interest, the interest considered is that of the **majority** of the public, the Director of Public Prosecutions (DPP) said on November 2. Sir Thomas Hetherington was delivering a public lecture at King's College, London, on the changing role of the DPP. The type of case to which Hetherington gives his personal attention marks a major change in the job. Previously, Directors gave much attention to murder cases, by virtue of the seriousness of the penalties attached to guilt. But Hetherington has not made a personal decision in a single murder case since he took office in 1977. His attention is given to complex cases or ones with serious policy implications, mainly fraud or obscenity prosecutions.

● **Special Patrol Group figures**: The average strength of the SPG in London since its formation has been: 1965 – 97; 1966 – 121; 1967 – 123; 1968 – 135; 1970 – 168; 1971 – 170; 1972 – 204; 1972 to 1976 – 204; 1977 – 202; 1978 – 202. The present strength is 195. Fifty-four members of the group are fully trained in the use of revolvers (**Hansard**, 25.10.79)

● **Police National Computer**: The National Federation of Building Trades Employers (NFBTE) has an industrial security branch, which has close links with the police. The NFBTE's new publication **What's In A Name?** describes CONSEC, the Construction Security Advisory Service set up in 1972, as 'working in co-operation with the police authorities' as well as being staffed by former senior Scotland Yard officers. In December 1977, details of stolen building plant and road contractors' plant, from small compressors to the giant earth movers and cranes, were put on to the Police National Computer as part of the stolen vehicle index. National lists of these items therefore became available for the first time. **What's In a Name?** refers to this index as a 'unique information and retrieval service . . . available through the Police National Computer'. This raises the question of whether building trade employers are being given access to information stored on the PNC, contrary to all assurances that the PNC is only accessible to police officers.

● **Special Branch:** In the third annual debate on the Special Branch on November 7, the Minister of State at the Home Office, Mr Leon Brittan, confirmed that the government accepted the definition of subversion originally given by Lord Harris in 1975, and confirmed by Merlyn Rees in April 1978. The definition, which acts as a guide to the Special Branch, widens that first given by Lord Denning in 1963. The definition includes political and industrial activity in subversion (see Bulletin No 6). Mr. Robin Cook, who introduced the debate, said that as there was no crime of subversion in this country and added: 'We endanger our democracy if we leave to the police the decision of defining subversive political activity'. He attacked the description given by Chief Constables in their Annual Reports on the surveillance of 'subversive organisations'. Expressing concern over the activities of the Special Branch over the past 12 months, Cook cited a Special Branch request for a report on a NALGO demonstration against Conservative spending cuts: 'If such political activity was deemed to be subversive then the Special Branch is going to have a very busy winter'. He concluded that, unless there were independent safeguards, 'this mighty

engine of surveillance, which we have set in motion in order to protect democracy, may come to represent a greater threat to privacy and democracy than most of the organisations it watches'.

● **New Scottish Police Appointments:** The new Chief Inspector of Constabulary for Scotland is Edward Frizzell, lately Chief Constable of Central Scotland Police and a police officer since 1939. He succeeds David Gray who has been Inspector of Constabulary since 1969 and who retired in November. Frizzell is himself succeeded by Ian Oliver, formerly assistant Chief Constable with Northumbria Police who, at 39, is believed to be Britain's youngest Chief Constable. Oliver served with the Metropolitan Police for 16 years before moving to Northumbria Police in 1977.

● **Jury Vetting Banned in Scotland:** In a statement issued from the Crown Office in October, the Lord Advocate (Scotland's senior law officer) gave an assurance that the vetting of juries in Scotland will not occur during his term of office. He said: 'The Crown does not screen persons cited for jury service to ascertain whether or not they have any political or religious bias.' This follows a statement by the Lord Advocate in the Labour government that potential jurors 'are not screened for their opinions or past records by me or by anyone else' (**Hansard,** 15.11.78). The Crown's policy in Scotland follows a High Court decision in 1973 when the Lord Justice General ruled that there should be no questioning of jurors by judge, prosecutor or accused. The absence of jury vetting in Scotland has to be seen in the context of the Scottish jury system where a criminal jury of 15 has always been able to return, in any case, a simple majority verdict. This means that the presence of people whom the state regards as undesirable may be more easily accommodated.

THE TRADITION OF JURY VETTING

BACKGROUND PAPER

This background paper deals with the jury system in England and Wales. The system in Scotland, and its legal basis, are different. In Northern Ireland, juries in cases where serious crimes have political motives have been abolished since the Diplock report on 1972; examples of the manipulation of Irish juries in the nineteenth century have been included here for illustration.

At best, a jury represents that part of the legal process which is least controlled by the state and the ruling class. Judges are part of the state by definition; the police and prosecution lawyers act on its behalf; defence lawyers can act for their clients only within the rules of the courts, the traditions of their professions, and the pressures of following a career. The ultimate sanction – suspension or disbarment – is sometimes used against barristers who break the unwritten rules of conduct in Court; but more often, barristers who behave in a way of which the judge disapproves can find their fees reduced by the court officials who decide these things.

But for the jury, there is no sanction in their future behaviour. Equally, there is little discussion of the rights of the citizen called for jury service. In education, the functions of the courts are given even less attention than those of elected bodies. Systematic independent research about how juries operate has been actively discouraged by the authorities; the New Statesman currently faces charges of contempt of court for interviewing a juror.

The way in which juries are selected is not random – as this paper shows – but it is haphazard enough to make it impossible for any organised group to control the composition of a given jury on behalf of the defence.

In these circumstances, the jury is an unpredictable, rather than a positively democratic, part of the administration of justice. Yet successive governments have sought to curtail even this uncontrolled part of the judicial appartus, right up to the present day.

Juries first emerged as a way of determining the facts of criminal cases after the Church, in the person of Pope Innocent III, banned the then normal method – direct judgement by God as manifested through trial by ordeal – in 1215.

Juries were divided into Grand juries – which investigated cases and assisted in prosecutions – and petty juries, which heard the facts of a case and reached a verdict. All were composed of local people who originally had independent knowledge of the offender and the circumstances. A property qualification limited jury service effectively to freemen; it was never the case that ordinary people were judged 'by their peers', whatever the myths may say, until the 1972 reforms which made jury service virtually co-extensive with the franchise.

From the sixteenth century onwards, petty juries were divided into special and common juries. Special juries heard what the Crown thought were the most important cases and the property qualification for membership was higher. Grand juries and special petty juries fell into disuse in the nineteenth century. The former were abolished in in 1933, the latter in 1949.

