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To cite this article: Daniel W. B. Lomas (2021) Party politics and intelligence: the Labour Party, British intelligence and oversight, 1979-1994, *Intelligence and National Security*, 36:3, 410-430, DOI: [10.1080/02684527.2021.1874102](https://doi.org/10.1080/02684527.2021.1874102)

To link to this article: <https://doi.org/10.1080/02684527.2021.1874102>



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Published online: 13 Jan 2021.



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Party politics and intelligence: the Labour Party, British intelligence and oversight, 1979-1994

Daniel W. B. Lomas

ABSTRACT

For much of the 20th Century, intelligence and security was a taboo subject for Parliamentarians. While Labour backbenchers had suspicions of the secret state, there was a long-held bipartisan consensus that debates on intelligence were ‘dangerous and bad’. Yet by the 1970s, new disclosures on the activities of foreign intelligence and domestic surveillance eroded this consensus with the Labour Party willing to push for greater accountability and oversight of the UK’s intelligence agencies. This article looks at how, through the campaign to reform intelligence oversight, Labour pushed for changes reflected in later legislation. It also explores Labour’s attitudes to intelligence.

The emergence of Soviet Bloc era files in 2018 suggesting that then Labour leader Jeremy Corbyn was targeted by Czechoslovak State Security (the *Státní bezpečnost* StB) as a backbench MP in the 1980s brought intelligence and security issues to the forefront of the UK national press and politics. The documents, found in the Czech Republic, showed that StB officers thought Corbyn ‘reserved and courteous’, occasionally ‘explosive’ on human rights, but often ‘calm and collected’. Corbyn was also ‘negative towards the USA’ and took a ‘positive’ view of the Eastern Bloc, they reported, with the StB keen to maintain contact, ascribing Corbyn the codename COB. A spokesperson for the Labour Party said Corbyn was unaware the individual was an StB officer, while Corbyn himself dismissed the claims as ‘ridiculous smears’. Conservative Party MPs and MEPs, unsurprisingly, described the Labour leader an ‘embittered fool’ arguing that the claims, if true, would ‘disqualify Corbyn from holding any elected office’, with the story taking on an increasingly party political dimension.¹ In the previous century, parliament and Hon. Members had largely tried to stay away from intelligence matters, taking the view that these subjects should stay off the political agenda. Nonetheless, the activities of Britain’s intelligence and security agencies had become increasingly politicised from the 1960s onwards, fuelled by the gradual end of the ‘consensus’ politics,² a wave of spy scandals, pressure for parliamentary oversight, and Labour’s own long-held suspicions of the ‘secret state’. By the 1980s, Labour’s willingness to raise intelligence even led to the first attempt by a British political party to set out a legal framework for Britain’s agencies – the Security Service (MI5), Secret Intelligence Service (SIS or MI6) and Government Communications Headquarters (GCHQ), the end of the Official Secrets Act and Parliamentary accountability, with some of the recommendations echoing the later Security Service Act (1989) and Intelligence Services Act (1994), eventually bringing Britain’s agencies in from the cold. While overlooked by those discussing UK intelligence oversight, Labour’s policy proposals – the first to appear in a party manifesto, signalled the real emergence of intelligence and security as a party-political issue and the final end to the bipartisan reluctance to make such matters a routine part of political discourse. Using the papers of the Labour Party’s ‘Security Services Study Group’, this article looks at Labour’s efforts to reform Britain’s intelligence oversight, placing it in the wider

context of British party politics, the history of the Labour Party, and discussions on intelligence oversight more generally. As such, the article also explores how Labour's thinking on intelligence and security, largely shaped by long-held fears that the UK's agencies were unaccountable, gave much impetus to wider pressures for change, effectively pushing for reforms now taken for granted in the liberal democratic oversight of intelligence.

Parliament, party politics and intelligence in Britain

Intelligence and security was a taboo subject for Britain's parliamentarians, even if many former intelligence officers sat in both the House of Lords and the Commons.³ For much of the Twentieth Century few Hon. Members were willing to break Foreign Secretary Sir Austin Chamberlain's 1924 dictum, 'It is of the essence of a Secret Service that it must be secret, and if you once begin disclosure it is perfectly obvious to me as to hon. Members opposite that there is no longer any Secret Service and that you must do without it'.⁴ The intelligence community was 'the "invisible" man of government', writes Christopher Moran, 'a state within a state about which questions were never asked'.⁵ In parliament there was a 'bipartisan consensus to protect the intelligence community from any ... discussion', even if, following security scandals and intelligence leaks, the issue raised its head often via backbenchers and the 'awkward squad'.⁶ One backbench Conservative MP even recalled it was 'almost unpatriotic' to raise questions on intelligence, adding it was simply 'not done'.⁷ Even so, there were occasions when intelligence was cited to support government policy – sometimes with disastrous consequences,⁸ yet Prime Ministers were generally loath to discuss the matter, beyond carefully worded statements. In July 1963, following former SIS officer 'Kim' Philby's defection to the Soviet Union, Prime Minister Harold Macmillan told MPs, 'It is dangerous and bad for our general national interest to discuss these matters. It has been a very long tradition of the House to trust the relations between the two parties to discussions between the Leader of the Opposition of the day and the Prime Minister of the day. I ask the House now to revert to the older tradition which I think is in our real interests' – a view echoed by Leader of the Opposition Harold Wilson ('we feel that in the public interest this is a matter which should now be left where it is and not made the subject of further public discussion or public inquiry').⁹ Wilson famously wrote in his book, *The Governance of Britain*, 'The prime minister is occasionally questioned on matters arising out of his responsibility. His answers may be regarded as uniformly uninformative'.¹⁰ Wilson's chapter certainly reflected the absence of public information on security and intelligence in the public domain, while also betraying that all was not well in his relationship with internal security. Privately, Wilson believed that while 'Secret Service must be secret', it needed to be 'of service, i.e. it must be efficient' and 'responsive to democratic, i.e. Ministerial, control'.¹¹ Questioned by Labour MPs on the publication of MI5 officer Peter Wright's memoir, *Spycatcher*, Margaret Thatcher maintained the same principle, 'I shall follow the precedent set by previous Prime Ministers and, I understand, upheld in "Erskine May", of not commenting on security matters'.¹² For successive governments it was as if, historian Sir Michael Howard explained, the 'British security and intelligence services, MI5 and MI6, do not exist. Enemy agents are found under gooseberry bushes and intelligence is brought by the storks'.¹³

Yet while successive Prime Ministers fought to uphold this bipartisan, if increasingly nonsensical, line that intelligence did 'not exist', traditional members of the 'awkward squad', backbenchers, even Leaders of the Opposition, occasionally raised intelligence and security for 'party political purposes'.¹⁴ As one study of parliamentary attitudes to intelligence observe, 'It is almost certainly the case that some parliamentarians have sought to make mischief, and have revelled in the obvious discomfort of ministers who have attempted to respond to questions which obviously relate to intelligence while avoiding mention of the existence of the intelligence and security agencies'.¹⁵ After the disappearance of diplomats Guy Burgess and Donald Maclean in 1951, Foreign Office minister Kenneth Younger complained of Conservative parliamentary questions: 'The Tories, knowing that Guy at least has expressed leftwing [sic] views in the past ... trying to make political capital

out of it [and] some are calling for a witch hunt'.¹⁶ Similarly, the disappearance of decorated war hero and frogman Commander Lionel 'Buster' Crabb during a botched SIS operation in Portsmouth, led the press and Opposition MPs to attack the competence of the secret services, Labour's Hugh Gaitskell calling them 'incompetent and inept'.¹⁷ The Crabb debate was 'unprecedented' in parliamentary history, writes Moran.¹⁸ For Conservative MP Sir Patrick Spens it was 'contrary to all our precedents' and against the 'public interest', with fellow Conservative backbencher and SOE veteran Sir James Hutchison complaining of the secret services having to 'do a striptease act and cast aside one veil after another'.¹⁹ The sustained political fallout from the Burgess-Maclean defection, the ongoing speculation about the identity of Cambridge spy ring's 'Third Man', the arrest and sentencing of SIS officer George Blake for spying for the Soviet Union, and news that Minister of War John Profumo had shared a lover with GRU officer Evgeni Ivanov, kept intelligence and security in the headlines. Labour MP's George Wigg and Richard Crossman took great delight in embarrassing the Conservatives. 'The Services and security are a subject on which the Tories feel they must be able to do far better than us. So the appalling disclosure of incompetence and laxity has had its effect', Crossman wrote in June 1963. 'Personally George Wigg and I did feel fairly proud that for ten years now, since the Burgess and MacLean [sic] episode, we have been preaching the lessons of security and exposing the effects of the British ruling class of this deep inner laxity'.²⁰ In July 1963, during a stormy debate, Macmillan attacked Wilson's questioning as 'complicated and offensive'.²¹ In the ensuing Profumo Affair, also Wilson criticised the Conservatives and MI5 who were, he told the House of Commons, acting with 'nonchalant amateurism in a world of ruthless professionalism', turning essentially a kiss and tell into a full blown security scandal.²²

Knowing that Wilson and the Labour front bench had exploited security, Conservative MPs similarly taunted Labour, using leaks and reports from journalist Harry Chapman Pincher and others.²³ George Blake's dramatic escape from prison in October 1966 added to the pressure; the Conservatives tabled a motion that 'This House deplores the refusal of the Secretary of State to set up a specific inquiry to report as a matter of urgency on the escape of George Blake'.²⁴ The 1980s also witnessed a new and long-lasting breakdown in the prohibitions around security and intelligence. As a March 1983 House of Commons briefing paper observed, 'It is probably true to say that the interest in security matters, inside and outside Parliament, in the last few years, has not been matched since the early 1960s'.²⁵ During her tenure, Thatcher was repeatedly 'forced to breach the traditional taboos' on intelligence and parliament, thanks to another round of successive spy scandals that kept security and intelligence matters at the 'forefront of public affairs'.²⁶ While often seen by some as an age of secrecy, the 1980s was also marred by whistle-blowers, Whitehall leaks, and former intelligence officers willing to tell their stories, resulting in new controversies for the government to handle. For Labour MPs, Thatcher's enforced silence became an important political stick used to attack government policy, knowing that Downing Street could never respond.

