

STATE RESEARCH

BULLETIN No. 25

RIOT CONTROL: A NEW DIRECTION?

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NEWS & DEVELOPMENTS

THE JULY RIOTS

The tension between the police and communities in the inner cities which erupted into violence in Brixton in April (*Bulletin no 24*) came to a head in about 30 other urban areas in July. The disturbances did not follow an identical pattern. In Southall, for example, the black youth reacted angrily to police lack of protection for the community against racist

attacks by outsiders, whereas in other areas young people, both black and white, were responding to police harrasment and provocation on top of the pressures of unemployment and inner city deprivation. If there was a common factor it would appear to be police attitudes and police methods. In all cases the police have behaved as a force external, hostile and beyond the control of local communities.

The 'July riots' actually began on June 20 when in Peckham in the light of what the *Daily Telegraph* described as 'a noticeable tension here since Brixton' (22.6.81) police were deployed to a number of sidestreet buses. Later that night around 500 youths attacked the police and shops after a fair. In the week before the riots, former prime minister Edward Heath, speaking to a conference in London of business people, said with some prescience that 'If you have

half a million young people hanging around on the streets all day you will have a massive increase in juvenile crime. Of course you will have racial tension when you have young blacks with less chance of getting jobs.' (*The Times*, 2.7.81) The following day, speaking on a BBC Radio 4 programme on 'Policing the 80s', Metropolitan Police Commissioner Sir David McNee said that the remainder of the century would be 'a tough time for law and order'. He said: 'The greatest problem I will have in my commisionership and that my successor and probably his successor will have, is getting along with the ethnic minorities in this great city.' (2.7.81).

The riots proper began on Friday 3 July when coaches of skinheads arrived in Southall in buses decked with National Front banners and stickers. A gang of skinheads attacked the wife of the owner of an Asian shop following which large numbers of black youth came out onto the streets and besieged the Hamborough Tavern where the skinheads had come to a rock concert. Only 30 police were on the spot and by 10pm the pub had been set ablaze with petrol bombs. By 11pm there were 600 police on the streets fighting a pitched battle wth black youths. One Asian, knocked unconscious by the police claimed tht he was told by a police officer 'You will be another Blair Peach.' (*News of the World* 5.7.81)

Toxteth

Within hours rioting had broken out in the Toxteth area of Liverpool which was to continue over four nights and result in 160 arrests and injuries to over 250 police officers. In a pattern now becoming familiar a small incident provided the spark for the events. At 9pm a black motorcyclist was stopped by police and questioned about the ownership of his machine. A crowd gathered, the motorcyclist was handcuffed, put in a police transit van and reinforcements were summoned. The crowd began to stone the police and the arrested man jumped from the van and was taken away by the crowd. A battle ensued

between the crowd and the police with truncheons drawn. The one person arrested was Leroy Cooper, who happened to be nearest the police. He was charged with two counts of causing grievous bodily harm to police officers and actual bodily harm to another (*Daily Post* 6.7.81)

The Cooper family were already pursuing a civil action against the Merseyside Chief Constable, Kenneth Oxford, for repeated harrassment of Leroy's brother Paul. Since May 1979 Paul has been arrested 14 times and asked to attend 12 identification parades – in all but three cases no action followed and of the three cases one resulted in an acquittal while two cases are pending. On Thursday 9 a case against Paul had been thrown out of court because witnesses' statements had been tampered with. A senior police officer told Paul's father in April when he was pursuing his complaints; 'You fucking niggers are all the same' (*New Statesman* 10.7.81) Such has been the experience of one family in Toxteth.

The events after the arrest then built up. On the Friday, police vehicles in Toxteth were repeatedly stoned by roaming gangs of youths until 1 am. On the Saturday, shortly after 10 pm youths stoned police cars and started setting fire to derelict buildings. By 12.30 barricades had been set up and police with riot shields were rushed in to be met with petrol bombs, bricks and chunks of concrete. By 5am buildings were still blazing and at 6am police reinforcements arrived from Greater Manchester and charged the crowd of youths. According to one youth: 'They were banging their batons on their riot shields. It was like someyhing from the film *Zulu*' (*Sun* 6.7.81) 'Order' was restored by 7.30 am on the Sunday morning. Only three arrests had been made.

On the Sunday and through to early in Monday morning 'all hell' was to break loose in the words of one police officer. Building after building was set on fire. A black community worker explained:

'It was obvious why people went for the police, but there were exact reasons why each of those buildings was hit. The bank, for obvious reasons, the Racquets club

because the judges use it, Swainbanks furniture store because people felt he was ripping off the community . . . The Chinese chippy was left untouched but people hadn't forgotten that when the Rialto was a dance-hall it was barred to blacks . . . Now with the Racquets and the Rialto gone it's just the police' (*New Society* 16.7.81).

With 800 police in the area, including reinforcements from Cheshire, Lancashire and Greater Manchester the police totally lost control of the area and withdrew at 11pm. Milk floats were set on fire and directed at the police lines, scaffolding poles were used to charge the pockets of riot-shielded police and petrol bombs rained down. The Press Association reported at 1am that looting was widespread with not a police officer in sight. In one incident the police brought out an old fire engine and tried to hose down the rioters but the appliance was seized and itself set on fire.

At 2.15 am on Monday 6 July police fired between 25 and 30 canisters of CS gas at the crowds, the first time that CS gas had ever been used for 'public order' purposes in mainland Britain. The *New Statesman* revealed at the end of the same week that the gas was fired in complete contravention of the manufacturers' instructions. The cartridges were intended only for penetrating walls or vehicles, never for firing into crowds. (17.7.81) At least four people were seriously injured. Chief Constable Kenneth Oxford subsequently established an internal inquiry into the use of the gas – to be carried out by an officer from the Merseyside police. Later on that Monday the Home Secretary William Whitelaw said that the police were 'totally right' to use the CS gas.

In Merseyside itself the Deputy Chief Constable, Peter Wright, was unable to comprehend what was happening and exclaimed 'These people are destroying their own neighbourhood' (*New Standard* 6.7.81), while Oxford, who had previously described black Liverpoolians as 'the product of liaisons between white prostitutes and African sailors' (*New Statesman* 17.7.81) said that 'this is not a

racial issue as such. It is exclusively a crowd of black hooligans intent on making life unbearable and indulging in criminal activities.' (*Guardian* 6.7.81)

In contrast local community relations workers pointed out that they had frequently warned that 'There could be an explosion of anger by local black youths against the deprivation and prejudice that they face' and a local black journalist wrote:

'The people of Toxteth have long been dissatisfied with the type of policing they get. Some months ago a young white woman told me that she thought people living in Liverpool 8 should be paid danger money for living there, not because of crime but because of the level of police activity. At least, no one so far has suggested that the youngsters of Toxteth should be sent home. They are at home, and bitter though it may be not to find the promised land in a strange country, it is infinitely more so to be dispossessed in one's own.' (*Daily Post* 6.7.81)

By Monday 6 July as fighting continued there were over 2,000 police officers permanently on duty in Liverpool 8, drawn from a dozen forces and including 60 officers from as far away as Sussex. In parliament the mood was described in a *Guardian* editorial as 'overwhelmingly one of bafflement . . . Suddenly, forces appear to have been unleashed which nobody knows how to control' (7.7.81)

On Tuesday 7 July there were further disturbances in Toxteth and stones and petrol bombs continued to be thrown at the police. Chief Constable Oxford began to blame parents for indiscipline and the Home Secretary, following a visit to the area (when he did not leave his car) took up this approach saying 'There is a great responsibility on parents to keep their children off the streets.' (*Guardian* 8.7.81)

Rioting broke out again on 27 July after police tried to stop a car believed to be stolen. On this occasion more than 120 police in riot gear were unable to restore order for several hours. The rioting continued again on the following day and police adopted the tactics used previously in

Manchester of driving vehicles at high speeds at crowds. One youth was rammed against a wall three times by a police landrover, had his back broken and alleges that he was beaten up by police when arrested. The following day as the police 'mobile pursuit tactic' continued a disabled man was run down by a police vehicle and dragged for some thirty yards. He subsequently died. The vehicle did not stop and an inquiry into the incident was announced – to be conducted by the assistant chief constable of Northumbria. Chief Constable Oxford responding to increasing demands for his resignation supported the new method: 'Our tactics of driving towards them has proved to be effective. I would much rather use this form of dispersal than CS gas.' (*Morning Star* 30.7.81)

Manchester

After Toxteth it was Manchester which was to see the most serious fighting between the police and youths. On Wednesday 8 July several hundred youths attacked a police station and set fire to shops. Nearly all the windows of the police station were smashed and about a dozen vehicles in the station yard burned out. Despite the arrival of 400 extra police the police were unable to disperse the crowd and the police station was attacked a second time around midnight. Attack and counter-attack continued until the establishment of an 'uneasy calm' around 3 am.

As fighting continued the following day Greater Manchester Chief Constable James Anderton decided to abandon his previous 'low key' approach. In addition to bringing in the local Tactical Aid Group (the local Special Patrol Group) the police began the tactic (to be repeated elsewhere during the riots) of driving vehicles at high speeds at crowds. On the afternoon of 8 July the *Daily Telegraph* described how 'A convoy of eight police vans charged through a burning barricade on Moss Side's Park council estate . . . scattering about 100 rioters . . .' (9.7.81) The *Daily Mirror* described the scene on the Thursday night:

'24 police wagons each manned by 10 steel-helmeted riot police roared around the shopping and housing area pinning black and white youths to walls and arresting them. Several youths were knocked to the grounds by the wagons . . . The rioters moved on to take up positions in high rise flats and flyovers to hurl down rocks on the wagons. Later snatch squads of police moved out into the flats. Youths – black and white – were kicked to the ground before being taken away.'

(10.7.81)

This technique of criss crossing an area with vans driven at high speed with officers leaning out of rear doors ready to leap out was one which had been learned from the experience of Northern Ireland, leading the *Guardian* to report that the scene was 'already bristling with a police presence that was more reminiscent of Northern Ireland than mainland Britain has yet seen.'

(10.7.81)

The injuries inflicted on members of the public were describe by one local doctor as 'terrifying' (*The Times* 22.7.81) and while Chief Constable Anderton said he would look into any complaints the Greater Manchester Council announced that it would set up its own investigation into police activities.

The rest of the country

Elsewhere disturbances were reported over the weekend of the 10-12 July in 12 areas of London, Preston, Hull, Wolverhampton, Reading, Birmingham, Luton, Chester, Leicester, Leeds and Huddersfield. According to the *Daily Star* police made 2,500 arrests during the previous ten days, more than half of them over the one weekend (13.7.81).

In Brixton rioting broke out again on 10 July only hours after Lord Scarman had completed the first phase of his enquiry into the April riots. As in other instances the events began with police attempting to arrest a black man. Two police cars were burned and a *Guardian* journalist witnessing the SPG beating up two young black girls was told by a police sergeant that

'anything goes' (13.7.81). Five days later further rioting broke out after 100 police officers, led by local divisional commander Brian Fairbairn, raided homes and business premises in search of petrol bombs after a 'tip off'. (One report said the search was to retrieve an unauthorised firearm taken from a police officer during a previous raid. (*Not . . .* 24.7.81)) None were found but the damage caused by the police was extensive and was described by Lord Scarman as 'very serious indeed', including windows smashed, doors broken down, and floorboards ripped up. Scotland Yard tried to minimise the raid saying that since April there had been 70 such raids in the Brixton area (*New Standard* 20.7.81). Although the Home Secretary ordered senior civil servants to visit the damaged premises and report immediately, the response of the Metropolitan Police was to appoint Deputy Assistant Commissioner Geoffrey Dear to make an internal enquiry.