The position on qualifications for jury service before a major reform in 1825 was only slightly less chaotic than the situation of the parliamentary franchise before 1832. Under these circumstances rigging and packing of juries could often hardly be distinguished from 'normal' selection.

For example, the right of the Crown to challenge jurors without giving reasons, the 'peremptory challenge', was abolished by statute in 1305, perhaps as an attempt to get the new jury trial system generally accepted. Within a few years, a custom became accepted by the courts by which jurors whom the Crown did not like could be asked to 'stand by'. This in practice amounted to a revival of the peremptory challenge; the stood-by juror would not be sworn in unless challenges exhausted the entire panel of potential jurors; only then would the Crown have to give a reason for its challenge. In practice, there were always sufficient empannelled jurors to ensure this rarely happened.

The Crown's right to ask jurors to 'stand by' survived all reforms of jury procedure, so that in 1978, when Attorney General Sam Silkin published the guidelines for jury vetting the 'exercise of the prosecutions's right to ask a jury to stand by' was described as 'analogous to the defence's right of peremptory challenge'(**The Times**, 11.10.78).

In the seventeenth and early eighteenth centuries, State employees assiduously gathered evidence on the basis of which challenges could be made. Important trials were moved to London, where the juries of the King's Bench could be more closely investigated and controlled. In those cases where this careful packing was exposed, even London juries were, by the beginning of the eighteenth century, proving unsafe for the Crown, acquitting despite government threats particularly in cases concerning free speech and freedom of publication.

The Juries Act of 1825 was in part a response to the discredit into which Crown actions in rigging juries had brought the courts. Introduced by Sir Robert Peel, it repealed no less than 85 previous Acts relating to juries, and set new property qualifications which were to be the same throughout the country – at least in the counties; the same measure was applied to boroughs only in 1922, although the practice was systematised earlier. Under the 1825 Act, a juror outside the City of London had to be male, and the tenant or owner of a house whose rateable value was £20 (£30 in the counties

of Middlesex, when it existed, and London, when it came into existence as a county). In the City, the traditional qualification of ownership of lands or property worth £100 was continued. This qualification came to mean, as the nineteenth century passed, that juries were increasingly confined to the well-to-do, a middle class with growing class consciousness about property. Although the Parliamentary franchise was reformed and extended in 1832, 1867 and 1881, only inflation and infrequent rating revaluations altered the social composition of the jury, and very slowly at that.

But where the Crown faced evident problems, the rigging continued. In Ireland, where the requirements for jury service were, after 1828, identical to those in England and Wales, successive Irish Attorneys General gave instructions ('guidelines') to Crown prosecutors, which while they purported to forbid the standing-by of jurors on the basis purely of their religious or political convictions, ruled out members of secret societies, (i.e. political groups) and of 'trade combinations' whenever the defendant was engaged in the same or similar associations. Information about potential jurors was to come from 'any magistrate, chief constable or public officer'. A Parliamentary committee on Irish Jury Laws was told in 1881 that '(the police)... know everything about the men in a district and their character and they would have no hesitation in giving him (the Crown Solicitor) confidential information to see how the right should be exercised.' In principle, this does not differ at all from the practice today. Observers at political trials even before the codification and publication of the current guidelines for jury vetting, were able to see that the Crown prosecutors were referring to files provided by the police before asking particular jurors to stand by.

Given the continuing agitation against British rule in Ireland through the nineteenth century, it is not surprising that the rigging was directed towards reducing the number of Catholics, and hence nationalist sympathisers, on juries, and such accusations became part of the general current of criticism of British rule.

In England and Wales, the fact that jurors were drawn exclusively from the middle and upper classes meant that examples of vetting in the nineteenth and early twentieth century are hard to find. Certainly, the authorities interfered with jury trials when they felt it necessary, but the social composition of juries meant that the necessity seldom arose.

The Morris Committee

During the 1950s and 60s, there was considerable agitation for the right to jury service to become co-extensive with the franchise. A Departmental Committee of Enquiry, under Lord Morris of Borth-y-Gest, a High Court judge, was appointed to consider the right of jury service. It found that on the 1964 Electoral Register, about 7,150,000 names were marked with the letter J, which designated them as entitled to jury service which was 22.5 per cent of the 31.77 million people entitled to vote. The Committee confirmed what many people had realised, that in confining the right of jury service to owners or tenants of houses with a rateable value of more than £20, there was a noticeable discrimination against women, who were only 11 per cent of those entitled to do jury service. Although 77 per cent of the electorate as a whole were ineligible, 95 per cent of women were kept off juries. Nevertheless, rate revaluations consequent on inflation were increasing the numbers; 4.7 times as many people were entitled to serve on juries in 1964 as in 1955.

But even the slight broadening of jury membership which had occurred was used as an excuse by the Metropolitan Police Commissioner, then Sir John Waldron, and the Association of Chief Police Officers (ACPO), representing the Chief Constables of the various British police forces, to bemoan to the Morris Committee about the marked deterioration in the

quality of jurors. ACPO thought that the tendency was most marked in urban juries, and that this stemmed from the tendency of the professional classes to move out of the cities into the surrounding countryside.

This was in vain. The Morris Committee recommended in 1965 that the right to jury service should be co-extensive with the franchise, with the continuation of exemptions which had applied to the police, members of the legal profession, and so on. The functioning of the jury was changed in a manner more significant than anything which had happened since 1825.

A persistent police campaign met the Morris recommendations. Police claimed that jurors were likely to be influenced or intimidated by professional criminals. There was at the time a great deal of press reporting and comment on the activities of the Kray gang and similar organisations. As a result, in its 1967 Criminal Justice Act, the Labour Government took the unprecedented step of allowing jurors to convict or acquit by a majority of ten to two. Until then, juries had to consider a case until all of them agreed.

Prominent in this police campaign was a Mr Robert Mark, Chief Constable Of Leicester, who said: 'The criminal trial is less a test of guilt or innocence than a competition . . . a kind of show jumping contest in which the rider for the prosecution must clear every obstacle in order to succeed.'

In evidence to the Morris committee in 1964, the police expresed concern at the increasing number of working class people serving on juries because of the 'lowering of standards'. When the decision to introduce majority verdicts came up in 1966, the justification offered was 'intimidation'. It is difficult not to conclude that the real reasons were those described above, but that it had been quickly realised that such sentiments were out of keeping with the democratic mood of the Sixties. Certainly disparaging remarks about the quality of jurors have remained a feature of pronouncements – by senior police officers.

Although the 1967 Criminal Justice Act introduced majority verdicts, legislation on the Morris Committee's recommendations was not implemented until the 1972 Criminal Justice Act, five years later.

