

November 8th 2020.

## UCPI Opening Statement – updated version with added notes/references

*[Original text of the paragraphs unchanged]*

### by Dave Morris, McLibel Support Campaign

1. I have been involved since 1974 in a range of groups and campaigns trying to encourage people to support one another and to make the world a better place. Such groups include ones promoting libertarian socialist politics **[Note 1]**, workplace solidarity **[Note 2]**, claimants rights, environmental campaigning (including London Greenpeace), opposition to corporate power and exploitation (including being one of the two defendants in the 'McLibel' case), the anti-poll tax movement, and groups promoting community mutual aid and self-organisation to encourage people to speak up for their needs as local residents and the needs of their own local neighbourhoods. I am currently Secretary of the Haringey Federation of Residents Associations, and Chair of the National Federation of Parks and Green Spaces.

#### **London Greenpeace and the McLibel campaign, and the subversion of civil rights**

2. Both London Greenpeace and the McLibel Support Campaign were infiltrated by Undercover Officers (UCOs), one of whom - Bob Lambert - contributed significantly to the anti-McDonald's leaflet and campaign which McDonald's sued over. In addition there was infiltration from 1989-1991 by at least 7 spies hired by the McDonald's Corporation, one of whom had a 6 month sexual relationship with someone in the group.[See Judgment of Justice Bell, 1997]. Please see the detailed Opening Statement of my McLibel co-defendant Helen Steel, which I support and do not need to repeat here.
3. In summary, the McLibel case ran from 1990-2005, encompassing the longest trial in English legal history **[Note 3]**. We were denied Legal Aid and Jury trial. However, as a result of our efforts as Litigants In Person, the High Court and then Court of Appeal ruled that McDonald's 'exploited children' with their advertising, produced 'misleading' advertising, that McDonald's regular customers faced an increased risk of heart disease, that McDonald's were 'culpably responsible' for cruelty to animals, were 'antipathetic' to unionisation and it was fair comment to say McDonald's workers suffered poor pay and conditions.
4. It emerged during the McLibel trial that police officers (including Special Branch) had passed private and in some cases false information about us (and other protestors), including home addresses, to McDonald's. Sid Nicholson, McDonald's Head of Security and a former Met Chief Superintendent, had stated from the witness box that McDonald's security department were 'all ex-policemen' and if he ever wanted to know information about protestors he would go to his contacts in the police (day 249 of the trial, transcripts p38). No doubt the Inquiry will want to get to the bottom of the full level of this collusion. Helen and I sued the Metropolitan Police for passing on personal information about us to McDonald's. In July 2000 we received £10,000 compensation, and a Consent Order in which the police committed 'to bring this settlement to the attention of the 3 Area Commanders of the Metropolitan Police Force and ask them to remind their officers of their responsibility not to disclose information on the Police National Computer to a third party.'

5. In 2005, the European Court of Human Rights ruled in our favour [Steel & Morris vs UK] that there had been violations of the Convention's Article 6 (right to a fair hearing) and Article 10 (freedom of expression). Despite the damning rulings against McDonald's, it seems that no police investigation (undercover or otherwise) or legal action was ever taken against them as a result. It is shocking that the police were instead targeting those exposing the truth about powerful, greedy and unethical corporations. **[Note 4]**