Government and police responses

From the government and the police, reactions to the riots were those of advocating resort to greater repression, either in the form of the law or police weaponry. After the earliest disturbances Eldon Griffiths MP, parliamentary adviser to the Police Federation, was given nearly a full page in the *Daily Express* to argue that: 'The time has come . . . to set up specially trained squads of men with all the support of helmets, fireproof uniforms, armoured cars – yes, and even guns if necessary . . .' The police, said Griffiths, should be trained by the Royal Ulster Constabulary (RUC) and he identified 'three priorities' for policing – better protection, anti-riot weapons and stronger powers (6.7.81). The chairman of the Police Federation, Jim Jardine, called for more money to recruit more police. Griffiths' demands were to be conceded with considerable speed.

The cabinet, meeting on 9 July in emergency session, discussed the need for a new Riot Act giving the police the power to clear the streets and concluded that the

main objections were 'technical and legal' and on 13 July the Home Secretary told a meeting of Conservative back bench MPs that the government would make available army camps to hold those convicted of offences during the riots. He said that CS gas and plastic bullets were available to the police and that new protective helmets and other clothing and armoured vehicles would be provided. In addition he referred to tests with water cannon. The following day in parliament the Prime Minister said that the government would agree to the use of water cannon, CS gas and plastic bullets if chief constables wanted them. The same day the army demonstrated water cannon and armoured vehicles to senior police officers at military research establishments at Chobham in Surrey and near Derby and offered armoured carriers, riot helmets, riot sticks and training in unarmed combat. In addition six British police officers, including Metropolitan Police Assistant Commissioner Jock Wilson, arrived in Northern Ireland to discuss riot control with the RUC.

Metropolitan Police Commissioner Sir David McNee dismissed the idea of a formal 'third force' for riot control or the use of plastic bullets but only 'in the immediate future'. Instead he called for a 'mini' Riot Act, a simple streamlined measure which would enable police officers to disperse crowds 'with the threat that if they did not do so within a short period, they would place themselves in great difficulty' (*New Standard* 20.7.81). The idea of a separate third force was also dismissed by counter-insurgency theorist Major General Richard Clutterbuck who canvassed instead the wider use of police video cameras and computer intelligence, a 'substantial' Special Patrol Group in every city, greater use of Police Support Units between forces and more standby vehicles (*Daily Telegraph* 10.7.81).

The response to the measures being put forward among other chief constables was not unanimous. The Chief Constable of West Yorkshire, Ronald Gregory, said that he did not want water cannon, and a

deputation of chief constables told the Home Secretary on 15 July of their doubts about the use of riot weapons. The President of the Association of Chief Police Officers, George Terry, said after the meeting that chief constables were not uneasy about deploying the weapons but fully realised their dangers. They were worried, he said, that traditional methods of policing would be changed by the introduction of such hardware (*Guardian* 16.7.81).

Most outspoken, however, was John Alderson, chief constable of Devon and Cornwall, who in an interview with the *Sunday Telegraph* said that 'There has to be a better way than blind repression . . . rioting is not a new phenomenon . . . We must tackle the underlying tensions and develop unorthodox, imaginative and radical solutions . . . We are at a critical watershed. We must not advance the police response too far ahead of the situation. It is even worth a few million pounds of destruction rather than get pushed too far down that road. That will only bring further violence.' (12.7.81).

A WATERSHED IN BRITISH POLICING

By the summer of each year all the Chief Constables in the United Kingdom have published their reports for the previous year. So too have the Chief Inspector of Constabulary for England and Wales and the Chief Inspector of Constabulary for Scotland. In the light of events covered elsewhere in this Bulletin, this year's reports make bizarre reading.

It is most illuminating to start with the overall picture for England and Wales presented in the Chief Inspector of Constabulary's Report completed on June 15.

In 1980 the number of police officers in England and Wales reached an all-time high of 117,423. With few other professions expanding and big police pay increases under the Tories, all but three of the 43

forces in England and Wales exceeded their 'authorised establishment' (the numbers they are allowed to recruit). Merseyside, for example, had 238 more officers than authorised, and the West Midlands 131. During the 1970s the number of police officers in the 42 forces covered by the Report (which excludes the Metropolitan Police) increased by over 25%. In 1971, while their authorised establishment was 83,035, the actual number of officers was 74,350; in 1980 the figures were 92,353 and 92,310, respectively.

The same decade also saw a large rise in the number of civilian staff employed by the police – from 16,417 in 1971 to 21,173 in 1980). The 1970s was, in addition, the period when the police service employed technological aids to an ever increasing extent, ranging from vast record-keeping computers, like the Police National Computer at Hendon, to local 'command and control' systems to ensure the most efficient deployment of personnel on the streets.

Over the same period the Special Branch was massively expanded, Special Patrol Groups were created as paramilitary units in over half the forces in the country, Police Support Units were created to provide swift 'mutual aid' aid to other forces, and riot control became a standard part of police training (see *Bulletin* no 19).

'I am entirely confident'

Mr James Crane, Her Majesty's Chief Inspector of Constabulary, writes in his annual report that despite the St Pauls 'riot' in Bristol in April 1980 and the 'riots' in Brixton in April this year:

'Personally I am entirely confident of the will of the British Police to foster, and wherever possible improve, relations with its public of whatever colour, creed or social position, at the same time as fulfilling its duty to preserve order with similar disregard for race and without fear or favour' (dated June 15, published July 23. House of Commons Paper 409)

In the 'aftermath of Bristol' the police needed, he writes, not only to review its

arrangements for dealing with 'spontaneous disorder' but also to pursue with renewed vigour 'a better understanding of and with the ethnic minority communities'. His report, however, devotes more attention to the changing police role than to any recognition of the racism within the police.

Crane tries both to reassert the 'traditional' principles of British policing and to urge greater preparations for the future. On the one hand, he rejects the creation of permanent paramilitary forces, as this would not 'be in accord with our long established and accepted principles and methods of keeping the peace'. On the other, the 'incident' in Bristol 'prompted reviews by all chief constables of their contingency plans for rapid assembly and deployment of police officers in emergency situations.'

The contradiction between a return to 'traditional' policing and 'fire-brigade' policing, is openly stated in one revealing paragraph:

'It seems that the police service is finding itself increasingly committed to maintaining public order as an even more significant part of its overall responsibilities than was the case in the past . . . the police service must . . . fulfill its role and maintain its reputation as an independent and impartial body dedicated to humane law enforcement and the preservation of law and order. The two aims need not be mutually exclusive.'

In the section on 'Ethnic Minorities', the report suggests that young black people face 'deep social problems', such as discrimination, and goes on to outline various local 'liaison' schemes. An examination of the reports of the Chief Constables, however, demonstrates that the resources and training devoted to improving 'community relations' palls alongside that given to 'riot control' and 'contingency planning'.

The other major concern in Crane's report, not for the first time, is the 'continued involvement of young people in criminal activity . . . in 1979 over half of all persons found guilty or cautioned were

under the age of 21'. The answer, reflected in several annual reports, is to break down the barriers 'that still exist between members of the different professions', such as probation officers, social workers and local education departments. All the employees of the state should be working in concert to pre-empt the criminal activities of young people.

Public order, race and juvenile crime present a common theme in this report and those of the Chief Constables.

'I am confident . . .'

The annual report of the Chief Constable for Merseyside, Mr Oxford, seems a pertinent place to begin looking at the perceptions of local police chiefs. In May he wrote in the Introduction to his report:

'My policy on relationships with the community has been endorsed and strengthened throughout the year with all members of the force being mindful of their obligations in this direction. I am confident that these relationships, with all sections of the community, are in a healthy position and I do not foresee any serious difficulties developing in the future.'

Despite the fact that there had been 589 cases of assault on police officers, out of a force of 4,591 in 1980, Oxford felt confident. All new officers were being given training in riot control, and 782 officers of his Police Support Units had undergone regular training (compared to 490 in 1979). Moreover, the local Special Branch ensured 'that the force is aware, at all time, of the current picture in relation to activity of a subversive nature and in the public order area'. Not only was he 'pleased to report' that there had been few serious outbreaks of disorder, 'due entirely to the firmness (which) . . . ensured that situations are not allowed to develop', but relations with the 'ethnic groups' were 'good'.

'The future is rather bleak'

Other police chiefs were more in touch with reality. George Terry, the Chief Constable

for Sussex said: 'the future is rather bleak . . . in the past it was easy for society to dismiss the antics of the vociferous under the label of the "small minority"; unfortunately, that minority is growing.' The Derbyshire report notes: 'for the first time in many years the actual strength of the Force reached the authorised establishment . . . the present establishment falls well short of that required to meet current workloads and to combat the increasing violence in our society.' And the Lancashire report states:

'Hardly a week has gone by without a major occurrence necessitating special operational planning, which for the most part involved uniformed officers – thus draining them away from their beats and patrols, and affecting to a marked degree our ability regularly to police our ground.'

The picture that emerges is that although all forces are at full authorised strength, demands for large increases in police numbers will not be resisted for long by the Home Secretary. Cleveland, for example, reports that it needs 500 extra officers, but has only been given permission by the Home Office for 50. While many forces report that more police are gradually being put back on the local 'beat', it is also clear that police chiefs also want to retain their 'fire-brigade' policing capacity backed by computerised 'command and control systems'. As the Norfolk report explains:

'The most effective patrol system for urban areas lies in a combination of adequate foot and cycle patrols, backed by the mobility afforded by patrol vehicles but, with present limitations on manpower, the mobile system usually has to be given priority at the expense of foot patrols.'

Far from pointing to a return to the 'traditional' form of policing, the reports indicate that if the chief constables are to police the urban areas, to cope with 'spontaneous disorders', with help from the rural forces, and be prepared to go at a moment's notice to the aid of a neighbouring force, then all of the techniques developed in the 1970s have got

to be retained and strengthened. In times of relative calm more police will be put onto the streets, but the number of officers who can be guaranteed to be solely employed on foot in the community will be very limited.

'Unlikely to re-occur'

The last word must surely belong to Mr. Weigh, the Chief Constable for Avon and Somerset, who was probably not alone in thinking:

'Much – probably too much – has been written about St. Pauls particularly as to the alleged causes of this sad – and untypical – incident. My own view has always been that the trouble arose from an unfortunate and unusual combination of circumstances which hopefully are unlikely to re-occur' (March, 1981).

'TOOLING UP' FOR CONFRONTATION

Since the St. Pauls 'riot', training of specialist units like SPGs and Police Support Units has been dramatically stepped up. Each local police division is required to have at least one Police Support Unit, comprising 34 officers, and 'riot control' is now part of basic training for new recruits in most forces.

John Alderson, the 'liberal' Chief Constable for Devon and Cornwall, has 8 divisions in his force, thus requiring 272 officers to be organised into PSUs. However, the section in his annual report on 'Police Support Units' states:

'Mutual aid between police forces in the form of police support units has existed since 1973 . . . the total number of officers trained in crowd control techniques and the use of protective shields (is) 27 inspectors, 58 sergeants, and 457 constables' (the figure for 1979 was a total of 100).

This means that Alderson has 2 PSUs trained and ready for use from each of his local divisions.

Other annual reports for 1980 reveal the following: 1,300 Northumbrian officers attended PSU courses; Cambridgeshire has 5 trained and equipped PSUs; 370 officers were trained in 'crowd control' in Essex; 475 officers in Sussex and 570 in West Mercia trained for PSUs; 1,959 officers in Hampshire and 640 in Norfolk attended courses; 1,650 officers in Derbyshire, 132 in Fife, 260 in Dorset and 140 in North Wales attended 'Crowd Control Refresher' Training; Leicestershire, with 4 divisions, increased the number of PSUs from 8 to 10; 160 officers undertook a 'crowd control' refresher course in Gloucestershire; Cheshire with 5 divisions has 12 PSUs; 174 officers of the Grampian force took part in PSU training and exercises; and in Northamptonshire 200 officers were trained for PSU duties.

Special Branches and SPGs

The Essex SPG, the Force Support Unit, doubled from 32 to 64: West Mercia's Task Force increased from 11 to 23 officers; Cleveland created an SPG unit, called the Special Operations Service, with 48 officers in five units; and, after the St. Pauls 'riot', Avon and Somerset's SPG, Task Force, increased from 55 to 73 (see *Bulletin* no 19).