Challenging jurors

Attempts by defendants and their lawyers to work within the existing rules in order to remove what they saw as bias or possible bias on the part of the jury have been strenuously resisted. They have either been declared outside the rules of court procedure, or have provoked changes to the rules to prevent them from being used again.

In 1963, during an Official Secrets Act trial arising out of a demonstration at the U.S. Air Force base at Weathersfield, Terry Chandler, a supporter of the Committee of 100 defending himself, was allowed by the judge to ask jurors to 'stand by' after he had exhausted his seven peremptory challenges. When the Crown appealed against this, the Lord Chief Justice Lord Parker ruled that there was no defence right to 'stand by' jurors.

In 1973, at the Old Bailey, defence lawyers for eight young people, the Stoke Newington Eight, facing charges of conspiracy to cause explosions, were allowed by Mr Justice James to ask extensive questions about the political views of jurors. All the defendants held left-wing political views, and part of the Crown case was that they had carried out their bombings in support of their political views. Lest they be convicted for their views alone, the defence asked potential jurors a wide range of questions which included whether they were members of the Conservative Party and which newspapers they read. Four of the eight were convicted, and four acquitted.

Following the trial, senior members of the judiciary issued what is known as a 'practice direction'. This amounts to an instruction, issued by senior judges after

consultation with colleagues, as to how judges shall use the large discretion which they have within the law on how trials shall be conducted. Henceforth, such wide-
people were under-represented, that the
be ignorant of the facts of the case and
the circumstances of the defendants before
variable, and depends on the judge. Ques-
tions about the connections of jurors with
institutions concerned in the case are
allowed. General questions designed to
probe jurors political opinions are not.

The justification for defence challenges to jurors based on their political opinions, their race, or their occupation is grounded on the traditional constitutional doctrine that the accused are entitled to be tried by their peers. That was not the case in fact, until 1972. Before then, the property qualification ensured that defendants were judged by relatively more prosperous sections of the community. Once every adult became entitled to sit on a jury, the question of which section of the community should judge defendants became important. In 1971, there was an important case involving nine black people (the Mangrove Nine) arrested on a demonstration and charged with offences ranging from obstruction to causing an affray. The defence argued strongly that the jury should be entirely black. Seven peremptory challenges for each of nine defendants could go a long way towards ensuring, even from a panel on which black people were under respresented, that the majority of people on the jury were black.

In a sense, this is a departure from the direction in which jury composition was moving throughout the previous 300 years; black jurors are preferred by black defendants because they have a better knowledge of the black community's experience in this country, and particularly of their unsatisfactory treatment at the hands of the police. This is a reversal of the trend by which jurors are supposed to be ignorant of the fact of the case and the circumstances of the defnedants before they hear the cases in court.

All such moves to select juries who could counterpose their own experience to an 'official' view shared by prosecutors and judges alike have been stopped in different ways. During the 1973 law vacation, the Conservative Lord Chancellor, Lord Hailsham, ordered that jurors' occupations be removed from the lists of the jury panel. These lists are supplied to prosecutor and defence lawyers alike, and are the basis on which peremptory challenges by the defence can be made. Occupations were removed after consultation with the Home Secretary, Mr Robert Carr, and the Attorney General, Sir Peter Rawlinson. The Conservative Government, of which all three were members, was at that time very worried by the increasingly militant trade union reaction to its economic policies. Several strikers, arrested during a construction strike in 1972, had been tried before a jury at Mold Crown Court and had been acquitted after defence counsel had ensured by challenges that trade unionists were not under-represented on the jury.

These changes in rules governing the functioning of juries took place also in the context of a renewal of the attack by senior police officers on the competence of juries. Once again, Sir Robert Mark, by now Metropolitan Police Commissioner, was in the forefront. In his 1973 Dimbleby Lecture, he demanded that the rules of evidence should be changed to allow the prosecution greater latitude in the sort of evidence which it could bring, and said that with the aid of dishonest lawyers, the jury system allowed 'hardened criminals' to be acquitted. It is the firm and genuine belief of virtually all police officers that everyone whom they bring to court is guilty. This can lead to a dangerous contempt on their part for the processes of jury trial. Sir Robert Mark, referring again to jury acquittals, claimed that 'acquittal is unlikely to mean that the accused is innocent in the true sense of the word.' The acquittal rate in higher courts had risen from 39 per cent of those pleading not guilty in 1965 to 50 per cent in 1973. It later rose to 60 per cent, but dropped to 56 per cent in 1976.

Challenges reduced

When the Criminal Law Bill was introduced by the Labour Government in 1977, juries were further circumscribed. Alex Lyon, Minister of State at the Home Office, proposed the removal of all right to peremptory challenges by the defence, and to substitute instead a right to challenge if 'the balance of the jury was unfair on the grounds of race or sex.' The Labour Government rejected this and instead accepted a Conservative proposal which reduced the number of peremptory challenges to three. During the debate, in which all those who participated were lawyers, both Mr Ian Percival, a Tory spokesman on law matters, and now Solicitor General, and Mr Arthur Davidson, Labour's Parliamentary Secretary in the Law Officers' Department, agreed that the existing right was 'being abused'. The New Statesman commented: 'For abused, read exercised: right-wing politicians never understand the law when it is not on their side.'

The Criminal Law Act also removed a number of offences away from courts with juries, and allowed them to be tried only before magistrates' courts. Such cases included public order offences – traditionally those brought against people arrested on demonstrations – which carry heavy fines and imprisonment. The aftermath of the mass picketing at Grunwicks in 1978, and the disturbances in April 1979 at Southall, where thousands of local people protesting against the National Front were set on by police drafted in from all over London, have shown the results of this.

The Act also removed the requirement for a Coroner to summon a jury in cases of sudden or violent death. This has enabled the High Court to allow the holding of the inquest on Blair Peach, the teacher killed at Southall, without a jury, which would have been impossible three years ago.

Jury vetting

It has since become clear that at the same time as the Labour Government was reducing the right of the defence to challenge jurors, it was agreeing and formalising the practice of vetting potential jurors in certain trials on political grounds.

In June 1972, five people went on trial at the Old Bailey accused of conspiring to obtain guns for Soar Eire, said to be a breakaway group from the IRA. The case against them collapsed after four days, largely because it was shown that they had been persuaded to obtain the guns by a man who turned out to be an agent-provocateur on behalf of the Metropolitan Police Special Branch. But during the trial, a police witness mentioned that the jury had been 'vetted'; a check had been made into the political background of potential jurors. The prosecution had, at the beginning of the trial, asked several jurors to 'stand by'.

