

Wednesday, 12 May 2021

(10.00 am)

MR FERNANDES: Good morning, everyone, and welcome to Day 15 of hearings in Tranche 1 Phase 2 at the Undercover Policing Inquiry.

My name is Neil Fernandes and I am the hearings manager.

For those of you in the virtual hearing room, please turn off both your camera and microphone unless you are invited to speak by the Chairman, as Zoom will pick up on all noises and you will be on screen.

I now hand over to the Chairman, Sir John Mitting, to formally start proceedings.

Chairman.

THE CHAIRMAN: Thank you.

We're going to begin today by a summary of the evidence of two undercover officers by Ms Monahan. When she has finished that, there will be a break to permit the technology to be rearranged, and we will then embark on live evidence from HN126.

I'm going to ask, first of all, that the usual recording is played, made earlier; and this applies to the stage at which live evidence is being given, not to the stage at which Ms Monahan is summarising the evidence of officers, which will be broadcast live.

1 May the recording be played, please.

2 I am conducting this Inquiry under a statute,
3 the Inquiries Act 2005, which gives me the power to make
4 orders regulating the conduct of the Inquiry, including
5 its hearings. In the exercise of that power, I have
6 made a number of orders which affect what you may and
7 may not do in the hearing rooms and after you leave
8 them. Breach of any of the orders is a serious matter
9 and may have serious consequences for you.

10 If I am satisfied that a person may have breached an
11 order, I have the power to certify the matter to
12 the High Court, which will investigate and deal with it
13 as if it had been a contempt of that court. If
14 satisfied that a breach has occurred and merits
15 the imposition of a penalty, the High Court may impose
16 a severe sanction on the person in breach, including
17 a fine, imprisonment for up to two years and
18 sequestration of their assets.

19 Evidence is going to be given live over screens in
20 the hearing rooms. It is strictly prohibited to
21 photograph or record what is shown on the screens, or to
22 record what is said by a witness or anyone else in
23 the hearing rooms. You may bring your mobile telephone
24 into the hearing rooms, but you may not use it for any
25 of those purposes. You may use it silently for any

1 other purpose. In particular, you may transmit your
2 account of what you have seen and heard in a hearing
3 room to any other person, but only once at least
4 ten minutes have elapsed since the event which you are
5 describing took place.

6 This restriction has a purpose. In the course of
7 the Inquiry, I have made orders prohibiting the public
8 disclosure of information, for example about
9 the identity of a person, for a variety of reasons.
10 These orders must be upheld. It is inevitable that,
11 whether by accident or design, information which I have
12 ordered should not be publicly disclosed will sometimes
13 be disclosed in a hearing.

14 If and when that happens, I will immediately suspend
15 the hearing and make an order prohibiting further
16 disclosure of the information outside the hearing rooms.
17 The consequence will be that no further disclosure of
18 that information may be made by mobile telephone or
19 other portable electronic device from within the hearing
20 room, or by any means outside it.

21 I am sorry if you find this message alarming. It is
22 not intended to be. Its purpose is simply to ensure
23 that everyone knows the rules which must apply if I am
24 to hear the evidence which I need to enable me to get to
25 the truth about undercover policing. You, as members of

1 the public, are entitled to hear the same public
2 evidence as I will hear and to reach your own
3 conclusions about it. The Inquiry team will do their
4 best to ensure that you can.

5 If you have any doubt about the terms of this
6 message or what you may or may not do, you should not
7 hesitate to ask one of them and, with my help if
8 necessary, they will provide you with the answer.

9 Ms Monahan.

10 Summary of evidence of HN80/"Colin Clark"

11 MS MONAHAN: Thank you, Sir.

12 HN80. Publication of the real name of HN80,
13 "Colin Clark", is restricted. He has provided
14 the Inquiry with a signed witness statement, but has
15 been excused from giving oral evidence for health
16 reasons.

17 HN80 infiltrated the Socialist Workers Party, or
18 SWP, primarily in North London, from March 1977 onwards.
19 He began within the Seven Sisters branch, which appears
20 to have merged with or become the Haringey branch, and
21 then became involved with the Lea Valley district of
22 that organisation and the Right to Work Campaign.

23 HN80 held the position of treasurer at all these
24 levels of the SWP. To a lesser extent, HN80 also
25 reported on the Anti-Nazi League, or ANL. His

1 deployment ended in March 1982.

2 Rick Clark, HN297, told HN80 about the SDS and
3 encouraged him to be put forward as a UCO. HN80 spent
4 three months in the SDS back office before entering
5 the field, during which time he grew his hair and
6 a beard and dressed down. He was deployed on
7 17 March 1977.

8 HN80 states that the practice of using
9 the identities of deceased children distressed him. And
10 as he knew that it would cause distress to the family of
11 the child if it were discovered, he refused to adopt it.
12 Instead, he obtained a death certificate for a Paul
13 Clark, but used the forename "Colin". He wanted to use
14 his own date of birth, to which his managers assented,
15 but due to what HN80 describes as "a problem with
16 the system", the cover documents were issued with
17 a different birth date.

18 Prior to deployment, he recalls being spoken to by
19 Mike Ferguson, Geoff Craft and HN68, all of whom he
20 describes as "excellent management staff". He recalls
21 Geoff Craft, during a particularly lengthy discussion,
22 tasking him to collect information on "extreme left-wing
23 activists and groups, in order to protect the public in
24 London, to help the MPS to police demonstrations and to
25 assist MI5 in its counter-subversion role".

1 He contrasts the discretion he had in the SDS to
2 determine the type of information he provided with
3 the more prescriptive approach to intelligence-gathering
4 in Special Branch.

5 He had no formal training and received no specific
6 guidance on matters such as forming relationships with
7 group members and involvement in criminality. He
8 asserts that his strong family values obviated the need
9 for guidance on forming sexual relationships and that
10 his back story, that he was involved in a long-term,
11 long-distance relationship with an air hostess from
12 New Zealand, was constructed to forestall romantic
13 advances from group members. Married with a young child
14 at the time of joining the SDS, he states that nobody
15 from management spoke to his wife before he joined or
16 afterwards.

17 HN80 found cover employment as a mechanic, working
18 in a garage somewhere in Wood Green, but he left after
19 a couple of months to go freelance doing vehicle
20 repairs, for which he charged only the cost of parts and
21 no fee. HN80 had a passport in his cover name.

22 At the beginning of his deployment, HN80 states that
23 he attended meetings at the SDS safe flats twice a week,
24 where he put in his expenses and reports, which he typed
25 up at home, and where he could speak to senior

1 management. Occasionally, he would put together
2 a consolidated report with other officers, make
3 identifications from photographs and de-conflict which
4 officers would go to certain events. Later in his
5 deployment, a lack of time meant he attended SDS
6 meetings only once a week.

7 HN80 disliked the bi-weekly meetings, as he felt
8 that a dozen or so individuals converging on a flat on
9 a regular basis was likely to attract unwanted attention
10 and put his cover identity at risk.

11 He recalls that on occasion, UCOs and managers met
12 socially, where they would discuss sports, their
13 personal lives and events in London or nationally,
14 rather than their deployments.

15 HN80 would call into the office on a daily basis,
16 except on weekends, and if particularly urgent matters
17 arose, it was possible to contact managers at home. He
18 had cover accommodation in North London, as his managers
19 deemed it "a good place to be based in order to make
20 contact with the more important individuals on
21 the extreme left wing". And he was directed to obtain
22 information generally on groups in this political arena.

23 Conversation with an SWP paper seller, who was keen
24 to recruit, provided an opening for HN80, and he was
25 eventually invited to an SWP meeting in May 1977. In

1 addition to his infiltration of the Seven Sisters and
2 Haringey branches of the SWP, HN80 had some dealings
3 with the Tottenham branch. The first reports in which
4 HN80 is named in his cover identity date from
5 October 1977 and concern meetings held in September of
6 that year.

7 Some early reports from HN80 dated mid-to-late 1977
8 contain details of members of the Seven Sisters branch,
9 including physical descriptions, race, children,
10 occupations, vehicles, union affiliations and living
11 arrangements.

12 HN80 disputes authorship of reports from April and
13 August 1980, which relate private, sexual and medical
14 relationship, on the basis that he would not have
15 regarded the health of individuals as significant for
16 reporting.

17 Concerning reports on talks on women and fascism and
18 what is sexism, HN80 recalls that while the talks
19 themselves may not have been worth reporting,
20 "the attendance lists were of greater relevance to
21 Special Branch"; and he provides a similar rationale for
22 recording the names of attendees at a Women's Voice
23 fundraising evening.

24 HN80 was also able to submit regular copies of
25 the weekly information sheets prepared by the SWP

1 Central Committee for restricted circulation and handed
2 out to members at meetings and which, he comments,
3 provided useful information about future events.

4 In 1977, HN80 also provided reporting on
5 the build-up to and aftermath of the events of 13 August
6 in Lewisham, including a threat made by the neo-Nazi
7 group Column 88 to burn down the house of an SWP central
8 committee member. In that year, he also started to
9 reporting on the newly established ANL.

10 Regarding a report on an ANL carnival in 1978,
11 listing 229 attendees, HN80 asserts that the group:

12 "... was known to use violence and seek out
13 confrontation. It was important to know where its
14 support came from and was likely to come from in
15 future."

16 HN80 also provided an eight-page report on an ANL
17 conference in Birmingham in November 1978.

18 A few reports touch upon matters relating to
19 the Labour Party and the Young Liberals, including
20 a delegate conference of the Haringey Labour Movement
21 anti-racist anti-fascist campaign, set up by three North
22 London constituency Labour parties, and a list of
23 attendees at a Troops Out of Ireland demonstration
24 organised by the Young Liberals.

25 In certain reports, HN80 records the presence of

1 elected politicians, such as Ken Livingston, but states
2 that he has no recollection of ever actually reporting
3 on them.

4 One report suggests that HN80, along with his branch
5 of the SWP, attended a demonstration in October 1979
6 protesting against police involvement in the death of
7 Blair Peach. He believes that he may be the author of
8 a report on a public meeting organised by Black People
9 Against State Harassment.

10 In July 1977, HN80 reported on a public meeting held
11 by the SWP on the tactics to be used at a demonstration
12 at the Grunwick factory. HN80 asserts that this
13 information was of interest to Special Branch as
14 the dispute "had significant public order implications".
15 HN80 states that as far as he knew, there was no
16 standing instruction to report on industrial disputes
17 unless they bore the potential for violence or disorder.

18 HN80 often reported union affiliation and attended
19 the founding conference for the Defend Our Unions
20 campaign set up by the SWP. On his SWP registration
21 form, HN80 noted that he was a member of the amalgamated
22 union of engineering workers, which he claimed he added
23 only to bolster his credentials. He states he joined no
24 trade union during his deployment.

25 On four consecutive years over his deployment, HN80

1 attended the SWP national delegate conference, and he
2 recalls providing detailed reports on each one. One
3 such report lists HN80 in his cover name as a steward
4 with the responsibility for security.

5 HN80's evolving stature within the SWP was
6 reflecting in being trusted to lecture nationally on
7 political standards and recruitment on behalf of
8 the party and to Women's Voice. By March 1980, HN80 had
9 been appointed treasurer of the Tottenham branch of
10 the SWP, and already sat on the Lea Valley district
11 committee, as he recalls by virtue of becoming treasurer
12 at that level, too. He notes that he did not actively
13 pursue these roles, but that other members encouraged
14 him to take them up.

15 By July 1980, he is documented as national treasurer
16 of the Right to Work Campaign. He states that he
17 assisted SWP groups within the region with practical
18 affairs only, and never sought to influence policy or
19 activities.

20 Although his role as district treasurer gave him
21 a vote at district meetings, he attests that he tried to
22 ensure that he always followed the majority. Trusted by
23 his managers to act appropriately, he does not believe
24 that he was required to inform them of his ascendance in
25 the SWP.

1 Around a week before the 1980 Right to Work march,
2 HN80 submitted a report which detailed the logistics,
3 finances, trade union sponsorship and likely numbers for
4 the march. Some months after the march, he also
5 submitted a 12-page report containing the names and
6 details of those who had attended, and another
7 listing details of the schoolchildren recruited as
8 a result of a picket of schools at the march starting
9 point in Port Talbot.

10 HN80 notes in a similar context:

11 "Youth was not determinative of innocence of any
12 potential public disorder."

13 HN80 attended the whole of the march, but remembers
14 that there was some violence at its concluding event,
15 the picket of the Conservative Party conference.
16 Unable, he claims, to stay on the sidelines, he was
17 badly assaulted around the head and shoulders and struck
18 out in self-defence. HN80 received a commendation for
19 his actions during this incident.

20 HN80 did not attend the 1981 march, but he is
21 documented as present at a seven-person meeting of its
22 organising committee.

23 From 1981 onwards, HN80's reporting changed in focus
24 from district branch activities to matters related to
25 the SWP national office and central committee. He

1 states that his perceived "can-do" attitude led to his
2 being asked to help out on an ad hoc basis with
3 administrative work at SWP headquarters. He agreed.
4 And notes that while this granted him access to
5 information he would struggle to obtain as district
6 treasurer, it was not a specific tasking.

