

Whitehall portrait: The Home Office, 200 years old this week

The ministry of short, sharp shocks

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Tomorrow the Queen and the Duke of Edinburgh visit the Home Office at Queen Anne's Gate to celebrate the department's bicentenary. David Walker surveys the functions of William Whitelaw's domain.

The Home Office's main task is the administration of pain — or "emotions," as Mr William Whitelaw, the present Home Secretary, says, with a late-twentieth century sensitivity that has earned him few friends among his party's hangers and floggers. But really the business of this great 200-year-old department of state is pain — in the Benthamite sense of penalties against breaking the rules, the criminal law and the social control of individual freedom.

The pain is often real enough. The Home Office runs an apparatus of arrest, border control and imprisonment which entails pain in the "short, sharp shock" sense. Truncheons bruise; arrested people sometimes die; eyes sting, too. Home Office civil servants order up the CS gas; the Merseyside constabulary fires it.

The technology of the Queen's Peace changes, but the core Home Office work remains the same as in the nineteenth century when, an administrative catch-all from the time of George III, it took on its special colour as combined police department and ministry of justice.

The functions, however distasteful, are necessary for the continuation of civil society — the society that leads to law and

one official, and the accumulation of political pressure on Mr Whitelaw from within his own party to "do something" about crime might be taken as an example. Home Secretaries and their civil servants will always be at the political centre because beneath the day's news, the Parliamentary questions and the moral panics (rape, mugging) there are questions about the social order itself.

From Home Office officials comes a picture of balance, and in a sense they will probably always be in the middle. To the left, liberals and critics of society, the pain administered by the state is hateful or absurd; it is not pain but social justice that will hold society together. To the right, there will never be enough pain (corporal punishment, Spartan penal regimes) because to them pain is social cement; they want only one half of Bentham.

The Home Office formula is: enough pain to keep order. It is a formula that gets buffeted from both sides.

It runs Britain's largest stud

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William Whitelaw, Home Secretary

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The main functions of the Home Office is the "police authority" for the Metropolitan Police covering an area slightly larger than that of the Greater London Council. The Home Office supervises the other police forces of England and Wales; regulates the size of force and promotes inter-force cooperation. It runs central police services such as the national computer and forensic laboratories.

● **Prisons, borstals and detention centres.** The probation service is nominally run by local committees consisting predominantly of magistrates but comes under Home Office supervision.

● **Immigration and nationality:** control at ports; naturalisation and deportation.

● **Fire service.** The Home Office has a general responsibility of ensuring efficiency although fire officers are employed by the county councils. The Home Office appoints fire inspectors and runs various central services such as the service's staff college.

● **Criminal justice.** The Home Office deals with the content of the criminal law and shares with the Lord Chancellor's department responsibility for the courts. The Lord Chancellor appoints judges and magistrates; the Home Office is in general responsible for the machinery and procedure of the criminal and magistrates' courts.

The main functions of the Home Office

● **Broadcasting.** The Home Office licenses the BBC and IBA programme content remains entirely their responsibility. The Home Office handles wavelengths and frequencies. It also deals with technical planning and broadcasting legislation including the Code of Advertising for the IBA.

● **Race.** The Commission for Racial Equality is a Home Office quango. Each department of government is responsible for the "ethnic element" in its policies but the Home Office is held, by the present government, to have a leading role on race questions.

● **Sexual equality.** The Equal Opportunities Commission is another Home Office quango.

● **The Home Office rag-bag.** According to the traditional formula "the Home Office deals with such internal affairs of England and Wales as are not assigned to other departments". This includes royal ceremonies; relationships between church and state; charities; gambling — the Gaming Board is a Home Office quango. Also sex shop regulation. In addition the Home Office handles relations with the Channel Islands and the Isle of Man. Electoral matters are within its purview, along with liquor licensing; taxis and boundaries.

the real demands of the community are." This sounds a little like Civil Service knowings that but refers to a vital function that the Home Office fulfils: to be a block, a mountain of dispassion- are appraised when the palace

In his bicentenary lecture, Mr James Callaghan, speaking as a former Home Secretary, argued that the Home Office should become a leading social department, that it was a tragedy that it had lost responsibility for children to the Department of Health in 1970. But the Home Office record on race makes the proposition doubtful.

Race for the Home Office means immigration control. Positive work for better ethnic relations was hived off to the Commission for Racial Equality; however much criticism is levelled at that body it is unlikely the Home Office would ever take back its prosecuting or propaganda-making roles.

Mr Whitelaw says, sincerely, he wants the debate to move away from immigration to talk about ethnic differences naturally. Changes in the machinery of government would help — as he acknowledges when he wonders aloud whether the Home Office's odd little corner of broadcasting policy might not fit a lot more comfortably elsewhere.

Visitors to Mr Raison notice immediately the huge trolley which seems to sit permanently by his desk. It is full of cases: he gets 13,000 references a year from MP's of individuals caught in the various nets of the immigration system. Every senior Home Office official shares part of a huge departmental burden of casework. Prisoners appeal; firemen appeal against disciplinary charges; immigrants and would-be immigrants appeal. Mr Raison said that up to 40 per cent of immigration appeals could be successful. "The system is ridiculously overloaded."