In February 1974, barrister Brian Sedgemore, Labour MP for Luton West, asked Labour Attorney General Sam Silkin to investigate and to give an assurance that this would not happen again. The Minister of State at the Home Office, Alex Lyon, claimed: 'I am not aware that there is any such practice'. He asked Brian Sedgemore to submit further information. Over a year later, provoked by a further question from Mr Sedgemore, Attorney General Silkin admitted that jury vetting took place. He denied that it was 'the practice of the Crown to object to jurors on the grounds of their political beliefs as such', and added that beliefs were only relevant 'to the extent that, depending on the nature of the charges, political views held to an extreme may impair the impartiality of jurors, or give rise to the possibility of improper pressure.' (**Hansard**, 19.5.75)

This acknowledgement was buried in a written answer, and couched in such terms that little notice was taken of it. Though Mr Silkin said that the Home Secretary would be writing to Mr Sedgemore with details, no such letter ever arrived. What Mr Silkin then concealed but was later forced to admit was that 'prior to 1974, a

practice had grown up, mainly at the Central Criminal Court, of prosecutors asking the police officer in charge to check police records for information concerning potential jurors'. (**The Times**, 11.10.78). Such jurors would then be removed by being asked to 'stand by'. Later still, Mr Silkin was more precise about 'prior to 1974'. He admitted a year later that the practice had gone on 'for at least 30 years – - probably for very much longer.' (**Observer**, 11.11.79). Mr Silkin also claimed that he had allowed jury vetting to continue in 1974 because he was faced with the alternative to the total abolition of juries in terrorist trials, 'which the authorities were then proposing'. (**Guardian**, 4.10.79).

In response to Mr Sedgemore's questions, there was a flurry of activity in various Government Departments. Consultation took place between offices of the Attorney General, the Director of Public Prosecutions, the Lord Chancellor, and the Home Office. The result was a set of guidelines for the vetting of jurors by the prosecution. They were produced in August 1975, and drawn to the attention of Crown prosecutors by the Attorney General, and to Chief Constables by the Home Secretary.

But the guidelines remained concealed for the public for another three years. At the start of the trial of two journalists, Crispin Aubrey and Duncan Campbell, and a former soldier, John Berry, under the Official Secrets Act, at the Old Bailey in September 1978, Lord Hutchinson Q.C., Duncan Campbell's Defence Counsel, learnt from Court officials that the prosecution had considered the case sufficiently serious to request a copy of the jury list, the 82 people from whom the jury was to be drawn, to vet them for 'loyalty'. The Crown did not object to any of the 12 jurors – with good reason it later turned out. The man chosen as the foreman of the jury by its members was a former member of the Army's Special Air Service Regiment (SAS). Two other members of the jury had occupied jobs which required them to sign the Official Secrets Act, that is, to acknowledge that they realised that the Act applied to their work for the government. In the absence of the jury, the defence lawyers raised this point with the Judge, Mr Justice Willis. He overruled defence objections, and said that the trial should continue. He also, through the Clerk of the Court, warned journalists that they should not reveal the defence objections. New Statesman journalist Christopher Hitchens, however, did reveal the SAS connection on television and the trial was stopped.

The Crown applied to have the jury for the second trial vetted. Judge Willis was taken ill during another trial, and the second ABC trial began on October 3, 1978, presided over by Mr Justice Mars-Jones, who allowed the new vetting, despite defence objections. It was, of course, not clear what the vetting process actually was. Concern in the legal profession and the press mounted, and eventually, in response to a request from John Griffith, Professor of Law at London University, the Attorney General published the guidelines, together with an acknowledgement that juries had been vetted in 25 cases since their introduction in 1975. (**Times**, 11.10.78).

The guidelines allowed the prosecution to make checks on jurors in 'certain exceptional types of case of public importance' where the rules for selecting the jury, and the safeguards against corrupt or biased jurors provided by the majority verdict system 'may not be sufficient to ensure the proper administration of justice.' The guidelines are very widely drawn: 'It is impossible to define precisely these classes of case, but **broadly speaking** they will be (a) serious offences where strong political motives were involved such as IRA and other terrorist cases and cases under the Official Secrets Act; and (b) serious crimes committed by a member or members of a gang of professional criminals' (Paragraph 4 of the Guidelines, our emphasis). The sorts of case described in the guidelines are thus examples, not limitations of the sorts of case in which jury vetting takes place.

The guidelines specifically allowed the defence in such cases to seek the same information. This was refused by Judges Willis and Mars-Jones in the two ABC trials, while the guidelines were still secret. Once they were published, it was no longer possible for judges to refuse the defence the same facility if they could afford it. The latest publicised case of jury vetting, the Persons Unknown trial where six anarchists are accused of conspiracy to rob and possession of weapons and explosive substances, shows clearly how the vetting is carried out and the sort of information about jurors which the Crown has available.

The prosecution in the Persons Unknown trial announced in advance that they would be vetting the jury. Permission to do this was given by a Judge, Mr Brian Gibbens QC, at a meeting in chambers a month before the trial was due to commence. Judge Gibbens also allowed the defence to make its own investigation of the jury panel, and even allowed legal aid for them to do so. Later, Judge Gibbens confirmed that he did intend the money to be used for private detectives to check jurors on behalf of the defence. Eventually, it became clear that the costs of this would be very large as a private detective costs around £300 a day. So Judge Gibbens ordered that the results of the police check on the jury should be handed to the defence, apparently to reduce costs by avoiding duplication of effort. The Crown agreed to hand over only part of their checks, those held by the criminal record office and with 'local CID officers' in the areas from which the jurors were drawn. Checks with the Special Branch were not given to the defence, although it is clear from the wording of the guidelines that the important evidence is whether a juror is likely to be biased for political reasons, and this is much more likely to be found in Special Branch records than elsewhere. The Guardian reported on September 20, 1979 that of the 93 names on the panel of potential jurors, 19 were named in the 'checks'. Information on the 19 people included the fact that one of them lived at an address 'believed to be a squat'; five of those listed had been the victims of crimes; eight of them had records of minor crime, which in four cases were 'spent', and thus protected from disclosure, and in the other four cases were not serious enough to disqualify them from jury service under the 1974 Juries Act.

The trial judge, Mr Justice Alan King-Hamilton, was furious, describing the publication of the police information as 'an outrageous breach of confidence'. He ordered that an entirely new panel of jurors should be vetted for the trial. He also ordered a police inquiry into the leak. There were renewed protests from the National Council for Civil Liberties and other bodies, but the Conservative Attorney General, Sir Michael Havers, made it clear 'that there will be no changes in the guidelines for vetting potential jurors laid down in 1974' (**Sunday Telegraph**, 28.9.79). The defendants in the case refused the information on the vetting of the second jury panel, because they disagreed on principle with jury vetting.