And more forces have issued reports on the existence of local Special Branches. Sussex's annual report contains a section on the SB for the first time, as does that of Derbyshire, Cumbria (16 officers), Avon and Somerset (22 officers), Staffordshire (8 officers), and Northamptonshire (see *Bulletin* no 19).

PASSPORT RAIDS — COSMETIC REVIEW

The review procedures to be followed by the police and the immigration service in searches for alleged illegal entrants appears to have had little actual effect as a recent raid in north London shows. The review was set up in 1980 by the Home Secretary

following widespread criticism of a number of raids on factories and other workplaces — including the Hilton Hotel, the Main Gas factory and the Asian-owned Bestways supermarket and cash and carry chain (see *Bulletin* no 19).

On December 12 the Home Secretary announced to parliament that the review had been completed. He said that the Metropolitan Police and the Association of Chief Police Officers (ACPO) had agreed 'that every effort should be made before an operation takes place to identify those people who are suspected of committing immigration offences, in order to minimise the risk of arresting innocent people'.

Open warrants

Whitelaw's review in effect restates that the police and the immigration service have a right to carry out raids and to demand to see passports. It still requires people suspected of immigration offences to prove their innocence, reversing the normal procedure, and says nothing, in effect, which would not be expected as normal procedure in relation to other criminal investigations. The review also allows magistrates to issue 'open' warrants to the police without the names of specific individuals on them. Timothy Raison, Minister of State at the Home Office, confirmed that the warrants for the 1980 raids mentioned above 'did not name the individuals for whom the searches were to take place (*Letter to Lord Avebury*, 22.12.80). Raison goes on to say that 'we have been legally advised that there is nothing in the (Immigration) Act that could require them to do so'. However, according to the former Labour Minister of State at the Home Office, Brynmor John, who checked his Home Office files, it was clear that the Home Office was now interpreting the law in a different way under the Conservative government. He said that when in government he had been specifically advised by Home Office officials that warrants under the Act could only be executed on a named individual (*Runnymede Trust Bulletin*, December 1980).

As a result of Whitelaw's review this new interpretation has now been given official sanction, first in new General Orders to the Metropolitan Police – 'Police and Immigration Service liaison to trace illegal entrants and overstayers' (GO 35/79/6(2)) – and in a Home Office circular to all chief constables in England, Wales and Scotland (*H.O. Circular no 151/1980*, 12.12.80).

Met orders

The new orders, to the Metropolitan Police which run to three full pages were issued on September 5, 1980, two months before Whitelaw's announcement to parliament. When Lord Avebury questioned this he was told that 'The timing of the publication of orders to the Metropolitan Police is a matter for the Commissioner of Police.' (*Hansard*, 24.3.81)

The orders confirm the central role played by the Illegal Immigration Intelligence Unit of Scotland Yard (which comes under 'Criminal Intelligence', C11 Branch), the Immigration Service Intelligence Unit, and last but not least A7, the Community and Race Relations Branch. The role of the latter seems to be largely to contact the 'appropriate Community Liaison Officer' (a local police officer) who 'will assist in assessing public reaction and be able subsequently to reassure local groups as to police activity where necessary (thus minimising the danger of escalation)' (para. 13). Paragraph 8 lays down the procedures for obtaining warrants from magistrates to search for illegal entrants 'whose identity may be unknown'.

The Home Office circular, while recognising that raids should be 'performed with tact' states in the same paragraph: 'It will not help the cause of race relations if immigration offences go undetected.'

New raid

In February, only a few months after Whitelaw's statement, twelve Bengali restaurant workers in north London were woken in the morning by police officers and

immigration service officials and told to produce their passports. No arrests were made. The local Camden Committee for Community Relations said that the raid contravened a number of the 'assurances' given in the Home Office review. Neither the local divisional police commander nor the local community liaison officer had been informed of the raid beforehand and the requirement that every effort be made to identify suspects to avoid harassment of innocent people did not appear to have been followed.

Timothy Raison attempted to defend the raid on the grounds that the raid did not constitute a 'major operation' (which was the subject of the review of procedures) but a 'routine one' in which case, he said, 'some of the points covered by the review in respect of major operations could not realistically be applied' (*Letter to Camden Committee for Community Relations*, 12.6.81). He was, he said, satisfied that all types of enquiry were subject to the proper degree of supervision and control.

In a recent article in the *New Law Journal* Ian MacDonald, a leading authority on immigration law, has argued that although the question of warrants has not been tested in the courts an ordinary interpretation of the relevant provisions of the Immigration Act 1971 would be that persons should be named. MacDonald points out that the relevant paragraph refers to 'a person liable to be arrested' and expressly states that the warrant authorises entry and search of named premises for the purpose of searching for and arresting 'that person'. In addition he argues that where a person need not be named in a warrant it is normal for the relevant statute to make an express provision to that effect. For example, the Mental Health Act 1959 says expressly that '... It shall not be necessary ... to name the person concerned.' MacDonald concludes that although the matter is not clear 'it is certainly open to all justices of the peace, magistrates and sheriffs to insist that the warrant names or carries the description of the persons to whom it relates.' (23.7.81 –)

POLICE COMPUTERS

Following the lack of discussion concerning the Lothian and Borders Police computer (*Bulletin* no 24), it is clear that other police forces in the U.K. are budgeting large sums to obtain sophisticated computer equipment. Sussex (£1.2 million), Derbyshire (£1.8 million), South Wales (£1.5 million), Cleveland (£2 million), and Lothian and Borders (£1.25 million) have this year followed the lead of Merseyside (£2 million), Manchester (£5.4 million) and the Metropolitan Police (£7 million) in tendering for computer technology and computer programs over which there is little public accountability. Also this year Thames Valley (£0.7 million), Essex (£0.1 million), West Yorkshire (£0.1 million) and the centralised Police National Computer (PNC) (£0.5 million) are to find funds to maintain or upgrade existing facilities.

The scale of financing police computing can be gauged by the fact that the central PNC facility, over which there has been certain controversies, cost in 1978 only £7.1 million. Thus in monetary figures alone, individual police authorities seem willing to spend at least sums equivalent to one fifth of that required to fund the PNC. This does not take into account the considerable increase in performance and decrease in real money terms of the latest generation of computing technology.

As in the case of the Lothian and Borders computer, it is clear that in some circumstances including Cleveland, Sussex and South Wales, *direct links* to the PNC are required as part of the specification. These computers, when supplied, will join Nottingham, West Mercia, West Midlands and West Staffordshire whose computers are directly linked to the PNC (*Computing*, 18.6.81). These links alone establish an extensive computer network, which other police computers will no doubt join.

Free Text Retrieval programs, about which the Lindop Committee on Data Protection had great doubts as far as their uncontrolled use by the police was

concerned (*Bulletin* no 24), are also requested from the manufacturer by Cleveland Police as they were by Lothian and Borders. As the manufacturer, International Airadio-IAL, has provided computing equipment to seven other police services (*Computing* 18.6.81), it is now reasonable to assume that Free Text Retrieval programs are now the norm rather than the exception for police computers.

The official preference for the 1972 Younger report on privacy, against Lindop's requirement for a comprehensive Data Protection Authority, is a defeat for all those interested in any semblance of control or accountability in *all public sector* computing, let alone Lindop's proposed limited controls on police computing. The Lindop report specifically criticised the methodology and systems the police were and are intent of procuring, without any safeguards for the public. It is now equally clear, that one of the major reasons for Home Office hostility to the Lindop report, is the accuracy and poignancy of its comments relating to the use of computing by the police.

ECONOMIC LEAGUE: PUBLIC PROPAGANDA AND PRIVATE PRYING

The employers' own private Special Branch, the Economic League, continues its task of spying on the workers and advertising the wonders of capitalism. In operation since 1919, the League works on two levels.

Its public face is to distribute leaflets propagandising for free enterprise. Chairman Saxon Tate of sugar firm Tate & Lyle, says in his latest annual report that new distribution techniques allowed 18 million people to see the League's latest fortnightly leaflets' in 1980. New techniques included reproduction in local newspapers and distribution in shopping centres, as well as at the traditional factory gates. The

message of these leaflets is the same old story, however: wage increases lead to job loss; public spending uses up wealth; Marxists are the workers' main enemy. The message is also conveyed in the 'industrial training' which the League provides. In 1980 it laid on courses attended by 5,953 apprentices, 193 supervisors, and 136 senior managers representing 329 firms.

The private face of the League works on a more sinister level. In order to root out 'subversion' and 'extremism' it maintains files on trade union and political activists, information which is available only to subscribers, usually employers who refuse to employ people whose names are on file. 'The League can in all modesty claim 'that it plays a major role in keeping people informed of the real nature, plans and activities . . . of revolutionary organisations. It is a cause of pride among the League's staff that its work in this field is highly regarded by industry and the media for its accuracy, relevance and topicality. Members can have complete confidence that the League's work in both economic education and counter-subversion is characterised by strict adherence to provable fact.' (Saxon Tate, **Annual Report**, 1980)

The latter point contrasts however with the experiences of some who have discovered that their names have been filed by the League with wrong information. As pointed out in **Bulletin No 24**, there are also indications that some League information may have been gathered illegally through Special Branch sources.

The League has 120 staff based in six regions: Western, Bakers Row, Cardiff; London and South Eastern, 850, Brighton Road, Purley; North Western, P O Box 206, Warrington; Midland, 108c Alcester Road, Birmingham; Scotland, 15 North Claremont Street, Glasgow; and North Eastern with three addresses, at 44 Eastgate, Leeds, 12 Trinity Chare, Newcastle upon Tyne, and 128 Westbourne Avenue, Hull. It is not yet possible to ascertain the League's 1980 income, due to the current closure of Companies House. However, a recent survey in the August

1981 issue of **Labour Research** shows companies subscribing at least £134,112. Top donors include all four big banks: Barclays £8,280, Nat West £8,205, Midland £7,361 and Lloyds £5,000. Other big backers include Rank Hovis McDougall £7,500, Hawker Siddeley £5,000 and Vickers £4,575.

The League's President is Sir Gerald Thorley of MEPC, British Sugar Corp, Allied Breweries and BAT Industries and Scottish industrialist Sir Robert Maclean is a Vice President.

Central Council members include: Thomas Carlile, managing director of Babcock International and a vice president of the Engineering Employers Federation (EEF); Sir Nicholas Cayzer, chairman of British & Commonwealth Shipping; Arthur Chamberlain, chairman of A E Jenks & Cattell; Charles Dawes, director of East Kent Packers and Shepherd Neame; Lord Erroll of Hale, former Tory MP, now chairman of Bowaters and Consolidated Gold Fields; Lord Grimthorpe, director of the *Yorkshire Post* and Standard Broadcasting (with interests in nine local radio stations); Anthony Hampton, president of the EEF and chairman of Record Ridgway; Henry Hardie of Turner & Newall; Sir Derrick Holden-Brown, vice chairman of Allied Breweries; Clive Hunting, chairman of the Hunting Group; Robert McMurtie, chairman of Imhof-Bedco Precision Engineers; Lord Matthews of the *Daily Star and Daily Express*; Hay Matthey of Johnson Matthey; Sir Leonard Neal, a director and industrial relations consultant; Laurence Orchard, recently chairman of Berec (formerly Ever Ready); Sir Anthony Touche, deputy chairman of Nat West Bank; and Frederic Wolff, chairman of Rudolf Wolff & Co.

RACIST ATTACKS

The Home Office enquiry into the extent of racist attacks announced by the Home Secretary in February (see *Bulletin* no 23) is

being carried out in 13 selected police areas of England and Wales. These are Bedfordshire, Greater Manchester, Kent, South Wales, Sussex, Thames Valley, the Metropolitan Police District, Warwickshire, West Midlands and West Yorkshire. In Manchester and London only about one quarter of the total number of divisions are involved. In parliament the Under Secretary of State at the Home Office, Lord Belstead, said that the enquiry should be completed by the middle of July.