Yet the Home Office's departmental wisdom is that casework, tempering the pain with mercy, marrying the heart with the head in Mr Whitelaw's words, is a vital function, a way of balancing individual against the collective interest. "It is the interplay, the contrast of these that characterizes most of what happens here", Mr Raison said.

servant in charge of the police wears one of those specially commissioned Prince's Gate siege ties with pride; officials focus on their harrowing visits to the besides of police officers injured in the riots.

There is nothing censurable about this. But it shows how close the administrators get to the peculiar and narrow classes and raises the doubt whether the civil servants become like them, like policemen.

In his autobiography, Sir Robert Mark, the former Metropolitan Police Commissioner, declared that the head of the Home Office police department was devoted to the service. Surely the more apt expression would be "devoted to the public interest"; a concept which comes bounding into play when there are bent or incompetent police officers; when a lay element needs to be injected into the investigation of complaints (or into the inspectorate of police itself).

Would Home Office inspectors ever buck the system and complain about official policy, as Her Majesty's Inspectors in education have done? Sir James Crane, a policeman made up to Chief Inspector of Constabulary, answered opaquely. "We are purely independent... one always operates within government policy."

No Home Office officials have anything but praise for the main police statute, the 1964 Police Act. Only Mr Whitelaw says the Act and its attempted alignment of policing and local democracy is "under strain." It would be dangerous if that undoubted strain led to an even closer relationship between Queen Anne's Gate and the police force — whatever Mr Anderton says.

With a turn of phrase that would have graced a Victorian jurist, Mr Patrick Mayhew, the junior minister now overseeing the Criminal Justice Bill, said: "The job of the Home Secretary is always to keep the law and its applications consistent with life in a free society." That is fine in a stable society.

Officials, justifiably, claim some expertise. "We deal with subjects (within criminal justice) on which the man on the Clapham omnibus thinks he's an expert," Mr Tony Brennan, the deputy secretary responsible said. "It is difficult to know what

lary under Sir Brian's chairmanship. "Openness" is the order of the day. We want it for the prison service, Mr Trevelyan said, in order to illustrate just how necessary is penal expenditure. We are simply following the Whitehall trends, Sir Brian said.

Scarman helped police training

Whatever the reason, there is some willingness to relinquish some of the mystery of what has always been a closed department. Soon, careers may reflect the change. Traditionally Home Office men (women are few) stayed in the department; now there are moves to expose the younger element to different departments.

Mr Andrew would like young principals to have a spell in the Treasury. One youthful under-secretary, Mr Hayden Phillips, even went to Brussels and seems to have returned to the Home unscathed.

But the shadows over the department's bicentenary have to do with the obvious paradox: what brings money into Home Office services is crime, which is not necessarily good for the public. The growth of crime is not recent, but has had three recent dramatic expressions: in last year's urban riots, in the outburst by Mr James Anderton and in the public response to the published statistics of crime.

Each issue raises questions about the Home Office far more important than whether Mr Whitelaw and Sir Brian fit into the apparently alternating pattern of liberality and illiberality which has marked Home Office administrations over the post-war years. (The two of them ought, by that reckoning, to be illiberal.)

The response of officials asked about last year's riots in Liverpool, London and Manchester is couched in police terms. Scarman, for example, brought into sharper focus the Home Office's own planning on police equipment and inter-force coordination; officials wanted to see "community policing" go high on the agenda. One official said: "Scarman has strengthened our hand on police training, including that for chief constables."

The remark illustrates the extent to which the Home Office is a producers' rather than a consumers' department. The civil

were seething and the prisons were in ferment, the Home Secretary was a vulnerable man in the last ditch. His only weapons were committees of inquiry given a free hand to bribe back to work.

So it seemed in 1978-79, the winter of discontent. It was then that Mr Andrew, he said, went to the public library to take out books on the Liverpool police strike of 1919 to see what could be done. Lord Edmund-Davis and his committee saved him by paying the police index-linked salaries.

In comparison, the recent years of Conservative government seemed relaxed — at least until the present panic about crime. Law and order has enjoyed priority in the spending aggregates. Police and prisons have, in the recession, been growth industries. (Industry is the right word for the prison service, bedevilled as it is by the trade union muscle of the Prison Officers Association. Mr Dennis Trevelyan, the deputy secretary who commands the service, will take you through a list of its huge undertakings, including the largest laundry in Europe and one of the biggest stud farms in the country.)

The Home Office is not a department for the new jargon of management and cost effectiveness. The arithmetic of pain is no highly developed art, the output of prison or baton rounds being difficult to calculate. Mr Whitelaw said: "I am a political Secretary of State first and secretaries in various divisions foremost." Management

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Such figures are, outside time high — good times for a new Permanent Secretary, Sir Brian Cubbon, change in the tight Home Office structure way to secretaries in various divisions

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On the basis of the formula Mr Whitelaw says of the Home Office with pride over last year's riots: "We managed to keep Britain calm through that situation." The formula is, of course, not neutral. Among the Home Office's ragbag of ancient responsibilities are various seal-delivering and Mail-decorating royal duties. And the Home Office stands, again in Mr Whitelaw's words, as "the guardian of the traditions... for the preservation of the fabric of the state".