7 HN80 even received an offer to join the central
8 committee, but seeing the role as "wholly inconsistent
9 with his responsibilities as a deployed UCO", he
10 believes that he said he was too busy to give up any
11 more time.

12 He, nonetheless, continued to have access to
13 the upper echelons of the SWP, and notes that his
14 managers "were a little surprised on occasions by
15 the activists that I was able to have contact with and
16 gain information on, even if only fleetingly".

17 Access to the SWP hierarchy allowed HN80 to provide
18 considerable intelligence on the SWP's finances,
19 membership and organisation nationally, including an
20 extensive international distribution list for
21 Socialist Worker, SWP membership records and bank
22 details of those who paid their subscriptions by
23 banker's draft, possibly documented with photographs.

24 MI5 appears to have valued HN80's intelligence
25 product. Notes for file from late 1981 refer to

1 intelligence obtained by an SDS officer, likely to have
2 been HN80, who had access to SWP headquarters. And in
3 a letter sent to the deputy assistant
4 commissioner regarding its debrief of him, MI5 expressed
5 thanks for the "very fruitful discussion" which had
6 filled a number of gaps in its knowledge.

7 HN80 does not believe that he was operating amongst
8 subversives. He asserts that while those on whom he
9 reported may have been strongly opposed to government
10 policy, he believes that they were not seeking to
11 subvert the institutions of the State.

12 HN80 recalls that he also had peripheral contact
13 with those on the left wing of politics, who supported
14 Republicanism in Northern Ireland, including those who
15 supported the Provisional IRA. While he believes that
16 most of the related reporting is missing from his pack,
17 a small number of his reports touch on this topic.

18 HN80 states that many of the reports provided in his
19 witness pack do not reflect those he recalls submitting,
20 a large number of which give brief indications of likely
21 demonstrations and public order matters and were
22 imparted by telephone.

23 There is also a lack of reporting data between
24 November 1978 and spring/summer of the following year,
25 despite HN80's recollection of submitting reports in

1 the normal way during this period.

2 He notes that his pay increased considerably as
3 a result of "thousands of hours' worth of overtime
4 payments" during his deployment. He states that while
5 overtime was claimed routinely on the basis of officers'
6 own self-reporting, there was however an upper ceiling
7 on the number of overtime hours on which SDS management
8 would sign off.

9 HN80 recalls that he was recognised in his real
10 identity by people selling the SWP newspaper, who found
11 out from his wife his real home address. His immediate
12 managers supported HN80's subsequent request to move
13 outside the 20-mile limit, which was however ultimately
14 rejected by the MPS hierarchy.

15 He also recalls that on three or four occasions
16 after he was withdrawn, he was approached by people who
17 had known him in his cover identity.

18 HN80 considers SDS management to have been
19 effective, providing practical assistance and guidance
20 when necessary, but also notes that "the MPS as an
21 organisation ignored sensible representations about
22 the risks".

23 HN80 states that he witnessed violence on several
24 occasions in the context of public disorder, from minor
25 assaults to severe beatings. Other than the incident at

1 the Right to Work march in 1980, where he asserts he
2 acted in self-defence, he participated in no violent
3 incidents.

4 He states he was not arrested, charged nor convicted
5 of a criminal offence while serving undercover, and he
6 did not appear in criminal proceedings as a witness.
7 There is no evidence to suggest that he engaged in
8 sexual activity while in his cover identity.

9 Summary of evidence of HN106/"Barry Tompkins"

10 MS MONAHAN: HN106.

11 HN106, who used the cover name "Barry Tompkins", has
12 provided a witness statement. A restriction order
13 prohibits publication of his real name. He is unable to
14 give oral evidence for health reasons.

15 HN106 joined the police in the early 1970s. For
16 six months before joining the SDS whilst in
17 Special Branch, he carried out plain clothes
18 surveillance work, but had no undercover identity.

19 He believes he was told of vacancies within the SDS,
20 and so approached its head, Mike Ferguson. Although
21 there was no formal interview process, discussions
22 followed, and Mike Ferguson went to HN106's family home,
23 where he explained to HN106 and his wife that he did not
24 want him to join if it were likely to cause difficulties
25 in their marriage.

1 HN106 assumes that the SDS preferred recruiting
2 married officers because a spouse could provide support,
3 and probably also as it would reduce the likelihood of
4 an undercover officer "going rogue".

5 HN106 believes he received no formal training when
6 he joined the unit during 1978. He recalls no advice or
7 guidance on involvement in the private lives of those he
8 would meet undercover or sexual relationships, but
9 states it would have been obvious to him that becoming
10 sexually involved with targets was not a good idea.

11 HN106 is not sure that the precise legal and ethical
12 limits on officers' behaviour while undercover was spelt
13 out.

14 HN106 remembers receiving informal training while
15 working in the SDS back office, where he read
16 intelligence reports and activist literature.

17 He describes having a reasonable level of influence
18 over his tasking, which he saw as inevitable given he
19 would have to use his own common sense and judgment in
20 the field.

21 For his cover identity, HN106 used the name and date
22 of birth of a deceased child. His cover background, he
23 believes, consisted only of telling people that he was
24 born or had lived abroad but had come to England with
25 his parents. He had cover employment as a delivery

1 driver for a garden centre in Greater London, and
2 a cover vehicle, which he sometimes used to ferry around
3 activist contacts. He had a cover driving licence but
4 no passport.

5 He also had a number of cover flats during his
6 deployment, including one in Stoke Newington that he
7 shared with another undercover officer, HN96.

8 HN106 states that he would handwrite his reports
9 either at his family home or during the twice-weekly SDS
10 meetings where he would hand them in. Urgent
11 information he relayed by telephone.

12 HN106 states that generally he passed on all
13 the information he could recall, and understood that SDS
14 managers would then decide which parts formally to
15 report and to disseminate.

16 HN106 is unable to recall providing most of
17 the information contained in the intelligence reports in
18 his pack, although he disputes attribution in relation
19 to certain groups. There are also details in reports,
20 such as immigration status or telephone subscriber
21 information, which were outside his purview, and which
22 he believes came from other sources and/or were added by
23 the SDS office after he submitted his reports.

24 HN106 understands that officers were expected to
25 attend at least one of the twice-weekly SDS meetings.

1 At these, most people would provide a brief oral update
2 about their deployments, which were also discussed in
3 general terms, including any unusual situations. And
4 officers would also chat and occasionally argue.

5 SDS managers, who were usually present, would have
6 overheard any discussions, and sometimes gave advice and
7 guidance.

8 He recalls that he may on occasion have arranged
9 separate meetings if there was something of importance
10 to discuss. He would also call the office every day to
11 let them know he was okay.

12 HN106 states that management directed him towards
13 the far left wing and to look into whether groups other
14 than those already well covered by the SDS, such as
15 the SWP, should be targeted.

16 To enable the police to assess a group's threat to
17 public order, HN106 understood that he should report on
18 its membership and on planned protests and
19 demonstrations. He was also expected to identify those
20 who broke the law before, during or after
21 demonstrations, and to report on a group's long-term
22 aims.

23 HN106 entered the field in April 1979, and suspects
24 he would have started reporting in May of that year.
25 The earliest report contained in his bundle is dated

1 30 May 1979, and relates to a leaflet issued by
2 the Friends of Blair Peach Committee.

3 His bundle also contains a report listing attendees
4 at a Blair Peach demonstration in April 1980, and
5 another from July 1980 on efforts of the Friends of
6 Blair Peach Committee to form a national coordinating
7 body concerned with cases of state brutality by
8 the police and prison authorities.

9 HN106 states that, to the best of his recollection,
10 he had no involvement with the Friends of Blair Peach
11 Committee, although it is possible that he came into
12 possession of the leaflet in the early report.

13 HN106 disputes authorship of an intelligence report
14 from July 1979 which lists attendees at Blair Peach's
15 funeral, as he says he has no recollection of attending
16 and would have been unable to name such a large number
17 of people so early in his deployment.

18 HN106 states that he came across
19 the Spartacus League, which he describes as
20 a revolutionary Trotskyist group, because they were
21 active in East London where he was based. HN106 recalls
22 thinking the group might be of interest to the SDS after
23 speaking with members who expressed pride at having
24 thrown bricks at police officers during the miners'
25 strike pickets.

1 HN106 assumes he became involved through buying
2 the group's newspaper and attending their meetings. In
3 order to gain legitimacy, he describes attending some
4 general left wing and Labour Party events, and getting
5 a basic knowledge of Marxist/Trotskyist literature. He
6 would also socialise with activists in the pub and in
7 their homes.

8 The Spartacus League is the main focus of HN106's
9 intelligence reports until around mid-1980. He attended
10 their office on a couple of occasions, and believes he
11 was considered a relatively trusted supporter, rather
12 than a member.

13 He states he did not really witness the group posing
14 a significant challenge to disorder, and although they
15 sometimes gave the impression of wanting to split off
16 from peaceful demonstrations to "cause trouble
17 elsewhere", this never really amounted to much. He
18 believes, however, that their support for
19 the Provisional IRA may have been of greater concern,
20 and suspects that the group would have been capable of
21 providing low level support to this organisation.

22 HN106 produced some reporting on the revolutionary
23 Marxist tendency, or RMT, from mid-1980 onwards, which
24 he believes was "effectively a sister organisation to
25 the Spartacus League". A large majority of HN106's

1 reporting from 1980 onwards concerned the RCT, and at
2 the end of 1980 Workers Against Racism, or WAR,
3 described in the reporting as "a front" for the RCT.

4 The RCT changed its name to the Revolutionary
5 Communist Group, RCG, and then to the Revolutionary
6 Communist Party, RCP. He states that he took up no
7 formal roles within these groups.

8 One report on an RCT educational on Ireland, held in
9 February 1981 and attended by 12 people, records
10 a discussion of what unconditional support the Irish
11 Republican Army actually entails, with one individual
12 asking whether it should extend to planting bombs or
13 gunrunning. Although this is repudiated by other
14 members.

15 As with the Spartacus League, HN106 presumes the SDS
16 wanted intelligence on the RCT in part because of its
17 support for the Provisional IRA. Some of
18 the RCT reporting indicates an apparent desire to
19 support the Irish Republican Army, and there is limited
20 reporting on the RCT-linked Irish Freedom Movement.

21 The intelligence reports attributed to HN106
22 describe no significant instances of public disorder
23 instigated by the RCT or RCP, and instead focus on the
24 membership and on public meetings and conferences.

25 HN106 recalls that some time into his deployment, he

1 and two individuals he met through either
2 the Spartacus League or the RMT set up a new group as
3 a vehicle for them to voice disapproval of the way in
4 which existing groups operated. He states that they
5 sought no other members.

6 HN106 recalls that during his deployment,
7 a KGB officer attempted to recruit him to deliver
8 information on behalf of the Russian Security Service,
9 and said that he would need to go to Russia for
10 training. It was decided with SDS managers that his
11 cover identity would not withstand scrutiny in Russia,
12 so he rejected the offer, after which there was no
13 further contact.

14 HN106 believes this officer to be a Russian
15 individual reported by him as attending two RCP meetings
16 in 1982. A contemporaneous MI5 document records that
17 Special Branch were "totally against allowing an SDS
18 source to become involved with such a situation".

19 HN106 also believes that for a number of months
20 during his deployment, he and the two other founding
21 members of his small group passed bits of information to
22 an individual who may have been working for a foreign
23 Security Service, and who was particularly interested to
24 know about views on apartheid, in return for sums which
25 came to hundreds of pounds. HN106 states that the SDS

1 office was aware of the individual, and that he was
2 funding HN106's group in exchange for information.

3 In addition to WAR, HN106 presumes he was involved
4 with East London Workers Against Racism, or ELWAR, as
5 the reporting indicates.

6 HN106 believes WAR was established to recruit
7 a broader constituency to the RCP, as many more people
8 considered themselves to be anti-racists than
9 communists. HN106 recollects that he and three or four
10 WAR members would visit families that were experiencing
11 race-related difficulties, and to whom they would offer
12 assistance and encouragement to become involved with
13 WAR.

14 One report records a visit by a delegation of 17,
15 including a Time Out journalist, to a Walthamstow
16 housing estate, to garner physical support for
17 a resident family subject to racial harassment by youths
18 from the estate. It contains the names and addresses of
19 another three families being helped by ELWAR after
20 suffering racist attacks.

21 Concerning this, HN106 states that if he came into
22 possession of information that people were being
23 attacked and racially abused, he would have thought this
24 should be passed on to the police.

25 HN106 recalls that he was tasked by SDS managers to

1 consider the accuracy of a Daily Mail article suggesting
2 that WAR was a militant organisation. He thinks there
3 was concern at the time, which was around the Brixton
4 riots of 1981, that communist groups would try to foment
5 disorder amongst ethnic minority groups. In fact, HN106
6 formed the view that WAR did not represent much of
7 a threat, and states that its largely white
8 RCP membership struggled easily to win the trust of
9 ethnic minority communities, which undermined its
10 credibility as an organisation.