Meanwhile racist attacks and murders are escalating. A report by the general secretary of the Union of Pakistani Organisations, Dr Zaka Khan, shows that racist attacks in Britain have doubled in the past year. Dr Khan claims that in 1980 attacks averaged about 20 – 25 each week but were now happening at the rate of 50 – 60 each week (*Observer*, 14.6.81) The survey is based on weekly reports from the Union's 350 affiliated organisations. In parliament a Home Office minister announced that in 1980 in the Metropolitan Police District there had been 2,426 violent attacks on Asians alone compared with 1,865 in 1977 and 2,075 in 1979 (*New Statesman*, 24.7.81).

Since the beginning of the year five black people have been the victims of racist murders, including two in Coventry in May and June. This brings to 26 the number of black people who have been murdered in the past five years – 5 in 1976, 8 in 1978, 3 in 1979, and 5 in 1980 (*Searchlight* August 1981). In London there has been a series of arson attacks (suspected or proven) including one leading to the death of a black woman Barene Khan and her three children. In Islington a local community press was gutted in June after appearing on a 'hit list' along with fifteen other addresses in the *Islington Press* a local National Front publication, and a worker at the Other Bookshop had her skull fractured by three white youths who left behind a tape of fascist statements marked 'SS Deathhead – NSP'.

OFFICIAL SECRETS IN NORWAY

Norway's answer to the ABC official secrets prosecution – the case against peace researchers Nils Petter Gleditsch and Owen Wilkes — has ended in a similar result, with prison sentences which had been demanded by the state prosecutor imposed but suspended by the Oslo court. The prosecution also had its roots in a field related to the ABC case. It arose after Wilkes, who works at the Stockholm International Peace Research Institute, and Gleditsch, who works for Peace Research Institute Oslo, (PRIO) a smaller, Norwegian, organisation, produced a bulky report on intelligence installations in Norway. The report is based on open sources like telephone directories and trade union membership lists, and covers both Norwegian and US facilities. The work was mainly carried out in 1976–1978 when Wilkes also worked at PRIO and the report appeared in 1979.

At the time of the report's appearance the authors thought that there would almost certainly be no case in law against them for publishing it. It is based on open material and on simple observation of the sites, which carry out functions like submarine detection, electronic intelligence, nuclear weapons test detection, and satellite communications. (Apart from Turkey, Norway is the only NATO country with a border with the Soviet Union. Many of the sites are clustered in Finnmark, just across the border from the Kola peninsula and Murmansk, where there are many large concentrations of Soviet armed forces.) In addition, the feeling in Norway was that it would be politically embarrassing to prosecute Wilkes, who lives in Sweden and is a New Zealander, so that international attention would be brought on the case.

The Norwegian authorities responded to the report by referring it to the police and to court experts, who decided to begin a case based upon clauses in the Norwegian penal code which forbid compiling and publishing

information which affects Norwegian international security. The prosecution case was that assembling and publishing the data amounted to intelligence work rather than journalism or political analysis. The court agreed and fined the pair some £850 each plus a similar sum in costs, and imposed six-month suspended sentences. The verdict is the latest in a series of repressive precedents set in Norwegian courts against journalists, and one former intelligence officer who revealed details about his secret work.

NEW CONTEMPT LAW

The Contempt of Court Bill which will be law by the end of the parliamentary session will introduce considerable new restrictions on the freedom of the press and on the freedom of expression of jurors. The new law brings forward the point at which liability for contempt will begin, will make it an offence to publish interviews with jurors about deliberations, and will ban the use of tape recorders in court.

The explanatory memorandum of the bill said that it sought to implement 'with minor modifications' the recommendations of the Phillimore Committee on Contempt of Court. In fact the bill seeks to implement only ten of Phillimore's 25-plus recommendations, plus a further two which are included but modified in a major way. Among the recommendations rejected are those which sought the abolition of contempt by 'scandalising the court', the right of trial by jury for those accused of abusing judges or witnesses and measures to ensure a fair trial for people charged with disobeying court orders.

When the new law comes into effect it will be contempt of court to publish anything in relation to criminal proceedings after an arrest, the issue of a warrant or charge. Liability for contempt will be 'strict', that is the only defence will be that of 'innocent publication' but it will be for the publisher to demonstrate that all reasonable care had

been taken to ascertain whether or not proceedings were underway.

This strict liability will not however be limited to pre-trial stages but will be extended to appeal proceedings also and it will therefore be increasingly difficult for a newspaper or journal to comment on or discuss the rights and wrongs of particular verdicts or rulings in cases of particular public interest until after the matter has been decided finally by the appeal court. This extension of the law was emphatically rejected by the Phillimore Committee which recognised that appeal court judges were unlikely to be much affected by 'improper influence' from the media.

The power of the court to prohibit the publication of any evidence given in open court is also extended if of the view that it might prejudice pending cases. Again this is quite contrary to what Phillimore recommended. The Committee argued that to introduce such a power would 'place an unacceptable burden on court reporters' and would make 'far too large an incursion into the principle that legal proceedings should be freely reported.'

The new law also purports to bring the law into line with the requirement of the European Convention of Human Rights especially in the light of the *Sunday Times* thalidomide case where the European Court ruled that British law on contempt was only compatible with free speech in so far as it was 'absolutely certain' that publication would threaten the authority of the judiciary. For such 'absolute certainty' the Contempt of Court Bill substitutes the considerably lower standard of 'risk' to that authority.

The new law also does nothing to remedy the decision in the Harriet Harman case. Christopher Price MP, in an attempt to resolve the contradictions of that case where Harman was convicted of contempt for showing to a journalist documents read out in court, sought to introduce an amendment for the tape recording of proceedings. This was defeated by 136 to 80.

Most surprising however are perhaps the developments in the bill's proceedings in parliament on the subject of contempt and

juries. The original bill would have made it contempt of court to publish and disclose jury deliberations if the jury or the proceedings were identified although prosecutions would have to have had the consent of the Attorney General. The purpose of the clause was quite explicitly to deal with the prospect of repeats of the *New Statesman* interview with a juror in the Thorpe trial held by the Divisional Court not to be contempt. Under the suggested law, the juror, journalists and publisher would all have been in contempt of court.

In the House of Lords an alliance of Labour peers, judges and Liberal peers defeated the government to introduce an even greater restriction. Their amendment, accepted by a vote of 76 to 41, will cover even those cases where neither the juror nor the case is identified, thus any interviews with jurors will be contempt of court under the new law punishable by two years imprisonment without a right to trial by jury. Although opposed by the government in the House of Lords the amendment was accepted by the House of Commons, the Attorney General Sir Michael Havers QC telling parliament that he could not go on 'swimming against the tide' and would accept the amendment.

The *New Statesman* in an editorial said: 'Putting it bluntly the lawyers, having been trounced on their own ground by the result in the *New Statesman* case, decided to get together in Parliament and re-jig the law, by statute, in a manner more to their taste – and damn any nonsense about logic or coherence.' (10.7.81)

AGEE'S PASSPORT REVOKED

The United States Supreme Court decided by a 7-2 majority to revoke the passport of former CIA agent, Philip Agee. Agee had already won two decisions in the lower courts against revocation and the two minority judges in the Supreme Court said that the government did not have the power to prevent Agee's travels simply because it

disapproved of his activities. The majority however declared that Agee was jeopardising the security of the state by revealing the identities of CIA operative.

From Hamburg, Agee said that the decision would not stop his work. His passport had been revoked in effect since the government action had begun a year and a half ago and this had caused him little inconvenience. He said however: 'What is dangerous in this decision is that it gives the Secretary of State the power to revoke the passport of any American citizen who might be travelling abroad to a conference to speak out in dissent against the US interventionist policies in places such as El Salvador.'

A new book of investigations of the CIA in El Salvador by Agee is to be published soon. Extracts appearing in the American press have already seriously damaged the credibility of a CIA-prepared White Paper alleging that Cuba is supplying the guerrillas in El Salvador.

NEW US SECRETS LAW

The Intelligence Identities Protection Act is now working its way through the United States congress despite being labelled unconstitutional by a number of leading constitutional lawyers. The bill is primarily a law aimed at greater official secrecy and its scope is considerable.

The bill covers not only information classified as secret or restricted but also information which is *unclassified*. Thus it would make it illegal to disclose 'any information that identifies an individual as a covert agent' and this would apply whether the information came from a book already published or from a newspaper published anywhere.

The restrictions on disclosure contained in the bill would not, as is commonly believed, be confined to CIA agents but would cover also the 'foreign counterintelligence and counterterrorism

components' of the FBI, the intelligence sections of the military and all the other American intelligence agencies including the National Security Agency (NSA). It is claimed that the law would prevent an organisation from exposing an FBI informer who had infiltrated even if the discovery were made openly and by legal means. In addition the bill would cover present and former government employees, agents, informants and what the bill calls 'sources of operational assistance'. Thus a number of leading investigative stories of recent years including much of the Watergate story (which referred to the CIA connections of the conspirators) or the revelation that the CIA had been paying regular sums of money to King Hussein of Jordan would not have been possible under this law.

The new law would not however merely prohibit the naming of names but would prevent the publication of 'information that identifies' an undercover operative or source. It would therefore eliminate almost all whistleblowing in relation to intelligence and prohibit even the exposure of activities which were clearly illegal.

In the United States (and elsewhere) the bill has been seen largely as an 'Anti-Agee' law, designed to stop his work and that of publications such as the *Covert Action Information Bulletin*. There is little in the bill to suggest that more mainstream journalists and publications would not be affected, if their work too was judged to 'impair or impede the foreign intelligence activities of the United States'. The *Covert Action Information Bulletin* has said that if the bill becomes law it will immediately file a suit in the Federal Court to have the law declared unconstitutional on the grounds that it contravenes the first Amendment to the US constitution guaranteeing freedom of expression.

OPERATION HARD ROCK

The Home Office has claimed a 'favourable' response to its recent request to local

authorities to take part in a major home defence exercise in October, 1982.

The exercise – code named Hard Rock – is the latest in what has become a biannual series, and the Home Office is hoping that there will be greater local authority participation than in its predecessor, last autumn's Square Leg.

These exercises until now have been primarily for the benefit of the military, being organised by the UK Commanders in Chief Committee at the HQ of UK Land Forces to test out communications, civil/military co-ordination and the internal security units of the Army. The scenario customarily used is that of a few days before, during and after a nuclear attack on Britain, a scenario that encompasses nearly all the public order eventualities that the military might be called upon to deal with.

The Home Office –organising civilian involvement in Hard Rock – is hoping however that the 1982 exercise will become more of a general home defence test for all interested organisations. *The Leveller* has pointed out (10.7.81) that the circular to local authorities announcing Hard Rock was sent out on May 12, only days after the county council elections, asking for a reply by May 31 – before many of the new councils elected on anti-nuclear policies would have had time to meet.

Policing in the eighties

A critical conference in Cardiff
September 25-28, recommended for State Research readers. Limited free accommodation and reduced rail fares available for early bookings. Registration fee £5. Further details from Penny Smith, Conference Administrator, Faculty of Law, University College, PO Box 78, Cardiff (tel: 0222-44211 ext 2558).

COUNTRYMAN FINISHED

Operation Countryman, the long-running investigation into corruption amongst Metropolitan and City of London police detectives (see *Bulletin* 17) has been officially wound up. The announcement came during an official New Scotland Yard press conference on 18 June to launch the Metropolitan Police Commissioner's Report for 1980.

Patrick Kavanagh, Deputy Commissioner of the Met and the man responsible for external enquiries into the force, said at the press conference that this was the first occasion he had had to answer the 'exaggerated reports about the nature of the investigation which had cost the Metropolitan police nearly £2 million over 2½ years'.