### **The background / context [Note 5]**

6. In 1968, following huge demonstrations in London's Grosvenor Square (and around the world) against the widely-condemned Vietnam War, British police set up a Special Demonstration Squad (SDS) to monitor and undermine such street protests. **[Note 6]**. Since that time, over 1,000 groups campaigning in the UK for a better society and better world have been systematically spied upon, infiltrated or otherwise targeted by secret and unaccountable political police units.
7. This targeting has included over 140 highly paid police spies living long term as 'activists' engaging in the everyday activities of groups and campaigns for equality and justice, for environmental protection, for community and trade union empowerment, and for international solidarity; for rights for women, black and ethnic minorities, workers, LGBTQ people, and for animals; and also targeting those campaigning against war, racism, sexism, corporate power, legal repression, and police oppression and brutality. Such groups and movements have comprised many millions of people throughout the UK who want to make the world better, fairer and more sustainable for everyone. Thanks to their efforts, many of the ideas spread by such groups have now become mainstream opinion and some campaigns and rights sought eventually resulted in legal and other formal recognition by society.
8. Yet it appears that almost any group that stood up to make a positive difference in questioning or challenging the establishment has been or could have potentially been considered a legitimate target by the UK's secret political policing units. Any claims that the UK police are a non-political institution are therefore clearly incorrect. **[Note 7]**
9. These secret policing activities went far beyond investigating what was said in meetings. Individuals within or associated with those campaign groups - most of which had an open membership and active involvement based on trust and co-operation - were subjected to intrusions into their personal lives. Thousands of fake 'friendships' were developed, exploited and abused by secret police who continuously lied for their own political ends. Many people, especially women, were deceived into intimate and abusive relationships. Children have been fathered then abandoned, and the identities of deceased children stolen to provide 'cover' names. Police spies took part in and actively influenced groups and activities, and there have been very many arrests and victims of miscarriages of justice as a result. Family campaigns, people seeking justice for loved ones killed by police, were deliberately undermined by these units.
10. To bug a phone is recognised as a controversial breach of someone's human rights and so police have to apply for a warrant. We're generally opposed to that and note the public outrage over the phone hacking scandal a few years ago. However, to hack people's LIVES is infinitely worse and should be totally unacceptable to everyone.

11. Much of the State response to public anger over these tactics has been to present the spying and the abuses that came with it as an aberration, a mistake, or the fault of rogue officers. We disagree. Based on the evidence, this spying was established and conducted with the full sanction of the State and supported by its apparatus and taxpayer funding. As stated by one of the women deceived into a relationship with a police spy, it was not just a single undercover policeman in her bed but also all those who put the officer in the field and supported them there.
12. No decision about all this was taken in isolation. The Government, senior managers and the handlers may have tried to turn a blind eye to the abuses, or deemed them politically 'necessary', but the reality is they were complicit in all of it. They readily accepted the 'intelligence' provided, they funded, tasked and oversaw the spycops units, and they set the agenda and ethos according to which these units operated.
13. This had nothing to do with responding to genuine public concern over any real and imminent serious violent threats to public safety and lives. The groups represented in this Inquiry were not terrorist organisations, but were groups pushing for positive social change in an overwhelmingly public and open way. By targeting these groups the police were demonstrating unacceptable and ongoing institutional discrimination, racism, sexism and anti-democratic action, including industrial-scale breaches of laws and charters that protect basic human rights and the right to protest. **[Note 8]**
14. Over 100 of the Inquiry's Core Participants summed up the problem here in a previous Collective Statement on 17<sup>th</sup> October 2017: *'For us, this Inquiry is about political policing to undermine groups and organisations campaigning for a better society and world.'*
15. This police bias was clearly sanctioned at the highest level. We know of no effort to show 'balance' by police infiltration or secret targeting of powerful establishment bodies to investigate their crimes and threats to social peace and society. Such organisations not targeted include greedy and unethical financial corporations, tax-avoiding hedge funds, military elites and their development of weapons of mass destruction, and power-mad establishment political parties. This is despite their continuous and widespread promotion of systematic institutional violence (such as wars, poverty, exploitation of workers, colonialism and environmental destruction) and discrimination on the grounds of race, sex and class, reinforced by Public Relations and manipulation of society for these institutions' own power and profit. **[Note 9]**
16. Following the exposure of this undercover policing scandal in 2010, it took five years of investigation, publicity and campaigning by victims and survivors of police infiltration, reinforced by police whistleblowers, for the Government to decide to act. Even then it took the shocking revelations that the family and surviving victim and close friend of murdered black teenager Stephen Lawrence had themselves been targeted by undercover policing.
17. In July 2015 following widespread public outrage, the then Home Secretary Theresa May tasked the current Undercover Policing Public Inquiry with getting to the truth about this scandal and who authorised it, and recommending action to prevent future police wrongdoing.
18. Since then we have had to suffer five more years of police delays and obstruction. These tactics have resulted in a refusal to release most of the names of the 1,000 organisations spied and reported on, refusal to release the names and photos of most of the police spies, and refusal to release most of the relevant documentation generated by political policing