The Labour Party was particularly vocal on such sensitive matters, fuelled by generations of suspicion of the 'secret state'. During the First World War, future Prime Minister James Ramsay MacDonald had openly questioned the use of the 'Secret Vote' to fund intelligence activities, while MI5's first Director-General Sir Vernon Kell accepted there was a widespread belief on the left that the police and security services were used to 'spy upon Labour in this country' – a view shared by successive generations of party supporters. During Labour's first government, MacDonald questioned the value of Special Branch reports, while intelligence officials harboured their own suspicions. The collapse of MacDonald's government amid the now-infamous 'Zinoviev Letter Affair', the leak of letter reputedly from chair of the Comintern, Grigory Zinoviev, by intelligence officials to *The Daily Mail* amid a frenzied General Election in October 1924, only reinforced the belief that the 'secret state' and wider establishment was hostile. With hindsight, although there was certainly a small number of intelligence officials, fearful of a Labour government, with the necessary motive and opportunity to leak, talk of a wider establishment plot – as a later study by the FCO Chief Historian Gill Bennett established – seems 'inherently unlikely'.²⁷ In the short term, the perception of wider

plot hurt Labour's attitudes to intelligence. In August 1925, Labour's Advisory Committee on International Questions, other than push for reforms to the Foreign Office itself, pushed for the 'suspension ... of all secret service activities', even if MacDonald and his Ministers benefitted from intelligence in Labour's second government from June 1929.²⁸ If anything, the impact of the Zinoviev episode – at least on frontbench and government attitudes to intelligence – may be overstated; the Attlee government had a close relationship with intelligence officials, although it can be argued that the ghost of Zinoviev cast long shadow over the Labour left, forever haunting the left's perceptions of intelligence.²⁹

Labour's defeat in 1951 saw the party out of office until its return under Harold Wilson, with a new generation of MPs unfamiliar with the 'secret state' and prone to conspiracy entering government. Wilson's Lord Chancellor, Gerald Gardiner, wrongly believed MI5 was even bugging his phone, preferring to deal with confidential matters in his Ministerial vehicle,³⁰ naively asking his colleague, Home Secretary Frank Soskice, for access to his own MI5 file – a request promptly dismissed.³¹ Barbara Castle, another member of Wilson's ministerial team, questioned MI5's reports. 'The material is always mighty thin and most of it would be obvious anyway to an informed politician ... Altogether, I really wonder what we pay these people for', Castle wrote.³² Yet despite the reservations of colleagues and backbenchers, Wilson initially maintained a good working relationship with Britain's intelligence community, especially MI5.³³ But responding to concerns about MI5's powers, Wilson had also tried to limit MI5's investigations into MPs under the so-called 'Wilson Doctrine'³⁴ – a decision that halted the service's own investigations into several Labour backbenchers.³⁵ Wilson's second term was also overshadowed by claims of an MI5 plot, secretive right-wing groups, and spurious allegations that South Africa's Bureau of State Security (or BOSS) was working against both Wilson and Liberal leader Jeremy Thorpe.³⁶ Wilson's sudden resignation in 1976, followed shortly afterwards by claims MI5 had gone rogue, revived Labour's traditional fears of the 'secret state'. For many outside Wilson's Cabinet, with little experience of intelligence, the security services posed a threat to British democracy and needed long-term reform. In this climate, intelligence and security would become a party-political issue eroding the bipartisan taboo on the subject.

The NEC security services study group

Labour's drive for oversight of Britain's intelligence community took place against the backdrop of the Watergate scandal and 'year of intelligence' that shed the spotlight on the US intelligence community's alleged dirty tricks at home and around the world. Investigations by the US Senate Select Committee to 'Study Governmental Operations with Respect to Intelligence Activities', chaired by Senator Frank Church, and House of Representatives counterpart, the Pike Committee, revealed sensational claims about domestic surveillance, the assassination of foreign leaders and other excesses, rocking Washington and ushering in a new period of agency oversight.³⁷ In Britain, both press commentators and those on the Labour left often viewed the activities of Britain's intelligence and security agencies through the prism of American abuses. Stories of MI5's surveillance of the left and claims that the Security Service had worked against Wilson's government did little to dampen concerns. Sensationally such claims came from Wilson himself who, following his resignation as Prime Minister in April 1976, approached BBC journalists Barrie Penrose and Roger Courtiour (or 'Pencourt') with the claim that right-wing elements of MI5, supported by the CIA and South African spies, had started a smear campaign against Labour. 'I am not certain that for the last eighteen months when I was Prime Minister', Wilson said, 'I knew what was happening, fully, in security'. Parts of MI5 were 'very right-wing' and believed, he told the journalists, that 'Socialist leaders were another form of Communist', including, Director General Sir Michael Hanley had reportedly told Wilson, a 'disaffected faction with extreme right-wing views'.³⁸ The allegations, sensationalised in *The*

Observer in 1977, and published as *The Pencourt File* a year later, although dismissed by Wilson as 'cock and bull',³⁹ did little to dampen suspicion on Labour's backbenches that MI5 had gone rogue.

While Wilson restricted MI5's surveillance of MPs, there was also a widespread belief that Labour members were monitored. The journalist Chapman Pincher had claimed that fifteen Labour MPs had been subject to 'tapping, shadowing, opening of mail, examination of bank accounts and other methods' having been brought to MI5's attention by the Labour leadership as crypto-communists. The report was inaccurate; MI5's Graham Mitchell rebuffed the approach as it was 'incumbent on the Security Service to be very careful to do nothing which could be represented as partaking of a party political nature'.⁴⁰ But the omission of MI5's lack of interest, and suggestion that MPs were bugged, only played into suspicions that the service was far from impartial, tapping into deepening worries about MI5's growing focus on counter-subversion.⁴¹ Claims had already started to appear, mainly in the left-wing press, alleging that MI5 indulged in the wholesale surveillance and bugging of organisations and members of pressure groups including the Campaign for Nuclear Disarmament (CND), while growing alarm at new surveillance technologies, the growth in telecommunications and computers, and the storage and sharing of information, also stoked Labour's paranoia leading to calls for greater accountability.⁴²

Yet while Britain certainly lagged well behind debates on accountability in the US, Canada and Australia, allegations that Britain's agencies were 'rogue' and unaccountable were not entirely accurate. While modern-day parliamentary oversight and agency avowal was far in the future, Britain's intelligence and security agencies had been subject to internal Whitehall control. Since 1951, following Sir Norman Brook's report on Britain's agencies, the Permanent Secretaries' Committee on the Intelligence Services (PSIS), made up of the heads of the Foreign Office, Home Office, and Ministry of Defence, under the chairmanship of the Cabinet Secretary, had scrutinised the funds allocated between the intelligence and security agencies, while Treasury officials closely watched intelligence finances.⁴³ The Cabinet Secretary also took a keen interest in the financing of intelligence, as Sir John Hunt, then Cabinet Secretary, told Wilson: 'Like my predecessor I provide the channel of advice to you on intelligence and act as Accounting Officer for the Secret Vote'.⁴⁴ Ministers were also answerable to Parliament for the agencies themselves – the Foreign Secretary for SIS and GCHQ, Home Secretary for the Security Service. As Trend briefed incoming Prime Minister Edward Heath in June 1970, 'the Security Service look to the Home Secretary as their Minister ... but that the Director-General has the right of direct access to you if he judges this necessary'.⁴⁵ Labour's Under-Secretary of State for Home Affairs, Shirley Summerskill told MPs in July 1977, 'The House is entitled to look to the Ministers to whom the security service is answerable and accountable – that is, my right hon. Friend the Home Secretary and in the last resort my right hon. Friend the Prime Minister', adding that 'accountability must be to Ministers rather than to Parliament, and trusts Ministers to discharge that responsibility faithfully'.⁴⁶ The Home Secretary also played a role in the 'hazy' process of issuing warrants for intercepting communications, signing off MI5 and Special Branch requests, even if process was far from perfect.⁴⁷ In his report on the intercept of communications, Lord Diplock explained the Secretary of State was reliant on the reports of the Security Service to justify interception, acknowledging that if the information was 'not accurate the main safeguard of requiring the warrant to be issued by the Secretary of State in person, breaks down'.⁴⁸

