

## IN THE UNDERCOVER POLICING INQUIRY

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### WRITTEN OPENING STATEMENT ON BEHALF OF CATEGORY H CORE PARTICIPANTS TRANCHE 1 PART 2

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#### **INTRODUCTION**

1. This opening statement is made on behalf of all Category H core participants. We are a late addition to this second Part of Tranche 1, our participation having been permitted as a result of representations to the Inquiry when it was becoming increasingly clear that during the 1970s more than a few officers engaged in relationships in their undercover identities both with activists they were spying on or women they met using their undercover identities.
2. Until very recently the cat H CPs had been led to believe that the numbers were relatively small. They knew about 'Rick Gibson' because in 2018 Mary disclosed the sexual relationships he had with her and her flatmate during this period. And, some of the officers' applications for anonymity, such as HN302 and HN354 ('Vince Miller'), had disclosed what they claimed were short lived relationships. However, the picture that has emerged in the documents and statements is altogether different. As you have heard just now from Madeleine in relation to 'Vince Miller', he admitted four, not two, sexual relationships. In addition to these three officers, there are five more who are known to have had relationships, all of them in a short time span of about five years. The documents disclosed also shockingly indicate that at least one officer, HN300 ('Jim Pickford') and maybe even two, HN67 ('Alan Bond') had children with women they had originally spied on.
3. So this early part of the SDS's existence is of vital interest not only to the women who were deceived by UCOs in this period but to all the category H core participants. The practices and culture which began to be laid down

during this period obviously has potentially profound implications for what happened later on and also demonstrate the systemic and long running sexism through the Unit which allowed officers and their superiors to think it was acceptable to engage in such abusive practices.

4. Before I move on to address that emerging culture and practices, I want to make some observations about the Inquiry's approach to the evidence of sexual relationships and the women affected. As you have heard from Madeleine, she was not contacted by the Inquiry until February 2020 and it was not until December 2020 that she was put in touch by the Inquiry with a firm of solicitors, Birnberg Peirce, who could help her participate. This was despite the fact that her identity was revealed by Miller to his risk assessors when he sought anonymity and was available to the Inquiry when the Chair issued his Minded to Note on 15 January 2018<sup>1</sup>. Why did the Inquiry take so long to contact Madeleine. Why when it did so, was so little thought given to the care that would be required in making contact, for example, contrary to the Inquiry's undertaking made in December 2018 that contact would be made by a female member of the Inquiry's team, a male member delivered the letter? Why did it provide her with so little help to find the legal assistance she required including by providing her with details of Police Spies out of Lives as it had undertaken to do when it met with the Category H core participants in July 2018 ?
5. When he gave his account to the risk assessors 'Miller' could not remember the name of the other member of the SWP he had a sexual relationship with. But he later recalled it and provided it to the Inquiry in February 2018<sup>2</sup>. Yet, it is only now, three years later, that steps are being taken to trace her. Why has the Inquiry failed so profoundly to address her right to know and be involved, should she choose, in trying to uncover the abuse done to her?
6. Also of concern is the Inquiry's apparent indifference to sexual relationships by officers perpetrated under the deception of their cover identities with women who were not the targets of their deployment. When 'Miller' sought anonymity,

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<sup>1</sup> Miller provided Madeleine's first name and the fact she was a bus conductor. Her full name could have been obtained by reviewing Miller's reports.

<sup>2</sup> See Further witness statement of Vince Miller dated 10 March 2021 at [231].

he did not just admit to the two relationships disclosed by the Inquiry. He admitted to four sexual relationships, two of which he said were with women who he was not spying on<sup>3</sup>. The Inquiry withheld 'Miller's' other admissions as though somehow he had a right to privacy over those abusive encounters, encounters which took place in circumstances where he had deceived these two women using his cover identity. The women did not know the truth that the persona presented was entirely false and that he was in truth a police officer when they consented to sexual intimacy with him. They did not know that they were sleeping with someone for whom this was a perk of his job.

7. This may well not be the only occasion on which the Inquiry has treated evidence of sexual relationships while officers were using their cover identity as irrelevant or as a private matter for the officer concerned. This is entirely possible given the approach taken in 'Vince Miller's' case.
8. There is therefore this further implication: that the Category H Core participants have no idea whether other officers have admitted to having sexual relationships using their cover identities, with women who they were not spying on. It goes without saying that no such admissions should be taken at face value. The admitted relationships may in fact have been with activists. We know that officers have lied in precisely this way. For example, 'Jim Boyling' provided a statement in 2011 when an investigation was commenced by the Metropolitan Police claiming that Rosa was working as a waitress when he met her and had nothing to do with his target group.
9. But even if they were with women who were not active in the political movements the officer was infiltrating, the Category H core participants are gravely concerned that the Inquiry does not recognise that **every** deception practiced by an officer using their undercover identity to engage in sexual relationships constitutes serious wrongdoing on the part of the officer and a grave violation of the rights of the women concerned, and needs to be openly investigated. Yet, the Inquiry has refused to tell the Category H core participants whether it has taken any steps to contact the four women that

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<sup>3</sup> See Ruling 19 at [3] revised on 6 April 2021.

