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Smash EDO and Ceri Gibbons decline to make any further statement to the Inquiry at this stage. No annex has been provided for them, at their request.

ANNEX 1

NEWHAM MONITORING PROJECT (“NMP”)¹

1. The Newham Monitoring Project (NMP) was a community group created by black people, and white anti racists, as a community-based resource to fight racism. This opening statement must be read in conjunction with the annual reports which will be appended to our written submissions and will represent the evidence we propose to provide to the inquiry.
2. NMP was the product of the struggle of black communities in Newham and across east London. The project came into existence in 1980 after the racist murder of Akhtar Ali Baig in East Ham. It was formed following a campaign by the local community to force a response from the statutory agencies, including the police. Shortly after its formation, it extended its remit to report and campaign on the harassment by the police of black communities in Newham.
3. For NMP the term ‘black’ was a colour of resistance; it included African, Caribbean, Asian and all other ‘people of colour’ in a political sense. Our enemy was a political enemy which oppressed across black communities. We recognised the nature of that enemy and the need for unity in combatting it. Whilst we did not ignore the cultural differences which these days increasingly appear to divide the community, we rejected the way ethnicity was used to marginalise our communities.
4. In its very earliest incarnation NMP was to be purely a resource for the community through which to collate and disseminate information about the nature and scale of racist violence in Newham. This limited role was very quickly overtaken by the political reality of racist violence. Racism and racist violence are politicising phenomena. Those who experience them are not passive

¹ As set out above, this Annex consists of a direct address by NMP to the Inquiry.

recipients of the violence and the hatred. The experience radicalises and politicises.

5. That politicisation led inexorably to the work of NMP taking on a more directly political character. NMP's analysis focused on the necessity of understanding racism through its essential relationship to class, with community self-organisation at the heart of its way of working.
6. Initially funding was obtained from the Greater London Council (GLC) for a single paid case worker and activist. Premises were secured and a centre eventually opened (382 Centre).
7. Upon the abolition of the GLC in 1986, Newham Council took over the funding of NMP and continued to do so until 1996. The fact that the local authority took on the funding of NMP was as a result of pressure from the community; the fact that it continued to provide funding and support is a testament to strength of the local community and the solidity of NMP's foundations within that community.
8. It rapidly became apparent that the tide of racist violence required an organised and structured response. In quick succession NMP developed a 'case work' philosophy which rejected the paternalistic approach of social welfare agencies. This was then followed by a recognition of the pernicious role played by a police force some of whose members were overtly racist but was also itself, as an institution, racist. It was this recognition and understanding of the nature of the institutional racism of the police force that led to that concept first being articulated many years later during the Macpherson Inquiry.
9. The casework ethos was the backbone of NMP's existence. Whether directly, by referral or through the 24-hour emergency service organised by NMP and staffed entirely by dozens of volunteers, those suffering racist violence or police harassment would contact us. NMP expanded to include 4 full time workers.

10. Overwhelmingly, the issues we confronted included (a) racist violence in and around the home (often local authority housing) followed by either police inaction or (often) the criminalising of those who sought to defend themselves (arrested upon the 'counter allegations' of the racists), (b) casual racist violence sometimes inspired by football hooligan groups or fascists and (c) police racism and violence, including stop and search and the replacement of the 'sus' laws with low level Public Order Act prosecutions.
11. Frequently, those who approached us had been through the processes laid out by statutory agencies. The anti-racist policies of these statutory agencies were time and again exposed as a sham. Within the structures of the local authority, well-meaning or progressive council officers were often confronted by a racist bureaucracy. Within the police force, it was unheard of for individual police officers to expose the violence and corruption of their colleagues.
12. NMP adopted an approach to case work that seems mundane now but was revolutionary in the 1980s and early 1990s. Those experiencing racist violence or police harassment were at the heart of the strategy designed to address the violence they experienced. Those at the centre of a case had control over the direction of the case. This was achieved by providing structures whereby they were involved at every stage of the process including dialogue and feedback from statutory agencies. Responsibility was not passed onto a lawyer. If legal assistance was required, it was secured through a network of supportive and sympathetic lawyers, but the lawyers never had charge of the conduct of a case.
13. Case work was not carried out in isolation. It was also not carried out solely for the individual or family concerned. NMP always asked of every case what issues were raised and what ramifications they may have for the wider community. It is for this reason that NMP adopted a strategy of building upon our casework to encourage community self-organisation and ultimately community self-defence. Often cases would demand campaign work, the object of which was not simply

to secure resolution for the individual or family under consideration but to assist the wider community.

14. Organised responses could take the form of community groups and localised, occasionally street-by-street campaigns, pickets and demonstrations. With the support of the volunteers staffing our 24-hour emergency service, case workers would attend the homes of those experiencing the violence at all hours. Following incidents of racist violence, NMP volunteers and workers would visit homes in the immediate area of racist attacks seeking to support and empower the black community in the area. We would mobilise the local community, pulling together families who lived in the same street but may have never met and yet would often report targeting by the same racist groups. We would organise community associations. These groups further empowered and strengthened the community who would, with our support but on their own initiative, organise campaigns (including pickets and demonstrations) to demand action from the local authority or the local police. NMP's focus was always on supporting black communities by providing the tools and knowledge to resist racism themselves.
15. NMP also adopted a 'no platform' policy for organised fascists operating in east London. It was and remains the experience of black communities that this kind of street-level fascism brings with it extreme and, at times, life threatening violence. Through a variety of strategies, fascists were prevented from meeting or organising in the borough (and through our work with other campaigns and organisations, we supported those who opposed fascists elsewhere). Communities have a right to live free from fear and when, as was often the case, the police ignored the threat of organised fascists or football hooligans, NMP supported those in the community who took action to defend themselves (for example, the Newham 7 and the Newham 8).
16. NMP actively worked in solidarity with other justice campaigns including – relevant to this inquiry – the Stephen Lawrence campaign, the Jean Charles de Menezes campaign – as well as the families of those who died in custody who

set up the United Families And Friends Campaign and countless others. NMP also worked closely with campaign groups in other London boroughs, including Tower Hamlets, Hackney and Southall.

17. It must be understood that NMP activists operated as a loose grouping of like-minded individuals rather than as a tightly disciplined group. Often individual activists from within the 'collective' would assist other groups and campaigns in organising but this was not done in the name of NMP but rather as an act of solidarity.
18. NMP was a central cog in a network of black/grassroots community groups active in Newham often supporting each other in the face of threats from the council, including Newham Asian Women's Project.
19. This is the organisation which the state determined should be targeted by paid undercover police officers. To do what? For what purpose?
20. For significant periods of time, we received substantial funding from Newham Council. We published an annual report – copies of which are available for the relevant years – setting out the details of our activities. We would post a copy of our annual report to the borough commander. The terms of our funding required us to submit our accounts with the annual report. A place was reserved on our management committee for local councillors. The campaigns we organised are set out in detail within the pages of the annual reports, including campaigns we were involved in outside Newham.
21. Of course, the local police disliked – perhaps even hated – NMP. The cosy narrative of 'Dixon of Dock Green' style policing, together with its younger cousin 'community policing', were repeatedly exposed as untrue and at odds with the experiences of black communities that often felt under occupation. There were repeated examples of Newham police officers unmasked as racists and thugs. The nature of policing in black communities is still a deeply contentious issue.

There is at least a debate on the issue. In the 1980s and early 1990s, the lack of police accountability was extraordinary and instances of police violence routine.

22. It is important to be clear. It is a feature of campaigning on matters such as those which were at the heart of NMP's work that there will be an awareness that the state (even at a local level) will seek to subvert or attack those who subject it to even the mildest criticism. This is true on an institutional level and on the streets with officers based at individual police stations. There was a thorough awareness within the local police force of who the NMP activists were and what we did. We were aware of this and it was a feature of our work.
23. We turn now, however, to our engagement with this inquiry. It is essential that it be appreciated that we have no faith in this inquiry. Characterised as it is by extraordinary secrecy, a total lack of accountability and transparency, all aggravated by the absence of adequate representation and constant delay, we are confident this is not a forum through which the actions of the police can be properly explored and scrutinised.
24. The participation of those subject to the abuse is essential for the credibility of the inquiry. The inquiry as presently structured and organised does not, however, invite real participation. Those quaintly described as 'core participants' are engaged, tantalised and seduced by the promise of disclosure. This interest will, we believe, remain wholly unrequited. Any meaningful disclosure is unlikely to materialise in any real sense because the overriding priority appears to be the protection of those officers deployed. In any event, we have no faith that the relevant records have not already been destroyed. Yet the illusion must be maintained because the continued involvement of the 'core participants' adds infinitely to the credibility of a process that is already bankrupt.
25. The police are well resourced, organised and well-funded. The police represent a powerful and unified force made all the stronger by their total command of the history. They know what they did, and we do not. Those targeted by the state

lack any coherent organisational approach to the enormous imbalance of power with which they are confronted. This is primarily because of the extraordinarily indiscriminate and prolific nature of the abuses perpetrated by the police. Those targeted come from vastly diverse political backgrounds and traditions. Yet they are confronted with the power of an organised and unified opposition in the form of the police and the various bodies and representatives who follow along in their wake.

26. The ringmaster meant to redress this imbalance of power as between the forces appears incapable of understanding how he has lost the confidence of those who look to the inquiry for redress. We have no reason to doubt the chairman's integrity. We do, however, have every reason to doubt a structure that resists even the slightest independent scrutiny and resists the slightest sense of a level playing field.
27. In the absence of a structured grass roots campaign by the 'core participants', the lawyers have had to take over. Yet even the most well-meaning lawyers are engaged in a professional not political capacity. They cannot require accountability from the tribunal to which they have willingly signed up. They will inevitably tend towards compromise and complicity, prioritising their role as lawyers. Many of them engaged in this inquiry will see this as yet another flawed public inquiry from which they will seek to eke out a crumb of comfort to justify the time and money spent engaged in countless rounds of meetings and hearings. Others are perhaps motivated by yet more base purposes.
28. NMP understood very early on that lawyers serve the community and must never seek to lead it either on the micro level in guiding the direction of cases or the macro level in seeking to articulate that which those communities have been screaming at the top of their voices for generation upon generation.
29. We are satisfied that the process of delay, obfuscation and the total absence of accountability in this inquiry is premised in essence upon an acceptance that

undercover policing as a strategy is too valuable a tool for law enforcement to be reduced in scope or properly constrained. We are satisfied that the inquiry will reach the only conclusions that are genuinely available to it.

30. These conclusions will almost certainly include (after some mild criticism of oversight and occasional excess and perhaps the censure of this or that manager) a finding that the deployment of UCOs, to essentially non-violent organisations, is a legitimate policing tactic and that, with suitable (perhaps judicial) oversight, it should continue, if not expand. The chilling effect of such a conclusion, arrived at through a process which has in essence 'co-opted' a large number of purported activists, is apparent.

31. The question is why we continue to remain engaged with this inquiry. We do so with a very limited and narrow purpose. The extent of any interference with hypothetical political and civil rights attaching to NMP's volunteers and workers is not of the first concern. Our purpose is to establish, through disclosure, the extent to which the families and individuals supported by NMP in their justice campaigns were compromised or undermined by police action. If they were (as we believe some may have been), we would then look, separately, to consider whether there may be any remedy. There is deep scepticism that even such a limited and unambitious purpose is achievable, but for those who put their trust in NMP over decades it would be unconscionable not to try.