But for many, allegations of MI5 and Special Branch surveillance of the left, lack of parliamentary scrutiny, and a continuing veil of secrecy, served only to heighten suspicions that the intelligence services were hostile. Labour activist Peter Hain, a future Cabinet Minister and campaigner in the anti-apartheid movement, feared he was at the centre of a smear campaign by the South Africans, supported by MI5, complaining of 'a tapped line'.⁴⁹ Like many activists, Hain suspected that right wing elements of MI5 were 'embroiled in a campaign against political opponents' who were, he claimed, fearful of a Labour government committed to redistributing power, introducing Freedom of Information legislation and removing American nuclear bases from the UK.⁵⁰

Another sceptic was Tony Benn, Secretary of State for Energy since June 1975. Benn was an ardent critic of the intelligence services, his diaries littered with references to bugging and allegations of

undercover activities by Britain's agencies, writing there was 'no political control whatsoever over the security services. They regard a Minister – even the Home Secretary – as a transitory person'.⁵¹ By 1975, in an audio diary entry when he was Industry Secretary, Benn recalled how his son, Joshua, was able to hear a phone call on his radio, convincing him there was a transmitter in the room:

As I was sitting listening myself, Carol⁵² came down and beckoned me away and so I went upstairs and discovered that Joshua was picking up my telephone call to Frances on his radio. So obviously there is a transmitter bug in my room – whether put here by the CIA, by MI5 or by the Post Office or KGB I do not know – but it was absolute confirmation because Joshua picked it up on his portable radio that wasn't plugged in at all to the electrical system ... It is a very interesting confirmation of what I have long suspected – that my phone is tapped.⁵³

Later, speaking to trade unionist Clive Jenkins, Benn discussed bugging in May 1977. 'Clive told me his phone was bugged because on a couple of occasions a voice had broken in and said, "Look out Clive, look out".⁵⁴ Whatever the truth to the claims, such stories only stoked Benn's obsession that Britain's agencies had gone rogue. During a meeting of the NEC in July, he told colleagues 'there was a massive problem' of intelligence agencies subverting democratic freedoms, and in September 1978, Benn had even asked Home Secretary Merlyn Rees whether his telephone had been tapped.⁵⁵ Concerns about phone tapping also fed into wider fears of CIA involvement in British politics, a subject that had come to the fore in the heated debates around CIA whistle-blower Philip Agee's deportation to the US in 1977.⁵⁶ In time, Benn would also press the NEC to investigate the penetration of extreme left-wing groups by the CIA, despite opposition from Labour General Secretary Ron Hayward and MP Shirley Williams.⁵⁷

Although mistaken about bugging and the US intelligence activities in the UK, such concerns led Benn to press for greater intelligence accountability, submitting a paper to the NEC's Home Policy Committee, 'Civil Liberties and the Security Services'. Just weeks earlier, in September 1978, the TUC passed a resolution expressing 'concern and alarm at certain activities' of Special Branch, calling for an independent inquiry to its activities. In his paper, Benn argued for the formation of a 'small study group' to examine how greater accountability of the security services could be achieved, without undermining national security. The paper talked of the dangers of the intelligence services, given their secret nature, drifting 'into practices which would actually undermine, or endanger, the freedom they are supposed to defend', recognising that new technology, 'extensive surveillance, computerized dossiers and secret files' could cover a broad range of 'people, beliefs and activities'. Though reflecting in many ways Benn's paranoia of security issues, his proposals argued for a set of annual reports for MPs, detailing the financing, activities and even the names of agency heads, and the formation of a 'special House of Commons Select Committee, meeting when necessary in secret, composed exclusively of Privy Counsellors' to handle secret information and set up to 'question both responsible Ministers and Security Officers'. The agencies would be placed on a statutory footing with the introduction of a 'Security Service Annual Act' which would allow Parliament to gain 'ultimate control'.⁵⁸

Naturally, given the reluctance of successive governments to discuss intelligence and security matters, the proposals met resistance. On 25 October, Benn was summoned to Downing Street to discuss his paper with the Prime Minister James Callaghan. Before the meeting, Callaghan had been briefed by the Cabinet Secretary, Sir John Hunt, who had discussed the paper with Whitehall Intelligence Co-Coordinator⁵⁹ Sir Anthony Duff and Sir Robert Armstrong, Permanent Under-Secretary to the Home Office, and Hunt's future successor. As Prime Minister, Callaghan was less intrigued by intelligence than his predecessor, despite his experience in government. Interestingly, Callaghan had once been confused about Ministerial responsibility, asking Hunt in 1976: 'Is the Foreign & Commonwealth Secretary formally responsible for MI6 and the Home Secretary for MI5 – or am I?'.⁶⁰ Replying to Benn's proposals, Hunt told Callaghan the current arrangements had worked 'well' and were reliant on trust between Ministers and agencies. With a lack of Parliamentary and public pressure for accountability, Hunt explained the 'balance is still in favour of preserving the

present arrangements' and Benn's doubts stemmed, he correctly surmised, from the fact he had never had a portfolio dealing with intelligence, suggesting Callaghan needed to reassure Benn of the safeguards already in place.⁶¹ Yet if Callaghan tried to smother Benn's fears, he failed. The meeting highlighted the already spiky relationship between the two⁶² and, rather than convince Benn otherwise, it only reinforced his suspicions, as Benn's diary reveals. For Benn, Callaghan was dismissive, arguing that Benn was using the NEC 'to get at the Government'. While Benn saw reform as necessary, Callaghan seemingly dismissed any suggestion that MI5 was monitoring telephone conversations. 'We hardly bug anybody', said Callaghan, admitting to Benn 'your phone isn't tapped'. Callaghan even went on to admit that Wilson was 'just a Walter Mitty', replying further oversight would simply 'drive the Intelligence Service [sic] underground'.⁶³

Callaghan's opposition may account for the delay in the formation of Benn's 'study group' as it was not until October 1979, five months after Labour's General Election defeat, that the NEC 'Security Services Study Group' met for the first time.⁶⁴ By now, the party had descended into acrimony over Labour's past record, with divisions opening between right and left. Though Callaghan remained leader of an increasingly divided party until November 1980, a bad tempered party conference, the rising influence of the 'Bennite' left and Michael Foot's election as leader, created an atmosphere in which oversight was put back on the agenda.⁶⁵ Chaired by Jo Richardson, MP for Barking, the new 'Security Services Study Group' included several backbenchers suspicious of the intelligence services with little experience of the 'secret state', including Denis Skinner, Michael Meacher, Robin Cook, Judith Hart, Peter Archer and Peter Hain. Other attendees included the General Secretary of the National Council for Civil Liberties, Patricia Hewitt, a future Minister under Tony Blair, who, in an earlier pamphlet, *Privacy: The Information Gatherers*, argued the public were kept 'entirely in the dark' about Britain's intelligence agencies, pushing for safeguards against invasive surveillance techniques.⁶⁶ Another member was the Marxist historian E.P. Thompson, a founding member of the Communist Party of Great Britain's Historians Group, who had resigned from the party in response to the 1956 Soviet invasion of Hungary, becoming a prominent member of CND, and a target of MI5 surveillance.⁶⁷ Research for the group was carried out by journalist Duncan Campbell, who had already started to erode the wall of secrecy around Britain's intelligence and security community, revealing the existence, purpose and location of GCHQ in 1976, culminating in the now infamous 'ABC Trial' where Campbell and his co-defendants, Crispin Aubrey and John Berry, faced prosecution under the Official Secrets Act.⁶⁸ Other than Campbell, the committee used newspaper articles and the few published sources available, including investigative journalist Tony Bunyan's *The Political Police in Britain*.⁶⁹ The NEC also tried to speak to the heads of Britain's agencies, Sir Robert Armstrong, now Cabinet Secretary, telling Thatcher in February 1981 that such an approach could only be 'negative' and likely to result in political point scoring.⁷⁰ The committee pushed for a short consultation paper, addressing wider concerns about secrecy and surveillance, presented to 'all Party affiliates and interested bodies', with a series of Parliamentary questions anticipated to obtain information 'on record'.⁷¹ By late-November, the committee agreed that speaking engagements, an education campaign, and consultation papers would highlight the NEC's drive for reform, with committee members raising themes 'including G.C.H.Q., Surveillance (not least in Northern Ireland), Subversion (its new definition) the politics of "National Security" international comparisons, the lack of historical analysis (due to the lack of access to information), positive vetting and data protection'.⁷²

Members of the group also supported a proposed ten-minute rule bill from Robin Cook, MP for Edinburgh Central, aiming to bring MI5 onto the statute.⁷³ A Foreign Secretary in Tony Blair's first government and responsible for SIS and GCHQ, Cook had been a critic of the Wilson and Callaghan governments, a supporter of CND's policy of unilateral nuclear disarmament, supporting Michael Foot's leadership bid for the party, who had raised the issue of Special Branch surveillance several times in parliament.⁷⁴ Cook presented his bill in the aftermath of the announcement that Sir Anthony Blunt, wartime MI5 officer, art historian and Keeper of the Queen's Pictures, had been Soviet spy, with the story of Blunt's treachery only slowly unravelling and officially announced during a statement to the House of Commons by Thatcher in November 1979.⁷⁵ For many on Labour's backbenches, this

was a case of 'the establishment' closing ranks to protect one of their own. During the debate on Blunt, Cook argued for a report giving 'us the information on general policy and general budgeting that we need if we are to maintain our defence policy' while it was 'an impossible irony and a logically untenable position to say that we require a Security Service to protect our democracy but that we cannot make that service answerable to democratic control and democratic structures'.⁷⁶ The next month, presenting his Bill, Cook reinforced the need for reform; it was 'remarkable ... that there is no Act on the statute book that provides the Government with the legal authority to raise and maintain a Security Service', arguing for a new remit to restrict surveillance to 'citizens who may be judged to be undermining parliamentary democracy by violent means or by any other unlawful means'.⁷⁷ Cook's bill was eventually voted down, Home Secretary, William Whitelaw, writing it was 'unnecessary'.⁷⁸