'Vince Miller' and HN21 have admitted to having sexual relationships with who the officers say were not activists.

10. Finally the Category H core participants wish to reiterate their concern about the Inquiry's approach to restriction orders protecting the real and/or cover identity of officers.
11. We know that when the Chair restricted disclosure of 'Vince Miller's' real name, he did so knowing that he had admitted to two relationships with different female activists<sup>4</sup>. The Chair described these as 'fleeting', 'Vince Miller' having stated that he only slept with each woman on a single occasion. What is notable is that the Chair accepted that characterisation at face value. He also noted that these 'fleeting' sexual relationships occurred before 'Miller's' marriage, presumably to emphasise that there was no betrayal of 'a wife'. But so far as the deception and betrayal of the two women were concerned the Chair simply said that the deployment appeared to be unremarkable and concluded that disclosing the real name of 'Vince Miller' would unjustifiably interfere with respect for his private and family life. Since receiving Madeleine's and 'Vince Miller's' statement the Chair has ruled that the restriction order in relation to 'Vince Miller's' real name must be revoked<sup>5</sup>. He has done so notwithstanding that he still believes that 'Vince Miller' has told the truth. While this is not accepted by Madeleine, it is not at all clear what has led the Chair to change his mind other than the fact that one of the women activists 'Miller' deceived into a relationship has been identified and is now participating in the Inquiry. The Category H core participants ask, why should this make a difference? The officer admitted two wholly improper relationships with activists as long ago as 2018. Given this admitted wrong-doing, what justification did he have to maintain his anonymity at that stage by reference to his private life?
12. The category H core participants wish to reiterate that whenever an officer has engaged in a sexual relationship while undercover they have forfeited any right

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<sup>4</sup> Minded to Note dated 15 January 2018, para 8.

<sup>5</sup> See Ruling 19 revised on 6 April 2021.

to anonymity and they should be treated by the Inquiry as having done so. None of the officers claim that it was an authorised part of their deployment. None of them even claim that they needed to engage in these relationships for any reason connected with their deployment. They were clearly gratuitous, grossly abusive invasions of the privacy and other rights of the women they deceived. Nothing less. Any officer who has made such an admission or is otherwise identified as having had a sexual relationship should be named both in their cover and their real names.

13. Yet the Inquiry is plainly not taking this course. The case of HN21 is a good example. We understand from the Inquiry that the disclosure that he engaged in sexual encounters with two women, including on a couple of occasions having sex with one of the women, was made in his witness statement dated 4 November 2019. Yet, the Inquiry has not revisited the real and cover name restriction order granted to HN21. Why not?
14. The excessive approach of the Inquiry in respect of restriction orders also extends to its approach to the evidence of officers who have real and cover name restriction orders. In T1P1 the Inquiry provided extracts from the statements of these officers so that each officer was identifiable by their cipher as the maker of the disclosed parts of their statements. The practice of the Inquiry was altered for Part 2. No extracts from statements are provided. Instead, there is a short gist which blends the officers accounts and save in exceptional cases does not attribute any accounts to particular officers. It is impossible to know therefore which officer is addressing a particular point. This makes the gist largely worthless as it impossible to target questions sensibly at officers if we do not even know e.g what period the officer served in and who were their fellow officers. There is no conceivable reason why disclosure of e.g the officers' training, supervision, their own engagement in sexual relationships or knowledge of any such relationships with others would lead to their identification. It is incumbent on the inquiry to ensure that material is withheld and put into the closed part of the inquiry only to the extent strictly necessary to protect the officers from identification. This has plainly not happened in this part of the Inquiry.

15. It is equally clear from the gisted evidence document that there is much in the gisted officers' statements that could be given in full and attributed to them using their ciphers, yet the Inquiry decided instead to severely curtail the disclosure by gisting. Again, this Inquiry should be open to the fullest extent with exceptions being made only insofar as is necessary to ensure that the officers' identity is protected. The category H core participants will be pushing for that to happen when they come to give evidence.