This makes it the department of emergencies, which naturally vary in their seriousness. In the early 1960s there was a celebrated Home Office emergency when MPs reported that M Georges Bidault, the former Prime Minister of France, had arrived in Britain without the Home Office's having any record of his arrival.

At other times, emergency is signalled by the sight of Mr Robert Andrew, the deputy secretary in charge of police, dashing along Birdcage Walk to the Cabinet Office for example to administer the Stanstead hijacking. As Mr David Heaton, an under secretary responsible for civil defence, emergencies and fire, put it: each department of government is responsible for its own emergencies.

If London floods, that is for the Department of the Environment. It can call on troops under

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The functions, however distasteful, are necessary for the continuation of civil society — any society. Threats to law and order are not abstract. Mr Whitelaw refers to some denizens of HM Prisons as "fairly terrifying characters". Menace is often close to home. A celebratory booklet issued by the Home Office discloses that *The Times* could, if it so wished, mark the centenary next year of one of the first Fenian outrages on the mainland: a parcel of dynamite left on the newspaper's steps in 1883.

But to whom is the public safety entrusted? John Stuart Mill writing in the age of Peeters and Bull's-eye lanterns, contended that civilized society depended for its refinement on these necessary functions, the dirty work, being done by "delegation to professionals of narrow classes", professionals of pain.

The Home Office does the delegation; its job is the organization and oversight of the peculiar and narrow classes. Mill's examples were judges, soldiers, the executioner. Once upon a time the Home Office paid domestic spies like the notorious "Oliver". Nowadays it oversees prison warders, immigration officials, the Special Air Service Regiment and Mr James Anderton.

Mill went on to argue that the work of delegation was subtle, it could be achieved only by "a perfection of mechanical arrangements impracticable in any but a high state of civilization". Something the Home Office, for all the plush modernity of its St James's headquarters, is not.

Indeed the events of recent weeks suggest the mechanical arrangements are all too fragile. The name of Mr Anderton, the Chief Constable of Greater Manchester, suggests the increasing unease surrounding the concordat between councils, civil servants and magistrates under which the police in England and Wales are administered. Post-Scarman reverberations from the cities show how crime becomes a social issue; the Home Office is not a social department.

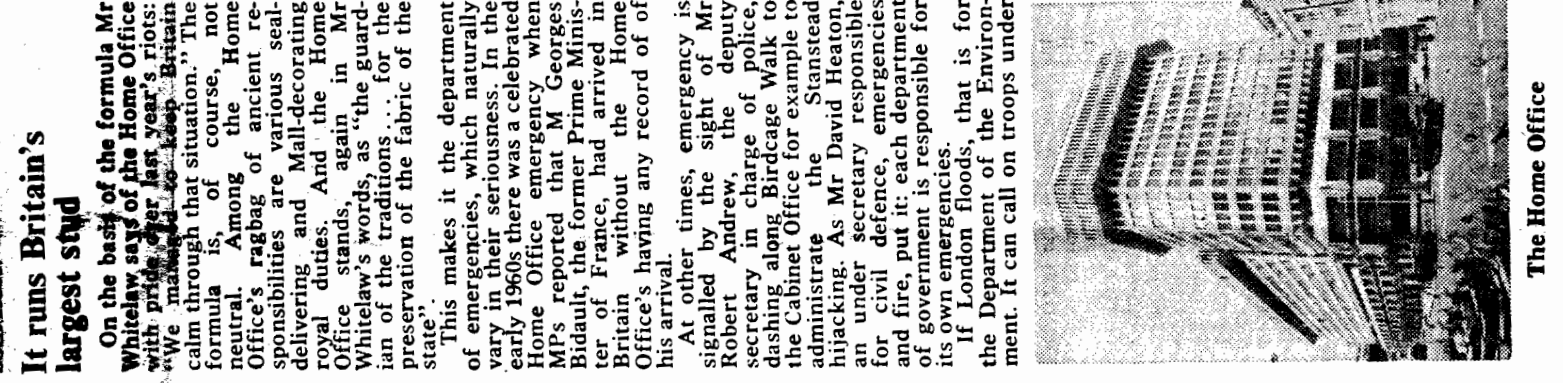
"Things come at you; you can't in the end escape," commented

Year	1970-71	1981-82
Police	£339.4m	£1640.3m
Prisons	£36.3m	£315.8m
Prison Population	20,750	42,000
Serious offences known to the police	479,400	2,690,000

Month	January 1982
Total staff	34,856
Prison department	25,626
Administrators (principal grade and above)	272

Year	1950-51	1981-82
Police	£339.4m	£1640.3m
Prisons	£36.3m	£315.8m
Prison Population	20,750	42,000
Serious offences known to the police	479,400	2,690,000

Month	April 1982
Total staff	33,456
Prison department	23,712
Administrators (principal grade and above)	272



The Home Office