Newham Monitoring Project

ANNEX 2

HUNT SABOTEURS ASSOCIATION (“HSA”)

The nature and activities of the HSA

1. The Hunt Saboteurs Association (“HSA”) (Inquiry CP category L) is a not for profit organisation, and a limited company (incorporated in 1990), which has campaigned against blood sports since 1963. It currently counts over 40 local HSA (“sab”) groups in the UK. The overarching ethos of the organisation is to stop blood sports from occurring. Its primary tactics include campaigning and the disruption of hunts. HSA is a membership-based organisation: members receive the HSA’s quarterly magazine and are entitled to vote at the annual general meeting for the HSA committee, which is composed exclusively of volunteers.
2. The HSA has historically campaigned primarily against hunting with dogs, although its mandate includes all blood sports. Further, a number of HSA groups now also focus activities around the badger cull. Despite the ban on the hunting of wild mammals with dogs introduced by the Hunting Act 2004, illegal hunts still occur regularly. Tactics used by HSA activists to “sabotage” fox hunts, including illegal fox hunts, involve strategies such as distracting hunting hounds, using horns or laying false scents. HSA’s tactics are non-violent. The banning of hunting with animals in 2004, which had the overwhelming support of the British population, vindicated the HSA as being on the right side of history. However, their opposition to the quintessentially “establishment” activity of fox hunting, has led them to be wrongly tarred as violent extremists. In particular, the “Tradecraft Manual”, authored by UCO Andy Coles / HN2 (who used the assumed undercover name of “Andy Davey”) appears to wrongly conflate the HSA with the Animal Liberation Front (“ALF”).
3. There is, however, a long history of violence, including serious violence, from hunt supporters against HSA activists. Hunt supporters routinely attend hunts

armed with weapons with which to attack anti-hunt activists and their vehicles; dead animals have been left at their homes and work addresses; at least one hunt activist had to be hospitalised in intensive care following an attack. Activists have also faced serious threats of reprisal from those involved in hunting. By way of recent example, in the summer of 2020, the addresses of a number of HSA activists were published in the *Farmers' Weekly*, leading them to fear serious reprisals; some appear to have already been followed home.

4. Notwithstanding the serious and routine violence meted out to anti-hunt activists, there have been few arrests of hunt participants or supporters, much less prosecutions. That includes participants in illegal fox hunts. On the contrary: police attending at hunts invariably detain and arrest anti-hunt activists, rather than hunt members or supporters, even where the activists have been assaulted and/or the hunt is illegal. This heavy-handed approach by the police was recognised by UCOs themselves, as set out at para 7.3.6 of the "Tradecraft Manual":

"I know in the future I will have nothing but contempt for foxhunters and in particular their terriermen. Another strange effect of my tour has been the slow development of my low opinion of uniformed police dealing with animal rights protestors. I suppose that officers in all fields come across police officers who regard political protestors with contempt but their lack of sensitivity and occasional violent reaction to one as an animal rights activist is often out of proportion to your behaviour".

Undercover policing and the HSA

5. The Inquiry has confirmed that the following nine UCOs infiltrated HSA groups and related animal rights organisations between 1983 and 2002:
 - (1) HN1 (known undercover as "Matt Raynor/Rayner"),
 - (2) Andy Coles (HN2) (known as "Andy Davey"),
 - (3) John Dines (HN5) (known as "John Barker"),
 - (4) Bob Lambert (HN10) (known as "Bob Robinson"),
 - (5) HN11 (known as "Mike Blake"),
 - (6) Jim Boyling (HN14) (known as "Jim Sutton"),

- (7) HN16 (known as “James Straven” or “Kevin Crossland”),
 - (8) HN26 (known as “Christine Green”),
 - (9) HN60 (known as “Dave Evans”).
6. The total number of UCOs who infiltrated the HSA and associated groups from the 1960s onwards is in fact likely to be significantly higher. It is notable that few officers have been identified or named in Tranche 4, after the introduction of the Hunting Act 2004, despite the fact that infiltration of the HSA and of local groups almost certainly continued apace.
7. Moreover, it is clear from the information known that UCOs used the HSA as a “feeder” group from which to infiltrate other organisations, whether animal-rights related or not. There is a serious concern that UCOs may have acted as agents provocateurs, encouraging unlawful activity by animal rights activists, including to justify the continuing surveillance of HSA. The Tradecraft Manual appears to confirm that UCOs engaged in illegal activity when affiliated to animal rights groups such as ALF. The Manual cautioned that, while some officers might “*decide that taking part in illegal action [was] not for [them]*”, there was little chance of an officer’s undercover tour with groups such as ALF being successful “*without getting your hands dirty*”. The HSA seeks urgent answers as to whether officers may have sought to encourage illegal activity in relation to the HSA and to its members, including to establish credibility with other groups.
8. Certain HSA groups appear to have been targeted for arrest more regularly than others. It appears that this may be linked to infiltration by UCOs. For example, West London HSA members appear to have been disproportionately targeted for arrest at the time of their infiltration by HN1 (known as “Matt Rayner/Raynor”). However, it is striking that the infiltration by UCOs of HSA groups does not appear to have led to the curtailing of violence by hunt supporters or to routine prosecutions of those responsible for the violence. There is a serious concern that UCOs who witnessed serious attacks on anti-hunt activists, or who had relevant information about those attacks, may have failed to come forward as

witnesses. Given the high number of prosecutions of anti-hunt activists, there are also serious concerns about miscarriages of justice, resulting *inter alia* from the failure to disclose the involvement and/or identity of UCOs in relation to a given incident. The role of UCOs in “blacklisting” anti-hunt activists is also a matter that warrants detailed investigation, having regard to the impact of such blacklisting on people’s careers and livelihoods.

Deceptive relationships

9. Officers involved in infiltrating HSA engaged in some of the most egregious tactics identified, including deceiving women activists into intimate ‘relationships’. They also deceived significant number of activists into longstanding close ‘friendships’, including travelling abroad with activists on holidays – it is assumed under their false aliases and false passports.

Key issues of concern

10. Further to those matters set out in the body of the Opening Statement, the particular questions to which the HSA seeks answers from the Inquiry include:
 - (1) Whether the undercover police approach to the HSA and/or related individuals changed in response to the Hunting Act 2004, outlawing hunting with dogs, and/or whether they were reviewed and revised over time and/or following each deployment.
 - (2) The identity and unit of the officer speaking in the following podcast: <https://www.youtube.com/watch?v=Qncg9PrOGLU>, and the extent to which the views expressed are representative of the approach by undercover policing to animal rights activism.
 - (3) Whether the chain of command deliberately encouraged inappropriate, lecherous and abusive activity by UCOs, such as HN2, towards young

female activists, and whether that was a deliberate tactic to undermine HSA and/or to discredit the organisation;

- (4) Whether information obtained from HSA meetings and/or private or group communications with HSA members was:
 - (a) used to arrest and/or detain HSA activists, and whether such arrests were made pre-emptively to prevent hunts (including illegal hunts) being sabotaged; we note in particular the assertion made in the Youtube video above that information gleaned was provided to local police officers in advance, including to advise them on the “kit” they were to bring to protests;
 - (b) provided whether directly or indirectly, to those involved in hunting or groups in support, such as the Countryside Alliance, and/or what safeguards were in place to prevent against the provision of such information, having regard to the safety of anti-hunt activists;
 - (c) provided to risk assessment companies, such as the Inkerman Group;
 - (d) provided to other police units, including anti-terrorism and special branches of the police;
 - (e) communicated to the police with a view to preventing violence from hunt members and/or illegal hunts from going ahead and/or arresting those involved: if so, the nature and detail of those communications and the chain of command; if not, why not.

- (5) Whether UCOs played or attempted to play a disruptive role within HSA and/or local groups, and the extent to which UCOs participated in and/or influenced local group meetings, including through proposing or voting on relevant actions and motions, and/or managing or mismanaging group finances.

- (6) Whether mass arrests, on limited evidence, were a tactic used against the HSA to disrupt their activities.

- (7) What guidance and/or procedures were in place for UCOs who witnessed criminality by hunt supporters, including violence towards anti-hunt activists, to provide testimony in support of a prosecution and/or in defence of activists charged in relation to the same incident. If such guidance and/or procedures were in place, what they stipulated; if they were not, why not.
- (8) What guidance and/or procedures were in place for UCOs who witnessed unlawful police conduct towards anti-hunt activists, to provide testimony in support of a civil claim and/or in defence of activists charged in relation to the same incident. If such guidance and/or procedures were in place, what they stipulated; if they were not, why not.
- (9) Details of circumstances in which UCOs who witnessed criminality by hunt supporters and/or unlawful police conduct gave evidence in relation thereto, or conversely circumstances in which they failed to do so.
- (10) An analysis of safety of any convictions of anti-hunt activists in circumstances where it was not disclosed to the defence that individuals present were UCOs and/or those UCOs did not assist as witnesses, see, e.g. any convictions following the arrest of HN26 and eight hut sabs for aggravated trespass in March 1998, near Arreton on the Isle of Wight.
- (11) What access UCOs and the police more generally had to the personal details of anti-hunt activists, and what safeguards were in place to prevent its ongoing dissemination.
- (12) Whether information, including disinformation, provided by UCOs was responsible for contributing towards the enactment of legislation around hunt sabotage activities, including ss 68 and 69 of the Criminal Justice and Public Order Act 1994.

(13) Whether misleading information such as that contained in the Inkerman Report and/or the Inkerman Report itself was being used to brief UCOs and/or to justify their ongoing infiltration of the animal rights and/or environmental movement and/or to justify the enactment of further legislation.²

11. Those matters need to be fully investigated in order for the Inquiry to fulfil the purpose for which it was established.

² http://www.greenisthenewred.com/blog/wp-content/Images/inkerman_report_ecoterror.pdf.

ANNEX 3

EMILY APPLE

1. Ms Apple is a committed activist (Inquiry CP category K), who has been involved in numerous groups, networks and campaigns relating to social justice, environmental and other issues since her teenage years. She is currently Senior Editor at the news website, *The Canary*. She is also and the Safeguarding Officer for Counselling for Social Change (“CfSC”), an organisation which she co-founded, which provides counselling to individuals in Cornwall, and to activists and campaigners across the United Kingdom.
2. Over the course of the many years of her social justice activism, Ms Apple has played a lead role in relation to a number of activist organisations and networks, including the following:

NETPOL

3. Ms Apple was a founding member of the Network for Police Monitoring (“NETPOL”) in 2011. Netpol was established to monitor public order, protest and street policing, and to challenge and oppose excessive and discriminatory policing, and policing that threatens or violates fundamental human rights. NETPOL consists of an inclusive network of activists, campaigners and lawyers, working to effectively challenge excessive and inappropriate policing strategies. Current NETPOL campaigns include a campaign against the indiscriminate and widespread use of the designation “domestic extremist” to social justice, environmental and political campaigners; and a campaign against the intensive overt and covert surveillance of protest movements. There is a distinct NETPOL Lawyers’ Group (“NLG”), consisting of solicitors and barristers who act on behalf of activists in criminal or civil proceedings.

Fitwatch

4. Ms Apple was a founding member of Fitwatch in approximately 2016 in response to intimidation and harassment experienced by protesters from police “forward intelligence teams” (“Fits”). Fitwatch engaged in tactics such as blocking police cameras, recording police numbers, names and photographs, and providing web-based advice to demonstrators about staying safe in protest situations. Fitwatch was instrumental in making public what is now known about police “domestic extremism” units and the maintenance of protester databases.
5. In 2008, while acting as part of Fitwatch, Ms Apple was forcibly arrested at the Kingsnorth Climate Camp protest in Kent, having attempted to photograph police officers who were not showing their badge numbers. She was remanded in custody for four days until after the protest had finished, and all charges against her were subsequently dropped. UCO EN1 packed up the tents and possessions of the arrested activists, and transported them back to Wales.