The one juror from the second panel asked to 'stand by' by the Prosecution turned out to be Mr David Myddleton, an Old Etonian Professor of Finance and Accounting, who once participated in a demonstration of six people at the Bank of England in 1970, demanding that ordinary individuals should be entitled to buy gold. (**Daily Telegraph**, 28.9.79). The Special Branch may have confused his right-wing libertarian views with anarchist views, sometimes also described as 'libertarian'. Professor Myddleton commented: 'I was the only one to be challenged by the Crown . . . The implication is sinister.' Even more disturbing is the evidence that informal vetting by police on behalf of the prosecution is far more widespread than even the guidelines allow. At the trial of 12 prison officers at York in January 1979, for offences connected with the alleged beating of prisoners after the end of the Hull prison disturbances in August and September 1976, 'the start of

the trial was delayed (by the judge) by more than two hours while police took the names of 60 jurors to check against Central Criminal Records. (**Guardian**, 16.1.79). The Attorney General's office, and the Director of Public Prosecutions, both said that they had no knowledge of a judge making any similar order. But the decision of Mr Justice Boreham went unchallenged in the courts.

'At Newport and Northampton police have been known to give prosecution barristers lists of any jurors with criminal records,' Woman magazine discovered recently (**Woman**, 29.5.79). This information covered all offences, in addition to those disqualifying a person from jury service. A barrister who prosecutes at Northampton told Woman that it was 'regularly thrust into his hand' by police, even though he did not ask for it. He added: 'The practice is clearly designed to rig the jury in their favour . . . One officer admitted to me that the list was "strictly against the rules".' Superintendant Carter of the Northamptonshire Police told Woman (with massive understatement): 'It may be that we have misinterpreted the Attorney General's guidelines.' The Attorney General's Office claimed that the guidelines were 'intended to put a stop to all that.' If they were, then this comment to Woman magazine seems to be the only time when the Attorney General's office have admitted either that vetting does occur beyond cases indicated by the guidelines, or that the guidelines were intended to stop it, as opposed to regulating existing practices.

In October 1979, two police officers were tried for assault at Sheffield High Court. Judge Pickles agreed to a defence request to order the police to hand over police files about potential jurors. His decision is now being reviewed by the High Court. The case clearly lies outside the guidelines, but 'the Metropolitan police have admitted in the past that they informally vet juries when policemen are prosecuted.' (**Guardian**, 15.10.79).

The practice of vetting juries thus seems, despite the overt aims as stated in the guidelines, and repeated by various Lord Chancellors and Attorneys General, to be part of a concerted and continuing effort, by the police and by civil servants in the various departments concerned with the Courts, crime and the administration of justice, to ensure that nothing 'goes wrong' with important trials.

This is confirmed in the evidence of the Association of Chief Police Officers (ACPO) to the Royal Commission on Criminal Procedure. ACPO linked jury vetting with the majority verdict rule proposing that either juries should be allowed to convict by a majority of only two to one, rather than five to one as at present, or that there should be 'a closer control over the selection of juries'.

Selection of the jury

The procedure for the selection of juries is open to abuse. Since 1973, and in accordance with practice laid down by the 1974 Juries Act, the electoral register has been used for picking juries. The procedure for the selection of jurors was described by Mr Silkin in Parliament as follows:

> 'At the Crown Court in Chester, for example, full-time ushers or clerical staff, under the supervision of the Chief Clerk undertake the work itself. The electoral registers for the whole of the catchment area for that court are divided into three lists, some part of each parish and ward being included in each of these lists. Summoning then follows a three year cycle, each list being used in sequence. Individual panels of jurors to be summoned for any particular period are compiled by the random selection from the list then in use of one name from each ward or parish of the catchment area, except where the ward or parish is large when two names are selected.' (**Hansard**, 13.2.79)

This is **not** random selection. Real random selection, as used by opinion poll organisations, consists of taking the whole electoral register for the area, choosing one name at random by mechanical means, such as throwing dice or drawing

cards, and then selecting names at regular intervals after that name: a sample of 1,000 people from an electorate of 67,000, for example, is made up by choosing every 67th name.

In the south east of England the procedure is even less random. The official responsible is the Under Sherriff of Greater London. This post is always occupied by a firm of solicitors, at present Burchell and Ruston. The man currently responsible is former Air Commodore Thomas Thomas. He and his staff, all retired military officers, read through the electoral register, picking each indiviudal name as they choose, by marking the register with a pen. The names are then passed on to the courts.

Bias in the selection of panels has indeed been reported, though outside London. In November 1978, two members of the Welsh Language Society were convicted at Carmarthen of conspiring to cause criminal damage to a television transmitter, at a demonstration calling for the establishment of a Welsh-language TV channel. It was noted that ten of the 12 jurors listened to the trial on headphones, being unable to understand the defendants, who spoke Welsh throughout. Later, it transpired that 11 of the 12 jurors had English surnames. MP Tom Ellis described this as 'a proportion far higher than one would have expected in a Welsh-speaking area'. The chances were estimated at 10,000 to 1 against. A further complaint from Plaid Cymru MP Daffydd Ellis Thomas elicited the admission from the Home office that a police officer 'of junior rank', did in fact obtain a copy of the jury list in advance and conducted a limited check, which did not affect the composition of the jury The officer concerned was said to have acted without authority. This is a common excuse on those occasions when police officers are discovered to have acted in a way which embarrassed their superiors.

Another major distortion which summoning officials appear deliberately to impose on juries is the numbers of black people and women called for service. Until 1973, the property qualification ensured that women formed only one-tenth of those selected for jury service. Since the 1973 reform, one might expect women to outnumber men on actual juries. After all, their numbers are roughly equal in the electorate, but women are very underrepresented in the jobs, such as police and prison officers, barristers, and so on, which disqualify from jury service, and also in those jobs such as doctors or dentists, which entitle a person to be excused. Baldwin and McConville found that only one juror in four in the Birmingham trials they covered was a woman. One court official told them that this was because more women than men asked to be excused because they had to look after young families. This is apparently treated as more important than a man asking to be excused for reasons of his work. But another official admitted that it was the policy of the Birmingham Crown Court to **summon** twice as many men as women, which raises a massive doubt on the randomness of the selection process. This is reinforced by the finding that less than one per cent of Birmingham jurors were of Asian or West Indian origin – the proportion in the population is 12 to 15 times as large.