But for the NEC's security services committee, reform was needed. Blunt's secretive deal to avoid prosecution highlighted 'the system of accountability to ministers is ... weak'⁷⁹ – even if Callaghan had actually known about the details.⁸⁰ Labour's rationale for agency avowal, reforms to surveillance and secrecy laws, and intelligence oversight were set out in a consultative paper, released in December 1979, selling 26,000 copies across the labour movement.⁸¹ Washington's 'year of intelligence' also had important lessons for Britain, the paper argued, and future reform was necessary for any Labour government. Intelligence accountability and reform were, the document argued:

... matters which have to be faced by a democratic and socialist party. We aim to change society and to change some of its institutions. To some, therefore, we are rightly a threat. But we must distinguish between threats to our national boundaries and to the principle of democratic government on the one hand and threats to particular governmental, class or party interests on the other hand. We must take an absolutely firm stand in defence of the principle that the British people have the right to change society.⁸²

The document also made Labour's case for reform:

... The Watergate affair showed the world how easy and dangerous it can be for government security and intelligence services which are charged with the defence of the State from external attack to become involved in the defence of the State from internal threats defined by those services themselves. It showed how easily this can in turn lead the intelligence and security services to try and to defend not only the institutions of the State but also the economic, industrial and political interests of particular classes or groups – or even of individuals.⁸³

The foremost concern was surveillance of 'subversives' and the vague definitions of the term which gave 'continued licence for spying, surveillance and record keeping'.⁸⁴ Lord Denning's final report on the Profumo Affair described a subversive as someone who 'would contemplate the overthrow of the Government by unlawful means'.⁸⁵ In 1975, Home Office minister Lord Harris of Greenwich gave a new definition, subsequently endorsed by Home Secretary Merlyn Rees, as 'activities which threaten the safety or well-being of the State, and are intended to undermine or overthrow parliamentary democracy by political, industrial or violent means'.⁸⁶ Wide-ranging definitions gave a 'continued licence' for the security services to watch 'labour, leftist and trade union activities', which, supported by 'bugs' or other eavesdropping devices, intruded into privacy.⁸⁷

Over the course of its research, the committee gathered examples of 'political snooping' from unions and pressure groups, with wider consultation showing deep-rooted suspicions amongst party members.⁸⁸ Hemel Hempstead Constituency Labour Party (CLP) reached the resolution that it 'is essential that all internal security systems be capable of scrutiny by a Parliamentary-Sub-Committee, and that the appointment of a single member of the judiciary is insufficient for this purpose'.⁸⁹ The Edinburgh CLP was similarly concerned at the powers of the 'secret state' which posed a 'barrier to the development of socialism [sic] and a threat to the right and ability to mobilise against the capitalist state', while Harborough CLP wanted Labour to push for the 'democratic control' of the intelligence agencies, and that legitimate political activities should not 'be subject to telephone tapping and other forms of surveillance or harassment'.⁹⁰ Individual examples, real or imagined, continued the paranoia around surveillance. The secretary of the Newbridge Labour Party, and an organiser for Workers Educational Association (WEA), found his course on socialist William

Morris had been 'visited by Special Branch officers', leading Home Secretary Merlyn Rees to admit to local MP Neil Kinnock that the class had been investigated 'because it might attract extremist elements in the same way as a course on ... the history of the National Socialist movement'. Barnstaple Labour Party referred the NEC's study group to an example 'where a local Communist Party Branch Secretary moved into a village, a neighbour was approached to "keep an eye on his activities" and report to the police'. Evidence from the Socialist Education Association found members applying for jobs in schools were deemed 'unsuitable', suggesting that police reports were used for the council's hiring policy.⁹¹ By December 1982, such responses fed into Labour's calls for tighter oversight, with a set of proposals, 'Freedom and the Security Services', completed and leaked to the Associated Press. Though they needed to be endorsed by the home policy and National Executive Committees, the document and its broad conclusions had already received endorsement from Shadow Home Secretary Roy Hattersley, who, in December 1982, had already called for parliamentary oversight,⁹² in anticipation of becoming part of Labour's official policy.

Unknown to Labour, the government had already seen the proposals thanks to 'unofficial' sources. In May 1982, Armstrong wrote to Thatcher that the final set of proposals were based on earlier private members bills, and resulted essentially from 'misunderstandings about the security and intelligence machinery and there are a number of factual inaccuracies', with publication resulting in more unwanted questions on security and intelligence matters, and the response the proposals the same as before.⁹³ For the government, the proposals also came at an awkward time. In their 1981 report, the Security Commission, chaired by Lord Diplock, had recommended agency avowal, suggesting that SIS's existence was 'common knowledge'.⁹⁴ A working party under Intelligence Co-ordinator Sir Anthony Duff rejected the proposal, citing fears that avowal would only lead to more questions on budgets, control and oversight,⁹⁵ while Armstrong had advised against publishing the Commission's report, much to Diplock's annoyance.⁹⁶ During a November 1982 debate on former GCHQ employee Geoffrey Prime, found guilty on seven counts for passing information to the Soviets, and a further three for indecently assaulting three young girls, Michael Foot pressed for 'parliamentary control' over Britain's agencies, which were 'one of the few aspects of our national life over which there is at present no direct parliamentary control at all'.⁹⁷

Freedom and the security services

The policy recommendations in Labour's 'Freedom and the Security Services' were finally released in March 1983.⁹⁸ The document was noteworthy, and a first in British political history. Jim Mortimer, the Party General Secretary, underlined the significance: 'it is the first major review of this policy area ever undertaken by the Party'.⁹⁹ Setting out Labour's policy towards intelligence and security, it acknowledged the rising tensions between security and civil liberties. Although recognising that much of the criticism of the intelligence services was 'ill-founded', Labour had 'considerable evidence' that elements of British intelligence had a 'fundamentally anti-socialist outlook', failing to serve the 'interests of the nation as a whole'. Nonetheless, despite the criticism, the intelligence agencies were needed to face 'genuine threats', yet significant reform was needed. In Labour's view, British intelligence had directly intervened in British political life, spreading their views via calculated leaks to openly right-wing political groups and research organisations, and portraying those campaigning for social change as the 'tools of the Soviet Union'. Britain's spies had been far from neutral, targeting anyone in the anti-nuclear movement, while neglecting other issues:

... the real threats to the national interests of British working people are very different. In 1976 there was a run on the pound, in which the City of London and the banks played a leading part, as a result of which the British national interest was directly damaged. We found no evidence whatsoever that the security services were at all interested in the activities of those involved in currency speculation. Moreover, there is little evidence to suggest that the Special Branch compiles dossiers, taps phones or puts tails on currency speculators, company directors and managers or activists within the Conservative Party, on a scale comparable to its activities against trade unionists and socialists – or even at all.¹⁰⁰

... This highlights the basic assumptions of those who direct and control the security services, assumptions regrettably underwritten even by Labour home secretaries. It is assumed almost without question that the trade union and labour movement, which articulates the views and aspirations of the great majority of society, is potentially "subversive" and an enemy of "society". On the other hand the views and aspirations of those who control private capital are regarded as the healthy order of things; their political voice, the Tory Party, is regarded as the natural protector of "society".¹⁰¹

The next Labour Government would achieve significant change with the introduction of two acts of Parliament: a Security Act, consolidating existing law and placing the intelligence services on a statutory footing, and a Privacy Act, allowing access to information as in other countries such as the United States. The first also involved the scrapping of the Official Secrets Act and replacing it with a 'law against espionage for foreign powers',¹⁰² greater scrutiny with annual reports to Parliament and formal legal powers covering the interception of communications. Labour's policy on access to information was far more radical, pre-empting Freedom of Information legislation, and making all government papers available 'unless placed in an exempted category'. Subject to certain exemptions, the legislation would also 'enable individuals to discover ... information held on them', place restrictions on the types of information that could be held, and create a supervisory Data Protection Agency. The burden would be put on government agencies to 'justify withholding information' while opening up Britain's traditional aversion to openness, in line with the US system which had, the NEC noted, revealed a number of embarrassing abuses, including the CIA's MKUltra mind-control programme and overseas covert operations.¹⁰³ Under the proposals, both the D Notice system and Section 2 of the Official Secrets Act would be scrapped, and new set of safeguards to protect against surveillance.¹⁰⁴ Under the proposals, the bugging, tapping and access to personal information would be illegal, unless 'express legal authority for the official interception of communications is given in another act of parliament'. Individuals would also have a 'general right of access' to personal information, even bringing 'all police and security service records within the scope of the act'. MI5's registry, and the sensitive information it contained, would also be included – a likely concern to MI5 with their files of prominent Labour and trade union figures.¹⁰⁵

While the proposals were certainly radical, if a little vague on detail, proposals for a 'Security Act' aimed to give the government a legal mandate to have a 'security service', ending Britain's non-avowal of the agencies. Double standards also emerged under the current system. While Blunt had received protection from prosecution, a 'naval lieutenant who sold some secrets to the Russians for £3,000 received a 27-year sentence'. Labour also questioned the focus of the agencies, suggesting that that espionage, not the growing field of subversion, needed to be the real focus for the security services. Surveillance would be subject to 'vigorous control' though the proposals, requiring an in-depth rationale and evidence collected so far, added a new level of bureaucracy with the Home Secretary personally required to rule out other forms of surveillance.