**Sexual relationships revealed in the documentation**

16. I want to turn now to what we know of the relationships officers engaged in during this decade before looking at how they were allowed to happen. As I have already indicated, the documentation disclosed for this phase reveals that from the middle part of the decade onwards, eight officers had sexual relationships while undercover. Three of those officers were deployed in about 1974/5 as part of the third batch of officers and the remaining five were among the fourth batch deployed in about 1978.
17. The number of women deceived by them obviously greatly exceeds this number because as has been noted, some officers admitted to multiple relationships.
18. Among the third batch, HN302, HN297 'Rick Gibson' and HN300 'Jim Pickford' are known to have had relationships.
19. HN302, who commenced his deployment sometime in 1973, admitted in his impact statement that he had one sexual encounter "at the very beginning of my deployment with a woman who was on the periphery of [..another group]. This was not a group that I was deployed in and I did not see her again. I do not recall her name and would be surprised if she remembers my cover name. I was a single man at the time, both in my real life and as part of my covert identity'. In the gist of the statements of officers with real and cover name restrictions orders more detail is provided of this early relationship. "After a

couple of meetings I developed a friendship with a woman, we had a drink... after one of the meetings and then we went back to my [cover accommodation]. I was a single man at the time both in my real life and cover identity.... It did not go further than that night. I did not come across her again in my deployment.. I did not set out to sleep with anyone, but the circumstances presented themselves to me and I did not say no. Having a drink with this woman did bolster my cover identity, but the fact that we ended up having sex did not, at least in my view provide any additional benefit in terms of cover, and that is not why I did it. .... It was not necessary to sleep with anyone to have a well-rounded cover identity. It was not something that my management told me to do and I did not speak to my managers about it afterwards. I did not think it was necessary to do so, it was not relevant to any instructions or training I had received.” It is important to note here that even though the officer says the woman was not from a group he was spying on, she was plainly an activist.

20. HN297 ‘Rick Gibson had a sexual relationship with four women, Mary and her flat mate sometime in 1975 and later with two women who were involved with Big Flame<sup>6</sup>. He spoke to ‘others about these relationships. An officer whose account is gisted, states that “He told me... he had had a couple of relationships with females in his cover identity that had led to him being compromised. The impression that he gave was that these were casual and short term liaisons although I cannot recall what precisely was said. .. I recall that he said the two females were close friends who lived together. The inference I drew was that he was telling one female one story and another a different story and that the stories did not match up and that led to him being exposed.” ‘Rick Gibson’ did have his cover blown. This was by members of Big Flame who found both the birth and death certificate of the dead child whose identity he had assumed. It may well be that the gisted officer was correct and that it was the two women from Big Flame that played a part or were responsible for doing so. In their Opening Statement to be delivered on 23<sup>rd</sup> April, Mary and Richard Chessum will provide much greater detail about, what appears exceptionally among this group, to have been the strategic nature of these relationships.

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<sup>6</sup> See statement of Richard Chessum, p. 48.

21. It would appear that HN300 fell in love with a woman with whom he had a relationship under cover. An officer whose evidence is gisted states that he “tearfully told me he had fallen in love with a lady associated with his group... he was beside himself because he wanted to tell her everything including his undercover role which he realised could seriously impact the entire SDS operation.” This officer contacted the SDS office with his agreement and acted as a conduit between HN300 and his managers. The evidence from this officer’s family<sup>7</sup> discloses that his wife discovered the relationship and the marriage broke down. HN300 continued the relationship after his deployment ceased and had a child. That relationship later broke up and the woman moved away. The Inquiry has not been able to track her down. There is no official documentation relating to any of this.
22. Amongst the fourth batch of officers recruited into the SDS in the latter part of the 70s we know that at least five had sexual relationships.
23. As noted HN21, who is believed to have been deployed sometime in 1978, admitted to engaging in occasional sexual encounters with two women he met at an evening class in his cover identity, including on a couple of occasions having sex with one of the women.
24. In a Security Service note for a liaison<sup>8</sup> there is a reference to HN 106 ‘Barry Tompkins’ (deployed after 1978) having probably bedded an individual who, from the context, was plainly someone who was being spied on. The note says that his bosses had warned him off. In his witness statement ‘Tomkins’ denies this and characterises the comment in the Security Service note as a flippant remark. ‘Tompkins’ is not being called and it is far from clear to what extent, if any, the Inquiry will be adducing evidence from those who are able to speak to whether the remark was flippant or not.