The present Conservative administration is reviewing the practice of jury vetting. Labour MP Alfred Dubbs attempted to have the matter discussed by introducing a Bill which would have prevented both prosecution and defence having any access to the jury list, and from making any enquiries at all about potential jurors. Ominously, the consensus view of the estabishment was perhaps reflected in a Times leader on November 20, 1979: 'Jurors with prejudices strong enough to affect their ability to find a true verdict should be excluded'. The decision on the strength of jurors views, would be taken needless to say, by the prosecution. Things have not changed, it seems, since the seventeenth century.

REVIEWS & SOURCES

BOOKS

THE CRIME AND PUNISHMENT OF I.G. FARBEN. The birth, growth and corruption of a giant corporation, by Joseph Borkin. London: Andre Deutsch, 250 pp, £6.50.

Industrial chemistry has been at the core of German economic and military might for a century. In World War 1, the German company BASF, using the Haber-Bosch process, synthesised ammonia and nitrates. This prevented a British blockade (which cut off supplies of Chilean nitrate) from ending German gunpowder production. The blockade did however cut off rubber and oil supplies to Germany. In 1925 the two cartels to which all important German chemical companies belonged, united to form I.G. Farben (IGF), the dye trust which was by far the largest chemical company in the world. Its three largest constituent firms, Hoechst, BASF and Hayer are today three of the four largest chemical companies in the world and each is among the largest 30 transnationals in the world.

After Hitler's 1933 takeover of Germany, I.G. Farben was at the centre of Nazi economic warfare. Its agents around the world spied for the Nazi Party. Its chemists worked to surmount the problems of producing substitutes for goods which would become unavailable in the event of another war and blockade. They succeeded notably with both oil from coal and synthetic rubber. IGF's lawyers bound Standard Oil of New Jersey (Exxon, or Esso, now the world's largest oil company) in a cartel agreement to prevent the use of IGF synthetic rubber patents outside Germany in exchange for the rights to IGF's synthetic oil processes. (When the Japanese invaded Malaya in World War II, the Allies lost most of their natural rubber supply. They had, even then, hardly started to produce synthetic rubber.) IGF executives produced the 1936 Nazi plan for self-sufficiency and rearmament, and, after shedding Jewish executives in 1937, IGF's directors were well placed for the absorption of Czech chemical and engineering works after Munich, and for the takeover of other European chemical industries as the blitzkrieg yielded Nazi control of Europe.

The author of this book is an American lawyer who was involved in wartime investigation of the IGF Standard rubber and oil cartel arrangements, and in the postwar prosecution of IGF for war crimes. The IGF war crimes included IGF Auschwitz, a huge synthetic oil and rubber plant which relied for labour upon the last strength of slave workers doomed to die in the infamous extermination camp next door. The book is a mild and delayed protest against the fact that the men responsible for planning the military-industrial side of Germany's agressive war and genocide were returned to the top of the successor firms by 1955. IGF men charged with war crimes received very light sentences in 1948. One of the judges in the trial protested against the refusal to convict in the Auschwitz case, and both the chief prosecutor and the head of the U.S. military government's decartelisation branch wrote books condemning the trivial penalties and the U.S. Decision to leave the IGF companies as the core of the new West German economy. (See **The Devil's Chemists**, by Josiah E. Dubois Jr, Beacon Press, Boston 1952, subtitled '24 conspirators of the international Farben cartel who manufacture wars', and James S. Martin, **All Honourable Men**, Little, Brown, Boston, 1950.) Others protested at the failure to denazify the German economy. The American chief of denazification in Bremen documented how denazification had 'gradually degenerated into meaning the whitewashing of National Socialists' (**The Annals** CLXIV, July 1949, p115). American professor John H. Herz concluded in 1948 that 'the effect of denazification (was)...to bar

certain persons temporarily from positions of influence' and cited a U.S. military government report that by 1948 '60 per cent of Bavarian judges and 76 per cent of Bavarian public prosecutors were former Nazi party members'. Herz also pointed out that Nazis were never barred from elective office or from the right to vote, which gave them considerable power in postwar 'democratic' West Germany. (**The Fiasco of Denazification in West Germany**, Political Science Quarterly, LX-III, December 1948).

The present book on I.G. Farben ignores this more general evidence. It contains, for example, a photograph of the 1937 directors of IGF in which Hermann J. Abs figures prominently. But it says nothing about Abs, who was a close advisor to Chancellor Adenauer and was one of the two organisers of the German big business branch of the Euopean League for Economic Cooperation, one of the five organisations in the European Movement which laid the foundations for the EEC. Abse has been described by David Rockefeller, chairman of the Chase Manhattan Bank, as 'the leading banker of the world'. Abs still heads the Deutsche Bank, the biggest German bank. He is also among the old IGF men who have been closely involved with in the German-South African uranium enrichment scandal which gives South Africa the capability for making nuclear weapons (see Bulletin No 7, p133). Borkin's book is, despite such omissions, a mine of information about the men who ran and still run West Germany's largest firms and banks.

CAPITALISM AND THE RULE OF LAW. From deviancy theory to Marxism. Editors: Bob Fine, Richard Kinsey and others. Hutchinson 200pp, £3.95.

If a marxist theory of law and crime has come of age then it happened at the conference, organised jointly by the National Deviancy Conference and the Conference of Socialist Economists (Law and the State Group), where these 11 papers were presented. The range (and readability) of the contributions is varied. Proceeds from the book will go towards the setting up a new journal called **Studies in Class and Justice**.

NUCLEAR DISASTER IN THE URALS, by Zhores A. Medvedev. London: Angus & Robertson, 214 pp, £5.95.

This is the story of the massive explosion of a Soviet nuclear-waste disposal area late in 1957 in the southern Urals. Primary radioactive contamination covered up to 1,200 square miles, whole villages were bulldozed, and the effects will be felt for a century on the remaining plant and animal life of the area. The story has been pieced together brilliantly by the author, who is one of the more interesting and principled Soviet exiles of recent years, with an enormous fund of scientific knowledge and a shrewd recognition of how governments misuse both science and scientists.

One of the more internatonal aspects of the story is that it was suppressed for years by both the USSR and the CIA. The latter were clearly impressed by the build-up of demonstrations against nuclear power and the alarming reactor accident at Windscale in October 1957. Were it not for the CIA, the Campaign for Nuclear Disarmament and its allies would have had the most formidable and emotive arguments ever given to a popular campaign. History was rewritten in time, but 20 years later it was still possible for the Chairman of the UK Atomic Energy Authority to dismiss Medvedev's story as rubbish. It is a fitting comment on the nuclear industry that it appears necessary for it to be headed by a scientist-salesman.