At the heart of Labour's proposals was day-to-day oversight of the security services. Other than publish a full list of cabinet committees and their membership, under the 'Security Act' Ministerial oversight would be defined as the present system was unacceptable with the 'need to know' principle preventing Ministers from having 'all the relevant facts'. The Home Secretary, responsible for MI5, was singled out for reform; the Home Office covered 'immigration, policing, media, women's rights ... and at the same time exercise full supervision of MI5, Special Branch and the authorisation of individual telephone tapping' – a huge burden for any individual, with the Home Office split and legal issues dealt with by a 'ministry of legal affairs'. There would also be greater parliamentary accountability; previously shrouded in secrecy, the security services would be bound to submit an annual report to MPs, even including details on the 'number of surveillance operations', forming the basis of a yearly debate on security matters, where the relevant Minister would be questioned about budgets and priorities. Oversight would also be maintained by a new Security Services Select Committee, though the day-to-day oversight of the agencies would not fall within its remit. More generally, the size of the agencies and their resources, and the intelligence budget would also come under parliamentary scrutiny, with 'stringent auditing control'. In summary, the next Labour

government would push through a series of measures to ensure 'our security services become accountable democratic institutions, and that the rights of individual members of the public are protected in law'.¹⁰⁶

Conclusion: Labour and oversight after 1983

The publication of Labour's proposals met with criticism from government insiders; the suggestions, reported *The Times*, ignored the long-standing and unannounced 'controls on the budgets and the operations of the secret agencies exercised by the Cabinet Office on behalf of the Prime Minister'.¹⁰⁷ Journalist Peter Hennessy reported that, if Labour had won the election, officials would have briefed 'Ministers on what insiders call "reality" as opposed to "gossip"'.¹⁰⁸ The response elsewhere was muted; Robin Ramsey, founder of the *Lobster* magazine, savaged them as underwhelming, the main lesson being 'that there is no effective way of supervising spooks – or of making them accountable'.¹⁰⁹ Labour's defeat in the 1983 general election – a campaign described as the 'byword for inefficiency and incompetence'¹¹⁰ – finally killed off the proposals for change. Labour went to the polls with a thirty-seven page, unashamedly left-wing manifesto, rushed out before it had been properly scrutinised, with a swathe of recommendations on a new economic five-year plan, renationalisation, workforce democracy, withdrawal from the European Community and calls for unilateral nuclear disarmament – a programme famously dubbed the 'longest suicide note in history'. Labour emerged from the election with just 209 seats, and slightly over twenty-seven per cent of the popular vote, returning Thatcher and the Conservative Party to government. While certainly a radical programme that failed to hit home with the electorate, Labour's manifesto broke new ground adopting proposals for the reform and oversight of security and intelligence. For the first time, a political party had put intelligence and security into a manifesto committing a Labour government to a 'new Security Act', defining the powers and remit of the agencies, while also introducing 'parliamentary accountability'.¹¹¹

Although reform was only prevented by Labour's defeat, accountability and oversight remained on Labour's agenda thanks to a new wave of security-related scandals, even if the links to security were often tenuous. The death of seventy-eight year old anti-nuclear campaigner Hilda Murrell in March 1984, a crime bizarrely blamed, with little justification, on MI5 by veteran Labour MP Tam Dalyell, led to calls for a Select Committee of Privy Councillors to 'keep an eye on our intelligence services'.¹¹² Even more damaging were claims, now revived by former MI5 officer Peter Wright in *Spycatcher*, that the Security Service had been part of plot against the Wilson government, bugging and burgling its way across London at the request of Ministers. Wright's memoir itself had been banned from publication in the UK but published overseas resulting in a series of unsuccessful and embarrassing attempts to end its sale, with Labour's annual conference at Brighton criticising government censorship, pointing to claims of 'illegality and incompetence' and condemning 'claims that members of the security services were engaged in a plot to bring down the elected Labour government'.¹¹³ Wright's claims also led to criticism from those who had previously been silent on oversight issues. Home Secretary Merlyn Rees called for an internal inquiry into 'dirty tricks', recommending a new 'oversight body to review annually the work of the security service', with Wright's claims reinforcing the need to 'bring the actions of the security services within the ambit of the law' – a call echoed by other senior party figures.¹¹⁴ Labour also tried to persuade Callaghan – who had earlier told the Treasury and Civil Service Committee he did 'not know' who the agencies were accountable to – to personally ask Thatcher for an independent inquiry into intelligence and a private meeting, something Thatcher, supported by Armstrong, tried to delay.¹¹⁵ Issuing a statement to the Press Association, Callaghan himself had called for an 'independent body to review the oversight, structure, targeting and management' of MI5, with Labour now finding cross party support for changes to the law and scrutiny of the agencies.¹¹⁶

The decade also saw the emergence of a new grass-roots drive for intelligence accountability under the guise of 'Labour Crisis', chaired by Peter Crampton, a one-time researcher for Labour MP

Joan Ruddock, and MEP for Humberside (1989–1999), and supported by Robin Ramsey, as press officer and researcher. The campaign was sponsored by Lord Jenkins, a former Home Secretary, who, following the *Spycatcher* allegations, wanted to see greater control of intelligence,¹¹⁷ and a swathe of MPs, including Benn, Ken Livingstone, Michael Meacher, David Blunkett, Chris Mullin, Clare Short, Jeremy Corbyn and others, with Labour's 1987 manifesto containing commitments for the earlier proposed scrapping of section two of the Official Secrets Act and Freedom of Information Legislation, with parliamentary 'scrutiny' of the intelligence agencies a general goal.¹¹⁸ Outside of parliament, the ongoing fallout of former F Branch officer Cathy Massiter's allegations made in 1985,¹¹⁹ that MI5 monitored left-wing groups, especially the campaign group National Council for Civil Liberties (NCCL), justified by 'NCCL's attacks on certain institutions such as the police', led former NCCL officers, Patricia Hewitt and Harriet Harman, to bring a case before the European Court of Human Rights (ECHR), claiming that MI5 files on them were an invasion of privacy. Harman, the NCCL's legal officer 1978–1982, had been elected Labour MP for Peckham in 1982, while Hewitt, a one-time NCCL General Secretary, became press secretary Leader of the Opposition Neil Kinnock, both becoming Ministers under Tony Blair. Although Labour has grasped the mood for change, it was the ECHR action that prompted change; without a statutory footing, MI5's activities would, the government anticipated, be found to be illegal.¹²⁰

In government, Armstrong had already started to advise Thatcher that oversight was necessary, though it was the agencies themselves, and the view that operations would be curtailed without a legal framework, that led to a climb-down.¹²¹ Home Secretary Douglas Hurd, previously opposed to change, was persuaded having met Sir Antony Duff, MI5's Director-General since March 1985. Although anticipating resistance from Armstrong and Thatcher, both accepted the need for new legislation; Armstrong, no doubt scarred by his experience in an Australian courtroom trying to prevent the publication of *Spycatcher*, agreed in April, the Prime Minister – who Armstrong thought would take a year to agree, giving her tentative approval in July, resulting in Hurd introducing a draft bill leading to the new Security Service Act of 1989.¹²² Effectively bringing MI5 in from the cold, the legislation itself failed to mollify those pushing for greater parliamentary oversight, appointing a Commissioner, chosen by the Prime Minister, to submit annual reports to Downing Street, and a Tribunal for 'investigating complaints'.¹²³ Arguments for accountability had varied. The Massiter case and arrest and imprisonment of MI5 officer Michael Bettaney, sentenced to twenty-three years for trying to pass information to the KGB in London, led Conservative MPs Sir Edward Gardner and Sir Anthony Kershaw to call for an 'Ombudsman' or 'permanent inspectorate', while there remained cross-party support for a committee of senior privy councillors, all rejected given the 'long-standing convention under which the Government does not provide information or answer questions in Parliament on matters of security or intelligence'.¹²⁴ During the second reading of the Security Service Bill, and amidst Labour MPs criticism of MI5, Shadow Home Secretary Roy Hattersley noted the need for a Security Service free from political controversy, making the case – as Labour had done in the past – for a committee to review grievances.¹²⁵ In essence, Hattersley and others were not opposed to MI5's work but wanted to avoid, as he said in the bill's third reading, 'supervision by Government nominees'.¹²⁶