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<sup>7</sup> MPS-074725/4

<sup>8</sup> UCPI027446/1 para 5



25. 'Vince Miller' started his deployment in 1976. As noted he admits to four relationships, albeit he has lied about their extent. You have heard about the relationship 'Vince Miller' had with Madeleine. He has sought to minimise the extent of his abusive behaviour. He has sought to blame his conduct on alcohol, stating that on each occasion he was drunk. 'Miller' is putting forward a positive account that he only ever slept with Madeleine once. The difference between his account and Madeleine's is not something that can be attributed to the impact of the passage of time on two people genuinely trying to recollect events of 40 years ago, as the Inquiry in its recent decision to disclose 'Miller's' real name, appears to do. Their recollections are entirely inconsistent and neither entertains that they might have forgotten the central question of how often they were intimate. 'Miller' is adamant it was only once. Madeleine is absolutely clear that it was many more occasions over a period of a few months, and that what was notable about each occasion was that 'Miller' would not stay the night.
  
26. HN 155, 'Phil Cooper' admitted to officers assessing the risk to him should his identity be revealed, to having a number of sexual relationships with women he was spying on. He said they were short lived. He sought to justify them on the basis that he needed to live a 'full alternative lifestyle'. He said that these took place with women who wanted to sleep with someone close to the SWP Central Committee. Initially he said there were only two or three women but later said there may have been more. He stated these were not done to enhance his deployment. He now denies having ever said any of this. Unacceptably, at the time of submitting this opening statement, documents relating to HN155, save for documents relating to the risk assessment, have not been disclosed.
  
27. HN67 ('Alan Bond') who appears to have been deployed in the field in late 1981, , and therefore we understand that evidence relating to his deployment will be received in Tranche 2, admitted in his application for anonymity to a fleeting sexual encounter in his cover name with a woman who was not a member of his target group. Yet, from questions that the Inquiry has asked of officers, albeit the category H core participants have not been provided with any

disclosure to support this, it appears that HN67 may have fathered a child with someone he met during his deployment. He and 'Vince Miller' lived together in the mid 1970s, before 'Vince Miller' was deployed in the SDS. No doubt they remained good friends during their respective deployments and likely spoke about what they got up to. But 'Vince Miller' denies knowing anything about 'Alan Bond's' sexual activities while undercover. After his deployment in the field ended 'Bond' was promoted to Detective Inspector and was second in operational command of the Special Demonstration Squad for three years in the early 1990s. What sexual relationships 'Bond' had when himself in the field, the response of his superiors to his own conduct or those of his fellow officers is obviously critical to a proper examination of his own conduct when he later came to manage nineteen undercover officers who served under him, including several who are of significant interest to the Inquiry<sup>9</sup>. These are likely to have included officers who engaged in deceptive intimate relationships including HN1 'Matt Rayner', HN2 'Andy Davey', HN5 'John Barker' / Dines and HN78 'Anthony 'Bobby' Lewis'. As no documents have been disclosed in relation to 'Bond' it is difficult for the Inquiry to put potentially relevant questions to officers in Phase 2, such as 'Vince Miller' who shared a flat with him before they were both deployed into the field.

28. HN126, 'Paul Gray', deployed between September 1977 and July 1982, might have been another who engaged in sexual activities using his cover identity. A letter was written to the MPS alleging that he had an affair with a fellow officer. The force believed this to have been written by his wife. The force's concern was entirely directed towards ensuring that she did not compromise their undercover operations, not with discovering what this officer had been up to<sup>10</sup>. 'Paul Gray' does not address the accusation in his witness statement. The Category H core participants ask why not given that the investigation at the time found that the allegations in the letter not "totally accurate" which implies that there was some truth in them. It is entirely possible that he did have an extra

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<sup>9</sup> Minded to Note 6, para 13-16

<sup>10</sup> See Minute sheet enclosing SB report by B Moss and a letter allegedly written by HN126's ex wife MPS-0726912

marital sexual relationship though not with a fellow officer; with someone he was spying on instead.

29. So in the course of that five year period we know that almost one in three officers deployed by the SDS had a sexual relationship. The practice was plainly becoming endemic. It is a huge indictment on the organisation and the question of how and why this was allowed to happen is plainly critical, not just to get to the truth of what went on at the time but to uncover the evolving culture and practices which informed the Unit's operations over the ensuing decades.

30. It is therefore of particular concern that the Inquiry will only be calling one of the officers known to have had a sexual relationship to give evidence in this part of the Inquiry. Given that the revelation that officers had engaged in such relationships while undercover in significant part led to the establishment of the Inquiry it beggars belief that the Inquiry has chosen to proceed with so little examination of the very officers who did so.

