

In the UNDERCOVER POLICING INQUIRY

Opening statement of

Dónal O'Driscoll

1. I am aware a number of other opening statements will make trenchant criticisms of the Inquiry. In most cases I believe these criticisms are justified and I adopt them. As a self-representing core participant I have been dismayed by the often high-handed approach taken towards us.
2. There is clearly a belief the Inquiry does not need the non-state/police core participants, that it can learn the truth adequately enough from material provided by the police. That it can interpret the events we lived through, the movements we were part of, without our help. That the truth can be obtained from the words and documents of units whose core function was to lie to people and has already demonstrated how out of control it was. It is precisely the opposite. Without the understanding and knowledge the NPSCPs bring, this Inquiry would be utterly hollow, sorely lacking the public's trust.
3. My experience as a self-representing core participant has been that this attitude towards the NPSCPs permeates the Inquiry's approach; the bias is there in its many decisions. Time and time again we have come up against it, either being stonewalled or finding the ground shift underneath us. The constant prioritising of police needs over ours exacerbates the pain of being the victims.
4. For five years we have been waiting to close this grim chapter in all our lives, to get a modicum of disclosure. Yet, for all the lip service, decision after decision in this Inquiry excludes us. This is made all the worse when we are told these decisions are for our own benefit.

5. However, we remain part of the Inquiry despite all of this. Trauma, pain and injustice are what the heart of this inquiry. The undercover policing scandal has its impact because this is what it caused, in myriad different ways. Once one takes away the jargon around human rights and legality, that is what is left. The Inquiry has its terms of reference but what drives the outrage, the need for justice, the public interest, are the abuses these officers carried out.
6. To replicate the same tactics of justification and secrecy as the Inquiry so often has offends but does not override our need for justice and answers. Throughout the next few years we will continue to remind the Inquiry about that pain and injustice. We will continue to press the Inquiry for processes that respects us instead of constantly prioritising the needs of abusers, sometimes on the flimsiest of decisions, to exclude so many who were targeted by the SDS and NPOIU.
7. I have been misfortunate enough to see some of the records the undercover police kept on us. I know how extensive some of the reporting is, how deep and personal it is. And how many lies and inaccuracies are in them. So, when I say the Inquiry cannot get to the truth without us, it is based on this knowledge; it cannot properly understand the documents before it. It will not get through the layers of deception where the police attempted to cover their tracks. To draw any sort of conclusions from distorted material without our effective participation is to build an edifice on sand.
8. The same principle will apply to the evidence of former officers. These officers are trained to lie, it was their job. To penetrate that veil, to ask them the necessary questions, cannot be done without our knowledge. Whether you like it or not, the police stand accused of serious crimes, and it will always be first and foremost an adversarial process because of this.
9. I have many questions I need answering myself. I have been politically active for three decades now and targeted by a number of undercover officers from the units, some named and some not named. I grew up in Northern Ireland with the army pointing guns at me as I walked to school, aware of state sponsored murder gangs and shoot to kill policies. We never needed inquiries to tell us what we all knew. We grew up knowing

what the state is capable of and what it is capable of covering up and justifying to itself. So, I come to this with no illusions. However, I will not stand by when the Inquiry tells me it can get to the truth without letting me know the names of the undercovers who spied on me. When the Inquiry insists on withholding those basic facts from me, it is not getting to the truth, it is helping cover it up.

10. There are a number of issues which have prompted me to be a core participant:

- (a) In 1998 I was pushed under a moving car by a police officer during a demonstration, a deeply traumatising moment that still affects me. In the subsequent months I was targeted by police for increased attention which furthered that trauma. I now believe Christine Green would have been around for that. I wish to know what reporting she and other undercovers had in relation to that period, and how that impacted on the civil claim I was then preparing against the police.
- (b) In 2005 I was involved in organising the protest camp at Stirling, Scotland during the G8 summit. An event at which there were multiple undercovers, a number who I knew personally. The intense police harassment of that camp directly resulted in me developing a chronic illness which will remain with me for the rest of my life. I would like answers as to not only why that level of intrusion was considered proportionate, but what consideration was given to the impact that amount of pressure would have on campaigners.
- (c) Throughout the 2000s I was involved in preventing civil injunctions being brought to undermine the right to protest. I now know that not only were the domestic extremism units overtly active around this, they were covertly as well, including one corporate spy known to pass material to the police. I want to know to what extent that the other undercovers active at the time, at least one close to me, were disrupting our legal defences and who sanctioned that.
- (d) In 2007, while negotiating in good faith on one such injunction, it turns out that myself and another core participant were not talking to Novartis, but to undercover police. I was arrested for conspiracy to blackmail as a direct result of this (the

charges were later dropped). I believe that this was done to undermine the work I was doing on the injunctions.

(e) I was placed on The Consulting Association blacklist and experienced the impact of that, having job offers withdrawn. I would like to know what role undercovers played in this, or the degree to which information gathered by undercover police, including on myself, ended up being passed to corporate intelligence firms.

These are not the only times where I know undercovers, informers and corporate spies targeted me, and I am sure there are more to emerge given the many other campaigns and groups I was involved in.

11. I would like to make it clear though, as an animal rights activist, environmentalist, anarchist and anti-fascist, I remain proud of all I have been involved in and remain committed to those issues. I regret very little. I am sure the state will happily label me a criminal, but that does not bother me. First and foremost, I have always fought for and been motivated by a sense of justice. It is at the core of who I am, that one does not stand idly by in the face of cruelty or politics that oppress or destroy the planet. Positive change comes only through people seeking to stand up to abuse by the powerful. As such, I will not accept such criticism from a state that has, and is prepared to give its agents, unchecked powers to abuse, rape, even murder, and will spend the millions necessary to cover up for them. Whatever I have done that some might find disagreeable, I have done nothing compared to what the police have.