11 In relation to a report from April 1981 on an ELWAR
12 public election meeting, at which speakers apparently
13 criticised the police for their attitude to young black
14 people, HN106 says he has no recollection that reporting
15 members' views on the police was considered especially
16 important, and that such information might have helped
17 in understanding the causes of the Brixton riots.

18 One report on a WAR meeting in April 1983 relates to
19 the group's involvement in the case of a 13-year
20 old "West Indian boy" who claimed to have been beaten up
21 and stabbed by the police. While HN106 states that he
22 cannot recall the meeting, he believes that
23 the reference in the report to whether the case could
24 have the "agitative potential of the Colin Roach
25 incident" would render information on the allegation and

1 its perceived credibility useful to the SDS.

2 There are also reports on a meeting of the Hackney
3 Legal Defence Committee on a public meeting of
4 the Newham 8 Defence Campaign, held in October 1982,
5 featuring Gareth Peirce, of which HN106 has no
6 recollection, and another on Gareth Peirce acting for
7 six of the 12 youths arrested during disturbances in
8 Bradford in July 1981.

9 HN106 believes that he got information on a private
10 meeting of the organising committee of the Roach family
11 support committee from the East London RCP member
12 recorded as having attended. There are further reports
13 attributed to HN106 which mention Colin Roach as
14 a result of East London RCP or ELWAR support, or through
15 the submission of a Roach Family Support Committee
16 leaflet.

17 HN106's bundle also contains a report on an
18 individual involved with the New Cross Massacre Action
19 Committee and on a meeting of the Winston Rose Action
20 Campaign held in August 1981, which arose from the death
21 of Winston Rose in a police van after being restrained
22 by officers. HN106 says he has no recollection of these
23 groups, nor of providing this information.

24 In respect of the personal information about
25 individuals in his reports, including addresses and

1 occupations, and on occasion specific personal
2 information, such as on family members, partners and
3 sexual relationships, HN106 asserts that it would seem
4 logical to report back information which would help
5 identify members and regular attendees of the groups
6 infiltrated.

7 Some of the intelligence reports contain
8 particularly personal information, such as the subject
9 of the report being in a sexual relationship and
10 suffering from cystitis, an individual's recent abortion
11 and reference to an RCP member's "large bosom".

12 HN106 states that he would be surprised if he
13 provided the information in the first two reports, and
14 doubts very much that he would have included the comment
15 in the third.

16 The documents suggest that HN106 ceased operational
17 duties in June 1983 from his debrief by MI5 in
18 July 1983. Although he recalls his deployment ending in
19 the latter half of 1983.

20 While HN106 states that he did not join
21 a trade union while deployed, the MI5 debrief note
22 records him as saying that he was an inactive branch
23 member of the Transport and General Workers' Union and
24 allowed his membership to lapse.

25 HN106 does not think he witnessed subversion during

1 his deployment. He believes the left wing communist
2 groups lacked the degree of influence to achieve their
3 aim of communist government in the UK, and so does not
4 regard them as actively or effectively subversive.

5 HN106 states that he engaged in no
6 sexual relationships whilst undercover. He understands
7 that his Operation Herne interview, regarding a possible
8 relationship with an activist, was the result of what he
9 describes as a "flippant remark" in an MI5 file note
10 that he had "probably bedded" a potential informant but
11 had "been warned off by [his] bosses".

12 HN106 states he has no clear memory of this person,
13 and certainly had no sexual relationship with her; and
14 notes that the Herne investigation found no evidence to
15 the contrary.

16 He believes that the file note might have arisen
17 from an incident relating to a quite close platonic
18 relationship that he formed with the ex-partner of an
19 activist who was not an activist herself.

20 They would meet up for drinks, and he would
21 sometimes stay the night at her house in a separate room
22 if he were unable to drive home. Some activists started
23 to refer to her as "Barry's girlfriend", which he claims
24 helped his cover. A reference in an intercepted
25 telephone call to potentially storing items from Ireland

1 at "Barry's girlfriend's place" apparently led to
2 a meeting at which Trevor Butler said something like,
3 "You're not going to get us into trouble are you?" To
4 which he responded, "No, it's nothing like that."

5 HN106 is unable to recall any specific incidents of
6 public disorder or violence, and participated in none.
7 While he was once intentionally tripped up by police
8 officers at a demonstration, he does not think this
9 amounted to violence.

10 HN106 believes that it would have been difficult to
11 gain the sort of information he reported without the use
12 of undercover officers. He has no real idea of what was
13 done with his reports or of their value to policing, but
14 hopes they provided a realistic and fair assessment of
15 the threat posed by groups.

16 HN106 states that he sometimes engaged in low level
17 criminality while deployed, and recalls one incident
18 when he acted as a look-out while Spartacus League
19 activists sprayed graffiti on Bow Bridge.

20 He believes it was understood that you could get
21 involved in such activity if necessary to maintain your
22 cover, but that UCOs would certainly not have been
23 allowed to take part in serious crime, nor would they
24 have encouraged others to act unlawfully. In the event
25 of arrest, he thinks they were told not to reveal that

1 they were UCOs, and to ring the office straight away.

2 He was never arrested in his cover identity, nor did
3 he appear or participate in criminal proceedings.

4 HN106 states that he had no concerns for his or his
5 family's welfare, and describes how he was given a pager
6 when his wife was pregnant with their second child,
7 which enabled him to be present for his child's birth.

8 He does not believe that his time in the SDS had an
9 impact on his long-term welfare.

10 Around five years after he left the SDS, HN106
11 recalls that Tony Waite, who was head of the unit at
12 that time, contacted him about the subject of some of
13 his SDS reports, and asked whether he stood by
14 the information he provided, which HN106 confirmed. He
15 believes that this was in relation to a deportation
16 matter, but he cannot be sure.

17 That concludes the summary for these officers.

18 In addition to the witness statements and documents
19 for these two officers, the Inquiry is also publishing
20 today documents in relation to HN356.

21 HN356 had the cover name "Bill Biggs", and reported
22 on the International Socialists, which became the SWP,
23 during his deployment.

24 Analysis of his documents can be found at pages 225
25 to 232 of Counsel to the Inquiry's opening statement for

1 Tranch 1 Phase 2.

2 Thank you.

3 THE CHAIRMAN: Thank you very much.

4 There will now be a break of about a quarter of an
5 hour, while the technology is rearranged to permit us to
6 have live evidence.

7 Thank you.

8 MR FERNANDES: Good morning, everyone. We will now take
9 a break. May I remind those in the virtual hearing room
10 to remember to join your break out rooms, please.

11 The time is now 10.45 am, so we shall reconvene at
12 11 am.

13 Thank you.

14 (10.42 am)

15 (A short break)

16 (11.00 am)

17 MR FERNANDES: Good morning, everyone, and welcome back.

18 I will now hand over to the Chairman to continue
19 proceedings.

20 Chairman.

21 HN126/"Paul Gray"

22 THE CHAIRMAN: Thank you.

23 HN126, can you hear me?

24 A. Yes, I can.

25 THE CHAIRMAN: Splendid. Do you wish to swear or to affirm?

1 A. To swear, please.

2 THE CHAIRMAN: Then will you take the Bible in your hand,
3 and the words of the oath will be read to you.

4 (Witness sworn)

5 HN126, can you confirm that there is no one else in
6 your room apart from yourself? There is one person, is
7 there?

8 A. Just the one person.

9 THE CHAIRMAN: Just the one person.

10 A. That's it.

11 THE CHAIRMAN: And you and I can see and hear each other,
12 but those in the hearing room can only hear you. And
13 indeed, they can only hear me, unusually. They normally
14 have the pleasure that it is of seeing me, too.

15 Ms Gargitter.

16 Oh, I'm so sorry. First of all, you have been
17 sworn. Ms Gargitter.

18 A. Thank you, Sir.

19 Questions by MS GARGITTER

20 MS GARGITTER: Thank you, Sir.

21 HN126, just before I commence, can you see and hear
22 me clearly?

23 A. I can, yes.

24 Q. And I'm referring to you as "HN126", because there is
25 a restriction order over your real name, but for

1 the purposes of the Inquiry, as we will come to, you
2 were known in your undercover deployment by the cover
3 name "Paul Gray", that's right, isn't it?

4 A. That's correct.

5 Q. And as Counsel to the Inquiry, I will be asking you
6 either all or the vast majority of questions today,
7 informed by questions proposed by the Inquiry's
8 core participants.

9 Before I do that, do you recall making a witness
10 statement to this Inquiry dated 17 July 2019 and
11 consisting of 85 pages?

12 A. Yes, I do.

13 Q. And I have been notified that there is one area of that
14 witness statement that you may wish to clarify in
15 relation to the manner in which reporting that you
16 created was checked by you or not after its creation.
17 Is there anything that you wish to address about that
18 before I invite you to confirm the truth and accuracy of
19 your witness statement?

20 A. With regards to -- to what? Could you re-explain that?

21 Q. Yes, so maybe it would help, before we go any further,
22 if I could ask, please, the technicians to bring up
23 a paragraph of your witness statement. It will come up
24 on the screen. So the reference to the witness
25 statement is {MPS/740761/19}. And I'm going to ask you,

1 please, as an example, to look at paragraph 79, which is
2 on page 19 of that document. So I hope that will come
3 up on the screen for you to be able to see. Thank you.

4 Paragraph 79. You say there that having -- this is
5 in regard to you submitting written intelligence reports
6 that:

7 "The typed up report would then be given back to me
8 at a subsequent meeting at the SDS flat for checking.
9 I think I would have initialled the final typed report
10 if it was correct, but I cannot remember."

11 A. Yes, I think most of what I can see in front of me is
12 incorrect. I did have a small typewriter at home that
13 I used to sometimes write my notes up in. Whether or
14 not that is -- has confused me. But they were normally
15 done in longhand and would have been passed to
16 the office staff in order to mark them up.

17 I cannot remember ever signing them at the end of
18 the day, but I do remember -- and I think we can see, or
19 we will see later on -- that they were all signed and
20 approved by -- on behalf of the chief superintendent.

21 Q. So insofar as paragraph 79 suggests that you thought you
22 would have initialled the final typed report --

23 A. No, I don't think that's --

24 Q. -- you think that didn't happen?

25 A. I don't think that's right, no. I can't -- I can't

1 remember.

2 Q. And subject to that amendment or clarification, are you
3 content that the contents of your written statement are
4 true and accurate to the best of your knowledge and
5 belief?

6 A. As far as I know, yes.

7 Q. That witness statement will stand as your evidence to
8 the Inquiry. What I'm going to do is ask you questions
9 about certain aspects of it today, do you follow?

10 A. Yes.

11 Q. We can take that down now, please. We'll come back to
12 that topic in a little more detail later, HN126.

13 And again, just before I get on to the substantive
14 questioning, and just so that it's clear, I've also been
15 informed that you have brought with you into the room
16 some notes today, so that if you refer to what's in
17 front of you, just so that it's clear to everybody what
18 it is you have in the room, is it right that you have
19 noted yourself some dates about certain events in your
20 life, to assist you in recalling when certain things
21 happened?

22 A. That's correct.

23 Q. Have you brought with you printed copies of part of
24 the transcript of the evidence of Celia Stubbs to
25 the inquiry?

1 A. I have.

2 Q. And have you also brought with you a printed section of
3 the witness statement of the MI5 witness, witness Z --

4 A. Yes, I have.

5 Q. -- in particular paragraph 123?

6 A. I have.

7 Q. So if you are going to refer to any of those, can I ask
8 you to make it clear that you are referring to them when
9 you're answering my questions?

10 A. Yes, I will do.

11 Q. Thank you.

12 All right, first topic that I want to move to is
13 your recruitment to the SDS, please. You say in your
14 witness statement that before you became an SDS officer,
15 you were a Special Branch officer; that's right?

16 A. Yes, I was a Special Branch officer for nine years
17 before I joined.

18 Q. And no need to be specific about the dates at
19 the moment, but it's right, isn't it, that after your
20 SDS deployment had concluded, you also returned to
21 Special Branch at some point, and spent most if not all
22 of your career in Special Branch thereafter?

23 A. Yes, all my career.

24 Q. You mention in your witness statement that prior to your
25 work on the SDS, you had worked on C Squad of

1 Special Branch and at that time you refer to it
2 as "the industrial section"; is that right?

3 A. No, I -- I didn't work on C Squad until I came back to
4 the branch after being on the SDS. But I worked on
5 several squads before I joined the SDS.

6 Q. At some point, did you work on C Squad when it was
7 the industrial section?

8 A. I did work on C Squad, but I was a senior officer in
9 the office of C Squad.

10 Q. And when you worked on it, was it dealing with
11 industrial matters?

12 A. I can't remember it being just the industrial squad. I
13 did -- I worked on C Squad as a whole, but not on -- not
14 on the industrial section.

15 Q. So dealing with issues wider than simply industrial
16 matters?

17 A. Yes.

18 Q. Did it include industrial matters?

19 A. Not to my memory.

20 Q. Did it include left wing extremism, as it was termed,
21 and public order when you worked on C Squad?

22 A. Part of C Squad would have done, but I can't remember
23 what section I was on. I was only there for a year.

24 Q. During your time at C Squad, were you conscious of
25 handling or being in receipt of intelligence that had

1 come from SDS officers?