Disarm DSEI

6. Ms Apple was active in Disarm DSEI, which is an anti-arms trade campaign, the aim of which is to shut down permanently the Defence and Security Equipment International (“DSEI”) arms fair, which takes place every two years at the Excel Centre in London. It is one of the largest arms fairs in the world, at which over 1,000 companies involved in the manufacture and sale of weaponry exhibit and market military equipment, including small arms, missiles, tanks, fighter jets, and surveillance systems. Ms Apple was granted CP status in particular due to her targeting by police intelligence as a result of her anti-arms trade activism.

The Fairford Coach Collective

7. Ms Apple was involved in the Fairford Coach Collective, responsible for organising three coaches from London to the village of Fairford in

Gloucestershire on 22 March 2003 to protest against the bombing of Iraq. The coaches were intercepted by the police and stopped, their occupants searched and questioned, and then escorted back to London on the coaches. It is now known that at least two UCOs were involved in relation to the demonstration: HN3 (“Jason Bishop”) and HN596 (“Rod Richardson”).

Direct Action against War Now (“DAWN”)

8. One of a number of anti-war campaigns in which Ms Apple was involved.

Campaign against the Arms Trade (“CAAT”)

9. Campaign against the Arms Trade (“CAAT”) is an organisation working to end the international arms trade. It seeks to stop the procurement and/or export of arms, to end all government, political and financial support for arms exports, and to promote demilitarisation.

London Earth First!

10. Earth First! is an environmental advocacy group that originated in the United States in the 1980s, and now has groups in numerous countries and cities around the world. The UK groups have been active since the 1990s. The group campaigns around ecological and social justice issues.
11. In addition to the above campaigns, groups and networks, in relation to which Ms Apple has played a key role, she has also participated in numerous other groups and campaigns over the course of the past 20 years, including the WOMBLES (see Annex 7), the Cardiff Anarchist Network (“CAN”) (see Annex 11), Active Resistance to the Roots of War (“ARROW”), Dissent, Climate Camp, Reclaim the Streets, and Voices in the Wilderness.

12. Ms Apple estimates that she has attended hundreds of protests organised by the above groups, as well as other actions related to Smash EDO, No M11, the Newbury Bypass protests, Welling Anti- Nazi League (“ANL”) protests, protests against the bombing of Iraq, protests at Aldermaston in Berkshire, May Day protests in London, and No Borders! (see Annex 5). She is aware that her first entry in the police database as a “Domestic Extremist” dates from 1998/99, and arose out of her attendance at DSEI protests.

Known undercover policing activity

13. Ms Apple is aware of multiple UCOs who have been involved in monitoring her activities and those of the activist groups and networks in which she has been and remains active. She seeks urgent answers concerning the extent of that surveillance and its intrusion into and impact on her private life and political life, and into the lives of her family members.
14. The UCOs who are known to have monitored Ms Apple’s activities and those of groups she has been actively involved in include:
 - (1) HN3 (known as “Jason Bishop”), involved in monitoring groups including Reclaim the Streets, Earth First!, Disarm DSEI;
 - (2) HN18 (known as “Rob Harrison”), involved in monitoring groups including No Borders and State of Emergency;
 - (3) HN30, responsible for managing HN18;
 - (4) HN60 (known as “Dave Evans”);
 - (5) EN1 / N519 (known as “Mark (Marco) Jacobs”), involved in monitoring groups including the Cardiff Anarchist Network (“CAN”), Camp for Climate Action, Dissent, No Borders, and Smash EDO;
 - (6) EN34 (known as “Lynn Watson”), involved in monitoring groups including Camp for Climate Action, Dissent, and Earth First!; and
 - (7) Mark Kennedy (known as “Mark Stone”), involved in the monitoring of various environmental groups and campaigns.

15. Ms Apple estimates that she has been arrested by the police over 75 times in the course of the past two decades. The fact that so few of those arrests have resulted in a conviction indicates the level of intrusion by the State in her legitimate activism. It also indicates extensive police knowledge and awareness of her and her activities, and an oppressive response to her political activism. She considers the monitoring by the police of her activities, particularly after she established Fitwatch, to be tantamount to harassment, consisting as it did of multiple repeated arrests, remands in custody, and strip searches. The routine harassment, coupled with other intrusive actions by the police, including the seizure of her personal diaries, have caused her significant and extensive mental distress.
16. Ms Apple is aware that she was arrested on two occasions alongside UCOs:
17. First, on 11 September 2007, when approximately 20 activists, together with HN18, were arrested and charged with aggravated trespass contrary to section 68 of the Criminal Justice and Public Order Act 1994 for their “invasion” of the car park at the DSEI arms fair. All charges were subsequently dropped, seemingly to protect HN18’s cover. It is understood from the statement of HN30 to the Inquiry, that concerns about the mismanagement of the incident led directly to the demise of the Special Demonstration Squad (“SDS”), to which HN18 belonged.
18. Prior to the charges being dropped, stringent bail conditions were imposed on all defendants, backed by equally stringent and enthusiastic enforcement by the police. Police conducted at least one raid to ascertain whether bail conditions were being upheld, and Ms Apple was remanded in custody due to an alleged breach of the same. At the time of this occurring, the SDS would have been well aware of the role played by HN18 in relation to the protest, and that the proceedings may have to be dropped to protect his cover. Moreover, it is known that one of defendants in the case was providing legally privileged information concerning the case strategy to HN18 (who was self-representing), not knowing

that he was a UCO. This raises serious questions regarding police access to privileged communications and the use to which such communications were put.

19. Second, in July 2005, Ms Apple was one of nine activists arrested in a minibus *en route* to protest the G8 Summit at Gleneagles in Scotland in 2005, along with UCOs HN3 and HN60. HN60 had been driving the minibus when it was stopped by police in full riot gear, including shields, with police dogs and overhead cover from a police helicopter. The police operation caused Ms Apple serious anxiety and concern, given that her young son was on the bus with her. Again, all charges were inexplicably dropped, but not before Ms Apple had spent a night in custody, and been threatened with prosecution for alleged serious criminal offending. Ms Apple seeks information regarding the particular role played by HN60 in assisting and encouraging attendance at the protests, including by providing the means of transport for the same. She also seeks information regarding whether and to what extent information provided by HN60 or other UCOs in England and Wales led to and/or contributed to the arrest operation.
20. Given what is now known generally about the nature and extent of undercover policing activities, there are strong reasons to believe that the direct or indirect surveillance of Ms Apple and of the groups, networks and campaigns in which she was involved would have been detailed and extensive, and would have gone beyond the involvement of the seven UCOs listed above. There is also strong reason to believe that UCOs would have been involved in one or more other occasions on which Ms Apple was arrested. As set out further below, she seeks disclosure of all information regarding undercover policing activities relevant to her activism, and disclosure of all materials held concerning her activities and those of groups, networks and campaigns with which she was associated.

Deceptive relationships

21. HN3 sought out and developed what Ms Apple believed to be a close friendship with her, who considered him a close friend until his disappearance. They first met in 2001, at a planning meeting related to anti-DSEI protests. HN3 was

closely involved in her life and that of her son, from shortly after her son's birth – turning up five days after with an oversized soft toy for the baby.

22. Ms Apple travelled to Germany with EN1, it appears, under his assumed name.
23. Ms Apple was also targeted by corporate spy, Martin Hogbin, with whom she believed she had what she believed to be a close friendship for four and a half years, until he was unmasked. Mr Hogbin – who worked for Threat Response International, a company providing information to BAE Systems – infiltrated CAAT as a campaigns coordinator. He asked Ms Apple to run CAAT's Actin Network. Mr Hogbin sat in on confidential and privileged meetings between Ms Apple and her legal advisers in relation to proceedings in which she was involved. She also would have spoken with him extensively about her legal cases. Ms Apple seeks disclosure about the channels of communication between Mr Hogbin and other corporate spies and the police, including about communications concerning privileged information and material.

Key issues of concern

24. Ms Apple seeks full disclosure concerning the nature and extent of the undercover policing of her activities and those of the groups with which she has been affiliated. She also seeks full disclosure about the nature and extent of such policing insofar as it has intruded into the lives of other family members, including that of her son, and may impact on him in the future, including through his name and details being recorded in police documents, records and databases.
25. In addition to the matters set out in the body of the Opening Statement, he seeks information about the following matters, in particular:
 - (1) The rationale and purported justification for the undercover activity in relation to her and the groups she was involved in, and by whom it was authorised, within the police, Government and/or other official body.

- (2) The dates between which UCOs were deployed, either directly or indirectly in relation to her and/or the groups in which she was involved, including whether such deployment is ongoing.
- (3) The purported rationale for the increased surveillance and harassment of Ms Apple as a result of her role in establishing police monitoring groups NETPOL and Fitwatch, and the authorisation for the same by the police and/or Government or other official individuals or bodies.
- (4) The purported justification for the apparent identification by the police of Fitwatch as an extremist and/or violent organisation.
- (5) The extent to which detention, remand and strip search were used as a deliberate tactic against Ms Apple intended to chill her political activism.
- (6) The basis and rationale for:
 - (a) the decision to place “markers for violence” on Ms Apple’s police file,
 - (b) Ms Apple’s “blacklisting”, andwho was responsible for actioning and authorising those decisions, and the extent to which information, including misinformation, provided by UCOs, including HN3, contributed to them.
- (7) Further to the questions raised at para 51(15)(a) and (b), how activists came to be targeted by FIT – in circumstances where targeted harassment by Fit led to the establishment of Fitwatch, and what role UCOs played in providing information and intelligence that led to the production of spotter cards and other tactics.
- (8) The use to which information, including privileged information, obtained from Ms Apple and/or her co-defendants in criminal trials, from meetings she attended and/or private or group communications was put, including whether it was:

- (a) used to monitor, arrest and/or prosecute Ms Apple and/or other activists;
 - (b) provided, directly or indirectly, to individuals or corporations which were the object of protests, including DSEI and/or DSEI exhibitors; and
 - (c) provided to other police units, including anti-terrorism and special branches of the police, and police units outside of England and Wales, including in Scotland and Germany.
- (9) The extent to which heavy police presence at meetings of groups in which Ms Apple was active, including Disarm DSEI, was employed as a deliberate strategy to chill legitimate activism.
- (10) Details concerning the police involvement in and response to the 11 September 2007 DSEI car park “invasion”, including, but not limited to:
- (a) the authorisation and planning for the excessive police response, involving violence against activists, harassment techniques, the imposition of stringent bail conditions, and the conducting of police raids to monitor those conditions, in relation to what was a low level, summary-only offence of aggravated trespass contrary to section 68 CJPOA 1994;
 - (b) the role played by HN18;
 - (c) the contribution played by the incident to the demise of the SDS, and the rationale for the same; and
 - (d) any change to undercover policing tactics as a result of the incident, considered by the police to have been seriously mismanaged.
- (11) Details concerning undercover police involvement in relation to the Fairford coaches demonstration, including what appears to have been the deliberate misleading of the courts, including the House of Lords, who were told that there was a “general” intelligence picture about the coach passengers, that could not distinguish between them, requiring broad

action against all passengers, who were prevented from staging their protest. That assertion appears to have been *prima facie* misleading in circumstances where one or more UCOs had infiltrated activists groups taking part in the protest, and would therefore have had detailed intelligence on individuals involved, including the likelihood of them being a party to a breach of the peace.