### **Institutional sexism is a critical component of the Unit's culture**

31. There is no question that institutional sexism played a pivotal part in the emergence of the culture that began to fester within the Unit. The SDS was plagued by institutional sexism at this time, as was the wider society in which it operated. There are multiple examples of this including in the officers' reports, for example rating women's attractiveness and the size of their breasts, and also in relation to how the unit operated with respect to other classes of women, including those that one would assume were considered 'their own', such as the wives of officers and their own female deployments. Those officers who were married or in long term relationships are all clear that no account was taken of the likely impact of their deployment on their wives and families. Save it would seem in the case of HN96, HN106 and an unidentified gisted officer, the wives of officers were never spoken to by managers and supervisors either before or during the deployments. As noted in the case of 'Paul Gray's' wife, when managers believed that she was the author of a report alleging that he was having an affair, no account whatever was taken of her welfare and the truth of

her allegations. The sole concern was to ensure that she did not compromise the unit.

32. The toll that the work took on officers' marriages resulted in a number breaking down as a consequence of the deployments. But still there was no attempt to speak to the officers' wives, provide them with any form of support, or find ways to mitigate the potential damage.

33. That institutional sexism is also evident in the manner that the few female officers recruited into the SDS were treated. The contrast between HN 348 'Sandra's' treatment and that of her fellow officers is stark. She was just thrown in at deep end, afforded no time to prepare to go undercover and plainly seen by SDS managers as a necessary but not particularly valued tool to be used where men obviously could not infiltrate e.g into the women's movement. There was a total disregard for her welfare, for example, of the obvious dangers she faced in getting home late at night after meetings. No protection or assistance was ever offered or provided to her throughout her deployment.

### **Institutional sexism is critical to why officers had relationships**

34. That institutional sexism, the total disregard for the rights, autonomy and integrity of women, unquestionably fed into the decisions of officers to engage in deceitful sexual relationships. The introduction of the pill in the UK in 1967 brought women an element of sexual freedom for the first time. The officers who had sexual relationships exploited this to the full. It is clear from their accounts that they gave no thought to the dignity, integrity and the rights of the women to choose who they were intimate with. Did they use contraception?. Did he or any of the other officers give the slightest thought to the risk of fathering a child? Did they give the slightest thought to the risk of psychological harm should the women ever realise the deception perpetrated on them?

35. For many of these officers it may be that they saw the sexual relationships they engaged in as a perk of the job. As noted, none of them, save perhaps HN155 'Phil Cooper', even seek to argue that it was a necessary part of their

deployment. It obviously was not. For example, 'Roger Thorley'/HN85 in debrief to MI5, when discussing the variety of sexual practices that existed within the anarchist group he had infiltrated and become a highly trusted member of, stated he had managed to avoid direct involvement.<sup>11</sup> But as you will hear in relation to HN297 'Rick Gibson', his might be the first case of sexual relationships being used as a tactic, with each of the four women he abused being targeted, as part of his overall strategy to reach an influential position in the national Troops Out Movement. If that is right then this has especially profound implications for the institutional response, to which I now turn.

**Institutional sexism is a critical component of the Unit's response to the prospect and reality of sexual relationships by undercover officers**

36. The sexism of the field officers was as deeply embedded in the minds of the SDS officers who were managing and supervising. It was these officers who authorised the field officers over that decade to continue their infiltrations of feminist organisations including Women's Voice, Greenham Common Women Support Group, Spare Rib Collective, Brixton Black Women's Movement, Women in Ireland and Women Workers League. What possible justification could there be for infiltrating such organisations other than a deep hostility to women's equality?

37. To a person, the field officers are clear that there was **no** formal, **nor** informal instruction from seniors about engaging or not engaging in sexual relationships. The issue was simply never addressed, not in the early years and still not a decade into the unit's existence, when at least eight officers had engaged in sexual relationships.

38. Some officers say it was just left to their common sense, that it was common sense that an officer should not engage in a sexual relationship or make close friendships. But plainly, with one third of officers doing just that, this was **not** a matter of 'common sense'. So why were the officers not told in terms that any such relationships were strictly prohibited? Even, taking a charitable approach

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<sup>11</sup> UCPI 029060, Security Service Note 30/12/83

that it did not occur to those managing the SDS in the very early days that such relationships might occur, because, for example, it was envisaged that deployments would not last longer than 12 months<sup>12</sup> from as early as 1971 it was clear that the SDS would be deploying officers for long term infiltration. By 1971 officers were being deployed into the unit to operate under cover for up to five years<sup>13</sup>. Many of those recruited in 1973 served until 1978. Those deployed in the latter part of the decade expected to be deployed for at least four years<sup>14</sup> and officers recruited in the late 70s were being deployed for up to five years<sup>15</sup>.

