

IN THE UNDERCOVER POLICING INQUIRY

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FOURTH WITNESS STATEMENT OF DONAL O'DRISCOLL

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I, Donal O'Driscoll, WILL SAY

1. I am one of the Core Participants in the Undercover Policing Inquiry. I make this statement in connection with matters arising at the forthcoming hearing on 5 February 2018.

Inaccuracies in police information

2. I am concerned that in evaluating material supplied by police in relation to anonymity orders for former SDS officers, that the Inquiry Chair will be relying on material that in places will be substantially inaccurate. This is, I believe, a reasonable fear, based on having sight of some of the material held on me by the police.
3. In particular, in 2013, I made a Data Protection Act request to the Metropolitan Police and received various material from them, some of which was inaccurate. This included identifying me at protests I know I had not attended.

4. In May 2017, I submitted a second Data Protection Act request to the Metropolitan Police asking for what they held on me on the National Special Branch Intelligence System database. After sending several prompts, I recently received a response. This consisted of two lines, each listing a separate arrest. The second of these, an arrest at Swansea Port in 2011, I can categorically declare is not true. I am aware of the statement of Harriet Wistrich, dated 31 May 2017, which details errors in the police information disclosed to some of the NPSCPs she represents, as well as others.
  
5. I am preparing a response to the police on the issue of the inaccuracy of my information, but in the meantime I feel that it is important that the Inquiry should have in mind the level of inaccuracies in the police files. Not least where the Chair, directly or indirectly, and/or the risk assessors are relying on this material to draw conclusions as to the risk facing former undercover officers.

#### The importance of images

6. I have seen the submissions served on behalf of the Slater & Gordon Officers, dated 26 January 2018, but disclosed on 2 February 2018, and also the submissions served on behalf of the Metropolitan Police Service, dated 1 February 2018. Both sets of submissions seek to suggest that publication of images of undercover officers from the time of their deployment will not be a significant means of enabling members of the public who were spied on by those officers to come forward. The Slater & Gordon submissions argue that "Those who were close to the individuals at the time will have known their


names, and those who cannot recall their names are unlikely to recall their actions in sufficient detail to be of use to the Inquiry."

7. I consider this argument to be fundamentally mistaken. It is well known that many people's memories are better for faces than names. But more importantly, in many activist groups people would only be known to one another by their first names, or even nicknames – even those who were close friends. In some groups it was considered questionable to ask a person's second name. I can attest to that being the case in one local group I was involved in and I am aware it was the culture in other places too. I am even aware of activists having been prosecuted under a nickname, so even people who had been prosecuted with them might not know their real name. Also, sometimes people were prosecuted under a variation on their name that they would not commonly be known by, for example, as 'Peter James Sutton', rather than their better known name of 'Jim Sutton'.
8. This is why releasing a cover name alone may not be enough for people to realise that that is the person they knew. This is especially a problem when the first part of an officer's cover name is a common name – like 'Mark' or 'John' or 'Simon' - seeing a photo of the person is important.
9. I am aware of a couple of cases where a genuine campaigner has had the same first name as an undercover officer and this has led to issues of confusion. Indeed, I am aware of one case in which a genuine campaigner

had the same first and last name as an undercover. A photo leads to clear identification.

10.I can also say that when I have been in contact with activists through the Undercover Research Group, they regularly ask me for photographs of known undercovers to help unlock their memories. In several cases this has been really helpful in achieving this.

**I believe the content of this witness statement to be true**

**Signed:**  [the Inquiry holds a signed copy]

**Name:** Donal O'Driscoll

**Date:** 05 February 2018