units. Throughout these five years we and other core participants, despite an imbalance in resources and almost zero access to the documentation held by the police for decades, have worked hard to get the information and justice that we and the wider public are entitled to. We have worked hard and remain determined to bring the whole murky secret political policing operation and its unethical, unacceptable practices into the public spotlight where it belongs.

19. This is supposed to be a public inquiry, but it seems more like a police damage-limitation exercise or cover up. The hearings are not yet publicly-accessible and nor will they be live-streamed, which is the only way to ensure that the millions of members and supporters of the targeted groups and movements have the opportunity to follow the proceedings as they happen.
20. We call for the Inquiry to recommend that police units targeting campaigners seeking a better society should never have been set up, and should be disbanded in their entirety. **[Note 10]**. We call for full transparency, and release of all the names of the groups targeted, all the names of the police spies, and the full political files police have amassed on such campaign groups. Only in a spirit of openness and transparency can the grievous police crimes of the past be acknowledged, those responsible at all levels be held accountable, and the many victims start to move forward with the answers they have consistently called for - and are entitled to.
21. When the SDS was formed they aimed to undermine the movements they were spying on. But despite the disgusting police tactics employed, movements for positive change to benefit the public good are still here and growing, and have had many successes on the way. Such movements are needed more than ever in order to address the cumulative and deepening crises into which humanity is being plunged by the current system and its policies. A better world is possible and its up to all of us, whoever we are, to ensure support for - and not the undermining of - such movements for positive change.

### **What is needed**

22. In conclusion, I support the recommendations taken from the People's Inquiry organised by NSCPs in July 2018 in Conway Hall, London. **[Note 11]**. **[Note 12]**. These include (in summary):
    - Full disclosure of the names of the spies, the organisations they targeted and the files compiled by political policing units
    - A finding of institutional sexism, racism, and an anti-working class, anti-democratic agenda in the police - and a requirement to address it effectively
    - A recommendation that undercover political policing of protest and campaigning groups ceases and all such existing units are disbanded.
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## Dave Morris's added notes/references

**[Note 1]** Libertarian socialism is synonymous with 'anarchism'. Eg Google 'OED anarchism' for an accurate definition: *'Being the abolition of all government and the organisation of society on a voluntary, cooperative basis without the recourse to force or compulsion'*. This fairly accurately describes my guiding ethical framework.

**[Note 2]** I was at one time a Branch Secretary of the Union of Post Office Workers. I was later found to have been illegally added to the Consulting Association blacklist (green section).