2 A. I was not, no.

3 Q. Your recruitment then to the SDS directly. You describe
4 in your witness statement two attempts to recruit you.
5 I'm going to ask you about the first attempt first.

6 Don't mention any names, but is it right that you
7 had or you knew someone who was in the SDS at the time
8 who invited you to join? The first attempt at
9 recruitment.

10 A. It's correct.

11 Q. Again, no names. Was that person, to your knowledge, an
12 undercover officer at the time, or in the supervisory
13 chain?

14 A. He was an undercover officer, and I think he probably
15 finished by the time he spoke to me.

16 Q. At the point of that first approach to you, did you know
17 what the work of the SDS involved?

18 A. Vaguely.

19 Q. And what was your understanding? What was your vague
20 understanding?

21 A. That officers were asked to -- they would be tasked with
22 entering an area of London with the -- with an attempt
23 to try and get into an organisation that the senior
24 officer had pushed you in that way, and -- and they said
25 that I would be good at the job, basically.

- 1 Q. At this stage, at the first attempt to recruit you,
2 the "they" you refer to who said you'd be good at
3 the job, was that the individual you've already
4 described, who had been an undercover officer himself?
- 5 A. Mm-hm. Yes.
- 6 Q. And your understanding of what the SDS did, as you've
7 just described it, where did that understanding come
8 from? Did somebody tell you that?
- 9 A. I would imagine that it was probably him.
- 10 Q. Now, again, we won't go into the details, but for
11 personal reasons, you didn't take up that first
12 suggestion of joining the SDS; is that right?
- 13 A. That's correct.
- 14 Q. Did you feel under any pressure to say yes or no when
15 you were approached?
- 16 A. Not at all.
- 17 Q. And you say in your witness statement that it was a few
18 years later that the same person approached you again to
19 join the SDS, and on this occasion you agreed; is that
20 right?
- 21 A. Yes. There had been a change in the circumstances in my
22 life, and therefore I was available.
- 23 Q. At the time of this second approach, was the person who
24 approached you within the SDS?
- 25 A. No.

- 1 Q. Was the person a Special Branch officer at that time?
- 2 A. Yes, he was.
- 3 Q. When you agreed to take up the role, did you have any
4 greater understanding of what it would involve than
5 the understanding you've already described?
- 6 A. Not -- not in any particular way, no.
- 7 Q. Did you or were you given any indication of how long you
8 would be expected to serve on the SDS when you were
9 approached to join?
- 10 A. I can't remember that being mentioned. And if -- if
11 I've not mentioned it in my statement, then -- then
12 probably no.
- 13 Q. In your witness statement -- I can bring it up if you
14 like, but I'll quote it -- you describe Special Branch
15 as a:
- 16 "... small, collegiate work environment, everyone
17 knew everyone else, and we all called one another by our
18 first names."
- 19 Is that accurate?
- 20 A. Very accurate.
- 21 Q. Does it follow that whoever it was that approached you
22 to join the SDS would probably have known your name and
23 a little bit about your work within Special Branch?
- 24 A. Yes, absolutely.
- 25 Q. And when you came to meet the supervising officers for

1 the SDS as part of the recruitment process, were those
2 names and faces similarly familiar to you?

3 A. Yes, yes. Most of the people who were in the office in
4 the SDS I had worked with for the last nine years. In
5 fact, the chief superintendent was a sergeant when
6 I first met -- joined.

7 Q. Did you speak to anybody else before agreeing to join
8 the SDS, other than the person who approached you, about
9 what the work would involve, for example?

10 A. Not that I can remember.

11 Q. In your witness statement you describe those two
12 approaches, and then in terms of recruitment process you
13 recall an interview. And you say that you remember
14 being told that the work would be secret and your
15 anonymity would be protected at the interview?

16 A. Yes.

17 Q. I just want to ask you about your recollection of that
18 interview in some other respects.

19 Do you recall there being any questions asked of you
20 about your suitability for an undercover role?

21 A. I can't remember any particular questions being asked,
22 no.

23 Q. Do you recall any discussion, whether at the interview
24 or at any other stage of the recruitment process, such
25 that it was, any discussion about your home life? You

1 were married at the time. Did that ever come up in
2 discussion?

3 A. Not in the initial discussion. It probably did later on
4 when I was getting closer to going out, leaving
5 the office.

6 Q. Do you mean -- by "leaving the office", do you mean
7 going undercover into your deployment?

8 A. Yes. Yes, indeed.

9 Q. And at that stage, do you recall some discussion about
10 your home life, your marriage?

11 A. I'm sure that would have come up. I -- I really cannot
12 recollect that long ago.

13 Q. When you say it would have come up -- I'm sorry to press
14 you -- do you mean in a formal sense that you would have
15 been asked questions by your supervisor, or do you mean
16 as part of informal chats with others?

17 A. Probably informal chats. Most of my colleagues,
18 including those who were in -- already in the office of
19 the SDS, knew my home arrangements, and we all used to
20 socialise together, with wives, many times. So yes,
21 they did; they were aware.

22 Q. Did you have some understanding at that early stage, so
23 when you were being recruited and in the first few
24 months, about what you were permitted to share with your
25 wife about what you would be doing?

- 1 A. I can't remember that ever being brought up. I --
2 I can't remember. It's a long time ago.
- 3 Q. And at any stage, was it suggested to you that being
4 married was seen as a positive attribute for a potential
5 recruit to the SDS?
- 6 A. I must admit, I thought that you had to be married, and
7 that most -- that all of the people on the Squad at the
8 time were married. It was only when I got out there
9 I realised that one hadn't -- wasn't married.
- 10 Q. What was it that led you to the conclusion that you
11 thought you had to be married?
- 12 A. Because it -- it led to a secure background, a secure
13 home, and I -- I suppose it was -- it was good to have
14 somebody at home when you -- when you came back after
15 a long weekend or a long day, and that you had somebody
16 there.
- 17 Q. And why was that considered important, do you think, to
18 have somebody there when you came home?
- 19 A. Well, so that you didn't go round the bend, quite
20 honestly.
- 21 Q. So, some sort of support for your welfare?
- 22 A. Yeah.
- 23 Q. To your knowledge, did anybody from the SDS speak to
24 your wife about what the role would require of you
25 before you deployed undercover?

1 A. I don't think so, but I can't remember that.

2 Q. I'm going to ask you, whilst we're discussing your wife
3 at the time you were recruited, to look at a series of
4 documents. They're actually dated some time after your
5 recruitment. It's {MPS/726912}, and it will come up on
6 the screen for you, HN126.

7 I'm going to ask, please, to start at page 9 of that
8 document, {MPS/726912/9}.

9 Now, HN126, for the purposes of publication, this
10 has been typed to make it legible, but it was once
11 a handwritten --

12 A. Oh yeah, yeah.

13 Q. -- letter.

14 A. Yeah, yeah.

15 Q. And it's a letter that was sent to the commissioner at
16 the time, and it reads as follows -- I'm reading it,
17 HN126. You can see it, but for those who can't, who are
18 following this remotely online, it says this:

19 "Could you please look into why your supposed
20 undercover Special Branch officers ..."

21 Then there's a redaction, a gist, "undertake [a
22 particular] pastime openly":

23 "... have affairs with members of the opposite sex
24 who are also in the force, and in some instances
25 actually live in police accommodation together, nice bit

1 of undercover work, no wonder the police are coming in
2 for increasing criticism.

3 "Sorry that this is anonymous, but I can assure you
4 that the facts are correct, so what about some action
5 before the likes of the National Front (who you are
6 supposedly infiltrating for one) or the Press find out.

7 "Yours in hope of justice An ex-friend of a Hairy."

8 A. Yes.

9 Q. If we could please scroll up in that document to page 6
10 {MPS/726912/6}, there's a report from 27 June 1980, and
11 paragraph 4, if we could focus on that. It might
12 require us to scroll down a little bit, if that's
13 possible. Thank you very much.

14 HN126, this is a report about that letter. You see
15 on the left-hand side, "Anonymous letter to
16 the Commissioner" is the subject of this report.

17 A. Yeah.

18 Q. And paragraph 4 says:

19 "[HN126] was of the opinion that the only person who
20 was likely to have written the letter, and who would
21 have had sufficient knowledge of both his private
22 affairs and SDS operations to do so would be his wife
23 ... with whom he is currently involved in divorce
24 proceedings."

25 Does that accurately reflect your opinion at the

1 time as to the likely origins of the letter?

2 A. I'm sure that's where the letter did come from, but this
3 of course is my private life you're talking about.

4 Q. Yes, there are redactions in place to protect identities
5 here. I just want to ask you a few narrow questions
6 about this, if I may.

7 This confirms that the person who wrote the letter
8 was on the way to becoming your ex-wife at the time
9 the letter was written; is that right?

10 A. Yes.

11 Q. And I want to ask you this. Did you, following divorce
12 proceedings from that individual, did you later remarry?

13 A. I did later remarry, but could -- could we just look
14 back at this letter, and could you give me the date that
15 it's --

16 Q. Yes. The letter was written in May -- or received in
17 May 1980.

18 A. So that's three years after I'd gone undercover.

19 Q. After you'd joined the SDS, yes.

20 A. Yeah.

21 Q. And the report that's on the screen at the moment, that
22 is dated 27 June 1980.

23 A. Yes, yes.

24 Q. And so, we're talking about May/June 1980, involved in
25 divorce proceedings.

- 1 You've confirmed that you later remarried.
- 2 A. I did.
- 3 Q. My next question is, had you, by the time the letter was
4 written in May 1980, already met the woman who went on
5 to become your wife?
- 6 A. In -- yes, indeed. Yes.
- 7 Q. And what did that woman do for a living?
- 8 A. She was -- she worked alongside me. She was in the same
9 --
- 10 Q. So she worked for the police?
- 11 A. I beg your pardon?
- 12 Q. So she worked for the police?
- 13 A. Yes.
- 14 Q. I'm just going to ask you about one other aspect of
15 these documents, please. Paragraph 3, just above on
16 the screen, the same report, dated 27 June 1980, about
17 halfway through that paragraph it records:
- 18 "[HN126] has correctly reported all the appropriate
19 details of his private life to the Commissioner, and
20 nothing is contained in the letter which was not already
21 known to his supervising officers."
- 22 A. Yes, that is correct.
- 23 Q. But does it --
- 24 A. Absolutely correct.
- 25 Q. Does it follow that you had informed your supervising

1 officers within the SDS that you were involved, first of
2 all, in divorce proceedings?

3 A. Yes, indeed.

4 Q. And, secondly, that you were in a new relationship with
5 a --

6 A. Absolutely.

7 Q. -- police officer?

8 A. And I had to ask permission to move into
9 the accommodation that we both lived in. As was every
10 officer: when they moved, they had to inform the --
11 excuse me -- they had to inform the chief superintendent
12 where they'd gone to.

13 Q. Other than for the purposes of informing them of your
14 home accommodation, if I can term it that way, was there
15 any other reason for telling your supervising officers
16 in the SDS about the circumstances of your private life?

17 A. Well, all of the senior officers -- all the senior
18 officers that -- in the SDS were -- knew -- knew the --
19 the person that I was -- moved in with and later
20 married. They all -- as you know, they all knew her.

21 Q. Your supervising officers in the SDS, did they seem to
22 take an interest in your private and family life?
23 Was it something that they would ask questions of you
24 about? Or did they wait to be approached by you about
25 things like that?

- 1 A. Yeah, I -- I think probably the latter.
- 2 Q. And just for clarification, did you ever have
3 a relationship during your undercover deployment with
4 somebody who you'd met in your undercover identity?
- 5 A. Absolutely not.
- 6 Q. If you had engaged in a relationship in your undercover
7 identity, is that something you would have expected to
8 inform your supervising officers about?
- 9 A. It was something that I would never have done. And none
10 of my colleagues at that time were expected to.
11 Although I now have found out certain -- certain of them
12 did have relationships.
- 13 Q. We'll come back to that as a topic a bit later.
- 14 Could I ask you this in relation to -- we can take
15 the document down now, please.
- 16 Can I ask you this. In relation to your
17 relationship with your wife that we see there that ended
18 in divorce, to what extent, if at all, did you take
19 the view that your undercover deployment with the SDS
20 had had an impact on their health or the strength of
21 that relationship?
- 22 A. I suppose it probably had -- did have, but it's not
23 something that -- I wasn't expecting her to react --
24 although, having seen the letter and having been aware
25 of this for a long time, she was fighting for her

- 1 husband, and I could understand that --
- 2 Q. And --
- 3 A. -- and Barry and Ray both -- both were aware of that.
- 4 Q. Insofar as you've just said that your undercover
5 deployment may have had an impact on your relationship
6 with your wife, can I press you, what about your
7 deployment was it that had an impact?
- 8 A. I -- I can't tell you. I -- I can't recollect. It's
9 many years ago. But one thing I did offer to do was to
10 -- to hand in my resignation, if that's what they felt
11 was the best thing to do. And I was persuaded by
12 the senior officers not to.
- 13 Q. Sorry, just to clarify, what do you think your
14 resignation would achieve in relation to your private
15 life?
- 16 A. It wouldn't have achieved anything to do with my private
17 life, but at least my work life would have been under --
18 under control.
- 19 Q. Did you regard the circumstances of your undercover
20 deployment to be out of control in some way?
- 21 A. Not at all.
- 22 Q. So when you say your work would have been under control,
23 can I just ask you to expand on what you mean by that?
- 24 A. I can't.
- 25 Q. Right. What I'm trying to get at is this. You've

1 suggested that it's possible that your undercover
2 deployment may have had an impact on your relationship
3 with your wife that ended in divorce, and I'm trying to
4 get at what it is about your undercover deployment that
5 might have made that relationship more difficult, if
6 that's what you were intending to express.