Countryman began work on 19 September 1978. At its height, in the second half of 1979, the enquiry team consisted of 90 officers from a number of provincial forces, based at a specially converted building at Godalming, in Surrey, and under the operational command of Dorset police's Assistant Chief Constable Len Burt. They were investigating a series of allegations made against Met and City of London detectives arising out of three major wage snatches in the city between May 1976 and May 1978, totalling £875,000. In one robbery a security guard was shot dead.

'It was an enquiry that was very well meant, but which was misrepresented from the start', said Kavanagh at the 18 June press conference. The former head of Operation Countryman, Burt's boss at Dorset, Chief Constable Arthur Hambleton, claimed on his retirement in March 1980 that Countryman had received allegations against 78 officers, up to and including commander level. To date, the Countryman enquiry has resulted in the following:

- Three separate trials. At the first, five civilians were jailed for robbery offences. At the second, in June this year, Detective Inspector James Jolly, City of London police, one of the first officers to be suspended during Countryman, was cleared at the Old Bailey of attempting to pervert the course of justice. At the third, also in June, Detective Constables Roy

Leavers and Brian O'Leary, Met CID, were cleared of receiving part of the proceeds from a robbery, falsifying evidence and making a false statement.

- Five trials are pending: that of three civilians, Skipp, Watt and Fitzmaurice on incitement to robbery charges, and the cases of a number of police officers, currently under suspension. The highest-ranking of these, Detective Chief Inspector Philip Cuthbert, City of London, will answer a variety of charges, along with former Detective Sergeant John Goldbourne. Also awaiting trial are Detective Inspector Terence Babbidge, and Detective Constables John and Michael Ross, Anthony Russell, Paul Rextrew and Derek Watts, all of the Met.

- Of 83 cases submitted through CIB-2, the Met's internal investigation branch, to the Director of Public Prosecutions, 18 still await decision and at least 30 have so far been rejected because of insufficient evidence.

The full details of the Countryman enquiry have yet to emerge, and there are still a number of serious doubts concerning the role of the DPP and the Met. (For an account, see *Leveller* 50 February 20-March 5 1981, pp 8-10: 'How the CID 'old firm' nobbled Countryman'). Granada TV's *World In Action* programme, shown on 16 July, lent weight to some of the criticisms. It confirmed, for the first time in public, that the head of Scotland Yard's Flying Squad, Commander Donald Neesham, had been forced to resign by Countryman's top officers after he had warned two of his men that they were under investigation. Neesham resigned on 3 April 1979. *World In Action* claimed that he resigned after being transferred to traffic duty — ignominious demotion for a top-ranking detective. At the time, Scotland Yard announced that Neesham had left the force as a protest against the disciplining of two of his officers for minor offences; Neesham himself said he had resigned because of ill-health.

No further action was taken against Neesham. However, immediately following the *World In Action* programme Detective Constable Brian O'Leary was re-suspended: viewers had heard tape-recorded extracts from a conversation between O'Leary and a man

facing trial, in which O'Leary had hinted at ways he might be able to 'help out' and the monetary value of such assistance.

Deputy Commissioner Kavanagh's claim at the Yard press conference on 18 June that no evidence of widespread corruption in the Met had emerged through Countryman, fails to answer some of the questions which hang over the whole affair. Is it true, for example, as has been suggested, that both Hambleton and Burt unwillingly put their names to a statement drafted by the Yard to the effect that they had had every assistance in their enquiries and that there had been no obstruction on the part of Met officers? Why was Burt replaced immediately after Hambleton's resignation, when he had the fullest working knowledge of the scope and details of Countryman's operation? Why did the DPP evolve the so-called '51% rule' in relation to cases against police officers, without reference to any legal precedent or authority? Is there any truth behind the suggestion that Metropolitan Police Deputy Assistant Commissioner Ron Steventon was appointed in place of Len Burt to wind down Operation Countryman as quickly as possible, with the help and support of Surrey Chief Constable Peter Matthews — who, incidentally, received a knighthood in this year's New Year Honours List?

The Met, in their turn, claim that all the evidence against their officers came either from convicted criminals or from those with a grudge to settle. That places them in a difficult position, since they themselves have made great publicity in recent years over their use of 'supergrasses'. In the meantime, there has been no suggestion that, 2½ years on and with the police coffers £2 million the poorer, Countryman managed to solve the original city robberies and find the murderer of security guard Tony Castro.

With complaints against individual officers back in the hands of CIB-2, a move that Countryman's informants had always strenuously resisted for fear of possible victimisation, the final chapter on Countryman may have to be written by officers from Regional Crime Squad No 5, based outside the Met area. They were the source of the information which led to countryman being set up in the first place and are now thought to have enough

evidence to solve the city robberies. It has come from a number of reliable 'supergrasses'. The only problem is, a number of Met detectives are, as they say, 'in the frame' too.

Nick Anning
August 7 1981

TELEPHONE TAPPING

The European Commission on Human Rights has declared admissible an application against the use of telephone tapping in the United Kingdom. The application is being made by James Malone, the Surrey antiques dealer whose telephone was tapped by police during an investigation into stolen property. When the case came to court the judge, Sir Robert Megarry, refused to rule that the practice of telephone tapping was illegal saying that the law provided no 'adequate and effective safeguards against abuse' and that the subject 'cries out for legislation' (see *Bulletin* No 11).

Malone's submission is that telephone tapping is a breach of Article 8 of the European Convention of Human Rights to which the United Kingdom is a signatory. Article 8 states that 'everyone has the right to respect for his private and family life, his home and his correspondence'. The application was ruled admissible at the beginning of July and has therefore crossed an obstacle which the vast majority of applications never pass.

The European Commission has considered telephone tapping before in the case of **Klass and others v Federal Republic of Germany**. The case went to the European Court which ruled in 1978 that certain safeguards and remedies were a necessary part of any system involving telephone tapping. The Federal Republic of Germany, said the Court, just satisfied the minimum conditions with its basis in legislation, supervision by a parliamentary committee, the right of complaint against a suspected interception, and of notification to the victim once interception has ceased (see *Bulletin* No 18). None of these 'safeguards' exist in the United Kingdom.

NEWS IN BRIEF

● **Anti-terror exercises:** The recent joint police – army ‘anti-terrorist’ exercise at the National Exhibition Centre was not an isolated incident but, according to the Home Secretary, one of a series to test contingency plans (*Hansard* 1.7.81) Operation Nexus took place on 27 and 28 June at the National Exhibition Centre in Birmingham and involved police from the West Midlands and military personnel including members of the Special Air Service (SAS). The 100 people involved were supposedly reacting to a situation where the ‘Top Squad’ of police firearms instructors and other marksmen had cornered terrorists holding hostages in front of a large rock concert audience. Although the management of the Exhibition Centre had been informed of the exercise beforehand members of the public at the Centre and at Birmingham International Station were surprised to see heavily armed troops. The Home Secretary said that the setting of the exercises needed to be realistic but he very much regretted that members of the public were inconvenienced.

● **Inquest:** Inquest is the name of a new campaign group formed by members of the Jimmy Kelly Campaign, the Friends of Blair Peach, the Friends of Richard Campbell and others who have been involved in campaigning around the cases of others who have died while in custody. Inquest is working for an official public inquiry into the adequacy of the procedures used to investigate cases of deaths in custody on the grounds that the present procedure is quite inadequate in a number of ways. These include the role of the police and prison authorities as the only investigating agencies in such cases, and the secrecy of official police and prison reports (as in the case of Commander Cass’s report on the

death of Blair Peach at Southall). The campaign intends to go further however and work towards enforceable rights for those in custody and their friends in relation to access and for an alternative framework of inquiry and investigation into deaths in custody. Inquest is at Box 37, 136 Kingsland High Street, London E8 2NS.

● **London police numbers:** Scotland Yard has created a new category of shoulder numbers for the armed police officers who guard embassies in London. The Diplomatic Protection Group now have the letters **DP** as the prefix to their shoulder numbers, replacing **CO** (Commissioner’s Office) which they shared with the Special Patrol Group. London’s police may thus be seen wearing single letters from **A** to **Z**, with the exception of **I** and **O** – the 24 geographical divisions: **AD** – the Airport Division; **TD** – the Traffic Division; **CO** – those attached directly to Scotland Yard, including the SPG; and **DP**. Special Constables, part-timers, wear an **S** above, rather than alongside, the single divisional letter.

● **More police on the streets?:** In March the size of the Metropolitan Police reached an all-time record of over 24,000 officers. Despite this, estimates of the numbers of police available to patrol the streets of London vary from 3,000 to 5,000 officers. The Commissioner, Sir David McNee, said that he hopes to get 900 more police on the streets by the end of the year (*Daily Telegraph*, 6.2.81). A more pessimistic view has been expressed by Inspector Marsden, of the Nottinghamshire force, who argues that there has been a long-term trend towards a large increase in supervisory officers and only a small increase in police operational strength. From 1970 to 1979 the number of chief superintendents and superintendents increased by 34%, chief inspectors and inspectors by 31%, and constables by only 12% (*Police Review*, 23.1.81).

BACKGROUND PAPER

The use of CS gas grenades by Merseyside police in Toxteth in the early hours of 6 July marked a new stage in police handling of crowds and riots on the British mainland. As further outbreaks of violence occurred in several cities in the days that followed, the possibility of police use of armoured cars, water cannon, plastic and rubber bullets to handle crowds was canvassed in an unprecedented manner.

This background paper examines the tactics and the technology available to Britain's police for riot control and the relationship between riot control methods and the underlying principle of British policing – that the police must do their job with the consent of the community.

Before the creation of the modern police force in the 19th century, crowd control was ultimately the job of the army – either in the form of regular forces or of local yeomanry. The sheer inadequacy of the existing constabulary and watchmen to deal with large crowds in early industrial society was most dramatically revealed during the Gordon Riots in London in August 1780. Troops were permanently stationed in the Tower of London and in Tilt Yard, Westminster, but the scale of rioting led to the summoning of militia from several neighbouring counties, too. Troops shot 285 people dead during seven days of riots.

Until the creation of the Metropolitan police in 1829, the only other force – and hence the only other weapons – available to control or defeat large crowds was the volunteer associations in local wards. Such associations were summoned on several occasions during the French revolutionary and Napoleonic wars to prevent outbreaks of popular discontent.

Vicious military control of crowds characterised the post-war depression in many parts of the country, reaching a climax in August 1819, when local yeomanry on horseback killed eleven people, and injured several hundred more, in the Peterloo massacre in Manchester. The deaths – and a large number of the injuries – were inflicted by sabres. The remaining injuries were mainly caused by being trampled either by horses or the fleeing crowd.

There is little doubt that Peterloo was a turning point in public order. As E P Thompson put it: 'Since the moral consensus of the nation outlawed the riding down and sabreing of an unarmed crowd, the corollary followed – that the right of public meeting had been gained. Henceforward strikers or agricultural workers might be ridden down or dispersed with violence. But never since Peterloo has authority dared to use equal force against a peaceful British crowd. Even the handling of the "Plug Riots" (1842) and Bloody Sunday (1887) saw a violence that was carefully controlled.'

The new police came into being at a time of considerable public disorder – over the agitation for parliamentary reform. From the start, they were extensively used to police crowds, but generally – though not always – armed with batons rather than swords. The old Bow Street horse patrol was incorporated into the Metropolitan police in 1836. However, throughout the Chartist period, crowd control at the local level still relied heavily on military force, armed with bayonets and cutlasses, as well as on large numbers of special constables armed with staves.

This was still true in London itself in 1887 when a series of major battles was fought between police and army on the one hand and unemployed workers on the other. At first, the tactics were the same – Trafalgar Square was repeatedly cleared by mounted police and baton charges – but on 'Bloody Sunday' (13 November 1887), troops were

used as well, armed with guns.

The Police Act, 1890, authorised local forces to make standing arrangements for mutual aid to deal with public disorder – though by 1908 fewer than 60 out of over 200 forces had acted on the decision. In practice, serious disorder still led to calling in the army; a parliamentary inquiry in 1908 reported that this had happened 24 times in the preceding 39 years, and that on two occasions the order to fire had been given.