Yet despite avowal of the Security Service, the Labour-left would continue to be suspicious of the security-intelligence agencies, while the drive for greater accountability would continue. In April 1989, Labour MPs Bob Cryer, Martin Redmond, Terry Fields, Robert Parry, Dave Nellist and Pat Wall tabled an early day motion – eventually supported by thirty-three others, including Diane Abbot, a newly elected MP, calling for the 'abolition of conspiratorial groups like MI5 and Special Branch which are not accountable to the British people', following claims of spying on protestors and the labour movement.¹²⁷ When Stella Rimington became MI5's first female Director-General in 1992, she tried 'one and for all to knock on the head of the Wilson plot allegation' by inviting the 'old grandees' of the Labour Party to the Security Service's Thames House. The attempt unsurprisingly failed, she recalled. 'Though I tried my best to convince them that they were wrong', she recalled, 'I knew at the end of the exercise that further efforts would be fruitless ... I am now convinced that

those who believe there was a plot and want to believe it, and nothing anyone can say will change their minds'.¹²⁸ Reviewing Stephen Dorril and Robin Ramsay's *Smear: Wilson and the Secret State* for the *New Left Review*, Tony Benn echoed his earlier fears that the security services had tried to discredit and destroy the Left', maintaining that the book was a meticulous study of the right-wing networks (including the intelligence agencies) that 'systematically fabricated lies and had them disseminated to undermine public confidence in all those whom the establishment regarded as hostile to their privileges and power'.¹²⁹

Although the Security Service Act marked an important moment in MI5's history, the UK's foreign intelligence agencies still lacked a statutory footing. In December 1991, Foreign & Commonwealth Office Permanent Under-Secretary Sir Patrick Wright acknowledged in his diary, following a meeting with Cabinet Secretary Robin Butler and the heads of the intelligence agencies, that civil servants needed to 'draw up the terms under which we could move to both avowal and oversight by the time of the general election, if only because the Labour Manifesto makes it clear that the Labour Party will press for some sort of oversight', starting a process of agency avowal and oversight.¹³⁰ As Wright and others predicted, Labour's 1992 manifesto included a promise to put the agencies under the 'scrutiny of a Parliamentary Select Committee'.¹³¹ Pressure mounted still further when, in May 1992, Ministers were surprised by a report in *The Times*, emanating from reports in Washington, revealing that SIS would be officially acknowledged by a new law intended to 'make spies more accountable', signalling a new 'watchdog body over the service's activities', and prompting a quick amendment to the forthcoming Queen's Speech.¹³² In Cabinet, Major apologised to Ministers for not having told them sooner, arguing that avowing SIS and placing it, alongside GCHQ, within a legal framework was, as he later told the Commons, part of his wider aim of 'away the cobwebs of excessive secrecy' by opening up government.¹³³ Even so, during discussions the Ministerial Committee on the Intelligence Services noted that, while some measure of oversight was needed to secure parliamentary support for any proposed legislation covering SIS and GCHQ, the form that such oversight would take was far from finalised, with divisions in government. Butler remained opposed to parliamentary oversight, instead advising Major in June 1992 that a Commissioner – as set out in the Security Service Act – was the only way to meet the demands for oversight while not discussing intelligence and security matters in public.¹³⁴ Nonetheless, the government proceeded with the proposed legislation in November 1993, introducing a parliamentary bill on the intelligence services, culminating in the 1994 ISA and through it the Intelligence and Security Committee, though criticism continued, this time over the scope and nature of the committee's powers. In the Commons, Jack Cunningham, Shadow Secretary of State for Foreign and Commonwealth affairs, aired misgivings over the ISC's status as an independent, not a formal select, committee, answerable to the Prime Minister, leading the charge that it was 'prime ministerial oversight and scrutiny', even if the new bill was, he told MPs, a 'victory for the arguments that we have advanced over the years'.¹³⁵ Several others agreed; John Gilbert, a future member of the ISC, said the proposals were 'timid'.¹³⁶ Yet further attempts to bolster the proposed ISC through amendments in the bill's third reading, proposed by Peter Mandelson, David Winnick and Chris Mullin failed, the bill passing its third reading by 216 votes to just 10 against, mostly members of the Socialist Campaign Group, including Jeremy Corbyn, with the Intelligence Services Act coming into law later that year, the ISC publishing its first annual report in spring 1996 under the chairmanship of former Conservative Secretary of State for Defense and Northern Ireland, Tom King.¹³⁷ Rather than make a new appointment after the election of New Labour in 1997, King remained the ISC's chair until the end of the 2001 Parliament, reflecting, writes Mark Phythian, the desire to 'reassure the agencies that the 1983 election manifesto was long forgotten'.¹³⁸

Although, ironically, it was pressure from European law, rather than domestic opposition, that ultimately established the first cracks in government reluctance to recognise the need for legislation and limited oversight, Labour's drive for change – however flawed it was – effectively set the tone for domestic discussions on oversight and accountability. Even if the party's calls for change were often rooted in the deep-seated mistrust of the 'secret state' and stemmed from misapprehensions based on personal experience – as the Benn example shows, Labour's calls to bring the agencies into a legal

framework and establish a parliamentary system of oversight had at heart what is now regarded as a liberal democratic norm in the context of intelligence oversight. Studying the development of party attitudes towards oversight shows how the engrained suspicion of Britain's intelligence and security agencies, particularly MI5 and Special Branch, fuelled internal Labour discussions, resulting in the publication of Labour's 'Freedom and the Security Services'. As such, Labour's wider fears – going back even beyond the Zinoviev Affair of the 1920s – broke the bipartisan consensus on security matters, for the first-time seeing a British political party come up with policy recommendations to bring Britain's agencies 'in from the cold'. Although the proposals, forming part of the now infamous 'longest suicide note in history', were prompted by domestic and international concerns that intelligence agencies were undemocratic and lacked effective control, and essentially a product of battles within Labour, they marked an important moment in the drive for agency accountability and reform. In retrospect, Labour's pitch could be said to be naïve: the scrapping of the Official Secrets Act, the reform of the D-Notice System and the opening of MI5's archives to scrutiny, marked Labour's inexperience on such issues and would have proven to be difficult to implement. But, in other areas, the policy proposals were strong, in the end, including suggestions that would become a feature of the Security Service Act and Intelligence Services Act. Agency avowal and greater openness about the mandates, powers and goals of the security services became normalised as Britain's agencies adjusted to the 'openness' of the 1990s. The 1994 Intelligence Services Act – despite Labour's last-minute efforts to secure greater powers for the Intelligence and Security Committee, included some, albeit limited, mechanisms for parliamentary oversight, establishing the ISC with the work of committee expanding over time – even if problems remain today.¹³⁹ It is broadly correct to observe, as Jack Cunningham did during debates over the future Intelligence Services Act, that the passage of legislation was a 'victory for the arguments that we have advanced over the years'.¹⁴⁰ Although Labour's 1983 manifesto will be remembered as an unmitigated disaster, proposals on parliamentary oversight of Britain's intelligence agencies were certainly innovative in the context of the time, beginning a period of the party's commitment to securing oversight that has been overlooked. It also shows how the consensus around intelligence and security being off limits to party-political discourse ended, with intelligence becoming the subject of party politics.

Notes

1. Read Lomas, "The most vulnerable targets": Why the Soviet Union loved both Labour and Tory MPs'.
2. For a short overview of the subject, read Kavanagh and Morris, *Consensus Politics from Attlee to Major*.
3. On just some of the examples, read Defty, 'Spies in Parliament: Not as unusual as you might think' and Lomas and Murphy, 'Rory Stewart: spies have a long history of becoming politicians'.
4. Andrew, 'The British View of Security and Intelligence', in Farson, Stafford and Wark (eds.), *Security and Intelligence in a Changing World*, 11 and Ramsay, *Politics & Paranoia*. For a later study of Parliament and intelligence, read Bochel, et. al., *Watching the Watchers: Parliament and the Intelligence Services*.
5. Moran, *Classified: Secrecy and the State in Modern Britain*, 110.
6. Andrew, 'Intelligence, International Relations and "Under-theorisation"', 170–184.
7. Bochel, et. al., *Watching the Watchers: Parliament and the Intelligence Services*, 30.
8. *Ibid.*
9. Hansard, HC. Deb, 16 July 1963, Vol. 681, Col. 335.
10. Wilson, *The Governance of Britain*, 168.
11. Wigg papers, London School of Economics (LSE): WIGG 3/23, Lord Wigg to Mr. Montgomerie, 14 February 1968. Wilson's predecessor, Gaitskell, believed intelligence work needed to be 'effectively controlled by Ministers', its operations 'secret' and intelligence work should never 'embarrass our international relations' (*Ibid.*).
12. Hansard, HC. Deb, 27 November 1986, Vol. 106, Col. 426.
13. Andrew, 'Intelligence, International Relations and "Under-theorisation"', 171; Moran, *Classified: Secrecy and the State in Modern Britain*, 110.
14. Hansard, HC. Deb, 27 November 1986, Vol 106, Col. 426.
15. Bochel, et. al., *Watching the Watchers: Parliament and the Intelligence Services*, 33.
16. Warner (ed.), *In the Midst of Events*, 75–6.