(12) Further to the questions raised in para 51(8), in relation to the 2005 G8 protests and generally:

- (a) the extent to which it was a *modus operandi* of undercover policing for UCOs to render themselves important or indispensable logistically to the group infiltrated, and
- (b) the authorisation if any provided by superiors in England and Wales for such a *modus operandi*.

26. Further, Ms Apple seeks full disclosure of all materials held by the State as a result of or linked to undercover policing activity concerning her, her family members, including her child, and the groups and activist networks in which she was active. Insofar as materials have been destroyed, she seeks full and detailed information in relation to the same.

27. Those matters need to be fully investigated in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 4

RHYTHMS OF RESISTANCE (“ROR”)

1. Rhythms of Resistance (“ROR”) (CP Category K), also known as “the Samba Band”, is a left-wing network of activist samba drum bands, seeking social and ecological change. The network, established in London in late 1999, comprises over 30 bands all over the world, who accompany demonstrations and protests. The network was most active between 2000 and 2018, and had close links with other activist networks, including CIRCA.
2. ROR and its bands operated on a decentralized and democratic basis. The London group had a fluctuating membership of approximately 40 members at any one time, but these numbers tended to swell around actions and events. They participated in numerous protests in England and Wales, with most of their activities being centered on London, including the bi-annual “Disarm DSEI” protests against the DSEI arms fair in London, protests against Shell headquarters, and Reclaim the Streets protests. ROR also attended protests in other cities in the UK, including Brighton, where they played alongside Smash EDO protests, and the G8 Summit in Scotland in 2005. They also participated in larger demonstrations overseas, including the IMF protests in Prague in 2000, the COP 6 Climate summit in the Hague in 2001 and World Bank events in Barcelona in 2001.
3. For many years, from 2000 onwards, ROR held regular weekly meetings in London. Their rehearsals, strategic planning meetings and other meetings – both formal and informal – also took place in London.

Known undercover activity in relation to ROR

4. There are serious concerns that ROR was infiltrated by UCOs, concerns apparently confirmed in the granting by the Inquiry of CP status to ROR. There

are also serious concerns that UCOs attended rehearsals and meetings before and after demonstrations at which ROR performed, in England and Wales, in Scotland and abroad. The meetings attended within the jurisdiction and outside would have included planning meetings, at which a plan and strategy for the protest would have been devised. It is unclear to what extent UCOs were involved in encouraging any unlawful activities and/or in sabotaging lawful activities envisaged.

5. There are also serious concerns that UCOs formed deceptive personal friendships with people involved in ROR, and/or may have deceived their way into intimate 'relationships' with people from ROR.
6. The involvement of UCOs in ROR would fit the pattern of their involvement in other, similar networks. It would explain the disappearances of certain individuals active for periods of time in ROR, who would vanish without trace. It would also explain how and why certain individuals were particularly free with their money, including in social situations, in circumstances where those associated with ROR were typically not well off. There is a particular concern about UCOs deliberately using social occasions, and alcohol, to get people to speak more freely about their lives and activism, believing themselves to be amongst friends.
7. Given the continuing failure by the Inquiry to provide disclosure in relation to ROR, it has, however, proven impossible to date to verify these concerns in any further detail.
8. However, what is clear is there could have been no reasonable, proper or lawful basis on which the police could have targeted a network of Samba drum players for extensive undercover surveillance and infiltration, in England and Wales, in the rest of the UK and abroad.

Key issues of concern

9. There are particular concerns that ROR and/or those associated with the group were targeted by UCOs as a route to other activists and groups. Information about that is sought in particular, further to the issues set out at in the body of the Opening Statement.

10. It is imperative that all those matters be fully investigated and answers provided in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 5

NICOLA BENGE

1. Ms Bengé is an activist (Inquiry CP category K) who has been involved in various forms of activism and campaigning all of her adult life. She is deeply committed to social justice and has dedicated her working and social life to engaging with related issues and exploring ways to address social inequality. Over that time, she has been involved in various campaign groups and organisations, including the ROR (see Annex 3), and No Borders, the Advisory Service for Squatters and the Cowley Club (see further below).
2. Given her long history of activism, Ms Bengé has serious concerns about the monitoring of her activities and private life by UCOs. Those concerns appear to be borne out by her being granted CP status by the Inquiry.

No Borders

3. No Borders is a pan-European network of groups and individuals who believe in freedom of movement for everybody, and who campaign against border and immigration controls. The network seeks to support people seeking asylum, to promote safe freedom of movement, and to build solidarity and support for the voiceless. It does so by coordinating international border camps, demonstrations, direct actions, and anti-deportation campaigns. It is loosely associated with other campaign groups and organisations.
4. Ms Bengé was active in the No Borders network in the early 2000s. In particular, she attended No Border “camps” in Spain, and helped to organise a large camp in Strasbourg, France in 2002. These camps campaigned on issues around asylum, migration and the right to remain, under the banner “No One is Illegal”. The camps allowed for international discussions and workshops around these

themes, and for the discussion and planning of related direct actions, public demonstrations and educational events.

Advisory Service for Squatters

5. The Advisory Service for Squatters is itself a CP (Inquiry CP category L) in the Inquiry. Ms Bengé joined the group in the autumn of 1997, and was involved with it for a period of approximately eight years (being regularly active with twice weekly meetings until about 2002 and then with less involvement until around 2005). For a period of time, she attended the group's office then at 2 St Paul's Road, Islington, London a couple of times a week to provide legal information to squatters and homeless people.

Sutton Street Squat

6. Ms Bengé resided at a squat on Sutton Street, in Shadwell, London from around July 2004 until December 2005, together with approximately 30 others. There were numerous other activist groups in the area, many based out of other squats. One of the nearest squats to Sutton Street was the RampArt social centre on Rampart Street, which was squatted by various activists and activist groups, including some individuals linked to the WOMBLES, now known to have been infiltrated by UCOs.

The Cowley Club

7. The Cowley Club is a volunteer-run social centre in Brighton that houses a cafe and bookshop during the day, and a members' bar during the evenings. It also has a library and acts as a base for a number of projects dedicated to grassroots social change. It is a members' cooperative, with a management committee of five members, holding monthly general meetings. Ms Bengé resided at the Cowley Club (which has a residential property attached) for approximately two years, from around July 2007 until March 2009, during which time she served on

its management committee. She remained heavily involved with the club until around 2012.

Undercover activity in relation to Ms Benge

8. Ms Benge is unaware of the nature and extent of the undercover police surveillance that she and the groups and networks she was active in were subjected to. She is aware that she met a number of UCOs who had infiltrated other groups, including Mark Kennedy and HN519 / EN1 (known undercover as “Mark (Marco) Jacobs”). However, she has still not been told whether she herself was the direct or indirect target of undercover policing and/or whether any close friends or contacts over the years were in fact UCOs. No disclosure about that has been provided to her to date by the Inquiry.
9. She strongly suspects that all of the groups she was involved with were infiltrated at some stage. Moreover, given the close links and cross-over between different activist networks and organisations, it is likely that even if a particular group or individual was not directly targeted themselves, they may still have had multiple contacts with and/or been reported on by UCOs active in other networks and/or in relation to other individuals. By way of example, Ms Benge attended Earth First! camps every year; Earth First! is now known to have been infiltrated by multiple UCOs. She also attended the yearly Anarchist Book Fair in London, which she suspects was also targeted for undercover surveillance, including by UCOs who had infiltrated individual groups / networks in attendance.
10. More specifically, Ms Benge understands that UCO Mark Kennedy is likely to have attended the No Borders camp in Strasbourg in France in 2002. She is also aware that HN18 (known undercover as “Rob Harrison”) is listed by the Inquiry as having infiltrated No Borders in 2004 to 2007. While Ms Benge was no longer actively involved in No Borders at that time, the fact that she recognises him from a photograph on the internet, leads her to believe that she may have

been in contact with him through other groups or individuals, whether at that time or subsequently.

11. Ms Bengé is not aware of which UCOs she would have been in contact with through the squat on Rampart Street. However, given the fluidity between the different squats in the area, the proximity of the squat where the WOMBLES squatted, and the fact that the WOMBLES were infiltrated by numerous UCOs, including Mark Kennedy, HN596 (known undercover as “Rod Richardson”) and HN77 (known undercover as “Jacqueline Anderson”), she believes that the Rampart Street squat is likely to have been targeted by undercover policing at some stage, whether directly or indirectly.
12. Ms Bengé believes that the Advisory Service for Squatters and the Cowley Club would similarly have been attended by multiple UCOs over the course of many years, and information gathered from such visits utilised and/or recorded by UCOs. The Cowley Club, in particular, was – and is still – a base and meeting space for multiple activist groups, including for the ‘Activist Tat’ Collective, which Mark Kennedy is understood to have infiltrated. Ms Bengé is also aware that HN519 / EN1 visited the Cowley Club. Further, Ms Bengé understands that the Cowley Club was also the nearest activist centre to the Save Titnore Woods campaign, that EN34 (known as “Lynn Watson”) infiltrated, and that she is therefore highly likely to have visited the social centre. The Cowley Club is a clear example of a situation where the infiltration by UCOs of one network or group likely led directly to the surveillance of numerous other networks and/or individuals, through informal contacts linked to the group’s activities and/or through related networks of friendships.
13. Ms Bengé also suspects that her personal communications were being intercepted in approximately 2001-2002, for a period of approximately six to nine months, which coincided with her becoming more heavily involved in ROR and No Borders. Such suspicions arise from routine interferences on her land line telephone during that time, with audible clicks, other unidentifiable noises and

extended time to connect calls. She seeks that that be investigated, in circumstances where there could not have been any possible lawful justification for any such interception, having regard to the wholly legitimate nature of her activities and activism.

Key issues of concern

14. Ms Bengé remains seriously concerned about the continuing failure by the Inquiry to provide disclosure in relation to the undercover policing of her and/or groups in which she was active. In addition to the matters set out in the body of the Opening Submissions, Ms Bengé urges the Inquiry to ensure that full disclosure is made of all potentially relevant material with respect to each deployment of UCOs relating to her and/or to the groups with which she was involved, and to invoke Schedule 3 para 22(1), Investigatory Powers Act 2016 with respect to each one.
15. Ms Bengé considers it imperative that those matters be fully investigated and answers provided in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 6

GUY TAYLOR

1. Mr Taylor is a political activist (Inquiry CP category K) who worked for Globalise Resistance between 2001 and 2007 as its main organiser, and as such was involved in the organisation and planning of a number of large events.

Globalise Resistance

2. Globalise Resistance was a progressive, anti-capitalist and anti-war organisation, established in 1999/2000. It held its first activist conference in May 2001 and remained active until around 2007. It had an elected Steering Committee of between 16 and 20 people, and multiple local groups across the UK, including in Birmingham, Leeds and Southampton. Its head office was in London, and it employed Guy Taylor, as organiser.
3. Globalise Resistance was founded with the aim of bridging the gap between the traditional trade unionist movement and the anti-capitalist movement. The organisation campaigned, organised and mobilised for protests concerned with global justice. It was led by activists, who themselves determined the issues on which they wished to campaign. Those issues included, by way of example, the campaign against the biannual “DSEI” arms fair held in London, campaigns against ID cards and various anti-war and anti-nuclear protests. The organisation hosted large conferences and public meetings in England and Wales. It also played a significant role in organising large delegations to international summits, including the G8 summit in Genoa in 2005, the WTO, and World Economic Forum, and mobilised on a large scale for international conferences, particularly the European and World Social Forums. Globalise Resistance published information about upcoming demonstrations and other matters on its website, and in its newsletter “Resist”.