7 A. I -- I can't really answer that question.

8 Q. Final question about the letter that came in from your
9 wife. It was signed off "an ex-friend of a Hairy", so
10 the term "Hairy" is used in the letter?

11 A. Yeah.

12 Q. To what extent was that term in use whilst you were an
13 SDS undercover officer, and what did it mean?

14 A. It meant a member of the SDS, most of whom had got long
15 hair and beards. Not all, but most of them.

16 Q. And your wife at the time was obviously aware of that
17 term. Was it in common usage not just amongst
18 SDS officers but with their wives or partners as well?

19 A. Yes.

20 Q. I'm going to move on to a different topic now, HN126,
21 and that is the use, or how you came to use your cover
22 identity of "Paul Gray".

23 When you gave your witness statement to the Inquiry,
24 you indicated that HN356 -- and if you want to consult
25 the key, please do, because his real name is

1 restricted --

2 A. Did you say "356"?

3 Q. I did, yes.

4 A. Okay.

5 Q. So you indicated in your witness statement that 356 was

6 in the finishing stages of preparing for his deployment

7 when you joined the SDS, and he showed you how to get

8 your cover identity from records at

9 St Catherine's House?

10 A. That's correct.

11 Q. When you say he showed you, do you mean he took you

12 physically to St Catherine's House, or just that he

13 described to you what it was you were to do?

14 A. I -- I think he took me along, but when I first joined

15 the -- the Squad and I had my initial interview with --

16 I think it was -- excuse me -- HN608, who was the chief

17 inspector, I suppose, at the time, and he advised that

18 the two of us went along. And he showed me what to do,

19 and it was all done in one visit, I think.

20 Q. Just to clarify that answer. Was it HN608 who directed

21 you to go to St Catherine's House --

22 A. Yes.

23 Q. -- and HN356 who accompanied you?

24 A. Yeah. Yeah, because he was still -- 356 was still in

25 the office waiting to go out.

- 1 Q. Were you aware when you were directed to do that -- or
2 if I put it this way: did you understand you had
3 a choice about whether or not to create your cover
4 identity in that way?
- 5 A. That was never mentioned.
- 6 Q. Any discussion at all before you went to
7 St Catherine's House of whether simply making up
8 a completely false identity was an option?
- 9 A. I don't think so.
- 10 Q. Were you aware that SDS undercover officers in the early
11 days of the Squad had used entirely made up identities
12 for their cover identities?
- 13 A. No, I wasn't.
- 14 Q. And so, as far as you were concerned, was this approach
15 the approach that you were to take; no alternative
16 available?
- 17 A. I don't -- I can't answer that, because we'd all watched
18 "The Day of the Jackal" a couple of years earlier, when
19 it came out, and that's how the identity was done in
20 that. And obviously it had been adopted by the SDS, and
21 had obviously proved successful.
- 22 Q. And do I take it from that that your understanding is
23 that the idea of using the identity of a deceased person
24 was an idea that sprung from "The Day of the Jackal"?
- 25 A. Yes.

1 Q. You describe in your witness statement -- I'm going to
2 quote from paragraph 43 {MPS/740761/12} -- you describe
3 the practice of using the identity of a deceased child
4 as like "a sensible precaution, just in case someone
5 decided to look you up". Do you remain of that view?

6 A. I do remain of that view. I can't remember saying it,
7 but I remain of that view.

8 Q. Did you consider at any stage the possibility that you
9 might be presented with the death certificate of
10 the individual whose identity you were going to select?

11 A. It wasn't something that I'd thought about, but I was
12 very aware of one of my predecessors having had that
13 done to him a couple of years earlier. It was very much
14 in all our minds when we joined the Squad.

15 Q. I can use that officer's real name. It was Detective
16 Constable Richard, or Rick, Clark; that name is not
17 restricted.

18 A. Okay.

19 Q. Who had been presented with his own death certificate,
20 as you say, a little bit before you joined the unit?

21 A. Yes.

22 Q. Did the fact that his cover identity had been
23 compromised in that way lead you to question whether or
24 not using a deceased child's identity was in fact
25 a secure method of establishing a cover for your

- 1 deployment?
- 2 A. It didn't at all. I was assured by the staff in
3 the office that it would be okay; and there were other
4 parts of his deployment that I would never have got
5 into, so in my mind it didn't matter.
- 6 Q. Two questions following on from that.
- 7 When you say you were assured by the staff in
8 the office, do you mean to refer to the detective
9 chief inspector, the detective inspector and/or anybody
10 else? Can you be clear which level of person in
11 the office you're referring to?
- 12 A. Well, I've already said that 608 had told me to go along
13 to St Catherine's House with my other colleague --
14 I can't see him. Yeah.
- 15 Q. So the information you were getting about using this
16 method was coming from HN608?
- 17 A. Yes.
- 18 Q. I've just been handed a note, I'm grateful. HN608's
19 name is not restricted?
- 20 A. Okay.
- 21 Q. So you're referring to Ken Pryde; is that right?
- 22 A. Ken Pryde.
- 23 Q. In your witness statement you said you thought you
24 believed the practice of going to St Catherine's House
25 had been thought up by Conrad Dixon, who founded

1 the SDS. But from what you've just said, you seem to be
2 suggesting that it came into being as a practice
3 somewhat later than that?

4 A. As far as I remember.

5 Q. Are you able to assist as to whether you still remain of
6 the view that it might have been thought up by
7 Conrad Dixon?

8 A. Not having listened to all the hearing that took place
9 during his -- his colleagues being heard at the inquiry,
10 I -- I don't know what was said at -- at that, whether
11 they used the same practice, but I -- I wouldn't have
12 thought so. I would have thought that "The Day of the
13 Jackal" was a little bit more likely.

14 Q. And then just going back to your previous answer, that
15 you became aware that Richard or Rick Clark had had his
16 death certificate presented to him, you said that there
17 were parts of his deployment that you would never have
18 gotten into and so it didn't concern you; what bits of
19 his deployment were parts that you would never have
20 gotten into? What were you referring to there?

21 A. I think you probably know what I'm talking about.

22 Q. Well, 126, forgive me, I need to elicit the evidence
23 from you, so that you can explain what it is you mean.

24 A. Well --

25 Q. So was there something in particular that you were

1 referring to?

2 A. From -- yes, I was talking about the fact that he'd
3 obviously had an affair whilst he was undercover. And
4 as a result of that, suspicions had been brought about,
5 and they had passed -- they'd found his death
6 certificate, or the death certificate of the child,
7 which ...

8 Q. Did you understand that at the time, when you were being
9 asked to go to St Catherine's House, did you know all
10 about those circumstances of HN297, Rick Clark's
11 deployment?

12 A. I didn't know the details of it at all --

13 Q. What --

14 A. -- but the rumour -- the rumour around was that he'd
15 come off in a hurry.

16 Q. And did that rumour include reference to him having
17 affairs with women whilst undercover?

18 A. Yes. As I said, rumours.

19 Q. Presumably, entering into an undercover deployment, you
20 contemplated the risk of being recognised or being
21 unmasked yourself in advance. To what extent did
22 relying on a deceased child's identity reassure you in
23 that regard that you would be able to maintain your
24 cover by using a deceased child's identity?

25 A. Well, it was -- it was a backbone for me. I didn't use

1 all the details. And it enabled me to apply for
2 a driving licence, and also I think possibly a passport.
3 Although I never travelled abroad whilst undercover.

4 Q. Did you undertake any research into the family life of
5 the child whose identity you were going to use?

6 A. No, I didn't.

7 Q. Did anybody ever suggest to you that you might like to
8 do so, or was that never --

9 A. Not -- not at all. Not to my memory anyhow. I can't
10 remember.

11 Q. Could I ask, please, for your witness statement to be
12 brought up on screen, to assist you to refresh your
13 memory. That's {MPS/740761/12} at paragraph 44, which
14 is on page 12 of the document on Opus.

15 If we could zoom in on paragraph 44 towards
16 the bottom, please.

17 126, you say at paragraph 44:

18 "I cannot remember much else ..."

19 Having said you were a van driver:

20 "I cannot remember much else about my cover identity
21 now, and it is possible that it was not very detailed.

22 I do not think anyone ever really tested it. I probably
23 would have bluffed my way through the conversation had
24 anyone asked about my background."

25 The reference there to nobody ever really testing

1 it, did you mean to refer to nobody who you met whilst
2 deployed undercover, or did you mean to refer to your
3 supervisors?

4 A. Whilst I was undercover, not my supervisors.

5 Q. Did your supervisors, or your contemporary
6 undercover officers before your deployment, ever test
7 your cover identity to see whether it stood up to
8 scrutiny?

9 A. Not that I can remember.

10 Q. Was it ever suggested to you whilst you were preparing
11 to deploy undercover that you should get not just
12 a cover name and identity, but also a background story
13 straight, so that it could withstand enquiry in
14 the event somebody tested it?

15 A. I had in my mind a very good background story, and I was
16 very happy with that, if I needed to use it. But the
17 opportunity never arose.

18 Q. And when you say you probably would have bluffed your
19 way through had anybody asked; again, was that something
20 that was a suggested technique, if it can be called
21 a "technique"?

22 A. I don't think it's a technique. I think that's just
23 the way that the person who wrote my statement down
24 has -- has presented it on the page.

25 Q. Would you have bluffed your way through if your identity

- 1 had been tested?
- 2 A. Not half.
- 3 Q. Did you at any stage feel uncomfortable with using
4 the identity of a person who had died in childhood?
- 5 A. I don't think it ever crossed my mind after it had all
6 been okayed with the people in the office.
- 7 Q. Did you ever hear anybody within the SDS, supervisor or
8 undercover officer, express any reservations about
9 the technique?
- 10 A. No, I didn't.
- 11 Q. Did you ever have regard -- did you ever think about the
12 family of the deceased child and how they might feel
13 about their relative's identity being used by a police
14 officer in this way?
- 15 A. I didn't, probably because I only took certain parts
16 from the identity and didn't take everything. So, I --
17 it's not something -- I was too busy doing the job,
18 quite honestly, I'm afraid.
- 19 Q. Was only taking certain parts of the identity -- did you
20 do that because of concern about using the deceased
21 child's identity or the family, or for some other
22 reason?
- 23 A. I did it because it was simpler for me to remember.
- 24 Q. All right, thank you.
- 25 I'm going to move on to another topic now, please,

1 and that is about the time that you spent before your
2 deployment in the office of the SDS. Can I ask
3 the witness statement to be taken down for now, please.

4 During -- or I should say, after you were recruited
5 to the SDS, I think you tell us in your witness
6 statement you think you spent around six months
7 preparing to go into the field; is that right?

8 A. Approximately.

9 Q. And during that time, you say you would attend
10 twice-weekly meetings at an SDS cover flat?

11 A. Once or twice a week.

12 Q. And at those meetings, would you see the officers who
13 were already deployed undercover?

14 A. Yes, I would.

15 Q. Did you remain present throughout those meetings when
16 you attended them?

17 A. Most of the time, as far as I know.

18 Q. And can you give us some idea of how long those meetings
19 would last when you attended them?

20 A. I couldn't tell you.

21 Q. Are you able to give a rough idea of whether it was
22 a ten-minute meeting or several hours?

23 A. People came at different times. I was obviously out
24 there probably driving the people from the office to get
25 there, so I would have been there the same length of

- 1 time as they were there. But as for the officers who
2 were in the field, I couldn't tell you, I'm afraid.
- 3 Q. The people from the office who attended, was it always
4 the same people who attended, or did that vary depending
5 on the meeting?
- 6 A. It varied. It seemed to vary.
- 7 Q. And so for example, the detective chief inspector might
8 not be present for every meeting?
- 9 A. I would say that he was present.
- 10 Q. And what about the detective inspector at the time? Was
11 that individual usually present?
- 12 A. It could be. It all depends really.
- 13 Q. The format of the meetings, were they structured so that
14 everybody took their turn to speak, or was it a more
15 informal style?
- 16 A. It was an informal style, but everybody was allowed to
17 -- to say their bit. But obviously the Chief Inspector
18 was the one who told us what was still going on back at
19 the Yard to keep us in mind of what -- what was going
20 on. We still read police orders, which were very
21 important.
- 22 Q. Was your role there, or your purpose in attending these
23 meetings before you deployed, to learn from others who
24 were already doing the job?
- 25 A. Yes. I -- I probably got most of my knowledge from

- 1 them, yes.
- 2 Q. And so does it follow that you spoke to the deployed
3 officers about what they were up to as part of their
4 deployments?
- 5 A. No.
- 6 Q. How did you learn from them, then, if you weren't
7 speaking to them about what they were doing undercover?
- 8 A. Well, obviously I would have seen their reports, because
9 the reports would have come back to the office and they
10 would have been handled through the -- throughout
11 the office.
- 12 Q. But sticking to the meetings at the SDS cover flat that
13 you attended.
- 14 A. Yeah.
- 15 Q. Were you learning at those meetings about what was going
16 to be expected of you when you were deployed undercover?
- 17 A. Yes, probably.
- 18 Q. And what aspects of being an undercover officer did you
19 learn from attending those meetings?
- 20 A. How to -- how to -- how to present a report, or how to
21 present notes. It was -- I -- I couldn't -- I can't
22 tell you.
- 23 Q. Did the individual undercover officers who attended
24 those meetings speak about what they were doing during
25 their deployments whilst you were there?