39. Within a very short period following the establishment of the SDS, it was clear that the officers were building long term relationships with those they were spying on, becoming important members of the groups infiltrated and socialising outside meetings, whether down the pub or in people's homes. It would have been obvious that there was a risk that officers might engage in sexual relationships. Insofar as it might naïvely have been believed that marriage would afford some sort of protection, the fact was that not all officers were married, Vince Miller and Rick Gibson being two such. So the marriage of some officers simply cannot explain why it was thought unnecessary to say anything about officers engaging in sexual relationships.

40. But, in any event, the fact that some officers were engaging in sexual relationships unquestionably came to the attention of supervisors. This is attested to by one of the officers who was present, HN304, 'Graham Coates'. He was deployed between 1976 and 1979. He provides a detailed account of the twice weekly meetings in the SDS safehouse and describes how in the course of the officers' chat some officers made jokey remarks which indicated that they had engaged in sexual relationships. Their supervisors were present and would have overheard their banter, but 'were deliberately blind in some

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<sup>12</sup> See Conrad Dixon's "Penetration of Extremist Groups" (MPS0-0724119)

<sup>13</sup> See HN298 Michael Scott, HN301 Bob Stubbs.

<sup>14</sup> HN304 was told to expect his deployment to last for about 4 years: [52].

<sup>15</sup> For example, HN126, Paul Gray started in September 1977 and left in July 1982 after almost five years.

areas such as sexual activity by UCOs while undercover<sup>16</sup>. HN300 'Jim Pickford' had a reputation among his fellow undercover officers "as someone who was always chasing after women. It was widely known that he was a philanderer. ... his name would almost certainly be mentioned as a gauge in connection with joking about relationships with women."<sup>17</sup> Similarly, 'Rick Gibson' had his leg pulled on one occasion during a group discussion, about a sexual encounter. He had a reputation as being something of a ladies' man and the gist of the joking was that he had done something which reflected that reputation<sup>18</sup>. There was another occasion when this joking took place in relation to another officer who had also had some sort of sexual encounter.

41. There is a striking contrast between the account of HN304 'Graham Coates' and that of the other officers who would have been present with him at those safehouse meetings. All of those other officers say that they knew nothing about other officers having relationships. Is it likely that 'Coates' is lying? The answer, the category H core participants submit, is obviously not. First, what possible motive could he have to do so? But beyond that the activities of 'Jim Pickford' and 'Rick Gibson' are independently verified. It is beyond coincidence that the two officers 'Coates' names are two of the very officers who have independently been identified as having engaged in sexual relationships.

42. But further support for 'Coates's account comes from the contemporaneous records of the managers themselves, in the Annual Reports submitted by the SDS. They are replete, year on year, with descriptions of how closely the field officers were supervised.

Annual report 1974<sup>19</sup>

Security

9. Security remains, as ever, the prime consideration in all SDS activities.... The finest safeguards continue to be strong supervision and a constant sense of self preservation which is instilled into all operational officers.

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<sup>16</sup> See statement of HN304 at [146] and [57].

<sup>17</sup> See statement of HN304 at [56]

<sup>18</sup> Ibid at [146]

<sup>19</sup> MPS-0730906

10. Equally valuable in this respect are the regular meetings of SDS members at one or other of the headquarter flats. As well as ensuring an adequate level of supervision, and the opportunity to discuss and identify common problems and future targets, they provide an opportunity to assess the behaviour of operational officers, so that any pressures, operational or otherwise can be quickly diagnosed and remedied.

Annual report 1975<sup>20</sup>

#### Security

"12. Over the past eight years since the inception of the SDS, security has been of paramount importance, not only to prevent embarrassment to the Commissioner should any leakage of our activities occur, but also to protect the field officers themselves. This is achieved primarily through supervision, and it is probably true that no other unit of police officers is so regularly or so strongly supervised.

Annual Report 1976<sup>21</sup> authored by CI Craft

13. Security of the operation has rested always upon close supervision of officers as individuals and as a group, backed up by 'safe' premises, in which meetings can take place, and the provision of the strongest possible cover backgrounds compatible with the modern computer age. In addition to daily contact with the Chief inspector and his assistants, all officers are regularly supervised by a Chief Superintendent and Superintendent who bear overall responsibility. Additionally, they have received a number of visits during the year from the Deputy Assistant Commissioner and Commander 'Operations', Special Branch.

43. The reports in 1976 and 1977 were in a similar vein. From 1978 there is an additional emphasis on welfare as well as security.

Annual Report 1978<sup>22</sup>

#### **Welfare**/supervision

.. Twice a week meetings are held at one or other of the two secure Headquarters flats, when all members of the SDS are in normal circumstances present. Additionally, individual members of the field team are seen during the course of the week, so that over a period of three weeks each one will have had an opportunity to discuss privately his particular work and any problems either of a professional or

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<sup>20</sup> MPS-0730099

<sup>21</sup> MPS-0728980

<sup>22</sup> MPS-0728964



domestic nature. It is also an accepted practice that any member of the field team can seek advice etc from any of the administrative staff at any time, whether by telephone or personal contact.