4. Globalise Resistance maintained informal links with numerous NGOs, campaign groups and political parties, including the Campaign against Climate Change, the Campaign against the Arms Trade (“CAAT”), the Campaign for Nuclear Disarmament (“CND”), the Green Party, the Palestine Solidarity Campaign (“PSC”), the Socialist Workers Party (“SWP”), the Stop the War Coalition, and War on Want. The organisation also shared platforms with those organisations, promoting their events and/or attending protests organised by or in conjunction with them.

Known undercover activity in relation to Globalise Resistance

5. It is known that HN118 (who used the assumed name of “Simon Wellings”) infiltrated Globalise Resistance from 2002 until 2004, when he was unmasked as a UCO, having accidentally recorded part of a debriefing with the police on the answer machine of a Globalise Resistance activist. After being exposed by Globalise Resistance, HN118 went on to infiltrate the Dissent network.
6. HN118 was heavily involved in Globalise Resistance, positioning himself at the heart of the organisation. He was elected onto its Steering Committee in 2003, having been closely associated with the group from 2002 onwards. On the Steering Committee, he was in a position to obtain information about a wide number of other campaigns with which other Steering Committee members were associated, including the Communications Workers Union, the Green Party, the International Solidarity Movement (“ISM”), the Progressive Muslim Network, the Respect Party, Stop the War Coalition, Workers’ Power and Unison (Lambeth Branch). HN118 would similarly have had insights into the other NGOs and campaign groups with which Globalise Resistance worked closely, as set out above.
7. As a member of the Steering Committee, HN118 attended monthly meetings, followed by informal socials afterwards in the pub for political discussion and informal talk, including serious personal conversations, during which detailed

personal information was disclosed by activists about themselves, and others, including other activists. HN118 also established himself as the unofficial photographer for Globalise Resistance, a position that would have assisted his surveillance of and reporting on members and others.

8. As a member of the Globalise Resistance Steering Committee, HN118 also assisted in planning numerous actions organised by the group. He himself also participated in numerous protests, in England and Wales, including: a 2002 protest against former Israeli Prime Minister Ariel Sharon's visit to the United Kingdom (called by the PSC); a 2002 protest at Selfridges against the sale of products produced in illegal settlements in the occupied Palestinian territory (called by Direct Action against War Now, and supported by a number of other groups including CND, Rhythms of Resistance, and the WOMBLES); 2003 protests against the biannual DSEI arms fair in London (in relation to which he played a role in the planning); 2003 protests against the State visit of George W. Bush to the United Kingdom (at which HN118 was kettled with others); and a 2004 protest at Aldermaston, which the Aldermaston Women's Peace Camp was responsible for organising. The latter group had been infiltrated by undercover police officer EN34 (who used the assumed undercover name of "Lynn Watson"). He also provided transport to other activists to facilitate their attendance.
9. In addition to protests in the UK, HN118 also attended numerous demonstrations abroad as a representative of Globalise Resistance, including the 2002 World Economic Forum in New York, USA, the 2002 European Union summit in Seville, Spain, and the 2003 G8 summit in Evian, France.
10. HN118 targeted Mr Taylor in particular, becoming – Mr Taylor believed – a close personal friend of his, and of four or five other people associated with Globalise Resistance, spending significant social time with them, including on international travel.
11. It is of serious concern that Globalise Resistance and Mr Taylor only became aware that HN118 was a UCO from their own inquiries and deductions. The

Inquiry itself has failed to date to provide information about other infiltrations thought to have occurred within Globalise Resistance from the creation of the organisation in 2000 until at least 2007.

Key issues of concern

12. Mr Taylor seek information in particular to the following issues in addition to those set out in the body of the Opening Statement:

- (1) In relation to the question at para 51(1), Mr Taylor notes that information provided to him by the Metropolitan Police as a result of two Subject Access Requests has been incomplete and wholly laconic, failing to refer in any way to information obtained by HN118.
- (2) Whether intelligence and/or information provided by HN118 and/or any other UCO led directly or indirectly to Mr Taylor being stopped and searched twice on his arrival in Edinburgh to participate in protests against the G8 summit in Gleneagles in July 2005, and the authorisation and process for the sharing of that information with Scottish forces.
- (3) Whether intelligence and/or information provided by HN118 and/or any other UCO in England and Wales led directly or indirectly to Mr Taylor being stopped and questioned by immigration police in Hong Kong December 2005, when travelling to attend the WTO protests. It was evident that the police there knew of his political affiliations and job.
- (4) Further to the question set out at para 51(14(d) Mr Taylor seeks information about the nature and extent to which his personal information was shared beyond England and Wales, with police and other State bodies and authorities, including covert bodies, in other parts of the UK and abroad, who was responsible for authorising the sharing of such information, how it was shared, and the safeguards were in place in relation thereto.

13. It is imperative that those matters be fully investigated and answers provided in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 7

NRO

1. NRO is a medical professional and an academic. He is a deeply committed and life-long campaigner on matters related to social justice and freedom of speech (Inquiry CP category K). He has obtained anonymity on the basis that publication of his name might lead to unwarranted negative professional or academic consequences.
2. NRO is at a loss to understand how and on what basis he came to be targeted by UCOs for his entirely legitimate activism. He is also seriously concerned at the apparent infiltration by UCOs of multiple groups with which he was associated since the early 2000s, and seeks information in relation thereto.

NRO's association with social justice-related groups

3. Over the years, through his activism, NRO has been involved with various different networks and organisations, consisting of loose groupings of individuals sharing a similar outlook, themselves involved in various different campaigns and groups. Three of the groups or networks with which he has been particularly involved are:

The WOMBLES

4. The WOMBLES (White Overall Movement Building Libertarian Effective Struggles) was established in approximately autumn 2000 in London, by London-based activists returning from protests against the IMF in Prague. It was a loosely aligned group of individuals, broadly identifying as anti-capitalist. The WOMBLES held weekly meetings, attracting approximately 15-20 regular attendees, and five to 10 newcomers or less frequent attendees. The group participated in numerous protests in the UK and abroad, including against the

G8 summit in Genoa in Italy in 2001. They were readily distinguishable at protests by their dress code of white overalls with padding and helmets, worn as protection from the actions of police officers.

5. In approximately 2002, the WOMBLES also set up the Radical Dairy, a self-managed, volunteer-run social centre, based in a squat in Stoke Newington in London, to host political, social and cultural events. A number of other social centres in London were set up, after the Radical Dairy was forced to close.

Indymedia

6. Indymedia (also known as the “Global Network of Independent Media Centers” or “IMC”) was an open publishing network of journalists reporting on political and social issues, which began in 1999 in Seattle in order to report on the WTO conference and counter protests in the city. Media activists pooled resources and technical skills to create a physical media centre and website to facilitate the publishing of independent, non-corporate news reports from the streets. Indymedia expanded thereafter across the globe, using the same model and technological set up as the original Seattle centre. At its height, it had over 150 local volunteer-run “centres” or “collectives” set up in different cities around the world. Many of the news stories carried by the site concerned protest activities, including the advertisement of where protests were to occur, reporting from the protests, and reporting police responses – stories that typically would not have been reported in the mainstream media.
7. Indymedia described its work as “*independent and alternative media activists and organisations, offering grassroots, non-corporate, non-commercial coverage of important social and political issues*”.³ One of its central slogans was: “*Don’t hate the media, become the media*”. To that end, Indymedia sites allowed for the “open publishing” of news items, including photographs and videos, by anybody wanting to post a story. Retrospective editorial control was exercised by

³ <https://www.indymedia.org.uk/en/2017/04/525966.html>.

members of local collectives, with posts which did not meet the Indymedia guidelines being hidden from public view.

8. Indymedia collectives used a number of different methods for organising their work, including email lists, online “chat” (known as “internet relay chat” or “IRC”), which enabled individual and group discussions to take place, and face-to-face meetings. Meetings were typically open to the general public, and were often held in conjunction with training events and/or protests. In 2005, for example, Indymedia provided web services for activists protesting the G8 summit in Scotland.
9. Responses by States to local IMCs were often forceful: Indymedia volunteers around the world have reportedly been arrested, jailed, maimed, and indeed killed by State forces. Indymedia web servers have also been seized, including in the UK in 2004, 2005 and 2009⁴. Further, corporate bodies have repeatedly sought to have IMCs shut down, including through lobbying and litigation.

AKTIVIX

10. Aktivix is a progressive UK-based organisation, set up to provide a non-profit-making, advertisement-free mode of communication for individuals and groups. It provides web services, including email, online mailing lists and the hosting of websites, to activists and activist organisations in the UK and overseas. Its principles are those of “*direct democracy, anti-sexism, anti-racism, anti-capitalism, self determination, local autonomy, ecology, and communal economics*” (as set out on its website⁵) and users are requested not to use its services to support ideas or activities contrary to those principles.

⁴ See, e.g.: <https://www.indymedia.org.uk/en/actions/2004/fbi/>, <https://www.indymedia.org.uk/en/2005/06/315072.html>, and <https://www.indymedia.org.uk/en/2009/01/419838.html>.

⁵ <https://aktivix.org/more>.

Known undercover activity in relation to NRO, Indymedia, Aktivix and/or the Wombles

11. NRO is aware of two UCOs who infiltrated the groups in which he was actively involved. Those are:

EN32 / HN596

12. NRO met EN32 / HN596 (known undercover as “Rod Richardson”) through the WOMBLES, one of a number of groups EN32 / HN596 is known to have infiltrated and/or reported on. NRO and EN32 / HN596 attended a number of protests together, in the UK and abroad between approximately 2001 and 2002. The Inquiry has confirmed that EN32 / HN596 was still a serving police officer as of 15 November 2018.

HN77

13. HN77 (known undercover as “Jacqueline (Jackie) Anderson”) is known to have infiltrated the WOMBLES, as well as Reclaim the Streets and Earth First! It is known that she was deployed as a UCO, despite having failed the police psychometric testing in advance of her deployment. Her deployment came to an end, it having reportedly been determined by her police handlers that the information she was providing was of little value, and that her deployment could no longer be justified under the Regulation of Investigatory Powers Act 2000.

Other UCOs

14. The Inquiry has failed to date to identify other UCOs involved in infiltrating or monitoring the activities of NRO and/or any of the above groups in which he was involved. However, there are indications that UCOs were involved in using Indymedia’s website, including to post fake “news stories” in order to sow deliberate disinformation.

15. Due to the lack of disclosure to date, NRO is unclear whether seizures by the police of Indymedia's servers may have been facilitated and/or "set up" by knowledge gained by UCOs who had infiltrated Indymedia and/or the broader activist community. That is plainly a matter of grave concern, given its implications, which the Inquiry must investigate.
16. NRO seeks full information about the role of all UCOs who were involved in surveilling his activities, directly or indirectly, online or in real life. He also seeks the same information about the role of UCOs involved in spying on the groups and networks in which he was active. He further seeks information about the handlers of those UCOs and those who authorised the monitoring of his actions and of those of the groups with which he was involved. As set out above, he wishes in particular to find out about any role played by UCOs in regard to the various Indymedia server seizures, and about the authorisation and planning for the deployment of UCOs, including EN32 / HN596, outside of England and Wales.