17. Hansard, HC. Deb, 14 May 1956, Vol 552, Col. 1751. On the Crabb affair and government reaction read Moran, 'Intelligence and the Media' and Goodman, 'Covering up spying in the "Buster" Crabb Affair'.
18. Moran, *Classified: Secrecy and the State in Modern Britain*, 127.
19. Hansard, HC. Deb, 14 May 1956, Vol 552, Cols, 1766–7, 1777.
20. Entry for 22 June 1963, in Morgan (ed.), *The Backbench Diaries of Richard Crossman*, 1003.
21. Hansard, HC. Deb, 2 July 1963, Vol 680, Col. 191–3. See also entry for 1 and 17 July, Morgan (ed.), *The Backbench Diaries of Richard Crossman*, 1010, 1015.
22. Hansard, HC. Deb, 16 December 1963, Vol. 686, Col. 872. For an overview of Profumo, Hennessy, *Winds of Change: Britain in the Early Sixties*, 365–375. Entry 2 June–9 June 1963, Morgan (ed.), *The Backbench Diaries of Richard Crossman*, 991. Macmillan's diary highlights the immense strain of successive security scandals. In November 1962, he referred to 'a continual running crisis ... a sort of mass hysteria worked up by the Press and the less reputable members of the Opposition like Brown and Crossman and Gordon-Walker' (Catterall, *The Macmillan Diaries, Vol II: Prime Minister and After*, 518–9).
23. Moran, *Classified*, 138. On the wider context, see Bennett, *The Zinoviev Letter: The Conspiracy That Never Dies*, 160–169.
24. Hermiston, *The Greatest Traitor*, 303.
25. LSE, Peter Shore papers: SHORE 15/14, Background paper: Security, 30 March 1983.
26. See Andrew, 'The British View of Security and Intelligence', Farson, Stafford and Ward (eds.), *Security and Intelligence in a Changing World*, 16 and Aldrich and Cormac, *The Black Door*, 365–6. LSE, Shore papers: SHORE 15/14, Background paper: Security, 30 March 1983, 2.
27. Bennett, *The Zinoviev Letter*, 193.
28. Labour History Archive and Study Centre (hereafter LHASC), Manchester: Advisory Committee on International Questions: Foreign Office and Labour Governments, August 1925.
29. See Lomas, *Intelligence, Security and the Attlee Governments*, Bennett, *The Zinoviev Letter*, 158.
30. Andrew, *The Defence of the Realm*.
31. Entry for 29 September 1965, in Benn, *Out of the Wilderness: Diaries, 1963–67*, 328.
32. Castle, *The Castle Diaries, 1974–1976*, 314.
33. See Andrew, *The Defence of the Realm*.
34. On the 'Doctrine' itself, read Defty, et. al., 'Tapping the Telephones', 675–97.
35. Hansard, HC. Deb, 17 November 1966, Vol. 736, Col. 639.
36. On the Thorpe scandal, read Preston, *A Very English Scandal: Sex, Lies and a Murder Plot at the Heart of the Establishment*.
37. On the 'Year of Intelligence', read Andrew, *For the Presidents Eyes Only* and Jeffreys-Jones, *The CIA and American Democracy*.
38. Penrose and Courtiour, *The Pencourt File*, 9–10.
39. Pimlott, *Harold Wilson*, 696.
40. In 1961, the Labour Party leadership had decided to expose 'communists who were fraudulently posing as socialists and expelling them publically from the party'. In September, Labour's Deputy Leader George Brown met MI5's Deputy Director-General and provided a list of sixteen suspected communists, including Will Owen, Julius Silverman, Tom Driberg, Stephen Swingle and Judith Hart (see Andrew, *Defence of the Realm*, 413–15).
41. Lustgarten and Leigh, *In From the Cold: National Security and Parliamentary Democracy*, 517.
42. Vincent, *The Culture of Secrecy: Britain, 1832–1998*, 255.
43. PSIS originated from Brook's report, see The National Archives (hereafter TNA) CAB 301/17, 'Report of Enquiry by Sir Norman Brook into the Secret Intelligence and Security Agencies', 19 and TNA: CAB 301/23, GEN 374/4th Meeting, 18 December 1951. On Treasury oversight, read Aldrich, 'Counting the Cost of Intelligence: The Treasury, National Service and GCHQ', 596–627.
44. Beesley, *The Official History of the Cabinet Secretaries, 1947–2002*, 337.
45. TNA: CAB 301/417, Trend to Heath, 26 June 1970.
46. Hansard, HC. Deb, 28 July 1977, Vol 936, Col. 1224.
47. Andrew, *The Defence of the Realm*, 322.
48. Cmnd. 8191, 'The Interception of Communications in Great Britain', 4.
49. Hain, *A Putney Plot*, 119.
50. *Ibid.*, 158.
51. Entry for 29 September 1965, in Benn, *Out of the Wilderness*, 329.
52. Caroline Benn, educationalist, writer and Tony Benn's wife.
53. Line, 'Labour stalwart Tony Benn was convinced his phone was tapped, newly unearthed recordings reveal'.
54. Entry for 18 May 1977, in Benn, *Conflicts of Interest: Diaries, 1977–80*, 141.
55. TNA: PREM 16/1862, minute to Callaghan, 24 October 1978.
56. See Mistry, 'A Transnational Protect against the National Security State', pp. 376, 378.
57. Aitken, 'Labour looks into CIA'.

58. LHASC: NEC Minutes (November 1978), RE: 1865/November 1978, 'Civil Liberties and the Security Services: The case for an enquiry', p. 4. Benn's arguments appeared in *The Guardian* in 1980, see Benn, 'Civil liberties and the security services'. Although not referred to in Benn's document, a committee of Privy Councillors would essentially keep intelligence discussions secret given their oath to 'keep secret all matters regarded in the Council' (see Lustgarten and Leigh, *In From the Cold: National Security and Parliamentary Democracy*, 469).
59. On the origins and functions of the Intelligence Co-ordinator, see Young, 'The Wilson government'.
60. Beesley, *The Official History of the Cabinet Secretaries*, 359. On Callaghan and intelligence, see Aldrich and Cormac, *The Black Door: Spies, Secret Intelligence and British Prime Ministers*, 329–352 and Morgan, *Callaghan: A Life*, 609–12.
61. TNA: PREM 16/1862, Hunt to Callaghan, 24 October 1978.
62. On the Callaghan-Benn relationship, read: Morgan, *Callaghan: A Life*.
63. Entry for 25 October 1978, in Benn, *Conflicts of Interest*, 378–79. On references to Callaghan's warning, see TNA: PREM 19/913, C.A. Whitmore to Armstrong, 9 February 1981.
64. Details of the committee can be found in *Review of Security and the State 1979*, 27–29.
65. For Labour post-1979, read Pugh, *Speak for Britain: A New History of the Labour Party*, 359–374.
66. See, Hewitt, *Privacy: The Information Gatherers*.
67. MI5's files on Thompson until January 1963 are available at TNA, see KV 2/4290-KV 2/4294.
68. See Craig, 'Spycatcher's little sister: the Thatcher government and the Panorama affair, 1980–81', 679, Aldrich, GCHQ and Jeffreys-Jones, *We Know all About You*, 164–166; Campbell wrote: 'The Labour Party's Home Affairs Study Group on the intelligence services finally got underway after Tony Benn's much publicised initiative in 1979. Previously Labour had never tackled the issue really seriously, and certainly did not take advantage of its long periods in office to submit the secret agencies to any democratic oversight. But the realisation may be spreading that the new technologies of surveillance make the challenge genuinely urgent; unless they are legally defended, our traditional liberties will not long survive' (Campbell, *Big Brother is Listening: Phonetappers and the security state*, 40–42).
69. See, for example, LHASC: RD: 177/December 1979/SRF. Consultation Document on the Security Services, December 1979.
70. TNA: PREM 19/913, Armstrong to Thatcher, 6 February 1981 and 'Draft Letter From Sir Robert Armstrong to Mr. R. Hayward'. Thatcher underlined 'only be negative'. This was also reproduced in *Freedom and the Security Services: A Labour Party Discussion Document*, 77.
71. LHASC: NEC Minutes, Minutes (1) Security Services Study Group, 23 October 1979.
72. LHASC: NEC Minutes, Minutes (2) Security Services Study Group, 27 November 1979.
73. LHASC: NEC Minutes, Minutes (3) Security Services Study Group, 19 December 1979.
74. White, 'Michael White's politicians of the decade', Leigh, 'MPs step up pressure over Secrets Bill'.
75. 'Academic uncovers government discussions around "Fourth Man"'. For Thatcher's response, see also Moore, *Margaret Thatcher: The Authorised Biography, Vol. 1*, 483–5.
76. Hansard, HC. Deb, 21 November 1979, Vol. 974, Cols. 500–501.
77. Hansard, HC. Deb, 11 December 1979, Vol. 975, Cols. 1089–92.
78. TNA: PREM 19/119, Whitelaw to Lord Hailsham, Lord Chancellor, 29 November 1979.
79. LHASC: NEC Research Department, RD: 177/December 1979. Draft Consultation document on the Security Services.
80. See, 'Academic uncovers government discussions around "Fourth Man"'.
81. *Freedom and the Security Services: A Labour Party Discussion Document*, 3.
82. Ibid.
83. LHASC: NEC Research Department, RD: 195/December 1979. Draft Consultation document on the Security Services.
84. Ibid.
85. See Cmnd. 2152, *Lord Denning's Report* (London: HMSO, 1963).
86. Hansard HL Deb 26 February 1975 vol. 357 cc. 820–956.
87. See note above 83.
88. On the full list, see *Freedom and the Security Services: A Labour Party Discussion Document*, 74–6.
89. LHASC: NEC Research Department, RD: 388E/June 1980. Resolutions received from 30/5/80–20/6/80.
90. LHASC: RD: 513Q/September 1980. Resolutions Received from 4/8/80–20/8/80.
91. LHASC: NEC Research Department, RD: 2079/February 1982. Security Services Study Group: Secret Services.
92. Aitken and Norton-Taylor, 'Hattersley wants MPs to watch over security'.
93. TNA: PREM 19/913, Armstrong to Thatcher, 27 July 1982. Armstrong explained that many of the inaccuracies were in the 'section concerned with the organisation and function of each of the institutions responsible for Security and Intelligence'. GCHQ was described as 'nominally responsible to the Foreign Office but ... equally responsible to the Cabinet Office and American control'. Thatcher underlined the name of Duncan Campbell and references to factual inaccuracies.