**[Note 3]** See the McLibel documentary (2005). <https://www.youtube.com/watch?v=V58kk4r26yk> This 90 min documentary was broadcast by the BBC. It was chosen for the British Film Institute's prestigious series, "Ten Documentaries which Changed the World". A particularly relevant 10min extract is recommended to be viewed: From 4min 30sec to 14min 30sec: 4.30 on.. The 'What's Wrong With McDonald's' factsheet, subject of the libel action, co-written by UCO Bob Lambert. 6min on.. McDonald's own infiltrators unmasked + a notebook extract. One of them interviewed as a whistleblower. 8.30. McDonald's spy Michelle Hooker (with leaflets) next to UCO John Dines on London Greenpeace protest at McDonald's HQ (East Finchley) in 1989. *[The footage was obtained from McDonald's by disclosure, and shown during the McLibel proceedings. McDonald's UK Vice President, a former policeman in apartheid South Africa and later the Met's Police Chief Superintendent in Brixton, was in charge of the spying operation – he testified that a Special Branch officer was given 'a perch' next to himself at the HQ to jointly observe that very protest in the film]*. 9.45.. Dave Morris and son Charlie on bikes outside home. During the case, UCO Matt Rayner had an abusive sexual relationship with a woman living next door. 10.10.. Helen Steel receives writ whilst in van whilst with her 'partner' UCO John Dines. 12.18. Denied jury trial. 13.45. Denied legal aid, and offered pro bono legal advice by barrister Keir Starmer. How much of that privileged advice was UCO John Dines privy to whilst living with Ms Steel?

**[Note 4]** The 1997 'McLibel' trial Judgment of Bell J set out in detail the continuous, industrial scale of criminality by the McDonald's Corporation throughout the UK (and world) in the 1990s, especially in relation to employment laws and its suppliers' animal welfare laws. Yet the SDS targeted the campaigners who exposed these truths and not the organisation responsible for that criminality. The McDonald's Corporation could accurately be described as being 'subversive' of societal norms regarding employment, advertising, nutrition and animal welfare.

**[Note 5]** Paragraphs 6-22 above are supported [as of November 8<sup>th</sup> 2020] by the following 90 Non-State Core Participants:

Dave Morris; Dr Donal O'Driscoll; The Hon. Zoe Young BSc MSc MFA; Martyn Lowe; 'Lindsey'; Danny Chivers; Paul Gravett; Juliet McBride; Matt Salusbury; 'VSP'; 'Jessica'; Robert Banbury; Ceri Gibbons; 'Sara'; Asa Winstanley; Atif Choudhury; 'MCD'; 'Jane'; Kate Wilson; Claire Hildreth; Cllr Shane Collins; Lois Austin; Jason Kirkpatrick; Grainne Gannon; Ben Leamy (aka 'Mark Morgan'); Chris Dutton; Emily Apple; Olaf Bayer; Guy Taylor; Debbie Vincent; Alice Cutler; Albert Beale; Donna McLean; Nicola Benghe on behalf of Rhythms of Resistance; Nicola Benghe; 'Naomi'; Kirsty Wright; Trevor Houghton; Simon Taylor; Brian Healy; Robin Lane; Michael Zeitlin; Michael Zeitlin on behalf of Advisory Service for Squatters; 'Monica'; Professor Jonathan Rosenhead; Hunt Saboteurs Association; Merrick Cork; Sarah Shoraka; Leila Deen; Tom Fowler; Dr Harry Halpin; Kristina Goodwin-Jones; Professor Simon Lewis; Paul Morozzo; Ben Stewart; Professor Paul Chatterton; Spencer Cooke; 'Lisa'; Frank Bennett; Nagakusala Dharmacharin (aka William Frugal); John Jordan; Mel Evans; Indra Donfrancesco; Reverend Dr Michael Carroll; Dan Glass; David Kaplowitz; 'AN'; Terence Evans; Patrick Gillett; Blacklist Support Group; Gabrielle Bosley; Alice Jelinek; 'Jenny'; Jane Laporte; London Animal Action; London Greenpeace; Martin Shaw; Ken Livingstone; Frank Smith; Tomas Remiarz; Claire Fauset; Gerrah Selby; Robbin Gillett; Dave Nellist; Dave Smith; Carolyn Wilson; Norman Blair; Piers Corbyn; Jim Paton; Megan Donfrancesco Reddy

**[Note 6]** 1968-72 has been called a 'different era' by a couple of the State CPs' in their Opening Statements. If anything, the crises the world's Governments preside over now, including a deepening

climate catastrophe threatening our whole civilisation, are more extreme and therefore call for stronger and more effective civil movements to change things.