12. The above are just my examples of how undercover police in my life was not merely an inconvenience but actively impacted on me as a protester. If there is to be one key point from this opening statement I wish the Inquiry to take away, it is that my story is far from unique.

13. In October 2010 I was among the first to get the phone call, from a friend, that Mark Stone was in fact the undercover Mark Kennedy. I had considered Mark a friend, gone so far as to invite him to help us set up the Activist Tat Collective, campaigned alongside him, been on actions with him, visited his house and socialised with him. I was asked to let others close to him know and over the next few months I watched the

pain and tears as that rippled through them. I watched my good friends and colleagues being broken by the fact. I knew a good number of the women who he had relationships with, and could only try to console them as they processed that horror. The shockwave of that movement reverberates to this day.

14. I may be better known to the Inquiry as a researcher, but I would like to disabuse any notion that it is my primary reason for participating. First and foremost, I am involved to support all those affected, to help them find a way through the pain and get at least a modicum of justice and answers. In the last decade I have spoken to over 150 people about all of this, from all forms of protest movements, many friends, many others people I'd never met before. I, probably better than anyone else, know how far and deep the emotional scars of this scandal go.
15. The impact of this scandal goes far beyond those accepted as core participants. There are many out there struggling with the facts of how they were targeted. Campaigning is hard enough, causes enough burnout and trauma in itself, without knowing there are those working alongside you to directly undermine all you are seeking to achieve. The horror of sharing intimate moments and times when you put your life on the line, literally in some cases, with someone who was betraying you, is a horrible and deep deception that cannot but affect people. I can attest how often that story plays out time and time again, and how deeply the scarring goes.
16. In talking to all these people, I have learned how deep the issue goes beyond the headline accounts, that there are many other themes out there that the Inquiry cannot avoid. There are two in particular I wish to highlight.
 - (a) It has become apparent to me that the police had access to medical records and were willing to use them to facilitate access to people. They were close to people who were suffering serious medical trauma and inserting themselves in their lives and care.
 - (b) In a number of cases, the undercovers were involved in the lives of children of activists. I have listened to those parents tell of the guilt they feel that they left their loved one in the care of people who didn't really exist, the doubt that develops

around their own judgement, and the anger toward the police state that sanctioned this. I'm also very aware of how much it impacted those children, some having to live with parents processing the trauma, others damaged by the knowledge that someone they thought was a friend who could be depended on was an entire lie.

17. None of these were one-off cases. Over the next few years, some will come forward to tell about this; many more will not, dissuaded by the pain itself, but also because of the Inquiry's track record of disdain. The Inquiry's arbitrary categories box them out, deny them any real voice in this.
18. It is my contention that these units were not out of control or rogue. I do not accept that narrative. They were known at the highest levels and as such their activities condoned. That a number of undercovers went on to senior management roles tells us that knowledge permeated despite the nominal silos between the undercover units and the rest of the police. Any investigation into the truth must air how far that knowledge went, but also how much there was a wilful blindness to those abuses.
19. I have little doubt the police will want to focus on the alleged criminality of some protestors as some kind of supposed justification. I wish to present a different picture. These were units that were ideologically motivated, who had little care or interest in the human rights of those they targeted, and were individually and systemically racist and sexist. They did not send the officers in to tackle the alleged criminality of one or two people, but targeted communities for seeking to exercise their rights to protest, to seek positive social change.
20. In sending the undercovers into our groups, our movements, they were criminalising those entire communities, and that was reason enough to justify their abuse. A fundamental question facing the Inquiry is was all this ever justifiable in a democratic society. Perhaps that we are involved in a public inquiry is that the answer is already no and that has important implications on moving forward, one the police remain determined to resist.
21. It is my position that justifications based on the notion of "collateral intrusion" have no place in this Inquiry. As we will see, these units saw nobody as collateral, but reported

on everyone regardless. The concept has no meaning when the entire community, including our families, were being systematically targeted, when the communities themselves were criminalised on the basis of what they believed, an all too common pattern among police even today. It is an aspect the Inquiry needs to look at in order to fully understand how these units approached their work. Even if it can be said that management did not know of individual abuses, they do not escape their responsibility for creating a culture where anything went and they were content to fund it.

22. I am sure the Inquiry will say that my final points are outside their terms of reference and try to avoid. I continue to press them because I know them to be significant and that no inquiry into the truth can avoid them.

(a) We know that undercovers and their managers went on to work for private firms, taking their knowledge and experience with them. There is little or no regulation constraining this revolving door. In doing so they continued the same intrusion and abuses they carried out as undercovers.

(b) The story of the undercovers is an international one; these units did not respect borders. No half decent account can turn a blind eye to the bigger picture of how they travelled abroad to conduct their operations, particularly the 2005 G8 protests in Scotland.

(c) No account will be complete without understanding how the security services interacted with the undercover units, how they directed and influenced operations particularly the choice of targets, and what they did with the information being passed on to them from the undercovers.

23. For all these reasons I urge the Inquiry to investigate thoroughly these units in public where justice can actually be seen to be done; it remains my position that the police should not be allowed to escape accountability through often spurious security concerns. This conduct, even to this day, only exacerbates the many injustices we have already lived through.

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22 October 2020