Troops were called in to reinforce the police during the intense industrial conflict in the years preceding the first world war. At Tonypany in 1910, 500 troops supported 1,400 police (120 of them mounted – 600 of them from London) in action against striking miners. Control was achieved by force of numbers and the baton charge, though army bayonets were also used. Soldiers were again used in Liverpool to quell crowds during the 1911 rail strike.

In Llanelli in the same year, troops fired five shots at crowds, killing two men. No blanks were fired, and an inquest jury, while entering a verdict of justifiable homicide, added the rider: 'We think it would have been better if other means than giving an order to fire had been adopted by Major Stuart for the purpose of dispersing the crowd.'

The option of using troops to deal with public order remains to this day. But, in the past half century, the police themselves have continued to be the principal crowd control force in Britain – the situation in Northern Ireland is, of course, different. This does not mean that serious fighting between police and crowds has not regularly taken place. It has – especially during industrial disputes, unemployed protests (notably in the early 1930s), anti-fascist demonstrations and in black communities.

The modern reluctance to use the army to deal with public disorder has put the police in the front line of current crowd control thinking and technological planning.

Mutual aid arrangements

For years the police have denied that, in addition to everyday policing in the community, they were also developing

para-military capacity. Until Lewisham and the Notting Hill carnival in 1977, when police used riot shields for the first time, no special equipment was employed for 'riot' control, nor was it generally available to most forces.

Until then – and to some extent, afterwards too, the police relied more on strength of numbers than on the use of specialised force to disperse or contain demonstrations. It was perhaps the police response to anti-National Front demonstrations in Leicester and Southall in April 1979 that marked the first indications of changing police responses and brought into public view the special units developed by the police for 'riots'.

The concept of 'mutual aid' – whereby a local force can call on neighbouring forces for additional manpower – has operated since the late 19th century. From then until 1974, requests for mutual aid were met by dispatching ordinary police officers who had no special training in sufficient numbers to nearby forces. In 1974, changes to the Home Office's Police Manual refined the old civil defence system by requiring each local police division in the country to have at least one **Police Support Unit (PSU)** of 34 officers to 'meet situations before and after (nuclear) attack' (see **Bulletin No 19**). The fact that this reorganisation, under the heading of 'civil defence', took place when it did was no coincidence. After the miners' strike of 1972 – when the police withdrew from the scene, faced with massed pickets of miners and other trade unionists blocking the entrance to the Saltley coal depot in Birmingham – a major overhaul of the state's contingency planning was undertaken (see **Bulletin No 8**). One key aspect of this major rethink was to encourage local forces to establish PSUs, drawn from the ranks of the uniformed police, to be available for other emergency situations than those arising during a nuclear war. In theory, these PSUs were to conduct exercises but it was not until the late 1970s that this was undertaken systematically. There are 325 divisions in the 51 forces in England, Wales and Scotland, and there are therefore at least 11,000 specially trained police for use

in public order situations (whether in peace or in war).

At Leicester on 21 April 1979, 1,000 National Front marchers were confronted by four hundred anti-NF demonstrators. On that day 5,065 police were on duty, 'including 4,035 from 20 other forces' (**Chief Constable's annual report for 1979**).

Although there were a large number of arrests, police tactics consisted largely of attacking the anti-NF demonstrators and 'dispensing justice on the streets'.

This latter feature was even more evident that year at Southall, and foreshadowed one of the tactics used during the July riots this year. On 23 April, 1979, the police were clearly unprepared for the scale of local opposition from the Asian community to the holding of an NF meeting in Southall town hall. Some 10,000 gathered from the early afternoon onwards. At first the police responded by carrying out wholesale arrests – 340 in all – then having failed to disperse the marchers, they turned to indiscriminate baton charges against anyone who was on the streets. Having failed to 'contain' the protest, or disperse it by mass arrests, they resorted to the use of force (one victim being Blair Peach).

Alongside the creation and use of Police Support Units during the 1970s was the growth of training. This was noted by the Chief Inspector of Constabulary in 1974. 'There has been a sharp increase in the number of courses on crowd control'. Annual reports from local forces show that such courses are now being held regularly for all uniformed officers.

If the PSUs provided 'foot-soldiers' for 'riots', the growth of Special Patrol Groups from 1974 onwards in all the major urban centres provided the 'shock-troops'. At least 24 of the 52 forces in the UK have such groups (see **Bulletin No 19**). In the July riots SPGs were often held in reserve for direct attacks on the crowds. Occasionally – notably in Moss Side, Manchester – they were used as 'snatch squads', either on foot or, more usually, by driving in convoys and leaping out to disperse a gathering or to make random arrests.

The 'riot' in the St Paul's district of Bristol

on 2 April, 1980 provided the first sign of what was to come in 1981. The root cause lay in the 'fire-brigade' policing policies practised over many years in deprived 'high crime' areas. But the police's plans to cope with such a situation failed lamentably. It took six hours for them to mobilise riot-trained reinforcements (PSUs and SPGs) from the neighbouring forces of Devon and Cornwall, Wiltshire and Gloucestershire,.

The response of the Home Office and police chiefs was to make better arrangements for responding to 'spontaneous public disorder', the Home Secretary, William Whitelaw told the Commons. Current plans for mutual aid were to be 'thoroughly and urgently' revised, and every force in the country was to train its PSUs for instant call-out. This system was backed by the creation, in 1979, of a national 'reporting centre' at Scotland Yard, controlled by the Association of Chief Police Officers to co-ordinate the alerting of forces in the case of future spontaneous riots.

These plans were put into effect during late 1980. In future, police provided under mutual aid would be riot-trained PSUs and SPG units, not untrained officers. At the same time all officers were to be given regular training in the use of riot shields and baton charges as part of their normal training.

In some major cities, like London, planning went even further. Local SPGs were formed in addition to the centrally-controlled SPG. Each division was to build up 30-strong units of Shield Trained Officers (STUs). Britain had, in all but name, a 'third force' based in the rank and file police. And if any force was thought to be best prepared for a 'spontaneous riot' then the Metropolitan Police had no rival in the country. This illusion was to be shattered over the weekend of 11 and 12 April this year.

The 1981 riots

The Metropolitan police, with support from all the forces in the south-east of England, could only contain the Brixton 'riot' within a

three-mile square cordon which became a 'no-go' area for most of the weekend, into which they made forays (see **Bulletin No 23**). At the height of the rioting, over 4,000 police were on duty, 1,000 protecting the Brixton police station, 2,000 on call in coaches next to the station going out on forays, and 1,000 maintaining the outer cordon. By the end of the weekend, 200 people had been arrested, a small number in the circumstances. The police resources were so stretched that a military Liaison Officer was drafted into the Brixton police station in case troops needed to be called in (**Time Out** 17.4.81).

The limits of police capacity to deal with such disorder were even more sharply underlined by the events of July 1981, starting with major outbreaks in Southall and in the Toxteth area of Liverpool. In Southall, it took nearly two hours for police reinforcements to achieve order, while in Toxteth the Merseyside police – even when reinforced from Greater Manchester, Cheshire and Lancashire – were severely outnumbered. It was this which provoked the decision to use CS gas.

In the following week, the challenge mounted. There were clashes in cities all over the country between crowds of youths and the police. Over the weekend of 10-12 July, there were violent, 'spontaneous' riots, involving petrol bomb attacks on police, police cars, police stations, and shops. Police responded with baton charges, 'tactical' retreats, sudden violent attacks, and limited arrests occurred in at least 25 towns and cities. The concept of mutual aid was in tatters.

Police weaponry

The failure to cope with the riots led quickly to demands for better weaponry. But what are the options in this field? We now turn to an examination of the weapons already in police use, or which might be made available.

As was emphasised above, **truncheons** have traditionally been the only weapon

authorised for normal police use. The current standard issue truncheon is made of hardwood, weighs about 14 ounces and is approximately 15½ inches long. Long truncheons of similar design, but 36 inches long, are standard issue for mounted police.

The truncheon is a lethal weapon which can cause serious injury or even death. One former member of the City of London police Special Operations Unit (equivalent to the SPG) has said that the training received by police officers is quite inadequate. He claims that his lasted four minutes, during which he was told: 'This is a truncheon. You hold this end. You hit people with the other end. Don't hit them on the head, but if they are bobbing about, their head may get in the way.' (**Guardian** 23.3.81) The former officer, Michael Finn, has developed a new truncheon, supposedly of better design, measuring 9 inches and 21 inches, which he has been trying to sell to the Metropolitan Police.

In 1974, Assistant Commissioner Gerrard of the Metropolitan Police, in evidence to the Scarman enquiry into the Red Lion Square disorders of 1974, quoted the instructions on the use of a truncheon then current.:

'Truncheons are supplied to the police to protect themselves if violently attacked. In using them officers should aim at the arms and legs as those parts of the body are least likely to suffer serious injury and avoid the head as much as possible. The use of the truncheon is to be resorted to in extreme cases, when all other efforts to arrest have failed . . . when used, the fact must be mentioned when the prisoner is charged, and also given in evidence at Court. In every instance where a truncheon is used it is to be submitted to the Station Officer for inspection as soon as possible.'

There has been no public statement by the police on the use of truncheons since then. At Southall it is clear that the instructions were openly and extensively flouted. The Unofficial Committee of Inquiry chaired by Professor Michael

Dummett concluded that truncheons were used as offensive weapons, randomly, against people who were not being arrested and that they were used repeatedly to hit people on the head.

Long truncheons were used in a similar way by police on horses. In addition to Blair Peach, who died after a blow to the head by a police officer, three other protestors suffered fractured skulls, others required stitches, and one steward suffered a broken pelvis.

However, in addition to the standard issue weapon there have been a number of reports of police use of **truncheon type unauthorised weapons**. After Southall, Lord Justice Bridge said in the Court of Appeal that there was reason to suspect Blair Peach died from a blow to the head 'by a police officer with an unauthorised weapon' and, in an affidavit read to the court, a list was given of weapons which had been taken from the lockers of police on duty at Southall. This included a metal-encased truncheon, a leather-encased truncheon, a pickaxe handle and an American type beat truncheon two feet in length.

There have been similar reports from outside London. In March 1981, the **New Statesman** reported that a number of unauthorised weapons had been taken from a police station in Moss Side, Manchester, following a search for pornography. The weapons included a hatchet, knives and coshes. Most recently, during the April 1981 riots in Brixton, a number of plain clothes police officers were seen to be carrying iron bars and pickaxe handles. Evidence to that effect was given to the Scarman inquiry by the BBC's community affairs correspondent, John Clare, and by other witnesses.

These are the weapons currently available to police. What of those other weapons which may now be authorised?

The standard **armoured vehicle** used for internal security is the Humber 'Pig' Armoured Personnel Carrier (APC) which is widely used by the British Army in Northern Ireland - despite its lack of refinements. In 1980, the army bought its

first vehicles specifically designed for urban internal security operations when three AT105 APCs were bought from GKN Sankey (see **Bulletin** no 20). The AT105 is a four wheeled machine, available in six different models including a 'Police Task Force' version with an optional machine gun. It can carry up to twelve soldiers or police in full riot gear.

In 1980, an armoured Landrover Sandringham 6, built by Hotspur Armour Products Ltd, was shown at the British Army Equipment Exhibition. This vehicle is a standard landrover for 10 occupants, armoured, with locking bars on all doors, lampguards, explosion proof petrol tank, sirens, spotlamps, public address system, and CS gas grenade dischargers. It was described in the January-March issue of **Police Journal** as 'giving the user the means to enter a hostile environment while maintaining a low profile.'