- 1 A. If they did, then it would have been to speak to one of
2 the other officers from the -- from the -- from
3 the office, because they would have possibly had a --
4 something they wanted to tell them about, or -- tell
5 them about their deployment.
- 6 Q. Do you mean to indicate a private conversation between
7 the officer and a supervising officer?
- 8 A. If it was private, then they would probably have gone
9 into another -- another room.
- 10 Q. And so if they were having the conversation in the main
11 room, does it follow that others would have been able to
12 hear what was being discussed?
- 13 A. Not always, because quite honestly -- I'm going -- I'm
14 going on now to when I was out in the field -- I hadn't
15 a clue what the other officers were doing, apart from --
16 even -- even the ones who were in the same group as me.
17 It wasn't something that was talked about a lot.
- 18 Q. Was it talked about at all?
- 19 A. Very little. I've -- I've learnt a lot during this
20 Inquiry as to what some of the other colleagues of mine
21 were doing. I -- I hadn't a clue.
- 22 Q. You've referred to the fact that you carried on going to
23 those meetings once you were deployed undercover. Once
24 you were deployed undercover, what did you consider
25 the purpose of those meetings to be, for you?

1 A. For me? To -- to bring in any reports that you'd made
2 notes on at home or that -- that you -- and then to ask
3 during quite a few -- a couple of years that I was
4 there, you'd come into the meetings, and before
5 the meeting started, one of the inspectors from
6 the office would come out and give you a promotion
7 class, because of course we were still police officers,
8 and we were still taking our exams whilst we were out
9 there. And that was absolutely brilliant. They used to
10 come out and get us -- get us through the exams in the
11 end.

12 Q. If you had had a difficulty with your undercover
13 deployment, is that the sort of thing you might have
14 discussed at one of these meetings?

15 A. If I was in difficulty?

16 Q. Yes. So if you had an issue that was troubling you in
17 relation to your undercover deployment, is that the sort
18 of thing you might have discussed at one of these
19 meetings?

20 A. Yes, yes, it would. Or I would have asked for
21 a one-to-one meeting on a squash court or whatever.

22 Q. Can I ask, please, for your witness statement to be
23 brought up again, please, at paragraph 24, which is
24 page 8, {MPS/740761/8}.

25 Sorry, I think we might have to start on page 7

1 {MPS/740761/7}. Thank you.

2 126, your -- this part of your witness statement is
3 addressing the time before you deployed undercover and
4 the meetings that we've just been discussing, and at
5 paragraph 24 you say this:

6 "After the meetings, I would go and have a pint in
7 a local pub with the officers who were undertaking
8 deployments in groups similar to the one that I would
9 be ..."

10 And then over the page, please, {MPS/740761/8}:

11 "... that I would be deployed into. If they did not
12 drink, they would just have a chat with me at the end of
13 the meeting at the SDS cover flat. They would give me
14 advice on what I should be doing when I went into
15 the field. I cannot remember which officers gave me
16 advice in that way as it was a very long time ago now."

17 Does it follow from that that you knew before you
18 went undercover which group you would be deploying into?

19 A. I would have done after several weeks in the office.

20 Q. And does it also follow that you knew which of

21 the officers already deployed undercover were in that
22 same group?

23 A. Not all of them, no, because not all of them stayed --
24 does it say there "did not drink"? Not all of them
25 would go for a pint.

1 Q. I think if we -- it's at the earlier part of
2 the paragraph. If we could just skip back up, please,
3 to the beginning of paragraph 24, {MPS/740761/7}.

4 You say:

5 "... I would go and have a pint in a local pub with
6 the officers who were undertaking deployments in groups
7 similar to the one that I would be deployed into."

8 That rather suggests, doesn't it, that you knew when
9 you were going to the pub with them that they were
10 already deployed into groups like the one you would be
11 deployed into?

12 A. Yes, it would, but as I've just said, not all
13 the officers used to go to the pubs.

14 Q. No, but those that did -- if we restrict it to those
15 that did --

16 A. Yes.

17 Q. -- that would have been the position?

18 A. Yeah.

19 Q. As far as you were concerned, was this method of
20 learning from those already deployed in similar areas an
21 accepted method of learning within the SDS? Was this
22 the norm?

23 A. I think at that time it probably was.

24 Q. Did you ever receive any more structured teaching or
25 guidance than turning up at meetings and speaking to

1 the officers already deployed?

2 A. I was -- on certain occasions I was advised to sit and
3 read through some reports -- (overspeaking) --

4 Q. -- (overspeaking) -- I'm sorry.

5 A. I can't remember any more with -- you know, we're so far
6 away.

7 Q. Just when you say read through reports, do you mean
8 the reports that were being submitted by those already
9 undercover?

10 A. Yes, and possibly even the policy reports.

11 Q. When you spoke to officers either at the meetings or, if
12 they came to the pub, in the pub, can you help us as to
13 what sort of information they shared with you?

14 A. I can't, I'm sorry.

15 Q. I'm going to ask you about some individuals who
16 the Inquiry understands were deployed into
17 the Socialist Workers Party at the time that you were in
18 the office preparing for your deployment, to see if
19 I can jog your memory as to who might have given you
20 guidance or advice. And refer to the cipher key as you
21 need to.

22 First of all, HN356, who you've already mentioned
23 coming with you to St Catherine's House.

24 A. Yeah.

25 Q. Other than in relation to the creation of your cover

1 identity in that way, did he provide you with any advice
2 about how to start your undercover deployment?

3 A. Yes, he did.

4 Q. And are you able to say what advice he gave you, other
5 than in relation to your identity?

6 A. He probably gave me some advice on how to go about
7 finding a flat to live in, and possibly about -- I --
8 I can't remember what else he did. I don't know. He
9 was very -- very useful. And obviously the person
10 that's closer to -- closest to you as you go out into
11 the field is probably the one that you stick -- you
12 stick with all the way through.

13 Q. And for you, was that HN356?

14 A. At that time, yes.

15 Q. Did you remain closest to HN356 of all of the officers
16 that you were deployed alongside, do you think?

17 A. At that time, yes.

18 Q. Another officer who I'm just going to ask whether they
19 gave you any advice -- again, the real name is
20 restricted -- HN296, also deploys into the SWP. Did he
21 give you any advice, that you recall, about deploying
22 undercover?

23 A. No, because I -- I think he had -- he was already
24 winding down when I -- yes, he possibly could have done.
25 But I was winding down when he -- he was winding down

1 when I came onto the Squad, and I probably replaced him
2 in that area of London. And quite a lot of the reports
3 that were given to me to look at when I made my
4 statement were quite -- to me, quite obviously his.

5 Q. So, you regard him as your predecessor officer; is that
6 right?

7 A. Yes. Not in exactly the same area, but in the general
8 area of London.

9 Q. Another officer, same question, whether they gave you
10 any advice. HN80. The real name is restricted.

11 A. I knew him before I joined and was very -- well, knew
12 him very well before he joined the Squad. I don't think
13 I got that much advice from him, as we were in
14 a completely different part of London.

15 Q. And then the same question, please, HN354, also an SWP
16 deployment. The Inquiry heard from him yesterday.
17 Based in Walthamstow and Leytonstone.

18 A. Yeah, I met him. I didn't know him before I joined
19 the Squad. He hadn't been around in my younger days.
20 He'd -- I think he must have come on to the Squad very
21 quickly after joining the Branch. And I didn't see him,
22 for obvious reasons. I would see him occasionally at
23 the -- at the flat, but I think he had other friends in
24 the Squad at the time.

25 Q. Both HN354 and HN80 have provided evidence to

1 the Inquiry, either written or orally, to suggest that
2 they might sometimes have drafted composite reports with
3 you on the SWP. Do you recall that?

4 A. I don't think I would have known if that had been done.

5 If we all gave information about, for instance,
6 a conference, or a march, I wouldn't have known who
7 the others -- other officers were.

8 Q. So are you --

9 A. But that's -- that's something that could easily have
10 happened.

11 Q. Right. So are you surprised if they are -- if they
12 appear able to tell the Inquiry that they drafted
13 composite reports with you?

14 A. I honestly couldn't help you on that. Quite often,
15 the composite reports were sometimes done by the
16 C Squad; they would gather in all the information and
17 write up a report.

18 Q. I'll come back later today to ask you a little bit more
19 about the process of report writing.

20 Just, finally, as to officers who may have given you
21 advice as you were going into the field, I'm going to
22 ask you, please, about HN96 -- real name is restricted
23 -- would have deployed around the same time as you, most
24 likely?

25 A. Yes.

- 1 Q. Do you remember him?
- 2 A. Yes, I remember him.
- 3 Q. And did you discuss undercover deployment with HN96?
- 4 A. I could possibly have done. He followed me out into
- 5 the field, so ...
- 6 Q. Might you have given him advice?
- 7 A. I probably would -- would have done.
- 8 Q. This -- you've described the going to the pub with some
- 9 of the officers after the meetings. Is that something
- 10 that continued to happen once you were deployed
- 11 undercover?
- 12 A. If you had time, yes.
- 13 Q. And at those meetings and at the pub, once you were an
- 14 undercover officer, did you follow the pattern of
- 15 providing advice and guidance to those who followed you,
- 16 generally?
- 17 A. Quite honestly, when we got to the pub, we didn't really
- 18 talk about the pub for obviously -- obvious reasons, but
- 19 we were probably talking about how Millwall were getting
- 20 on, or whatever.
- 21 MS GARGITTER: HN126, I'm being asked to ensure that we have
- 22 a break now, because there are, in particular, shorthand
- 23 writers who need to keep up with what we're saying.
- 24 So, Sir, would that be a convenient moment?
- 25 THE CHAIRMAN: Yes, it would. We'll break for a quarter of

1 an hour.

2 MS GARGITTER: Thank you.

3 A. Thank you.

4 MR FERNANDES: Good afternoon, everyone. We will now take
5 a break. May I remind those in the virtual hearing room
6 to remember to join your break-out rooms, please.

7 The time is now 12.05 pm, so we shall reconvene at
8 12.20 pm. Thank you.

9 (12.04 pm)

10 (A short break)

11 (12.20 pm)

12 MR FERNANDES: Good afternoon, everyone, and welcome back.

13 I will now hand over to the Chairman to continue
14 proceedings.

15 Chairman.

16 THE CHAIRMAN: Thank you.

17 Ms Gargitter.

18 MS GARGITTER: Thank you, Sir.

19 HN126, just before the break I was asking you some
20 questions about guidance that was provided to you before
21 you deployed. I just want to ask you a series of
22 questions about particular topics and whether or not you
23 were ever provided with guidance about those topics in
24 particular.

25 So, first of all, were you ever provided with

1 guidance about the extent to which it would be
2 appropriate for you to form relationships with those you
3 came into contact with? And by "relationships", can you
4 address first of all friendships, and then separately
5 any sort of closer sexual relationship with anybody.

6 A. As far as the first part there, you were allowed --
7 I was allowed to get close, because obviously I was
8 going to -- if I was joining a branch of whatever party,
9 I was going to have to be able to get on with them,
10 speak to them. Being the only person, quite often, with
11 a van, they were always cadging lifts, so I used to get
12 on very well with the men and the women. The women --
13 it was never mentioned that we were not able to have
14 relationships, but there again, it was not expected.
15 And I'm sure if -- if I'd heard about anybody else who
16 was having a relationship, I'm afraid I would have
17 reported it to the office.

18 Q. So, you're saying if you had become aware of anybody
19 having a sexual relationship whilst in their undercover
20 identity, that's something you --

21 A. I was never aware of anybody who worked at the same time
22 as me having a sexual relationship.

23 Q. I'll come back to that in a moment. I'm just going to
24 continue on topics, asking you about whether you
25 received any formal guidance on a list of topics.

1 The second topic is the extent to which it was
2 permissible for you to participate in committing crimes
3 whilst undercover. Did you receive any guidance on
4 that?

5 A. I can't remember having any guidance. It was really
6 common sense more than anything.

7 Q. Can you just expand, what was common sense, as far as
8 you were concerned?

9 A. Common sense that obviously, if you're going to go to
10 the pub after a meeting, or a lot of the meetings were
11 held in pubs, you would have a couple of pints, and that
12 you were going to drive home. You had to deliver all
13 the people in your branch back to where they lived. So,
14 that's as far as the breaking the law was concerned.