**[Note 7]** In paras 24.4 and 24.5 of the Opening Statement by the Counsel to the Inquiry, he describes how, at the very beginning of the formation of the SDS in 1968, SDS UCO HN330 fulfilled the needs of Special Branch and MI5 for details about certain Labour Party members, protestors against apartheid South Africa and racist Rhodesia, and full details of the signatories to petitions on those issues. This is blatant subversion of everyone's civil rights, and pretty much sets the scene for the next 50 years of these units.

**[Note 8]** Both society and the law both recognise that political activity (often along with religious activity) is entitled to extra protection. For example, in my own case, the European Court of Human Rights stated, in their *Steel and Morris v UK* (15.2.2005) Judgment, p4, Re: Article 10 of the Convention: *"The central issue which fell to be determined was whether the interference with the applicants' freedom of expression had been "necessary in a democratic society". The Government had contended that, as the applicants were not journalists, they should not attract the high level of protection afforded to the press under Article 10. However, in a democratic society even small and informal campaign groups, such as London Greenpeace, had to be able to carry on their activities effectively. There existed a strong public interest in enabling such groups and individuals outside the mainstream to contribute to the public debate by disseminating information and ideas on matters of general public interest such as health and the environment."*

**[Note 9]** A lot of random words have been retrospectively conjured up by some State CP lawyers to try to justify the controversial secret political policing operations. Almost none of the target groups can be said to actively promote 'violence' (with the exception of fascist groups, who seem to hardly feature in the targeting). However It has been said that some people 'associated' with some targeted groups 'may' have been, sometimes, not opposed to occasional 'violence' or 'criminality' or 'disorder', have been 'extremist', or 'subversive', or even 'totalitarian'!

In my view, most religions and Governments are, or potentially are, 'extremist' and 'totalitarian' unless restrained by a strong and assertive civil society. All governments support mass state violence (eg wars and weapons of mass destruction) and police violence to impose their laws and ensure the maintenance of the capitalist status quo and its attendant injustices and oppressions. ['Communist' Governments have mostly been just as bad and often worse. Interestingly in the 1970s I was arrested by Met Police on a protest outside the Bulgarian tourist office for supporting persecuted dissidents in that 'Communist' country].

MI5 seems to have dominated the SDS and NPOIU objectives by seeking information about, and the undermining of, groups and movements which are deemed to support 'subversion of the State'. But instead they should look elsewhere – for the last 30 years mass subversion of the State, supported by successive Governments, has been systematically and continuously carried out by unaccountable multinational corporations seeking deregulation of laws protecting society from unrestrained profiteering, and taking over formerly nationalised industries and sectors so that a tiny few can profit from what were once State-run public services. Adding insult to injury is this the deliberate widespread use of 'tax havens' and other so-called 'loopholes' to annually avoid billions of pounds of taxes due to the State which could have been used for our struggling public services. Millions of people have suffered as a result. But has there been any UCO targeting of this serious, industrial-scale daily subversion of the State? I guess never.

Those opposing this decades-long public scandal, as many if not most of the target groups have done, cannot credibly be characterised as 'subversive of the State'. In any case, I would suggest that the consensus in society is in large part that the State and police should be protecting society, and not employing undercover political units with the aim of subverting civil society and the many progressive political and social movements who seek to protect and improve our society for all.

What is 'extremism'? The most extreme challenge we all face, and probably have ever faced, is the climate catastrophe being caused by Governments and corporations promoting unbridled resource extraction and consumerism based on fossil fuel extraction. In 1968, the American Petroleum Institute had commissioned US Stanford Institute scientists to look at the consequences of burning fossil fuels. Those scientists said that continuing to burn fossil fuels would lead to increases in temperature at the earth's surface, and that significant temperature increase could lead to melting ice caps, rising seas, and potentially serious environmental damage worldwide. They said *"there seems to be no doubt that the potential damage to our environment could be severe."* That was 50 years ago, at the same time as the SDS was being set up.