94. Report of the Security Commission, December 1981, pp. 12–3. For a discussion of the report, read Lomas, 'Security, Scandal and the Security Commission Report, 1981'.
95. Beesley, *The Official History of the Cabinet Secretaries*, 410–411. The Commission had been asked to review security following the claims that MI5 Director General Sir Roger Hollis had been a Soviet mole, Hansard, HC. Deb, 26 March 1981, Vol. 1, Cols. 1079–1080.
96. Cmnd. 8540, *Statement on the Recommendations of the Security Commission* (London: HMSO, 1982), p. 3. See also Thatcher's statement to the House, Hansard, HC. Deb, 19 May 1982, Vol. 24, Col. 99–100 W.
97. Hansard, HC. Deb, 11 November 1982, Vol. 31, Col. 671. On the Prime case, read Cmnd 8876, *Report of the Security Commission, May 1983*.
98. Labour's 1983 election manifesto committed the Party to make the intelligence agencies 'properly accountable institutions'. See Dale (ed.), *Labour Party General Election Manifestos, Vol. 2*. See also Pallister, 'Labour plans a tighter grip over security'.
99. See: 'Foreword' to *Freedom and the Security Services: A Labour Party Discussion Document*.
100. *Ibid.*, 8.
101. *Ibid.*
102. This appears to have later echoes with the December 2019 Queen's Speech which committed the government to implementing legislation to 'tackle hostile activity conducted by foreign states' (Hansard, HL. Deb, 19 December 2019, Vol. 801, Cols. 7–9).
103. *Freedom and the Security Services: A Labour Party Discussion Document*, 54–63. On wider discussions of Labour's FOI policy, read Working Class Movement Library (WCML), Salford: 329.942/R23, *Report of the Annual Conference of the Labour Party 1981*, 266–70.
104. *Ibid.* On the D-Notice system read the authoritative history: Nicholas Wilkinson, *Secrecy and the Media: The official history of the United Kingdom's D-Notice system*. The Official Secrets Act had been amended since it was first introduced in 1898, repealed in full by the 1911 version. The act was also amended in 1920, 1939 and later in 1989.
105. *Ibid.*, 52–4.
106. *Freedom and the Security Services: A Labour Party Discussion Document*.
107. Dorril, *The Silent Conspiracy*, 41.
108. Hennessy, 'Smiley's People Close Ranks Against Labour Plans for Secret Services'.
109. See 'Spooks – U.K.', *The Lobster*, No. 1 (September 1983).
110. Thorpe, *A History of the British Labour Party*, 218.
111. See, Dale (ed.), *Labour Party General Election Manifestos*, 276–7.
112. Hansard, HC. Deb, 19 December 1984, Vol. 70, Col. 463. Dalyell's claims were, Home Office Minister of State Giles Shaw wrote, 'entirely without foundation' (Churchill Archives Centre (CAC), Cambridge, Dalyell papers, TADA 3/9/1, Shaw to Dalyell, 23 July 1985; Questioned on the nature of the allegations, Dalyell claimed that Murrell's murder was linked to leaks on the sinking of the Argentina cruiser *ARA General Belgrano* during the Falklands War in May 1982, and that intelligence officials had accidentally killed Murrell after a short struggle, bizarrely telling police that the Cabinet Secretary, GCHQ Director Peter Merrychurch and Thatcher should be questioned by officers about what they 'have been told, and when they were told it' (CAC: TADA 3/9/1, letter by Dalyell, 15 January 1985). A summary of the case noted that Dalyell believed "'British Intelligence" were operating directly out of a special unit attached to No. 10 Downing Street' – a bizarre claim (*Ibid.* 'The Death of Hilda Murrell. Update – January 1985).
113. WCML: AG/Labour Party Conference, Box 4: Statements by the National Executive Committee to the eighty-sixth Annual Conference of the Labour Party to be held in the Brighton Centre, 28 September to 2 October 1987. See also *Report of the Eighty-Sixth Annual Conference of the Labour Party 1987*, 113–4.
114. LSE, Merlyn-Rees papers: Merlyn-Rees 18/8: speech to General Management Committee of Morley & Leeds Labour Party, August 1987. This contrasted with his time as Home Secretary. During a meeting of the NEC on security reform, Rees had 'sat with his head in his hand, mumbling incoherently about how difficult it all was' (see Lipsey, *In the Corridors of Power*, 130).
115. Phythian, 'The British experience with intelligence accountability', 76. Moore, *Margaret Thatcher: The Authorised Biography, Vol 3*, 250–2.
116. LSE, Shore papers: SHORE 16/24, Callaghan. Statement to Chris Moncrieff of the Press Association, Sunday 22 March 1987; On wider cross-party support for change, see Gill, *Policing Politics*, 308 and Leigh and Lustgarten, 'The Security Service Act 1989', 816.
117. On Jenkins' view, read Jenkins, *A Life at the Centre*, 383–5. Looking back on his time in the Home Office, Jenkins recalled the inability of a Home Secretary, tied down with the everyday political pressures, to 'exercise the disentangled control over the Security Service', strengthening 'the independent power of MI5'. Jenkins questioned the oversight of MI5's bugging and continued political-surveillance role (385). On Jenkins and *Spycatcher* see also (Campbell, *Roy Jenkins*, 642–3).
118. LSE, Merlyn-Rees papers: Merlyn-Rees 18/7: Ramsay to Rees, undated.

119. CND papers, LSE: CND/2008/8/4/66, Cathy Massiter Court Case, programme script for '20/20 Vision: MI5's official secrets'.
120. See Andrew, *The Defence of the Realm*, 766–7.
121. Moore, *Margaret Thatcher: The Authorised Biography*, Vol 3, 251–2.
122. Hurd, *Memoirs*, 358.
123. Lustgarten and Leigh, 'The Security Service Act 1989', 814. See also 'Security Service Act 1989'.
124. CAC: Kinnock papers, KNNK 13/7, Research Note: Accountability of the Security Service, 2 December 1986.
125. For the debate see, Hansard, HC. Deb, 15 December 1988, Vol. 143, Cols. 1104–1179.
126. Hansard, HC. Deb, 23 January 1989, Vol. 145, cols. 743–797.
127. EDM 685: 'Illegal interception of Communications', 6 April 1989. I would like to thank Richard Ward and the Parliamentary Archives team for sending me this. Fields and Nellist were later expelled from Labour as members of Militant.
128. Rimington, *Open Secret*, 190.
129. Benn, 'The Case for Dismantling the Secret State', 127–8. See also Dorril and Ramsay, *Smear! Wilson and the Secret State*.
130. Entry for 13 May 1991, in Wright, *Behind Diplomatic Lines: Relations with Ministers*.
131. *It's Time to Get Britain Working Again*, p. 24. I would like to thank Jane Taylor of the WCML for digitising extracts from the manifesto.
132. Adams, 'Licensed to Tell'.
133. TNA: CAB 128/102/14, CM (92) 14th Conclusions, 7 May 1992; Seldon, *Major: A Political Life*, 291.
134. Beesley, *The Official History of the Cabinet Secretaries*, 556.
135. Hansard, HC. Deb, 22 February 1994, Vol. 238, Cols. 165–174.
136. On the 1994 bill and discussions, see Phythian, 'The British experience with intelligence accountability', 78–80.
137. Hansard, HC. Deb, 27 April 1994, Vol. 242, Cols. 321–336, 343–351; Norton-Taylor, 'Opposition bid to beef up secrets bill rejected'.
138. Phythian, 'The British experience with intelligence accountability', 82.
139. For an excellent study of the problems faced by the ISC, see Andrew Defty, 'The Parliamentary Intelligence and Security Committee: a committee in decline?', *PSA Parliaments Group*, <https://parliamentsandlegislatures.wordpress.com/2018/01/10/intelligence-security-committee/> (accessed 1 October 2018).
140. Hansard, HC. Deb, 22 February 1994, Vol. 238, Cols. 165–174.

Acknowledgements

I would like to thank staff at the Labour History Archive and Study Centre (LHASC), People's History Museum (Manchester), the London School of Economics (LSE) Archives (London), The Working Class Movement Library (Salford), Churchill Archives Centre (Cambridge), and The National Archives (Kew), for help in researching for this article. Thanks also go to James Bruce, Berenice Burnett, Dr. Christopher J. Murphy, Prof. John Callaghan and the anonymous reviewers for their valuable feedback throughout this project.

Disclosure statement

The author has nothing to declare.

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