Key issues of concern

17. NRO is concerned to understand the nature and level of the infiltration of and interference by UCOs in Indymedia and Aktivix in particular, given the role played by both platforms as organising tools for the broader social justice movement. He seeks information concerning the nature and extent of online surveillance of activists, including the use of online media made – and still being made – by UCOs in monitoring activist activity, and in seeking to undermine protests and protest groups and/or to negatively impact their legitimate campaigning. He does so in accordance with the Inquiry's TOR which include undercover "operations conducted through online media".

18. In addition to the matters set out in the body of the Opening Submissions, including but not limited to the questions at para 51(8) and (9), NRO seeks answers to the following issues:

(1) The methodology being adopted by the Inquiry to ascertain and investigate the full nature and extent of online surveillance of activists and activist groups, not least in circumstances where online identities may not “track” offline identities, and undercover policing operations are likely to have run and/or to be running more than one online identity.

(2) The guidelines (if any) and practices relating to content posting by UCOs on websites such as Indymedia and/or to email and other communications by them through platforms such as Aktivix, including:

(a) the nature and content of those communications;

(b) the purpose of postings by officers;

(c) the extent to which information was posted to deliberately undermine any of the groups in which NRO was involved and/or any other campaign groups;

(d) the extent to which (dis)information or other material deliberately posted by UCOs on Indymedia sites may have been used to justify action against the organisation, including the seizure of Indymedia servers.

(3) The impact that undercover policing is likely to have had in relation to NRO’s career, including information concerning his activism that may have been provided to employers or prospective employers, whether directly or indirectly, and whether and to what extent he may have been “blacklisted” as a result of his lawful activism.

19. Those matters need to be fully investigated in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 8

INDRA DONFRANCESCO

MORGANA DONFRANCESCO-REDDY

MEGAN DONFRANCESCO-REDDY

1. Indra Donfrancesco is an environmental campaigner, who has been active in environmental groups and campaigns since approximately 1994 to date. Morgana and Megan Donfrancesco-Reddy are Ms Donfrancesco's two daughters, who were themselves frequent attenders with their mother at environmental campaigns, meetings and protests throughout their childhood, together with related social events, such as festivals, and other informal gatherings. All three women are CPs (Inquiry CP category L).

Earth First!

2. Ms Donfrancesco was involved in particular in the Earth First! network from approximately 1994 to 2010. Her daughters, Morgana and Megan, who were toddlers when she began her involvement with the network, effectively grew up within it, close to many of the other members.
3. Earth First! is an environmental advocacy group which originated in the USA in the 1980s, and now has groups in numerous countries and cities around the world, including the UK. The UK group, which consists of an informal network of individuals sharing a similar outlook in relation to the environment and other matters, campaigns around ecological and social justice issues. One of the group's key purposes is to assist frontline communities whose environments are being destroyed or degraded by corporate and/or Governmental decision-making, to resist that destruction and degradation. The group seeks to share information and to use non-violent direct action to attempt to oppose, halt and ultimately reverse the forces responsible for the destruction of the natural

environment, the Earth's ecosystem and its inhabitants. Direct actions undertaken nowadays are typically livestreamed.

4. In addition to holding local group meetings, Earth First! also organises large events twice a year in the UK, where those associated with the group and others gather to learn about the different campaigns planned across the UK and Europe in a safe and secure environment.

Known undercover policing activity

5. Ms Donfrancesco is aware that she, her family and the groups and campaigns she was involved in, were targeted by multiple UCOs, including Mark Kennedy (who used the undercover name "Mark Stone"), and EN34 (who used the undercover name "Lynn Watson").

Mark Kennedy

6. Ms Donfrancesco and her family were spied upon by UCO Mark Kennedy for a number of years, from approximately 2002/2003 until his exposure as a police officer in 2010.
7. Ms Donfrancesco first met Mark Kennedy through their joint involvement with Earth First! collective, and their shared social circles. They also ran the bar together for a number of years at the "Big Green Gathering", an annual festival in the UK, with an environmental and social justice focus, involving workshops and talks on environmental issues, politics, and ecology, and featuring art, live music and spoken word performances.
8. Ms Donfrancesco recalls that her first meeting with Mark Kennedy was in Nottingham, where he was sharing a house with people she knew. She was living in Brighton at the time, but subsequently moved to Derbyshire, which meant she had more regular contact with Mark Kennedy and campaigners based in Nottingham. It remains unclear whether the surveillance of Ms Donfrancesco

and/or her family was directly authorised initially, or whether it occurred indirectly through Mark Kennedy's targeting of other individuals for surveillance or of Earth First! as a collective.

9. The particular role Mark Kennedy adopted for himself within Earth First! was as a driver, owing to the fact that he owned a van. He routinely drove activists to events, gatherings and protests. He also was responsible for doing advance reconnaissance in relation to various Earth First! direct actions to determine whether they should proceed. One of those was the planned direct action relating to the Ratcliffe-on-Soar power station in 2009, which resulted in the pre-emptive arrests of 113 activists and of Mark Kennedy himself, and which contributed to his unmasking as a police officer. 20 activists convicted of conspiracy to commit aggravated trespass contrary to section 68 of the Criminal Justice and Public Order Act 1994 ("CJPOA") in relation to the direct action had their convictions quashed by the Court of Appeal following the revelations of Mark Kennedy's undercover policing activities.
10. Mark Kennedy is understood to have played a role of *agent provocateur*, encouraging criminal activities by others, and engaging in the same himself. Ms Donfrancesco also recalls him participating in and facilitating underage drinking and drug taking, including amongst minors within the environmental movement.

EN34 (known as "Lynn Watson")

11. Ms Donfrancesco knew EN34, who was active in CIRCA (see Annex 9) and other groups. She recalls, in particular, seeing her at the Heathrow Camp for Climate Action in August 2007, an event attended by approximately 1,000 activists.

Deceptive relationships

12. Over the course of six to seven years, Ms Donfrancesco developed what she believed to be a very close and long-standing friendship with Mark Kennedy. He was deeply involved in her private life. They shared a 40th birthday party together

in September 2009, attended by about 200 people, photographs of which have featured prominently in the press reporting of the UCO's activities. Mark Kennedy also volunteered to be the photographer at Ms Donfrancesco's wedding on 16 June 2007, an event attended by approximately 80 to 100 people, many of them fellow activists. It remains unclear what use Mark Kennedy made of photographs taken.

13. Mark Kennedy was also a mainstay in the lives of Ms Donfrancesco's two daughters, Megan and Morgana, throughout their childhood. They considered him an uncle figure, and his unmasking as a police officer has affected them both significantly, in terms of their personal well-being and mental health, and in chilling their own activism. It is difficult to overstate the impact that discovering that Mark Kennedy was a UCO has had on them. Ms Donfrancesco herself finds it very difficult to trust others, and often finds herself questioning others people's integrity and reasons for their involvement in campaigns, which impedes her own activism and work. More generally, Ms Donfrancesco believes that the revelations about undercover policing activity have had a significant chilling effect on the activist community, leading many people to abandon campaigning completely.
14. Mark Kennedy is known to have had multiple deceptive relationships with women activists. In 2004, he began a deceptive sexual relationship with Ms Donfrancesco's close friend, identified by the Inquiry as "Lisa".

Key issues of concern

15. Further to the issues set out in the body of the Opening Statement, Ms Donfrancesco and her two daughters seek information from the inquiry concerning:

- (1) What safeguards were in place to protect children in families targeted for undercover policing whether directly or indirectly, and what oversight was in place for the same.
 - (2) Who was responsible, within the police and/or Government, for sanctioning and/or authorising the direct or indirect targeting of minors through undercover policing.
 - (3) The policies and practices (if any) in place concerning the surveillance by UCOs of families and/or of minors.
 - (4) Whether and to what extent regard was given to the best interests of the child in determining to authorise undercover operations directly or indirectly involving minors.
 - (5) Whether and to what extent information relating to minor children of individuals targeted for surveillance directly or indirectly was collated, retained, and/or shared with other State agencies.
16. Those matters need to be fully investigated in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 9

CLANDESTINE INSURGENT REBEL CLOWN ARMY (“CIRCA”)

JENNIFER VERSON

The Clandestine Insurgent Rebel Clown Army (“CIRCA”)

1. The Clandestine Insurgent Rebel Clown Army (“CIRCA” or “Clown Army”) was a progressive activist network of writers and educators in the fields of political theatre, cultural activism and clowning. Jennifer Verson is the representative of CIRCA before this Inquiry and a CP in her own right (both Inquiry CP category K).
2. CIRCA originated in 2003 in response to the State visit of George W Bush to England, and to protest the invasion of Iraq. It was a decentralised organisation, whose members were involved in non-violent, creative activism, including playful street theatre and “clowning”, on issues of social justice, including corporate globalisation and the military industrial complex.
3. The aim of CIRCA was to foster civic dialogue and call for change on social justice issues, through highlighting serious abuses of human rights by State bodies. CIRCA received funding through Arts Council England to create and tour a theatrical performance around the UK, which facilitated public participation in “rebel clown” workshops. Although founded in England, CIRCA had a number of active groups in other countries in the world, including Belgium, Denmark, France, Germany, Ireland and Israel.
4. There was no central CIRCA leadership: each CIRCA group determined for itself which protests to attend. However, regardless of the nature of the protest, the form of participation would invariably be through performance: participants would dress as clowns, typically with white faces and red noses, in military style fatigues with coloured trimmings. They would engage in various activities, including mock military manoeuvres, involving marching and singing, and wielding feather

dusters. The aim of the costume was to create a sense of ridiculousness, to challenge any preconceptions concerning activists, and to diffuse tense situations. CIRCA aimed to break down barriers, including between the police and protesters, and to create unity around shared values, through humour and performance.

5. The group was particularly prominent in relation to a number of the actions planned and undertaken around the G8 summit held in Gleneagles in Scotland in July 2005. Members of CIRCA entertained children in the town of Auchterarder, where the Gleneagles Hotel is located, while awaiting permission to “march” closer to the summit.
6. Outside of attending protests, CIRCA groups focused on the training of new members in clowning and other activities, and on practicing performances. All new “recruits” were required to participate in a training workshop before “deployment” at protests. As part of these workshops, recruits were trained in how to use non-violent responses to stressful situations.
7. CIRCA had close ties with other campaign groups and activists, including Rhythms of Resistance, which also used performance as protest. Many of those involved in CIRCA, including Ms Verson, were also involved with the Dissent network, a decentralised network of individuals focused on opposing the G8 summit in Gleneagles in 2005.

Jennifer Verson

8. Ms Verson was involved in developing and leading workshops for CIRCA for approximately three years. This was a voluntary position. Ms Verson was one of the consistent trainers and had authority and responsibility in terms of the development of CIRCA workshops across the UK. Ms Verson estimates that she trained hundreds of people during that time. In particular, she personally trained UCO EN34 (who used the assumed undercover name “Lynn Watson”) who infiltrated CIRCA for a number of years as a clown. EN34’s training consisted of

CIRCA's standard two-day residential training, which was delivered in preparation for the occupation of the military recruitment centre in Leeds in 2004.

9. Ms Verson is an individual involved in entirely legitimate activities, who is deeply committed to matters of social justice. She is extremely concerned that a group such as CIRCA should have been targeted for undercover policing activities, at all, much less over such a prolonged period of time. It is difficult if not impossible to see how this level of resources, financial and otherwise, directed at CIRCA could have been reasonably or lawfully justified.