<https://www.theguardian.com/business/2016/apr/13/climate-change-oil-industry-environment-warning-1968>

Earlier this year the Government recognised that concerted mass direct action protests about this issue weren't to be labelled 'extremist'. As I stated in my witness statement for T1P1, served in March 2020:

" I note the recent uproar [January 2020] over police 'counter-terrorism' documents including details about a range of left wing and progressive campaigning groups. The groups targeted included Extinction Rebellion following their civil disobedience efforts to blockade a number of London streets and sites for days at a time to bring attention to the climate crisis, challenge government policy and propose alternatives. In particular I welcome the following official response of the Government (Security Minister Brandon Lewis MP) to questions about these controversial police documents raised in parliament (as reported 22 Jan 2020). He stated *'I want to reiterate that Extinction Rebellion is in no way considered an extremist group under the 2015 definition of extremism and the Home Secretary has been clear on this point.'* "

**[Note 10]** It is revealing to note that the women who had been married to UCOs say in their Opening Statement [para 20b] that they were *'horrified'* that the MPS - possibly through UCO Bob Lambert - had given the (wrong) impression to them that their husbands' targets were *'violent criminals, and not the protestors, campaigners or political groups who were in fact being infiltrated'*, who *'posed no threats to the UCOs or their families'*.

Former UCO Peter Francis, also states, in para 43 of his Opening Statement: *'I now think that no undercover police officers should be targeting political campaigners'*, it being *'wholly unjustified'*.

**[Note 11]** The 90 supporters of paragraphs 6-22 of my Opening Statement have endorsed the full Recommendations discussed and agreed at the Peoples Public Inquiry into Secret Political Policing, Conway Hall, London July 2018:

1. Full disclosure of all names – both cover and real – of officers from the disgraced political police units, accompanied by contemporaneous photographs
2. Release of the names of all groups suspected to have been spied upon
3. Release of all the police's personal files on activists
4. Extension of the inquiry to all countries where the British spycops are known to have operated
5. The appointment of a diverse panel with experience relevant to victims to assist the chair in making decisions and judgements
6. Inclusion of children and young people who had contact with spycops as Core Participants in the Inquiry
7. Urgent and immediate review of convictions where spycops had involvement in the cases and who misled courts – 50 wrongful convictions have already been overturned and this is likely to be a fraction of the true total.
8. The Inquiry must extend its scope to understand political policing and its impact on democracy. This must include a thorough investigation into racist, sexist, anti-working class, anti-democratic behaviour on behalf of the spycops and

those that instructed them to operate in this manner. Such political policing and political policing units must be abolished.

9. An urgent review into all undercover police activities to investigate whether the bad practice exposed by this inquiry has been extended to other areas of undercover operations

10. Make available the necessary resources of the judge to be able to do their job in the available time

11. Equalising of resources, the police are spending millions on stonewalling the inquiry, victims have almost nothing.

12. Increase the severity of penalties for [police] non-compliance with the inquiry

13. Investigation into collusion between police and corporate spies

**[Note 12]** Regarding the Covert Human Intelligence Sources (Criminal Conduct) Bill currently being rushed through Parliament: The British Government must clearly be very concerned - as indeed are the public - about the revelations coming out of this Inquiry and is therefore moving at a spectacular pace to try to sideline, undermine and - I'm sorry to say - sabotage it. Instead of - as they clearly should be - respecting and considering the Inquiry's content, progress and recommendations, the Government is showing its contempt of due process and the contributions being made in good faith by those contributing (even by those whose contributions we may not agree with). In the light of that, the matters we are discussing can clearly no longer be dismissed as merely 'historical'. This gives even more reason for any independent public Inquiry to not be intimidated or discouraged from making the necessary recommendations to address the concerns which have been raised, which clearly will be more important than ever in future.

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