It will be readily appreciated therefore that although the field officers work is by definition totally unsupervised, there is constant contact with their immediate supervisors which leads to very close monitoring of an extremely delicate operation.

Annual Report 1979<sup>23</sup>

The nature of the delicate and difficult duty performed by SDS operational officers renders it imperative that close supervision and attention to welfare are continuously maintained. Regular contact is established through group meetings held twice a week at EQ flats and by personal meetings which ensure that every officer is frequently met on an individual basis.

6. The office staff are available to offer assistance and guidance at all times and in this context use is made of GPO radio -paging equipment. Further contact is provided by weekly promotion classes organised by the Inspector and in 1980 seven Constables sat the Constables smeination and four Sergeants are studying for the April examination.

Annual Report 1980<sup>24</sup>

### **Welfare**

8. This aspect of SDS work is regarded as being of paramount importance by all who are in a supervisory position on the Squad. In the totally unique situation in which the 'field' officers find themselves it is essential that their performance and attitude be carefully monitored, both in their own interests and those of the Commissioner. Throughout their operational tour of duty they live a lie, and can only act naturally in the presence of their family and colleagues. With this in mind, twice weekly meetings continue to be held at one or other of the headquarters flats and the operational officers are required to attend unless prevented by unavoidable commitments. These meetings provide a forum which not only enables supervising officers to give directions and to acquaint 'field' officers with current policy matters, but which also allows the latter to relax in the company of others whom they trust. Additionally on a regular basis, officers are met individually with a view to encouraging them to discuss any matters of a professional or private nature which they might be reluctant to reveal in the group. Furthermore it is accepted that, if he asks, an SAS officer will be met at any time by a supervising officer.

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<sup>23</sup> MPS-0728963

<sup>24</sup> MPS-0728962

9. Despite the long hours worked and the fact that, on occasions a 'field' officer may not see his family several days, morale is high. There is little doubt that this is to some extent due to the fact that the office staff are conscious of their supportive, as well as their supervisory role and also the 'field' officers are aware of the interest shown in them by senior officers. This has been evidenced by visits made over the past twelve months by the Deputy Assistant Commissioner Special Branch, and Commander 'Operations'.

44. So close supervision of officers especially through the twice weekly meetings at the SDS safehouses was, according to management, an integral part of the SDS's operations by the mid 1970s. It is only 1978 that the welfare of the officers is addressed and supervision is expressly directed to that. The critical point however, is that whether the purpose of supervision was to ensure the security of the unit's operations and/or to support the officers, to be effective that supervision had to ensure that the unsupervised activities in the field were captured so far as possible when officers came in from the field. What was said by those officers when at the safehouse was critical. There is no question therefore that supervisors would seek to listen in to what officers were saying.

45. The only sensible conclusion therefore is that many of the other officers who deny knowing that some officers were engaging in sexual activity while undercover are deliberately hiding what they learned in the course of these safehouse meetings. This has obvious implications for how the Inquiry should approach their evidence. It must not accept those denials at face value. They must be probed and treated with serious caution.

46. Finally, we also know from the account referred to earlier of a gisted officer that sometime in 1976 the fact that HN300 'Jim Pickford', a married officer, had fallen in love with someone he was spying on was relayed to managers; and from another gisted officer that 'Rick Gibson' disclosed his relationship with Mary and the other activist and that his deployment was compromised as a result. It is inconceivable management did not know this. And the Security

Service note demonstrates at the very least their strong suspicions that HN106 'Barry Tompkins' had slept with a target.

47. What stands out from all this evidence is the total failure of the SDS managers and supervisors to do anything about the sexual misconduct of the officers. The clear message this would have sent to the officers in the field was that there was nothing improper in engaging in deceitful sexual relationships.

48. The absence of any measures prohibiting such behaviour, of any steps being taken to safeguard the women is nothing other than institutional sexism. The very fabric of the SDS permitted officers to behave in this way.

### **Concluding remarks**

49. So what are we driven to conclude from all of this? That, within a matter of a few short years of the unit's establishment, a culture had been established whereby at the very least supervisors permitted officers, donning their undercover identities, to indulge themselves sexually using the bodies of women, as a perk of the job, a bonus for their contribution to the unit's work. That a state institution which exists to serve the public, should permit such activities is unspeakably abhorrent, not just institutionally sexist but deeply misogynistic.