Known undercover activity in relation to CIRCA and/or Ms Verson

10. The nature of theatrical performance, which is collaborative and mobile, involving improvisation, meant that CIRCA was very open to participants, and was therefore an easy target to infiltrate. The fact that theatre performers, including clowns, tend to form strong bonds within a company, working together as an ensemble, means that trust and friendships are formed quickly and easily. UCOs were therefore able to become members of the group rapidly, and on that basis to travel and tour as part of it.

EN34 (known as "Lynn Watson")

11. It has been confirmed that undercover police officer EN34 infiltrated CIRCA for a number of years. A restriction order is in place concerning her real name. However, it has been confirmed that she worked for the NPOIU, and that she was deployed in that capacity to several groups between 2003 and 2008. During that time, she participated in a number of CIRCA activities, including the peaceful occupation of an MP's office and of a British Army recruitment centre, which was captured on video footage.⁶ EN34 is seen participating in actions such as waving a feather duster, mock military marching, and shaking her backside. It is unclear what information she could conceivably have been reporting back to justify her

⁶ Available at: <https://www.youtube.com/watch?v=Kg5OlyT4bFk>.

years of spying on CIRCA, at tax payers' expense, and at the expense of the fundamental rights of other CIRCA members.

12. It is known that EN34 also infiltrated a number of other peace, environmental and anti-authoritarian campaigns and groups in addition to CIRCA, notably Dissent, Earth First!, Leeds Action for Radical Change, Trident Ploughshare and Yorkshire CND.⁷ The Powerbase database sets out a timeline of her involvement with the various groups.⁸ She also appears to have been arrested on at least two occasions whilst undercover.

Mark Kennedy

13. The Inquiry has to date failed to confirm if UCO Mark Kennedy (known undercover as "Mark Stone") infiltrated CIRCA and/or was involved in undercover activity relating to the group or to Ms Verson. However, he is known to have monitored protest activity around the G8 summit in Gleneagles in Scotland in 2005, in which CIRCA and Ms Verson were involved. It is also known, that he attended at least one protest planning meeting concerning the 2005 summit at which CIRCA members were present.

Other UCOs

14. The Inquiry has also failed to date to identify other UCOs involved in infiltrating or monitoring the activities of CIRCA and/or Ms Verson. However, it is Ms Verson's retrospective assessment that a number of people she was in contact with during her involvement with CIRCA met the characteristics of UCOs (*e.g.* not having any other friends within the movement, no work in common and/or having their own accommodation).

⁷ [https://powerbase.info/index.php/Lynn_Watson_\(alias\)](https://powerbase.info/index.php/Lynn_Watson_(alias)).

⁸ https://powerbase.info/index.php/Lynn_Watson_Undercover_Timeline.

15. Moreover, in circumstances where there was extensive cross-networking between CIRCA and other campaigning organisations and groups, some of which are known to have been infiltrated by other UCOs, it appears likely that those UCOs would also have taken a role in monitoring and/or reporting on CIRCA and/or Ms Verson directly. By way of example, information obtained independently of the Inquiry indicates that UCO HN519/EN1 (who used the assumed name of “Mark (Marco) Jacobs”) was involved in infiltrating protest activity around the 2005 G8 summit, along with EN34 and Mark Kennedy. By way of further example, at least two UCOs, HN18 (who used the assumed name of “Rob Harrison”) and HN118 (who used the assumed name of “Simon Wellings”) are known to have infiltrated the group Globalise Resistance, an anti-capitalist group which was involved in providing graphic design for CIRCA.
16. Individuals who subsequently transpired to be UCOs played a key role in facilitating the participation of others in the G8 protests, including by procuring free tickets for travel, where travel costs would otherwise have been prohibitive for attendees. Ms Verson recalls being invited to lead an all expenses paid workshop for Dissent, and now questions how her travel and accommodation could have been funded, in circumstances where finances were generally tight within activist circles. But for the fact that all expenses were paid for the trip, she would have been unable to attend. This raises serious questions about the role played by UCOs in facilitating and/or encouraging activities which they were seeking to infiltrate and/or report on.
17. Ms Verson’s concern is not merely historic. Her experience of undercover policing has had a significant and lasting impact: the appearance of any inquisitive new acquaintance in her life, seeming to have interests in common with her, gives rise to a concern on her part that she may still remain the target of UCOs.

Key issues of concern

18. It is of extreme concern to Ms Verson that the State has monitored her legitimate campaigning activities and the legitimate activities of groups and movements with which she has been involved for many years. She is particularly concerned to ascertain what information has been recorded and may be held in relation to her, and how that might impact upon her and her family now and in the future. Further to those matters set out in the body of the Opening Statement, she seeks answers from the Inquiry as to the following matters in particular:
- (1) The basis on which it was determined that it was reasonable, necessary or proportionate to infiltrate a group of performing clowns.
 - (2) What information was gathered and collated by EN34 relating to her training as a clown by Ms Verson and to related activities.
 - (3) Further to the questions set out at paras 49(4) and 51(8) concerning the role of UCOs in facilitating and encouraging campaigning activity, including through providing funds and/or transport for the same, to what extent Ms Verson's provision of a workshop for Dissent in early 2005 was funded directly or indirectly through the police and/or other State agencies.
 - (4) Further to the question set out at para 51(15) in the Opening Submissions, what was the role of officers in England and Wales in relation to the sanction and planning of undercover activities by police officers in Scotland relating to the G8 summit in Gleneagles in 2005.
 - (5) The details of the arrests of EN48 and/or whether they related to or were linked to CIRCA.
19. It is imperative that those matters be fully investigated and answers provided in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 10

ASA WINSTANLEY, ATIF CHOUDHURY, MCD INVOLVED IN THE INTERNATIONAL SOLIDARITY MOVEMENT

1. Mr Winstanley is an investigative journalist, writing, in particular, on matters related to Palestine and the broader Middle East. He is Associate Editor with the Palestinian news site, the Electronic Intifada, and writes a regular column for the Middle East Monitor. He joined the International Solidarity Movement (“ISM”) in 2004 as a way of providing practical support and solidarity to the Palestinian people, whose fundamental rights he saw being trampled by Israel’s long-standing, ongoing and brutal occupation of Palestinian territory. He was media coordinator for ISM in Palestine between 2005 and 2006. From March 2005 onwards he ran the internal ISM London mailing list, which was a private list used for decision-making, to circulate minutes and similar activities. From December 2005 onwards he ran ISM London’s website.
2. Mr Choudhury and MCD are committed members of civil society, involved in various campaigns and campaign groups, including around Palestinian issues.
3. MCD volunteered with ISM Palestine in 2004, together with a group of other Quakers. Experiencing the violence of the Israeli military occupation on Palestinians first hand impacted her profoundly, leading her to become associated with the ISM London group on her return from Palestine in 2004 until 2008. MCD’s activism has been motivated in particular by her Quaker faith and commitment to active pacifism, which aligned particularly with ISM’s non-violent tactics. She maintains many friendships in Palestine and Israel, built over a lifetime of Christian concern and involvement with the region.
4. Mr Choudhury was active in ISM London from its foundation in 2002. ISM offered him the opportunity to provide practical support and assistance to the Palestinian people. While he was in Palestine, this included assisting in the delivery of

medication to Palestinians, observing at Israeli army check points and bearing witness to the occupation and associated human rights violations.

5. All three are CPs (Inquiry CP category K). They individuals involved in entirely legitimate activities who are deeply, and peacefully, committed to the Palestinian cause. They are incredulous at the fact that they have been targeted by the State for undercover policing for their wholly legitimate activities, which were focused exclusively on seeking to uphold the rule of law internationally.

The nature and activities of ISM

6. ISM is a Palestinian-led movement, committed to resisting the Israeli occupation of the occupied Palestinian territory and the oppression and dispossession of the Palestinian population, using non-violent direct action and protest.⁹ Founded in 2001, the organisation aims to support the Palestinian population by being present with Palestinians in the occupied territory. ISM's activities are focused on bearing witness to and documenting violations of international human rights and humanitarian law committed against Palestinians. ISM volunteers used their privilege as foreign passport holders to seek to protect Palestinians by their presence, and, where possible, to seek to prevent violations of international law from occurring.
7. To fulfil those activities, ISM sends volunteers, generally from countries in the Global North, to Palestine. ISM volunteers typically attend at the olive harvest, on school runs, at Israeli army checkpoints, and at demonstrations and house demolitions, where Palestinian rights are routinely violated, and where Palestinians are typically subject to sustained harassment. ISM's non-violent volunteering is not risk free: two of ISM's volunteers, Briton Tom Hurndall and American Rachel Corrie, were killed by the Israeli army while trying peacefully to protect Palestinians.

⁹ <https://palsolidarity.org/about/>.

8. ISM's methods of non-violent direct action include participating in demonstrations, accompanying farmers to their fields and living with or near families whose homes are threatened with demolition, or who are targeted for harassment by members of the Israeli army or the Israeli settler community. ISM volunteers also document and report to local and international media about daily life under occupation, and about the violations of international human rights and humanitarian law by the Israeli army which they have witnessed. Documentation is intended to shine a light on the activities, but also to constitute evidence, insofar as opportunities for accountability arise, including through the International Criminal Court. Their very purpose is to seek to uphold international law.

9. Mr Winstanley, Mr Choudhury and MCD were involved with ISM Palestine, visiting Palestine as volunteers. They were also all associated with ISM's London group. Neither group had any formal membership. The London group, in particular, was a loose knit network of individuals who sought to support ISM activities in Palestine, including through fundraising, awareness raising and training of prospective ISM volunteers. ISM London's protest activity in England and Wales was limited to holding stalls at demonstrations to raise awareness about the organisation and recruit volunteers to travel to Palestine. ISM London itself did not organise direct action in England and Wales, although some individuals involved in the group would have taken part in such activism.

Known undercover activity with ISM / the individual CPs

10. It is known that at least one UCO, HN18 (known undercover as "Rob Harrison") was deployed against ISM and/or the individual CPs, at least between 2004 and 2007. This has been confirmed by the Inquiry. However, emails demonstrate that HN18's email address remained on the private ISM London mailing list until 2013, raising questions about the continued online surveillance of ISM and of those associated with it throughout that time.

11. During his involvement with ISM, HN18 routinely attended meetings, where he would have been privy to detailed discussions about vulnerable individuals in Palestine, who were at risk of (further) serious violations of international law, including human rights violations. HN18 took part in various activities on behalf of ISM, including fundraisers as a DJ. He also handled cash for London ISM, putting himself forward as a signatory for the group's bank account. There is a concern that he may have been involved in related direct action on matters relating to Palestine, and that he may have played a role as an *agent provocateur* in relation thereto. There is also a concern about him attempting to disrupt the activities of the group, including, for example, by seeking to dissuade people from sending money to ISM Palestine. He would have been privy to some individuals' travel plans to Palestine, and there are serious concerns that his reporting on ISM and those associated with it may have led them to being prevented from entry into Israel (for onward travel to Palestine) and to them being routinely detained and questioned at British airports. MCD in particular, is concerned that her treatment at UK airports is directly linked to HN18's reporting on her and ISM.

Deceptive relationships

12. HN18 sought out and developed a close "friendship" and relationship of trust with Mr Choudhury who considered him one of his closest friends until his disappearance in 2007. HN18 inserted himself into Mr Choudhury's private life, getting to know his parents and siblings, and DJing at his sister's wedding. It is HN18 who introduced Mr Choudhury to his now wife. As a frequent visitor to Mr Choudhury's home, HN18 used the relationship with him to befriend people who lived in his housing cooperative, which housed a number of other activists. HN18 ultimately perpetrated a deceptive and abusive intimate relationship with one of Mr Choudhury's neighbours. That neighbour, known as "Maya", is a CP in the Category H group of women who were deceived into intimate relationships with UCOs. It is difficult to understate the emotional toll that the discovery of HN18's identity as UCO has had on Mr Choudhury. He is still processing his emotions that range from existential anxiety about where his life would have been had he

not met HN18, to guilt for the harm to “Maya” caused by HN18. His trust was deeply violated and it has caused him difficulties in trusting others. Mr Choudhury has particular concerns that the targeting of him by HN18 may have been racially motivated, given that Mr Choudhury is Asian.