15 Q. So, as far as you were concerned -- and correct me if
16 I'm wrong, do I understand you to be saying you
17 considered it was permissible to drive having consumed
18 more alcohol than was permitted, but no other criminal
19 activity beyond that?

20 A. It was very difficult to have more alcohol than was
21 permitted, because those were the days of Watney's Red
22 Barrel and Whitbread Tankard, and they weren't very
23 strong.

24 Q. I just ask you that because my question was whether you
25 were given any guidance on the extent to which you were

1 permitted to participate in criminal behaviour, and you
2 mentioned going to the pub, having a couple of pints and
3 driving. So I'll go back to my initial question: were
4 you given any guidance on whether you were permitted to
5 participate in crime?

6 A. Not that I can remember -- (overspeaking) --

7 Q. So either way -- (overspeaking) --

8 A. It was common sense -- it was all common sense.

9 Q. Can I just explore that. When you say "it was all
10 common sense", do you mean it was left to your own
11 judgment to use your own common sense?

12 A. Yes, I mean, if you're talking about having a couple of
13 pints and then driving, yes. But I had to be very
14 careful, because my employment was as a driver, and
15 I always had an excuse for leaving the pub a bit early,
16 if necessary.

17 Q. And what about other types of crime? What if you'd been
18 invited to, say, get involved in a violent demonstration
19 and commit an act of violence? Is that something you
20 thought you were permitted to do or not permitted to do?

21 A. Not permitted to do, because if you were -- if you were
22 invited to go to a violent demonstration, there's no way
23 that you knew it was going to be violent before it
24 started. It's -- normally it took off, and I would
25 always make sure that I was in a place where I wasn't

- 1 going to get arrested.
- 2 Q. Did you receive any guidance on whether it was
3 permissible for you to report information that was
4 subject to legal professional privilege?
- 5 A. Yeah, I don't understand that.
- 6 Q. Do you understand what "legal professional privilege"
7 means?
- 8 A. I don't, no.
- 9 Q. Communications between a lawyer and the lawyer's client
10 to be kept confidential. That's the simplest way of
11 putting it. Were you aware of that when you were an
12 undercover officer?
- 13 A. Not at all. I've never heard of that before.
- 14 Q. So does it follow that you didn't receive any guidance
15 on whether or not you could report that sort of
16 information?
- 17 A. I can't have done. I can't have done. I don't think
18 that impression was in existence in those days.
- 19 Q. Were you given any formal guidance about types of
20 information that you should or should not include in
21 your reporting?
- 22 A. No.
- 23 Q. And were you given any formal guidance on ethical or
24 legal limits to what you could do whilst undercover,
25 other than the topics I've already asked you about?

1 A. I -- not specifically, no.

2 Q. In your witness statement you refer to two -- I'm going
3 to call them "managers"; I think you refer to them
4 as "the office". So two people who were in the office.
5 The first is Mike Ferguson, whose name you can use.

6 A. Yeah.

7 Q. And the second is HN68, whose name is restricted. Would
8 you like to look at the key, so that you know --

9 A. Yeah. Okay, yeah. Yes.

10 Q. And in your witness statement you say that you knew they
11 had previously been undercover officers with the SDS?

12 A. Yeah.

13 Q. Did either of those managers at the time offer you
14 advice on how you should go about your undercover
15 deployment?

16 A. Yes, I'm sure they did. It's difficult to separate what
17 I learnt from them on the squash court rather than in
18 the office. I mean, we were -- we were big friends --

19 Q. -- (overspeaking) --

20 A. -- you know.

21 Q. I'm just going to ask you to pause there. So these are
22 two individuals who you knew relatively well both at
23 work and outside of work; is that right?

24 A. Absolutely. Nearly all the people in the office I knew
25 outside work and before I had joined the Squad.

- 1 Q. In relation to these two managers in particular,
2 Mike Ferguson and HN68, you said in your witness
3 statement -- I'm quoting:
4 "... [they] were absolutely brilliant, very
5 experienced. They would always be there if you needed
6 them."
7 A. Yeah.
- 8 Q. When you say they were "very experienced", was that
9 a reference to their experience of being deployed
10 undercover themselves, or did you mean to refer simply
11 to their experience or their attitude as managers?
12 A. They had both got great experience as working
13 undercover, which they passed on to us, and -- and
14 the other -- the other as well. They were good all
15 round officers.
- 16 Q. In your witness statement you suggest that you would
17 discuss with them what was going on in your group and
18 how you were getting on; is that right?
19 A. Sounds -- sounds good to me.
- 20 Q. And the phrase "what was going on in your group", what
21 does that encompass? What were you discussing with
22 them, in broad terms?
23 A. Probably whether or not the group was increasing in
24 numbers or decreasing in numbers, whether it was time to
25 move on to a different area, a different topic for me.

1 I don't know. It was general chit-chat whilst -- as you
2 do.

3 Q. And don't answer this if you're not able to say, but are
4 you able to say whether other undercover officers who
5 served at the same time as you had a similar sort of
6 relationship with the managers and would discuss things
7 to a similar level of detail?

8 A. I would like to think so, but I don't know.

9 Q. Can I ask, please, for your witness statement to be
10 brought up on the screen at paragraph 112, just so that
11 you can refresh your memory. It's page 31 on
12 the electronic system, {MPS/740761/31}.

13 I'm going to read a part of paragraph 112. It's
14 a section of your witness statement, 126, where you're
15 talking about tasking, and you say this:

16 "If it got to the stage in the field that if I was
17 unsure about what to do next, I would have talked to my
18 fellow officers before going to the office to talk about
19 things. That being said, there were lots of
20 opportunities to catch up on what you were doing with
21 the office, both in person and over the telephone in
22 the morning, so they were well aware what I was doing at
23 any one time."

24 Is that an accurate summary of management's level of
25 knowledge of what you were doing during your deployment?

1 A. Yes, that sounds quite good.

2 Q. In terms of management knowledge then and what you were
3 doing, they would be receiving intelligence reporting
4 from you, daily calls and potentially seeing you up to
5 twice a week at meetings. Is that the sort of level of
6 contact that you had with them regularly whilst
7 deployed?

8 A. Yes, I would -- as I've said before, I would see them
9 sometimes outside those periods of time when we were
10 receiving promotion exam lessons and playing on
11 the squash court. I mean, these are -- I would see them
12 this both those contexts.

13 Q. Would it be a fair summary that you felt that your
14 managers had a pretty good idea what you were up to
15 whilst you were undercover?

16 A. Yeah. I would think they would agree with that as well.

17 Q. Just remaining -- if we could just scroll up a little
18 bit, just on paragraph 112 of your witness statement --
19 I read it out a moment ago -- I have just one more
20 question, please -- sorry, paragraph 112, page 31,
21 {MPS/740761/31}. Thank you.

22 You say there that if you got to the stage where you
23 were unsure about what to do whilst in the field, you
24 would have talked to your fellow officers first. Are
25 you able to say whether there was anyone in particular

1 who you would have gone to for advice? Use the cipher
2 key if you are going to refer to anybody, please.

3 A. I can't -- I can't remember any particular officers.

4 Q. Can we scroll down, please, in the witness statement to
5 page 33, paragraph 121, {MPS/740761/33}. I'm just going
6 to ask you some more questions now about your
7 relationships with your fellow undercover officers,
8 HN126.

9 You refer at paragraph 121 to occasionally meeting
10 with the other undercover officers who were deployed:

11 "We would do things like go out for a curry. They
12 were my colleagues. We would try to carry on normal
13 life as much as we could away from our undercover jobs.
14 We would never talk about our undercover jobs when we
15 met like that, unless you needed some advice from
16 someone who had done it before. Generally, you would
17 have absolutely no idea what the others were doing."

18 Again, are you able to say now, using the nominals
19 on the cipher key, which officers you would do things
20 with, like go out for a curry?

21 A. I can try. Let me have a look. (Pause)

22 Yes, 355, 356. That's the starting place.

23 Q. You told us, for example, earlier that you knew HN80
24 quite well. Is that someone who you would have gone out
25 for a curry or something similar with outside of your

- 1 deployment?
- 2 A. Probably not, because he was always having to get back
3 to his area of London, which was always a long way away
4 from the cover flats.
- 5 Q. I'm going to ask you about two other officers in
6 particular as well now, HN155. Was that somebody you
7 spent time with away from work?
- 8 A. No, I -- I can't remember meeting him after he -- he
9 came quite a time after me. I can't remember going out
10 for a -- socialising with him.
- 11 Q. And HN106?
- 12 A. No. He came a bit after me. I can't remember.
13 I remember him at the office meetings. I don't think he
14 ever went for promotion, so he didn't come to promotion
15 classes. So, can't remember. He would have been in
16 the pub, probably, if we'd been to a local pub near one
17 of the safe houses but that's all.
- 18 Q. In that paragraph of your witness statement,
19 paragraph 121, you say you wouldn't talk about your
20 undercover jobs unless you needed some advice from
21 someone who had done it before. Does it follow from
22 that that you recall that there were occasions when you
23 either sought or gave advice in that context about your
24 undercover deployment?
- 25 A. That's what I've said there.

1 Q. Do you remember giving or receiving advice from anyone
2 in particular about any particular topic?

3 A. 45 years ago, no.

4 Q. You say a bit later in your statement -- it's
5 paragraph 241 -- I'll ask that it be brought up so that
6 you can see it as you're answering the questions. It's
7 page 67, please, of the witness statement
8 {MPS/740761/67}.

9 Just by way of an example, at the very top there,
10 you refer -- you say:

11 "Several of my SDS colleagues attended and reported
12 on the Grunwicks disputes."

13 How did you know that your colleagues -- what your
14 colleagues were reporting on, in particular that aspect?

15 A. One of the reasons that I was moved to that particular
16 part of London was to replace an officer who had in
17 the past reported on Grunwicks. You have got to
18 remember, Grunwicks went on for two years, every day,
19 and I don't think I submitted any reports, because most
20 of the work done with myself was going to the early
21 morning pickets of -- of the Grunwicks factory and
22 giving detail beforehand -- giving details to the office
23 of how much -- how many people were likely to be on
24 the streets, whether it was going to be a big one or
25 a small one, and that was all done by telephone. That's

1 why probably I say I don't recall submitting any
2 reports.

3 Q. Just coming back to the question, if I may, it says that
4 several of your colleagues attended and reported on
5 the dispute.

6 A. Yeah.

7 Q. The question is how, by what method did you know what
8 your colleagues were doing?

9 A. I didn't know what my colleagues were doing. We -- you
10 might see one of them. We're talking about 7 o'clock in
11 the morning when -- when the Grunwicks employers were
12 being bussed in. On some days, it was a big punch up;
13 on other days there were hardly any pickets there at
14 all. But the pickets came from all over the country,
15 and quite notable people were attending.

16 Q. I'm just going to ask once more. How was it that you
17 knew that several of your SDS colleagues attended and
18 reported on those disputes?

19 A. I obviously didn't see their reports, but -- well,
20 I think it -- it explains it there in the third
21 sentence:

22 "My colleagues were far better placed to do ..."

23 I would have possibly talked to them, but I -- I do
24 not recall writing any reports myself.

25 Q. Could it be, for example, that that was the sort of

1 thing that was discussed when you all met twice
2 weekly -- once or twice weekly at the SDS cover flat?

3 A. It's possible. I can't remember.

4 Q. Can I ask you, please, to have a look at the cipher key.
5 I'm going to ask you about an officer with the nominal
6 304.

7 A. Yeah.

8 Q. That officer deployed into the International Socialists
9 that became the SWP in Hackney and his deployment in
10 fact ended just before you joined the SDS, I think. But
11 he's given evidence to this Inquiry about the meetings
12 at the SDS cover flat and in summary he says at that
13 those meetings there was informal banter and jokey
14 remarks, including about women and about sexual
15 encounters with women whilst undercover.

16 Do you remember that sort of joking or banter
17 occurring at the meetings you attended?

18 A. Not at any of the meetings I attended. Or even in
19 the pub afterwards.

20 Q. If you had heard banter or joking of that nature, is it
21 something that you would have approved of?

22 A. I wouldn't have approved of it and I quite honestly
23 can't imagine any of the colleagues that I knew doing
24 anything of that sort.

25 Q. You served alongside HN354, who you've already

1 mentioned. You would have been in the field reporting
2 on the SWP for around a year. Did you ever hear any
3 mention of him having sexual relationships in his cover
4 identity at a meeting or in the pub? Any mention of it
5 at the time?

6 A. I had no knowledge of what he said until it was said
7 yesterday, or whenever he spoke, I can't remember.
8 I was very surprised, and had I known about it, I think
9 there would have been a consensus amongst the people who
10 were -- who met in -- in the pub -- sorry, in
11 the safe house. We would have had to speak to the -- to
12 the supervisors. And it didn't come up, because I never
13 -- I must admitted, I never knew what was going on. But
14 there again, I wasn't in his circle.