WORLD ARMAMENTS AND DISARMAMENT: Stockholm International Peace Research Institutue Yearbook, 1979. London: Taylor & Francis, 698 pp, £21.50.

SIPRI's tenth yearbook continues the Institutute's analyses of the world's arms

races, and this year includes laser weapons and military satellites. There are the usual surveys of expenditure, arms production and trade, growing forces, control agreements, UN activities and nuclear explosions. The usual high standards are maintained, though there is a disappointing introduction to the role of non-governmental organisations (NGOs).

All SIPIRI's information is taken from open sources only which confirms the large role open to NGOs. The value of SIPRI's work as an agency independent of the great powers amply confirms the wisdom of the Swedish Parliament in financing the body. In Britain things are done rather differently: Harold Wilson's appointment of a Minister for Disarmament allowed him temporary cover while he developed the British nuclear weapons programme. The fact that the appointee was Lord Chalfont is a sad reminder of Wilson's cheap gimmickry.

THE DEATH PENALTY: Amnesty International Report. London: Amnesty International Publications, 209 pp, £2.
This is primarily a survey by country of events during 1973-76 concerning the death penalty. Some trends are included for the period 1977-78, and there is a separate enclosure of 12 pages updating the survey to mid-1979. It is interesting to see that the greatest concentration of abolitionist states is not in Europe but in Latin America. In matters of the death penalty, the UK is still more savage than Brazil and Uruguay.

In the UK, the last execution took place in 1964, and the death penalty for murder was abolished gradually during 1965-69. An attempt to reintroduce the death penalty for terrorist offences was defeated in 1975. The penalty remains, however, for treason and certain forms of piracy, and under the various armed forces Acts of the mid-1950s, for offences by members of the armed forces in wartime. The offences include mutiny and communication of intelligence material. A certain way to avoid execution is to be under 18 or pregnant.

BRITAIN SINCE 1945: A Political History, by David Childs. London: Ernest Benn, 308 pp, £11.95.
The author of this pedestrian account of postwar governments to 1979 is not very interested in ideas, except his own conventional ones. Anything that he does not understand, such as for example the Campaign for Nuclear Disarmament, is reduced to a short list of names and offices, and even these are not always correct. But this was a brave attempt by the publishers to meet an important need. It is to be hoped that their choice of author will not deflect them for further efforts.

THE BRITISH ARISTOCRACY, by Mark Bence-Jones and Hugh Montgomery-Massingberd. London: Constable, 259pp, £6.95.
What is the place of the British aristocracy in the historical development of the constitution, and how did aristocrats come by their titles, land and wealth? What is their social and economic weight in contemporary society, and their role in mediating the British system of informal controls? And why has the British working class such a wide international reputation for loving a lord? Questions such as these deserve extended discussion, but readers of this essay in class hagiography will search in vain for answers to them. It abounds in such unconscious gems as: "The talent which aristocrats have for getting on well with people is particularly noticeable in their dealings with servants." There is also much evidence of the eccentricities of the aristocracy, for the authors are themselves well into their anecdotage.

WITHIN TWO CLOAKS: Missions with SIS and SOE, by Philip Johns. London: William Kimber, 216pp. £7.50.

An autobiographical account of service with the Secret Intelligence Service (SIS) in Belgium, Portugal and Argentina in the early part of World War II and then as Head of the Dutch Section of the Special Operations Executive (SOE). His account

of SIS adds little new, but does confirm that British embassies provide cover for British spies abroad, and successfully conveys the atmosphere of SIS as an organisation close to the core of the ruling class: 'the Secret Service resembled . . . an exclusive club'.

Now, of course, all that has changed: 'among the successful candidates for the Foreign Service there would be some recommended by serving officials of SIS, possibly with family connections or background, for covert intelligence recruitment. Similarly of course, the three armed services would . . . continue to supply recruits'.

PAMPHLETS

Uncensored, Evidence to the Williams Committee on Obscenity and Film Censorship, Journal of the Defence of Literature and the Arts Society (DLAS), 18 Brewer St, London W1. 20p to non-members, 30p for complete text of submission. DLAS calls for the abolition of all existing obscenity offences and their replacement by an enactment based on the criteria of consent They propose, among other things, a distinction between different categories of 'obscene' material, and the right to trial by jury for those prosecuted.

An Anti-Fascist Handbook, London Gay Activist Alliance, 5 Caledonian Rd, London N1. 70p. A vital and timely reminder that gay people suffered under fascism and have a deep interest in supporting anti-fascist campaigns. The handbook is divided into three parts. First is The Threat, which explains both the history of fascism's persecution of gays and the present-day neo-fascist policies against gays by organisations like the National Front. The Nature of the Threat gives an analysis of the roots of racism, fascism and anti-gay ideology, and Our Response gives suggestions for combatting fascist ideas. An excellent publication with a sound historical and contemporary framework.

Under Observation: The Computer and Political Control, Bulletin No 6 from the Campaign Against the Model West Germany, c/o ESG, Querenburger Höhe 287, 4630 Bochum, West Germany. 50p. A comprehensive and revealing account of the German state's ability to register and control the population, with implications for the whole of Western Europe. Sufficient background is given on the nature and structure of state forces that those not specially concerned with West Germany will still find the information accessible. The stilted translation is offset by humorous cartoons and photographs of police equipment and tactics. Invaluable source material for anyone concerned about growing computer technology.

The Changing Dream, Martin Wollacott, a series on modern Israeli society reprinted by The Guardian, 119 Farringdon Road, London EC1, 80p. A useful account of modern Zionism. Particularly interesting is the article which describes and analyses the Army as 'the institution that defines the character of the Israeli state'.

Zimbabwe Rhodesia: Should the Present Government be Recognised? Dr Claire Palley, Minority Rights Group, 36 Craven St, London WC2/Catholic Institutue for International Relations, 1 Cambridge Terrace, London NW1. 50p. Claire Palley, an ex-Rhodesian and legal authority on the Rhodesian constitution, examines the conditions established over the last 14 years (since UDI) for recongising an independent Zimbabwe government. She lists seven conditions for international recognition and maintains that not one is met by the Muzorewa government, whose continuation is likely to lead to further bloodshed. An important contribution to informed discussion on Zimbabwe.