13. Because HN18 was already involved with ISM London on Mr Winstanley joining the group in 2004, Mr Winstanley trusted him as an established activist. He developed what he believed to be a friendship with HN18, whom he trusted completely. Shortly after joining ISM London, Mr Winstanley began helping with IT tasks including the website and the mailing list, which gave him access to data for ISM London members. This may have been for this reason that HN18 targeted him in particular. It was only after HN18’s cover name was released by the Inquiry that Mr Winstanley discovered that he was a UCO. The revelation has left him traumatised. He has real difficulty trusting people and, as a result, places limits on his friendships.
14. All three CPs seek answers to how and why they were targeted themselves by UCOs, directly and indirectly, and used by the State to target others for undercover surveillance, an unwitting role that they are horrified to have played.

Key issues of concern

15. Given the international focus of ISM’s activities, the Inquiry needs to establish the basis on which ISM and those associated with it, including the CPs, were targeted for undercover policing. The targeting of them appears to be a clear indication that the activities of undercover policing were not aimed exclusively at domestic concerns. Given the failure to date by the Inquiry to disclose any information relating to their surveillance or that of ISM, it is not known if or how the police purport to justify interference in their activities and personal lives by UCOs. Plainly there is no such lawful justification.

16. Real questions arise as to whether and to what extent the targeting of ISM and/or of individuals associated with it was done at the request of the Israeli government or official agencies, or those of other States. Those questions arise in the context of documents released by the FBI earlier this year which demonstrate that US authorities opened (ultimately fruitless) investigations into various branches of the ISM in the USA in 2004, around about the same time that HN18 was deployed to spy on ISM London and/or those associated with it.¹⁰

17. The CPs have significant concerns that information from their meetings, including about extremely vulnerable individuals in Palestine, may have been fed back by the police and/or other authorities in England and Wales to State agencies, bodies and/or individuals in Israel. They are deeply concerned that their entirely lawful activism to seek to assist members of the occupied Palestinian population and protect them from the consequences of serious violations of international law, may have led, through the actions of UCOs, to individuals in Palestine being placed at increased and significant risk of further such violations. In that way, the actions of UCOs would not merely have been to undermine their activism, but to turn it against the very people the CPs were seeking to protect, weaponizing their solidarity against the very people with whom they sought to stand.

18. In addition to those matters set out in the body of the Opening Statement, the CPs seek particular answers from the Inquiry concerning the following:
 - (1) Whether information obtained from ISM meetings and other activities in England and Wales, and/or from individual CPs or other individuals was provided (in England and Wales) to police forces and/or other State agencies or individuals abroad, including in Israel, and if so, the nature and detail of that information, and the nature and extent of the communications involved.

¹⁰ <https://theintercept.com/2020/04/05/israel-palestine-fbi-terrorism-investigation/>.

- (2) What safeguards were in place to ensure that information was not passed to bodies or agencies involved in serious violations of human rights and/or international law, and/or was not deployed to assist in such violations.
 - (3) What information individuals involved in undercover policing in England and Wales received concerning the use to which information supplied outside of England and Wales was put.
 - (4) What information was collated and/or provided by UCOs that has impacted, whether directly or indirectly, on the ability of the CPs and/or other members of ISM to travel internationally.
 - (5) Whether racial profiling played a part in HN18's targeting of Mr Choudhury.
19. Those matters need to be fully investigated in order for the Inquiry to fulfil the purpose for which it was established.

ANNEX 11

VSP

1. VSP (Inquiry CP category K) has been involved in numerous groups, networks and campaigns relating to social justice and environmental issues over the course of many years. They include the Cardiff Anarchist Network / Rhwydwaith Anarchaidd Caerdydd (“CAN”), formerly South Wales Anarchists, a network of autonomous groups opposed to all forms of exploitation and bigotry, which sought to build resistance to capitalism, share information, and help create a world based on freedom and justice for all.
2. VSP attended numerous protests between 2002 and 2013, including anti-war protests, G8 protests, and protests organised and/or affiliated with the Dissent network, Earth First, and Smash EDO.
3. VSP estimates having been arrested on approximately 15 to 20 occasions. VSP believes that a significant number of the arrests and the often draconian bail conditions imposed as a result, may have been employed by the police in conjunction with undercover policing, as a method of controlling and disrupting VSP’s legitimate activism.
4. VSP has often experienced significant violence and abuse from the police while being arrested and/or detained, and has been strip searched and placed in leg restraints. VSP suspects that the police violence may have been linked to the flagging of VSP’s police file with “markers for violence”, an assessment which has no proper or reasonable justification based on VSP’s outlook or conduct, including at demonstrations, and remains unexplained. The multiple legal actions VSP has taken against the police, including for being left naked for prolonged periods of time, and being subjected to verbal abuse while being strip searched, have all settled. It appears now that they may have settled not only because the actions of the police were unjustified, but also to avoid making disclosure.

Known undercover policing activity

5. The two UCOs of whom VSP is aware who took an active role in spying on VSP, VSP's family and on the groups VSP was associated with were:
 - (1) EN1 / N519 (known undercover as "Mark (Marco) Jacobs"); and
 - (2) Mark Kennedy.

6. EN1 / N519 infiltrated CAN for a period of approximately four years, between approximately 2005 and 2009. It appears that his objectives included:
 - (1) gathering intelligence on CAN and its members;
 - (2) disrupting CAN's activities, including ultimately to prevent CAN operating as a functioning, cohesive and coherent activist group; and
 - (3) using his infiltration of CAN, and the reputation and trust which the network enjoyed in activist circles, to infiltrate and gather intelligence on other groups, including the European Dissent network.

7. In relation to objective (b), EN1 / N519 made himself central to the workings of CAN, often providing or offering to provide transport and other resources for CAN activities. His role in this regard was often disruptive, leading to actions and other events falling through or being abandoned. In terms of his day to day involvement in CAN activities, it is believed that he used – and on at least one occasion, deliberately staged – events with activists from other groups and networks, so as to gain intelligence about them.

8. In relation to objective (c), CAN had been actively involved in the Dissent network and in the planning of blockades at the G8 summit in Gleneagles in Scotland in 2005, and a number of members had sought to contribute to a wider European network opposed to G8. However, money and resources were tight, preventing extensive liaison with the network outside of England and Wales. In that context, EN1 / N519, who had the money and resources, put himself forward to attend international meetings, travelling abroad to meet with other activists – accompanied on at least one occasion by UCO Mark Kennedy.

9. It is believed that the involvement of UCOs seriously undermined the organisation of the protest at the G8 summit in Germany in 2007. It is further believed that, having set himself up as an intermediary, EN1 / N519 deliberately stemmed the flow of information from the European network back to CAN, preventing the establishment and development of increased cooperation between the two networks. It is also believed that EN1 / N519 deliberately fed back disinformation, in order to further disrupt CAN's activities, and their attempts at European solidarity. The *modus operandi* of EN1 / N519 strongly suggests not only an attempt at disruption by UCOs of the groups infiltrated, but also an attempt to control information that activists had access to.
10. EN1 / N519 was also involved in disrupting a planned direct action against a gas pipeline terminal at Milford Haven in West Wales. It is believed that he passed information to the local police concerning the action, that resulted in police raids on houses, and the arrests of local activists. The police used the raids to seize computer equipment and other materials, in what appears to have been a significant fishing expedition to obtain information about activists and their activities.
11. EN1 / N519 also visited Germany and Poland with CAN, under his assumed identity. However, he pulled out of attending the 2008 G8 summit protests in Russia at the last minute, on the now understood basis that he did not get clearance to travel, including under his false identity. It is understood that all of these international spying journeys were planned, sanctioned and approved in England and Wales, meaning that their planning, sanctioning and approval by State bodies and agencies in England and Wales, fall squarely within the remit of the Inquiry.

Deceptive relationships

12. EN1 / N519 developed strong personal relationships with individuals in CAN, including VSP, leading to a real sense of personal betrayal and distrust within

the group on his unmasking as a UCO. EN1 / N519 had socialised extensively with VSP and VSP's family, attending family outings with them.

13. EN1 / N519 also engaged in deceptive intimate relationships with at least two women associated with CAN. One of those was already in a relationship with a CAN activist. The other was a young friend of VSP's, significantly younger than EN1 / N519, who was only on the periphery of CAN, but is believed to have been used very deliberately, for the purposes of getting closer to, and spying upon, VSP.
14. EN1 / N519's tactics appear to have been to create disharmony within the group, manipulating individuals with whom he formed close relationships, and deliberately fostering distrust between participants in the network. In particular, he is known to have repeatedly undermined VSP and VSP's activism, framing VSP in a negative way, including by spreading false rumours regarding VSP.

Key issues of concern

15. VSP is seriously concerned about the continuing failure by the Inquiry to provide disclosure in relation to the undercover policing of VSP and/or associated groups. VSP seeks to ascertain the full fact, extent and nature of undercovering in England and Wales, including and in particular, how it was deployed against VSP and associated groups VSP was involved in. In addition to the matters raised in the body of the Opening Submissions, VSP seeks answers to the following issues:
 - (1) Further to the question at para 51(9) of the Opening Submissions, the use to which technology, including ANPR tracking data and other media, was used to monitor and disrupt VSP's activities and those of CAN, related activists and/or other groups or networks in which VSP was involved.
 - (2) The flow of information between EN1 / N519 and the Public Order Branch of the Metropolitan police.

- (3) The extent to which excessive police force, arrests and stringent bail conditions were used as deliberate tactics against VSP, intended to chill VSP's political activism, including which arrests in which years were undertaken for those purposes.
- (4) The basis and rationale for the decision to place "markers for violence" on VSP's police file, including:
 - (a) when this occurred;
 - (b) on the basis of what information;
 - (c) who was responsible for actioning and authorised the decision;
 - (d) the extent to which information, including misinformation, provided by UCOs, including EN1 / N519, and/or by Special Branch contributed to the decision;
 - (e) the content and detail of the relevant Special Branch files; and
 - (f) the extent to which this justified the targeting and continued spying on VSP, CAN, and/or other groups and networks with which VSP was associated.
- (5) The use to which information, including privileged information, obtained by UCOs from VSP and/or VSP's co-defendants in criminal trials, from meetings VSP attended and/or private or group communications with CAN members was put, including whether it was:
 - (a) used to monitor, arrest and/or prosecute VSP and/or other activists;
 - (b) provided, directly or indirectly, to individuals or corporations which were the object of protests; and/or
 - (c) provided to other police units, including anti-terrorism and special branches of the police, and police units outside of England and Wales, including in Scotland, Germany, and Poland.
- (6) The authorisation of and justification for EN1 / N519's pursuance of a deceptive relationship with a vulnerable young friend of VSP, in order to monitor VSP's activities, including by whom the deception was sanctioned.

16. Those matters need to be fully investigated in order for the Inquiry to fulfil the purpose for which it was established.

**PETE WEATHERBY QC
GARDEN COURT NORTH
BLINNE NÍ GHRÁLAIGH
MATRIX**

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