15 Q. When you say you weren't in his circle, do you mean
16 privately in your real identities, or in your undercover
17 identities?

18 A. In my undercover identity.

19 Q. So does it follow that you don't recall attending events
20 in company with him whilst undercover or anything of
21 that nature?

22 A. No. Not at all. I didn't know until the other day that
23 he'd been in the SWP.

24 Q. When you gave your witness statement to the Inquiry, one
25 of the things you said about your service and service of

1 your contemporaries in the SDS was that they had done an
2 exemplary job. It follows from what you've said today
3 that when you made that statement you didn't know that
4 HN354 had had sex with women in his undercover identity.
5 Now that you know that, does that alter your view about
6 whether or not you and your contemporaries did an
7 exemplary job.

8 A. You can add "as far as I know" they did an exemplary
9 job. I did not know about that occurrence. You will
10 have to ask other officers if they were aware, but
11 I definitely wasn't aware.

12 Q. Now that you do know, do you stand by your description
13 of them doing an exemplary job?

14 A. Yes, I probably do, because I think I said as far as
15 I know they did an exemplary job.

16 Q. I'm going to ask you now about two other officers HN155,
17 who I mentioned briefly before, an officer who also
18 deployed into the SWP and who would have served
19 alongside for about two to three years based on
20 deployment. How close were you to HN155?

21 A. How close? Sorry? How close.

22 Q. How close were you as individuals?

23 A. Work wise, not at all. I used to see him at
24 the meetings, but apart from that I -- I didn't know --
25 didn't know him at all well? Did you ever hear any

1 rumours that he was involved with women in his
2 undercover identity.

3 A. No, I didn't.

4 Q. Did you ever see him whilst you were both undercover.
5 Did you ever come across him?

6 A. Yes, because I'd see him at the meetings.

7 Q. Sorry, whilst you were actually acting in your
8 undercover --

9 A. Oh, acting. No, no. I think we were in particular
10 different areas, but I can't tell you.

11 Q. Did you ever gain the impression about HN155 that he was
12 an officer who was living the alternative lifestyle in
13 his undercover identity to the full, for example
14 drinking heavily or taking drugs? Did you hear anything
15 of that nature?

16 A. Not at all, no.

17 Q. Were you aware of any difficulties with his conduct as
18 an undercover officer at all?

19 A. Not at the time, but I understand since then there's
20 been problems.

21 Q. And next officer: HN106.

22 A. Yeah.

23 Q. How close were you to HN106?

24 A. Apart from meeting him twice a week and possibly having
25 him joining everybody else for a pint, that was -- that

1 would be -- I -- he -- he might have gone to promotion
2 exams -- classes, but I don't remember, not at all.

3 Q. And do you remember any suggestion of him being involved
4 sexually while in his undercover identity?

5 A. Not at all. Not tall.

6 Q. You answered some of my questions earlier with reference
7 to rumours that HN296 who had been presented with his
8 death certificate -- sorry 297.

9 A. Yeah. Yeah, yeah.

10 Q. Had been presented with his death certificate?

11 A. Yes.

12 Q. And the rumours were that that was because he had become
13 involved with women whilst in his undercover identity.

14 A. Yeah.

15 Q. Did you hear any other rumours about any other former
16 undercover officers with the SDS having sex with women
17 in their undercover identity?

18 A. Only what I've read in the newspapers.

19 Q. Presumably you mean since you were an undercover not at
20 the time?

21 A. Yes. Yeah.

22 Q. Finally in relation to the meetings, which is where this
23 started, the weekly meetings, or twice-weekly meetings
24 at the cover flats or houses, you say in your witness
25 statement that you recall a couple of times the Deputy

1 Assistant Commissioner visiting those meetings and on
2 one occasion a visit from an Assistant Commissioner
3 (Crime) and when they came they told you what a good job
4 you were doing.

5 Two what extent did you form the view that they knew
6 that you were a group of undercover officers engaged in
7 long term infiltrations?

8 A. Personally, I got the impression when the assistant
9 chief -- Assistant Commissioner (Crime) came to see us,
10 that he hadn't -- he was very shocked by seeing us and
11 hadn't a clue what we were doing, but we gave him lunch
12 and he went away happy.

13 Q. And what about the Deputy Assistant Commissioner? Does
14 the same go for that person?

15 A. Yeah, I can't remember -- let me -- they were -- they
16 changed quite often. I can't remember which one was in
17 power at the time of -- of the visit. Have you got a --
18 a clue?

19 Q. I can't assist you at the moment with the names of
20 the people who would have attended without the precise
21 dates of their attendance being available, so I'm just
22 asking you in a general sense.

23 A. Oh, I see. You can look at --

24 Q. -- if you can recall -- (overspeaking) --

25 A. No, it was always treated with a little bit of humour,

- 1 but we always fed them well.
- 2 Q. Why was it treated with humour?
- 3 A. Because if you're working in a situation in
4 Scotland Yard where everybody looks the same and they're
5 all doing their job and you then come out to a -- a not
6 very tidy flat in the middle of nowhere and meet ten
7 chaps who are smelly, hairy, not very nice, and you are
8 told that they're your officers, it was a bit of
9 a shock, I think, and that happened on a couple of
10 occasions.
- 11 Q. In their presence, was there any discussion of the sort
12 of groups that you were all deployed into?
- 13 A. No, not at all. I'm sure that would have happened
14 beforehand, but with the -- with the office staff, with
15 the senior office staff.
- 16 Q. Sorry, are you saying that the senior office staff of
17 the SDS would have discussed --
- 18 A. Well, they would have briefed him on the way down in
19 the car.
- 20 Q. And do you know that to have happened or is that an
21 assumption you're making?
- 22 A. That's an assumption. I'm just using common sense.
- 23 Q. I'm going to move to a different topic. We will break
24 for lunch shortly, but I'll make a start, please, if
25 I may, on the process by which your intelligence reports

1 were created.

2 Can I start, please, by asking for your witness
3 statement at paragraph 75 to be brought on the screen,
4 page 18, please, of the Opus version {MPS/740761/18}.

5 126, you'll see this is under the subheading, "How
6 my written reporting was prepared, submitted, and used".
7 Paragraph 75, you say:

8 "When I attended an event or meeting or learnt some
9 new information that was non-urgent, but I considered
10 maybe of interest to Special Branch, I would prepare
11 a draft written intelligence report."

12 I want to ask you a little bit about this section of
13 your witness statement, please. You say at paragraph 76
14 that you wrote your notes by hand. You say:

15 "As soon as I got home after a meeting,
16 demonstration or event when things were still fresh in
17 my mind. As soon as I had the opportunity I would then
18 write those notes up in a draft report. As far as
19 I recall I would only do one draft of each report.
20 I would handwrite my notes, and my recollection is that
21 I had a portable typewriter that I would use to prepare
22 my draft report."

23 Which you told us earlier?

24 A. Yeah.

25 Q. If we could just scroll down a little bit, paragraph 77,

1 you say:

2 "I would keep my notes and draft report at home
3 until the next meeting I was able to attend at the SDS
4 flat. The notes would probably have gone into
5 the confidential waste sack that was at that flat,
6 whilst the SDS office staff collected in the draft
7 reports."

8 And then at paragraph 78:

9 "The SDS office staff would take the draft reports
10 back to the Yard, type them up, and put the
11 Special Branch file references in. I do not think they
12 would add in anything other than the file references."

13 If we could please scroll down to paragraph 87 --
14 I'm sorry this is a bit lengthy, HN126, but I just want
15 to refresh your memory of what you said in your witness
16 statement -- so page 20, paragraph 87 {MPS/740761/20}
17 and here you're talking about file references in reports
18 again. You say at 87:

19 "As I have said above, I believe the SDS office
20 would add these references into my reports. When
21 I reported on someone for the first time I would
22 not know whether or not they had a Special Branch file
23 reference. It is the office who would run the searches
24 to find out if they did. It is only when my reports
25 came back to me for checking I would see whether

1 the individual had an existing file."

2 At the outset of questioning you I asked you whether
3 you wanted to clarify anything and you confirmed that
4 you weren't sure whether reports did come back to you
5 for checking; is that right?

6 A. Yes, it probably is. I can't remember now. I mean, I'm
7 totally confused. You've confused me.

8 Q. All right, well, let me ask you this. Can you now
9 recall how, if at all, you would have become aware that
10 somebody had an RF, a registry file reference?

11 A. Because I was probably told by the member of the office
12 staff who collected all the -- all our notes in and our
13 reports.

14 Q. Did you have any access as an undercover officer with
15 the SDS to the registry files themselves to look at
16 those?

17 A. No -- I -- I would imagine if you asked for a particular
18 file and it was thought that it was important it came
19 out for you, you -- it would be sent out. But sometimes
20 it's not a good idea to know too much about something.

21 Q. Why do you say that?

22 A. Because if you're -- if you're meeting people on a daily
23 basis all of whom have got RFs and PFs, it's sometimes
24 not a good idea to know whether they've got them or not.
25 I don't know.

1 Q. Did you ever call for a particular file to be brought to
2 you for review in the way you've just described?

3 A. I probably did, but I can't remember, sorry.

4 Q. I'm going to ask you about a slightly different topic
5 just before the lunch break. Please can we scroll up to
6 paragraph 80 of the witness statement at page 19 {
7 MPS/740761/19}.

8 HN126 you refer at paragraph 80 to up to date
9 reports and you say:

10 "An example of what would be done with
11 the information I reported in my written reports are
12 the production of 'up-to-date' reports by the SDS
13 office."

14 A. Yeah.

15 Q. I just want to ask you a little bit about "up to date
16 reports" to clarify what they were.

17 So you say they were produced by the SDS office, and
18 by that do you mean those in the supervisory chain
19 within the SDS?

20 A. I presume that every now and then the registry would
21 send files out. I can't say this is true, but I'm
22 presuming -- would send out back the Squad, to
23 the office, if somebody hadn't been active for several
24 -- several months, perhaps -- I don't know how long --
25 and they would ask for an up to date inquiry to be done

1 and this normally happened -- an up to date report was
2 usually done by -- at the end of somebody's term -- time
3 on the Squad to make sure that the files on -- that --
4 on the people that they were reporting on were up to
5 date. Were up to date. I mean, it's quite relevant, up
6 to date. So ...

7 Q. What you say that requests might have come from
8 the registry or files might have come from the registry,
9 do you know that that happened, or are you presuming?

10 A. I'm presuming 40 years later.

11 Q. So, the reports that you identify as "up to date
12 reports", are you saying they would have been based on
13 intelligence from undercover officers or not?

14 A. Sorry, could you repeat that.

15 Q. Yes, the reports that you identify as "up to date
16 reports", are you saying they would have been based on
17 intelligence from SDS undercover officers or not?

18 A. Yes, they would.

19 Q. But not prepared by undercover officers personally; is
20 that the distinction?

21 A. I'm sorry, I can't help you with that. I can't see
22 the difference. What are you ...?

23 Q. I'm trying to understand what the distinction is between
24 the sort of report that you would either handwrite or
25 type up, which I was asking you about a few moments

- 1 ago --
- 2 A. Oh yeah. Those are current reports. The ones that you
3 handwrite or type up or whatever you're doing with them
4 are reports that are happening all the time. When files
5 from Special Branch records have been reviewed, for
6 instance if nothing's happened for six months or
7 12 months, they might said, "Well, this person's not
8 active any more, so could you please do an up to date
9 report", and that would be the request that was sent
10 out.
- 11 Q. And --
- 12 A. But these -- these are the sort of things that really
13 you ought to be asking the people who worked in
14 the office, and I know you will do one day, but it's
15 going to be a long time.
- 16 Q. All right. So are you saying that your evidence in
17 relation to how this worked is really a presumption and
18 that it's the people in the office who would be able to
19 answer more about these?
- 20 A. They would know everything about it.
- 21 Q. Can I just ask one question in relation to the up to
22 date reports. A number of those that you've identified
23 have photographs attached to them. Were photographs
24 shown to you for your comment whilst you were an
25 undercover officer from time to time?

1 A. The only photographs I saw were those after a big
2 demonstration when the Special Branch photographic
3 branch would have taken photographs of all the people on
4 the demonstration and then they would have brought
5 the albums out to us to try and identify, and that is
6 how the photos got onto the files.

7 MS GARGITTER: All right, thank you.

8 I see that it's 1 o'clock, and before I move on
9 slightly, Sir, I wonder if that's an appropriate moment
10 for the lunch break.

11 THE CHAIRMAN: Certainly. Are we in due course going to
12 identify an up to date report so that we've got an
13 example?

14 MS GARGITTER: Yes, sir, I will come on to that -- to those
15 that are at the end of the deployment.

16 THE CHAIRMAN: I think I know what they are, but I want to
17 have it confirmed.

18 MS GARGITTER: Yes, of course.

19 THE CHAIRMAN: Then we'll adjourn until 2 o'clock for lunch.

20 Will you be back then, please? Thank you.

21 MR FERNANDES: We will now take a break for lunch. May
22 I remind those in the virtual hearing room to remember
23 to join your break-out rooms, please. Hearings will
24 resume at 2 pm. Thank you.

25 (1.01 pm)

(The short adjournment)

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