Perhaps the most extensively canvassed new weapon is the **water cannon**. This is essentially a motorised tank equipped with a high pressure hose. It can be used in two ways. Operated with a flat trajectory, it has an effective range of 40 to 50 yards and at a range of 30 yards can knock a person over. Using a higher trajectory it can provide a thorough soaking at a range of up to 75 yards. It can therefore break up a demonstration by force, by soaking and the resulting discomfort, or by soaking the ground and making it difficult to walk or run on. In addition, water cannons are frequently used with dye. This has two effects. It enables police to identify people afterwards, but it also acts as a form of summary punishment in that the dye, a non-toxic vegetable one, is impossible to remove from clothes and difficult to remove from the skin. In Northern Ireland the army has used a blue dye specially developed at Porton Down.

Early water cannons were made by Mercedes Benz. These have now been replaced by the 22 ton Foden chassis with a pyrene body made by Chubb Fire Security to Ministry of Defence specifications. They are specially designed to reduce vulnerability to demonstrators and have no

lengths of exposed hose, no ledges on which petrol or other bombs can rest, no handholds, and windows covered with mesh. A normal water cannon carries 5 tons of water which it uses in 5½ minutes.

Water cannon have a number of drawbacks for the user. They are hard to manoeuvre, water cannot be directed around corners and they have very limited capacity. Two may be used together in tandem, one reloading while the other fires, but this requires ready access to water. In addition, once someone has been drenched they have nothing left to lose and they are likely to deter only a proportion of opponents, although in various countries water cannon are merely used to 'soften up' demonstrators for arrest by snatch squads or riot police.

Water cannon were first used extensively by the British army in Cyprus in the 1950s and were first used in Northern Ireland by the RUC against a civil rights march in Derry in October 1968. As subsequent events showed, they were the first in a wide range of riot control weapons to be used there and showed that they were more successful in angering crowds than in dispersal.

Nevertheless, water cannon are not safe. The jet can knock people over and roll them on the ground and can result in serious injury. In addition there is considerable danger from broken glass or masonry if the jet hits buildings or loose material.

The use of **fired projectiles** by the British was developed in Hong Kong in 1958 where police fired fluted cylinders of teak, one inch long, into crowds. A heavier version of this 'baton round' was developed, measuring 7½ inches long and weighted with a metal core. Its use in Hong Kong in 1967 was judged a success even after the death of one person. This baton round was later rejected for use in Northern Ireland as being too dangerous.

Instead, the **rubber bullet** was introduced in Northern Ireland in 1970. The bullet is a blunt nosed cylinder, 5¾ inches long, 1½ inches in diameter and weighing 5¼ ounces. It can be fired either from a riot gun or from a slightly modified army signal pistol and

can be re-used by reloading into a live cartridge. The rubber bullet is made by the Charterhouse Subsidiary Company of Schermuly Ltd.

Rubber bullets are not supposed to be fired directly at people, but at the ground for deterrent effect. Nor are they supposed to be fired at ranges of less than 25 yards. Yet there have been cases in Northern Ireland of firings at ranges of less than 15 yards and at least one at point blank range.

Rubber bullets are dangerous and can be lethal. A report by surgeons in Northern Ireland showed that, in a two year period, 90 people received hospital treatment for injuries (obviously many others would not attend), of whom 41 required in-patient treatment. Over half the injuries were to the head. Twenty one patients had between them 35 bone fractures including three of the skull; 24 had damaged eyes, two were blinded in both eyes, seven in one eye while five suffered severe loss of vision. Other cases have been reported of injury to the legs, spleen, liver and intestine.

The rubber bullet was subsequently withdrawn and replaced by 1975 by the new **plastic bullet** which had been issued to troops in 1972 and first used in 1973. The plastic bullet is a PVC cylinder of 1½ inches diameter and 4 inches long. It weighs 5 ounces and has a muzzle velocity even faster than the rubber bullet's 160 mph. Unlike the rubber bullet, the plastic bullet is designed to be fired directly at the target and not at the ground and was brought in because of its greater accuracy. Until April and May this year, around 13,000 plastic bullets had been fired in Northern Ireland, causing five deaths. In April 1981, a further 1,500 were fired, more than the previous year's total, causing one death and, in May, three people died from injuries from plastic bullets (**The Times** 15.7.81).

The plastic bullet has a fatality rate of about 1 per 2,000, considerably higher than the rate of 1 per 18,000 for the rubber bullet. In May, Dr Edward Daly, the Roman Catholic Bishop of Derry, demanded a public inquiry into the weapon, a call which was supported by the British Society for Social Responsibility in Science,

which described the bullet as 'the most dangerous "non-lethal" riot control weapon in service with national security forces anywhere in the world'.

There is a considerable range of other projectiles intended for riot control including multiple rubber disc rounds, a 'beanbag' scattering lead shot and a 'sting rag', a solid ring aerofoil fired to spin and cause a sharp stinging pain. While some of these are used in the United States, as far as is known, they are not being considered for use in Britain.

However, in 1973 the British Government adopted an American gadget known as a **sound curdler** for use in Northern Ireland. The curdler is a set of portable loudspeakers which can produce an intensely loud, shrill shrieking noise. Thirteen systems were bought from Applied Electro Mechanics of Virginia at a cost of £2,000 each. The curdler is usually mounted on an armoured vehicle or helicopter and its officially described use is to blanket out communication among members of crowds and to prevent organisation. In America, however, sources speak only of it creating temporary irritation and dispersal.

The curdler can create considerable discomfort, producing 350 watts or 120 decibels at 30 feet, causing pain, nausea and disorientation. If used at close range it could cause permanent loss of hearing. A report by the US National Science Foundation concluded that the curdler carried 'severe risk of permanent impairment of hearing.'

A further sonic development is the **squawk box** which consists of two speakers mounted on a three foot cube. The box emits an ultra sonic sound of slightly different frequencies to produce an 'infra sound' which causes the recipient to feel giddy and nauseous, and, in extreme cases, to faint. The squawk box is highly directional and can be focussed on individuals within a crowd, causing distress to the victim and panic in observers. Long exposure could cause internal bleeding. The box has been tested on soldiers in Northern Ireland.

The squawk box could be used along with a lighting device known as the **photic driver**.

This uses a flashing light to disturb the electrical activity of the brain causing disorientation, nausea and fainting. In some cases it could induce epileptic fits. The army has denied having any equipment which 'remotely resembles' the photic driver (**Guardian** 3.10.73) although according to **The Times**, 'experts have been kept abreast of developments in its manufacture' (3.10.73).

Conclusion

July 1981 could mark a watershed in British policing. The planning for every sort of contingency failed to stop, much less to prevent the riots. On the streets themselves, it became clear that the police did not have the resources or the opportunity to retain control; they were forced to 'contain' the riot area, preventing access to others and stopping the spread to commercial centres of cities.

Various possible choices could therefore exist for police, civil servants and politicians. They could decide to make the best of a bad job by accepting a certain level of destruction and lack of control for a temporary period until the trouble dies down. It seems unlikely that significantly larger numbers of police could be mobilised by mutual support arrangements when outbreaks are as widespread as those of July 1981.

This could lend weight to those who argue for more effective technology to be used for crowd control. But the dangers – in both physical and public relations terms – are profound. One chief constable, John Alderson of Devon and Cornwall, has rejected this course. Asked whether a hardline response was inevitable, he replied: 'Emphatically not. There has to be a better way than blind repression . . . Where does the repression stop? We are at a critical watershed . . . Let us learn from Northern Ireland that you can't simply bring peace through greater strength.' (**Sunday Telegraph** 12.7.81)

However, Alderson is in a minority. His urban counterparts have shown less willingness to adopt such caution. Although

many are reluctant to be drawn too far down the overtly paramilitary road too quickly, most police chiefs are firmly committed to the strategies which have helped to cause the problem. This commitment could well lead to an intensification of specialist

squads, equipped and trained with more sophisticated riot technology – or it could lead to a return to the military option. Either way, after July 1981, the fundamental principle of ‘policing by consent’ appears to be more frail than ever.

BOOKS

REVIEWS & SOURCES

LAW, SOCIETY AND POLITICAL ACTION: Towards a Strategy under Late Capitalism, by Thomas Mathiesen.
Academic Press, London, 1980, 308pp., £7.80

Unlike most writers on law and society, Thomas Mathiesen is as much concerned to change society as he is to analyse it. His earlier work *The Politics of Abolition* (Martin Robertson, 1974) was and remains an important contribution not only to the struggle for the rights of prisoners which was its starting point but to the development of a struggle for rights and liberties generally which would not be co-opted, absorbed or recuperated by the state but which would be a politics based on the continuing abolition of that which was repressive.

This more recent work, published in Norway in 1977 but only recently available in English, takes up where the earlier work left off. The book is divided into three distinct but related parts. The first part is essentially concerned with the sociology of law discussing the role of law in society, and how legal rules affect and are affected by relations in society as a whole. Mathiesen concludes that law is not only shaped and re-shaped by society but works back on the structures of society in such a way as to conserve them. That this is so is shown by concrete examples drawn from labour, financial and penal law.

In the second part Mathiesen examines the relationship between society and other systems of ideas including religion and science. Here a distinction is made between relations which are dialectical, that is those whose interaction produces a new totality as a result, and those which are ‘superconstructing’ or conserving. Law, says Mathiesen, stands in the latter relationship and as such does not ‘transcend the repressive structures of society’ but supports them. Mathiesen concludes therefore that political work ‘with a definite point of departure’ in law will simply be neutralised and drawn in to the process of superconstruction. This is not to argue, however, that effective political action has nothing whatsoever to do with law and legal change. The point is continually ‘to move *out* of the legal’. The choice of areas of political action must be grounded in whether that area or system of ideas abolishes or develops repression.

The book then broadens out into a discussion of the nature of the state in late capitalist countries, a state which is described by Mathiesen as ‘absorbent’ and characterised by processes of ‘defining in’ that which may begin as repression-abolishing or ‘defining out’ that which cannot be absorbed. Protest is therefore co-opted into the state or, if this becomes impossible, set outside society. This, says Mathiesen, has been the fate of the left in capitalist states; in its social democratic or eurocommunist guises it is defined in, in its guises further to the left it is defined out as extremist.

The state’s strategy of ‘defining in’ involves a number of components, including the ‘grinding down’ of its sharp

edges or antagonistic features, its offers of co-operation and consultation and a gradualist approach to change. Thus opponents are faced with the difficulties of grappling with features which are not necessarily apparently antagonistic, are invited to persuade rather than struggle, to show by example how matters should be and to participate in decision making. Not only is such a strategy likely to be effective it also makes it appear more reasonable for the state, as a corollary to defining in, to define out those who are unwilling to conform.

Mathiesen does not neglect or reject from his analysis any concept of physical compulsion in addition to the above and cites at some length the Norwegian official secrets trial (which occurred at the same time as the ABC case in the United Kingdom) as an example of the state's resort to this. However, he argues that while it is necessary to pay considerable attention, for example, to the police, and other forms of physical compulsion, 'It is much more obvious that a main focus of attention should be *structural compulsion* . . . because if we remain only within the realm of physical compulsion, we lose touch with the most important basis for the absorbent social formation which we live in.'

What then should political action consist of in such an absorbent state? The dichotomy between reform and revolution is a false one says Mathiesen. The point is to develop a politics of the unfinished, so that what is in the process of *becoming* contains a true alternative directed at the junction of reform and revolution and short-term and long term aims. Such politics must however stand in relationship of *contradiction* to the basic premises of whatever is opposed, the basic premises being those which are essential for the system to be maintained. It must also *compete* with the existing system in that it persuades others to oppose. Finally it is a politics which stands for *abolition* and not for substitution or the creation of alternatives.

The 'competing contradiction' says Mathiesen, is the 'only weapon against the late capitalist social formation' and the unfinished movement '*refuses to choose*

when it is confronted by the choice between revolution and reform, between that of transcending the framework of the prevailing order and that of reforming conditions within those frames . . . the point is that *both* goals are real, and that one insists precisely *on both, without* one yielding to the other, and *without* the invitation to choose leading to an actual choice in word or in deed.'