50. But it may well not stop there. The Inquiry must also start to examine whether as a result of HN 297 'Rick Gibson's' use of sexual relationships during his deployment, supervisors came to recognise sexual relationships as a valuable part of the armoury of undercover policing. It is notable that in 1992 'Rick Gibson' applied for a promotion to Detective Chief Inspector and listed his work as a 'field officer' in the SDS in his application.

51. And of course, if HN67 'Alan Bond' engaged in sexual activity, and fathered a child, this also has major implications for the later management of sexual relationships by the unit. Yet, it seems clear this will never be properly

explored. We have belatedly learnt from the Inquiry that HN67 will not now be giving evidence due to a deterioration in his health. The Inquiry has known about his ill health for more than three years, but no statement was taken from him. Apparently it is now too late to do so. This is despite the Chair having expressly recognised that Bond's evidence is potentially of great importance to the Inquiry and 'may need to be taken out of sequence, before his memory deteriorates further'<sup>25</sup>.

52. I want to draw these submissions to a close by quoting from a Special Branch Memo dated 15 May 1981, written towards the very end of this dismal first decade of the unit's existence, following the discovery of a registry file concerning the work of an officer who was believed to have been the first special branch 'hairy'<sup>26</sup>. Incredibly, the officer was a woman, a Ms Pelling, who infiltrated the Communist Party of Great Britain in 1921. The woman was contacted for her recollections and the memo concludes with this:

"She remembers the personnel of the 1920s as 'gentlemen, who never took liberties with her, or in her presence.'

The memo continues:

"That, naturally, is as true of the behaviour of today's Special Branch officers in the presence of the fair sex as it was of the staff in Miss Pelling's time 60 years ago".

53. This is as clear an indication as any of the need for this Inquiry to scrape away and dig deep beneath the self-justifications, the obfuscations, the omissions and the downright lies presented by the SDS records and reports: from those in the Annual reports written by a unit seeking to justify its utility and continued existence right through to the lies of officers writing up reports, sanitising them to exclude their own wrongdoing or the extent and nature of their own

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<sup>25</sup> [https://www.ucpi.org.uk/wpcontent/uploads/2018/03/20180322\\_SDS\\_anonymity\\_Minded\\_to\\_6.pdf](https://www.ucpi.org.uk/wpcontent/uploads/2018/03/20180322_SDS_anonymity_Minded_to_6.pdf) paragraph 16.

<sup>26</sup> MPS - 0726918

involvement in the movements they were penetrating. But as all the core participants have repeatedly insisted, those lies can only be exposed if the Inquiry recognises how much it needs the help of those who were spied on. That means not just making sure they are contacted and supported to become involved, but also providing them with full disclosure in good time to allow them properly to review all the documents, to expose inaccuracies and lies. As was the case in phase 1, so too in phase 2 that simply has not happened.

54. The case of Alison, who had a relationship with Mark Jenner for five years in the 1990s, provides a clear example of officers' reports containing fundamental inaccuracies which only those spied on can identify. In the disclosure for this phase there are a couple of reports from the 1990s. Alison is able to identify that she was present at some of these meetings because of a diary she kept at the time and still has. The Inquiry has confirmed that Jenner's reports do not identify her as having been present even though they attended these meetings together. They had been in a relationship for 6 months when the first report was written. There are inaccuracies in his reporting and Jenner writes himself out of the discussions and in particular the pivotal role he played on one occasion in stoking a conflict within the group. Alison will be able to provide a detailed account of these meetings and shed light on how this officer's reporting was inaccurate in critical respects and on the extent of his involvement in trying to shape the course and actions of the movement. So many others who could do the same in this phase, will not have the opportunity to do so.

55. We also know that Mark Kennedy has lied about using the women he had sexual relationships with to gather intelligence. He told the Home Affairs Select Committee that that the "two" [sic] women he slept with "provided no intelligence at all". The police statement to the IPT in Kate Wilson's claim states: "As is evident from the review of the documentation, and the summary in this statement, it does not appear to be correct to suggest that [Kate Wilson] provided "no intelligence at all". That is putting it mildly. In fact, Kate Wilson was made a named target of Mark Kennedy's operation.

56. It is not too late for the Inquiry to change its approach to ensure that future hearings do not suffer the same failings and that all relevant evidence is available. Once again the Category H core participants urge the Inquiry to take the steps needed to enable them and all other non-state core participants to meaningfully participate and help the Inquiry with its work. It goes without saying that the Category H core participants fully expect to participate in all future hearings.

PHILLIPPA KAUFMANN QC

Bindmans, Birnberg Peirce, Hickman and Rose, Hodge Jones and Allen, Public  
Interest Law Centre