Minnesota Citizens' Review Commission on the FBI, Hearing Board Report I, 1977; Report II, 1978, c/o Minnesota Church Center, 122 W. Franklin Ave, Room 320, Minneapolis, USA. Free. Reports of public hearings about harassment and extra-legal activity by the FBI. They include submissions from Indians, lawyers, a feminist, a labour union official, and a peace action group. General national and political background is provided. The result is both a convincing account of illegal FBI actions and an inspiring example of how citizens can publicise and organise against the secret police. Report II summarises the findings of the Citizens' Commission and sugggests detailed strategies for action.

Soutnall 342: Bulletin of the Southall Defence Committee, October 1979, c/o 54 High Street, Southall, Middlesex. Free. A brief news sheet giving the latest details of the trials of the 342 people arrested at Southall on April 23, the night Blair Peach died. Of the 181 cases tried so far at Barnet Magistrates Court, conviction rate stands at 80 per cent. The bulletin also gives information on the activities and finances of the campaign. Donations are urgently needed.

Community Contact, Greater Manchester Police, distributed free in the Manchester region. Written by a Greater Manchester Superintendent, and introduced by Chief Constable James Anderton (see Bulletin No 13), this booklet aims to promote the police as a 'service' rather than a 'force'. It is a public relations exercise but has much revealing information on police/community liaison, preventive policing and police education.

Crime and Punishment: Some Thoughts on Theories and Policies, Stan Cohen, Radical Alternatives to Prison, 21 Atwood Road, London W6. 50p. A slightly altered collection of articles which appeared in New Society in March 1979, with an introduction by Cohen. He argues that 'crime is rooted in the overall social system' and that 'the total crime picture remains much the same whatever we may do to individual criminals.' Cohen presents a critical view of recent criminology, alternatives to prison and suggestions for practical penal reform.

First Rights: A Guide to Legal Rights for Young People, Maggie Rae and others, National Council for Civil Libgerties. 85p. 'Course I can, I've got rights too', is the theme of this handbook for under-18s. It is a clearly written survey of the laws affecting young people at school, work, in the family, and in state care. It covers many areas, such as the police, sex etc. Two appendices give useful lists of literature and organisations. The pamphlet will be invaluable for under-18s and adults connected with them.

The Myths Behind the Criminal Justice Bill, Discussion Document No 1 from the Campaign to stop the Scottish Criminal Justice Bill, 'Campaign', 58a Broughton Street, Edinburgh. Free. The Campaign is an umbrella organisation for oposition to the Bill, which would greatly enhance the powers of the Scottish police. As this concise and informative pamphlet shows, the Bill would allow them to extend detention of suspects, to compel unwilling witnesses and to search without warrant. Non-Scots too should support the campaign against this grave threat to civil liberties.

Detention under the Criminal Justice Bill, Discussion Document No 2, Campaign (as above). Free. A detailed examination of one aspect of the proposed Bill, due to be debated in this session of Parliament. The Conservatives have promised tough policing legislation for Scotland. The Thomson Report, on which the Bill will probably be based, recommended that present 'irregularities' and illegalities in police procedure, such as detention in places other than police stations, should be legalised.

The State and the Local Economy. CDPPEC, Brookside, Seaton Burn Newcastle on Tyne, NE13 6EY. 64pp, £1.20 (Inc post). CDPPEC is the Community Development Projects' Political Economy Collective, which has brought together in this pamphlet various analyses of industrial development and decline under capitalism as it affects inner city areas. The pamphlet is a useful background to the changes in the city economy which have influenced changes in policing over the past fifteen years.

ARTICLES

Civil liberties

On the New Issue of Postal Stamps/Law and Order and the Police, E.P. Thompson, New Society, November 8/15, 1979. First two parts of a five-part discourse on 'law and order'.

Criminal procedure

Their Sort of Justice, The Leveller, November 1979. The outcome of magistrates' hearings of Southall cases.

The Unaccountable Prosecutor, John Griffith, New Statesman, October 19, 1979. Critical examination of the Director of Public Prosecutions.

Jury Problems in the USA, Derrick Owles, New Law Journal, October 18, 1979.

Intelligence

Jamaica: Destabilisation and Misinformation, People's News Service, October 30, 1979. Latest western moves against the Manley government.

Perspectives for Intelligence 1976-1981, Philip Agee, Covert Action Information Bulletin, October 1979. The CIA's assessment of political and intelligence developments throughout the world.

Something New for Police Intelligence, Norman R. Bottan, Police Journal, Autumn 1979. Discussion of the ideas of former CIA Director Colby as they relate to police work.

Military

Atlantic Patrol, Royal Air Force News, October 10-23, 1979. RAF marine surveillance operations.

Top Brass, Soldier Magazine, August 1979. Profile of Sir Edwin Bramall, new Chief of the General Staff.

Northern Ireland

Secret Security – Special Report, Hibernia, October 18, 1979. Assessment of significance of Oldfield's apointment to head Northern Ireland security operations.

Police

Computer-run Policing, Duncan Campbell, New Statesman, October 26, 1979. Manchester's computerisation of police work (see Bulletin No. 14, p5).

The File on James McGeown, Crann Tara, Autumn 1979. Death in Strathclyde police custody case.

Blue Murder, David Clark, The Leveller, November 1979. Detailed account of deaths in police custody in recent years.

Rumblings in High Places, The Leveller, December 1979. Latest twists in BBC-Metropolitan police relations.

Sus and the SPG, Police, September 1979. Police Federation on the defensive.

Superintendents' Conference, Police Review, October 5, 1979. The superintendents discuss picketing, sus etc.

The Unhinged Door, Police, October 1979. Federation attack on BBC Open Door programme about Southall.

Whitelaw's Pledge, Police, October 1979. Home Secretary's speech to superintendents on policing and pay.

Police Advance into Social Work, Mike Bogden, Rights, September/October 1979.

Diverting the Course of Justice? News Release, Autumn 1979. Police manipulation of the media in the Harry McKenny (Big H) case.

What Kind of Police Have We? Ken Worpole, New Society, October 4, 1979. Police and the Southall aftermath.

All in the Cause of Friendship, Martin Short, New Statesman, October 12, 1979. Dirty doings in Scotland Yard's C11 (Criminal intelligence) Branch.

The Right

Political Donations in 1978, Labour Research, November 1979. Financial support for Tory Party, Economic League etc. from major firms in 1978.

Surveillance

Stamping out Crime in the Post Office, Brian Hilliard, Police Review, November 2, 1979. On the Post Office investigation division.

Terrorism

The Terrorist Threat, Brian Hayes, Police Review, November 2, 1979. Assistant chief constable of Surrey on terrorism and subversion.

Tackle Terrorism, James Jardine, Police, October 1979. Federation chairman's speech to the Monday Club.

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