Mathiesen is not always an 'easy' writer although his habit of repetition and summary of particularly important points reinforces a general clarity and absence of jargon and obscurantism now commonplace with other writers. This book will repay careful reading. It may assist in explaining why it is that what might loosely be called the civil liberties movement in Britain has failed to achieve any meaningful or significant success in the past twenty years, whether this be in the field of prisons, the police or wherever. It should assist in explaining too the failure of party political movements. Most important it should assist in the development of a political strategy which is truly radical yet which is relevant and actually capable of achieving change.

NUCLEAR WAR: THE FACTS ON OUR SURVIVAL, by Peter Goodwin.

London: Ash and Grant, 1981, 128pp, £5.95

Any book offering 'the facts' on anything has to be looked at with some suspicion. When it is also talking about 'a rational, scientific, well-documented examination' of such an inaccessible subject as nuclear warfare then suspicion might well become scorn. Noting in the Acknowledgements that 'candid off the record consultations with the British Home Office and Ministry of Defence were a great help' the reader might finally send this book by the Science Editor of the Central Office of Information straight into the Covert Government Propaganda dustbin.

But that would be something of a waste (especially if you have just spent £5.95 on it). Goodwin and his associates do manage to bring together in one place in easily digestible form much of the basic information on nuclear weapons, how they

work, how they reach their targets and the effects they have. At one level, therefore, this book provides a clear snapshot of the British establishment's position on nuclear war technology.

But Goodwin's claims to look 'hard and critically' at various topics is as misleading as his basic premise that there are real facts to be discovered and rationally discussed. This book is more an expanded version of the government's nuclear war pamphlet *Protect and Survive* than a truly critical analysis of the distorted information on nuclear weaponry propagated by Nato countries to legitimate their aggressive, pro-war policies.

CONSPIRACY. Who killed President Kennedy? by Anthony Summers, Fontana paperback, £1.95, Gollancz hardback, 640pp, 1980.

Building on the sustained efforts of independent researchers who rapidly eroded the credibility of the Warren Commission report on the Kennedy assassination and finally forced Congress to re-open the investigation in 1978-79, Summers has produced a great book. Readable, exciting, comprehensive, it is the first adequately funded journalistic inquiry by a major media corporation. The BBC, the corporation in question, took no less than 14 years to set Summers to work, and no major US media corporation has ever attempted such a thorough investigation. So much for the free press. Summers points out that 'articles ranging from the caustic to the openly sarcastic' greeted the Congressional Assassinations Committee report which found that Kennedy 'was probably assassinated as a result of a conspiracy'. (The Warren Report accepted that Oswald was a lone assassin.) New acoustic evidence supported evidence that there were shots from two would-be assassins. The Assassinations Committee report (Bantam paperback, New York, 1979, 792 pp, \$3.95) was published, amazingly enough, with an introduction by Tom Wicker. Wicker is associate editor of the *New York Times*, a newspaper which has constantly supported the Warren Commission findings and

scorned the critics and the Congressional Assassinations Committee. Summers' book does much to right the balance. It is the kind of reporting which the BBC would never do on such a sensitive British political topic.

The four sections of the book deal exhaustively (but exhilaratingly) with: the events of November 22, 1963 in Dealey Plaza, Dallas; with Lee Harvey Oswald, showing his links with American intelligence before his trip to the Soviet Union; with Cuba, 'the key to the crime', which came during Kennedy's secret attempt to achieve a 'detente' with Cuba following the Bay of Pigs invasion by the CIA and the nuclear brinkmanship of the Cuba missile crisis; and with evidence of deception, cover-up, and destruction of evidence by such agencies as the CIA, the FBI and military intelligence. On each of these areas Summers makes accessible material previously known only to the handful of *afficionados* who have followed the minutiae of the investigations. Summers also makes clear that the investigations are still not complete and that enough evidence is available to charge and try several participants in the events. The book goes in detail through evidence that Kennedy was assassinated by conspiracy involving elements of US intelligence agencies, of the Mafia and of the Cuban exile community. The implications of such 'government by gunplay', and of the failure to bring those responsible to trial and punishment because of 'national security' (or for any other reason) throw disturbing light on the nature of the leading Western democracy.

THE EFFECTS OF NUCLEAR WAR, by the Office of Technology Assessment, U.S. Congress, Croom Helm, London, 1980, 151pp, £7.95.

The Senate Foreign Relations Committee required this study of 'the effects of nuclear war on the populations and economies of the United States and the Soviet Union . . . to "put what have been abstract measures of strategic power into more comprehensible terms".' Comprehensible and harrowing. 'The study examines the full range of effects that nuclear war would have on civilians',

considering four cases of attacks on each superpower. The premise of this study is that those who:

'deal with the large issues of world politics should understand what is known, and perhaps more importantly what is not known, about the likely consequences if efforts to deter and avoid nuclear war should fail. Those who deal with policy issues regarding nuclear weapons should know what such weapons can do, and the extent of the uncertainties about what such weapons might do' (p.3).

The five chapters deal in turn with imagined attacks on Leningrad and Detroit (subtitled 'a tutorial on the effects of nuclear weapons'); with US and Soviet civil defence (including a sceptical review of the debate sparked by the American Right's claims that Soviet civil defence preparations are evidence that the Soviet Union is planning for first-strike attack on the United States); with the consequences of other types of attack; and with long-term effects other than the obvious death, sickness and destruction; effects of low-level ionizing radiation on the incidence of cancer, effects on the ozone layer and 'incalculable effects' on environment, ecology, food production, mutations, etc.

THE STATE OF THE WORLD ATLAS by Michael Kidron & Ronald Segal, Pan Books (a Pluto Press project), London, 1981, 65 maps, 40pp text, £5.95.

This is a beautifully produced compilation of maps with a message, showing not only 'the world-wide incidence of this or that condition . . . but . . . associating that incidence with an underlying structure – the self-perpetuating system of sovereign states preoccupied with aggrandisement and conflict'. While 'the state has in its time been an instrument for the extension of personal liberty and for much material progress', the authors contend 'that the destructive aspects of the state have come crucially to exceed the constructive ones'. They do not argue the case, but present evidence in maps freshly constructed from official and unofficial sources.

The maps are grouped in twelve sections:

the aggressive state, arms and the state, natural resources, economy, government, holds on the mind (language and religion), business, labour (including women workers), society, environment, symptoms of crisis, and signs of dissent. Individual maps are supplemented by notes which give more information and explanations. The maps themselves are clear, with thought-provoking titles, and are a major intellectual achievement in their own right. They provide the basis for an understanding of the state of the world which cannot be found in conventional atlases. While we could reasonably expect children to be gripped by the presentations, few adults would not be similarly stimulated by wealth of information and analysis presented so accessibly. The authors explain the limitations of their statistical sources and have done a great deal of work to ensure that those used are valid enough for broad comparison.

BOOKS RECEIVED

Deliver us from Evil, by David Yallop. London: Macdonald Futura, 1981, 374pp, £6.95. One of the better contributions to the Yorkshire Ripper minor publishing industry, Yallop's text is notable for its sustained criticism of the incompetence of the police of Greater Manchester and especially of West Yorkshire. He estimates the cost: an unknown number of murders, 700,000 police hours and £6m police expenditure. It must be deeply worrying, to those who desire a respected police force, to recall the events at Leeds United Football ground when the police played over the loudspeakers the hoax Ripper tape. It was drowned out by fans chanting: 'You'll never catch the Ripper . . . Twelve nil! Twelve nil!' Yallop also recognises that by falsely proclaiming that the Ripper attacked solely prostitutes, the police gave gutter press hypocrisy a field day. (When this falsehood was exposed, the press abandoned vicarious satisfaction and announced the virtue of the hunt for vengeance.) Meanwhile the police arrested a dozen women picketing a cinema showing 'Violation of the Bitch'. In police eyes, preservation of the freedom to make money out

of the violent public humiliation of women is more important than freedom of the streets for all.

E. D. Morel, 1873-1924: The Strategies of Protest, by Catherine Cline. Belfast: Blackstaff Press Ltd., 1981, 182pp, £9.95. Useful short assessment of one of the Foreign Office's most skilful opponents of all time. Morel was one of the earliest and most successful investigative journalists whose main campaigns were against the atrocities in King Leopold II's Congo; in the Union of Democratic Control against World War I; and in the Labour Party against the Versailles peace settlement. In this work he raised enduring questions about the making, changing, democratisation and morality of foreign policy. Although the overall effect of Professor Cline's study is to cut Morel down to size somewhat, the book repays careful study.

PAMPHLETS

The Prevention of Terrorism Act – the case for repeal, by Catherine Scorer and Patricia Hewitt from National Council for Civil Liberties, 186 Kings Cross Road, London WC1X 9DE, £1.75. This is a welcome new edition of the NCCL pamphlet on the PTA published some years ago. It not only includes up to date statistical information about the operation of the Act and some new case material but it bears out NCCL's original arguments against the supposedly 'temporary provisions' of the PTA. Thus it shows how the Act has not ended terrorism, how its scope has been much wider than terrorists or terrorist organisations and has seriously limited legitimate political expression and how it has put individual liberty at the disposition of the executive. The PTA is now in its eighth year creating, as the pamphlet says, injustices within the United Kingdom which would be roundly condemned if operated by foreign dictatorships.

Britain and the Bomb, NS Report 3, from New Statesman, 10 Great Turnstile, London WC1V 7HJ, £2.25.

Britain and the Bomb is the third of the NS Reports series which brings together New Statesman articles on related topics. So far two of the series have been of interest to State Research; this, and number two, *Phonetappers and the Security State* on telephone tapping and similar abuses. Britain and the Bomb is in four parts. The first is on the management of opinion, consisting

of three marvellous essays (two by EP Thompson and one by Christopher Hitchens) on the official campaign to make nuclear war seem an acceptable policy option, centring around the absurd official publication 'Protect and Survive'. Another section collects together five pieces by Duncan Campbell on war preparations from the bunker network to Operation Squareleg. A further short section talks about US bases in the UK and the failings of the cruise missile.

But the most interesting section is the fourth, in which eight articles on how Britain ought to be defended are reprinted. The authors range from Lord Carber to Robin Cook by way of William Rodgers (in favour of cruise) and Switzerland's General Frank Seethaler on a real tactic for dissuading aggressors. Except for regular Statesman readers who will have seen it all before, this is stimulating stuff. One objection: there is nothing on Trident in the whole collection, except for chance mentions, which is simply not good enough.

Police and the Law, Poly Law Review, Vol 6, No 2, Spring 1981, £2 (plus 50p p&p) from School of Law, Polytechnic of Central London, Red Lion Square, London WC1R. As with most collections of papers and articles this is a very uneven special issue on various aspects of policing and the law. It ranges from rather pointless interviews with MPs Alf Dubs and Eldon Griffiths which have then been combined to become even more pointless to a thankfully short piece on 'Police and the Law in South Africa' by a former South African Supreme Court judge which is as critical and useful as it is short.

There are however some useful papers in this collection notably Howard Levenson on 'Democracy and the Police' and an all too brief but perceptive article on judicial control of the police, 'Police Powers and Paper Tigers' by Nick Blake which argues that the conception of the criminal trial as being not just about guilt or innocence but as representing 'a forum in which the exercise of the power of the state, through the medium of the police and the prison service is evolved, elaborated and in some cases applied.' should be restored to prominence over the 'utilitarian daydreams of Royal Commissions and liberal rationalists'. Also useful are summarising articles on deaths in custody by Roger Geary and Terry Walters on a decade of debate about complaints against the police.

Owing to pressure on space, we have held over 'Sources' until the next issue.

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STATE RESEARCH PAMPHLETS

The Secret State by E.P. Thompson (no 1). This important essay states the case for defending and extending civil liberties against the increasing powers of the secret agencies of the state. 60p

Policing the Eighties: The Iron Fist (no 2). This is a unique analysis of developments in policing over the last 15 years. (First published as a background paper in State Research Bulletin no 19.) 60p.

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