

Thursday, 13 May 2021

(10.00 am)

MR FERNANDES: Good morning, everyone and welcome to Day 16 of hearings in Tranche 1 Phase 2 of the Undercover Policing Inquiry.

My name is Neil Fernandes and I'm the hearings manager.

For those of you in the virtual hearing room, please turn off both your camera and microphone, unless you're 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.

Ms Campbell is now going to summarise the witness statement and documents relating to HN155. Ms Campbell.

Summary of evidence of HN155/"Phil Cooper"

MS CAMPBELL: Thank you, Sir.

HN155, "Phil Cooper".

HN155 served on the SDS from late 1979 to early 1984. He adopted the cover name "Phil Cooper", and was deployed primarily into the Socialist Workers Party and the associated Right to Work Campaign. There is a restriction order in place preventing the publication

1 of his real name, and he has been excused from giving  
2 oral evidence on medical grounds.

3 HN155 joined the MPS in the 1970s, moving to  
4 Special Branch a few years later. HN155 states that he  
5 had done a fair amount of undercover work prior to  
6 joining the SDS. He recalls that while involved with  
7 B Squad, he used to go undercover at pubs frequented by  
8 Sinn Fein, and would use a cover identity that included  
9 details about a cover employment and family background.  
10 While in Special Branch, HN155 was approached by  
11 Mike Ferguson, who suggested he apply for the SDS.

12 HN155's personal annual report from 1982 suggests  
13 that he joined the SDS around October 1979. However,  
14 the officer recalls that it was slightly before that  
15 date. He states that he sought to join the SDS as he  
16 enjoyed the flavour of undercover work in B Squad, and  
17 that he was confident he could maintain his cover in  
18 a social setting. He notes.

19 "The SDS was aimed at obtaining intelligence to  
20 protect the public and I considered this to be  
21 the ultimate task of being a policeman."

22 At the time of joining the SDS, HN155 had served for  
23 two years in Special Branch.

24 HN155 was married when he joined the SDS. He  
25 believes that at one point, the SDS managers wanted all

1 UCOs to be married. He cannot recall if any SDS  
2 managers spoke to him about the impact a deployment  
3 would have on him or his family, but he imagines that  
4 Mike Ferguson probably would have done. He does not  
5 recall any SDS managers visiting or speaking to his wife  
6 prior to his deployment.

7 HN155 recalls no formal training when he joined  
8 the SDS, but did spend a significant period in  
9 the back office before being deployed. He cannot recall  
10 exactly how long this was, but states that it could have  
11 been up to a year.

12 He recalls that as his deployment approached, senior  
13 officers would fire questions at him, suggesting  
14 a scenario and asking what he would do in such  
15 a situation. He also remembers at least one session  
16 before his deployment where he was interrogated by  
17 managers about his cover identity.

18 HN155 notes that his managers at the time,  
19 Mike Ferguson and HN68, both had been UCOs and were good  
20 at highlighting key issues.

21 HN155 cannot recall being given any guidance or  
22 advice about becoming involved in the private lives of  
23 activists or on sexual relationships in his cover  
24 identity. He states he likewise cannot recall any  
25 guidance on participation in criminality, encouraging

1 others to participate in crime or what to do if arrested  
2 or party to legally privileged information. His  
3 understanding was that he should "avoid getting into  
4 these situations in the first place".

5 HN155 does not recall using a deceased child's  
6 identity for his cover name but is aware that this was  
7 common practice at the time, and so, on reflection,  
8 believes that it is likely that he did so.

9 He cannot recall looking for death certificates or  
10 attending Somerset House. He cannot recall using any  
11 aspect of a deceased child's identity in his cover  
12 story.

13 His cover background was that he had grown up in  
14 the Liverpool area and had joined the Merchant Navy. He  
15 recalls doing some research into schools and addresses  
16 in Liverpool that no longer existed, so that it would be  
17 harder for anyone to trace, if investigated. He also  
18 visited Liverpool to prepare for his deployment.

19 HN155 states that he generally chose driving jobs as  
20 his cover employment, as it meant he would be out and  
21 about and not always accessible.

22 He notes that he did some work for most of his cover  
23 jobs, primarily to understand the nature of the job, if  
24 questioned. He had a driving licence in his cover name  
25 and was given use of an SDS car.

1           HN155 was involved in a car accident late into his  
2 deployment, and accepts that it appears to have been  
3 reported to the police under his cover name. He assumes  
4 that this was because the car was registered in that  
5 name. He cannot recall if any consideration was given  
6 to the lawfulness of reporting an accident in his cover  
7 name.

8           HN155 recalls having multiple cover addresses during  
9 his deployment, and states that activists would have  
10 visited his address from time to time. He notes that  
11 occasionally he would have stayed overnight somewhere on  
12 a sofa or floor, such as during the Right to Work march,  
13 but that he did not live with activists for any  
14 significant period of time.

15           HN155 recalls that he was directed by his managers  
16 to infiltrate the SWP in East London, but was otherwise  
17 left to his own initiative to direct his employment.  
18 Although the Inquiry does not hold any reporting from  
19 HN155 on the SWP before late September 1980, the officer  
20 believes he would have attended and reported on meetings  
21 before that date, probably from around March 1980 or  
22 earlier.

23           The first reporting held for this officer relates to  
24 the Waltham Forest Anti-Nuclear Campaign. HN155 cannot  
25 recall any specific involvement in this group, but

1 states that it is plausible that it was connected to his  
2 role in the SWP.

3 HN155 cannot remember which branch of the SWP he  
4 first became involved in, but accepts that he would have  
5 likely begun his infiltration at branch level.  
6 The officer does not seem to have reported extensively  
7 on any particular branches or districts. He notes that  
8 the SWP was keen to recruit, and therefore it was not  
9 difficult to get involved, and that he may have made his  
10 approach through meeting activists in the pub or buying  
11 the Socialist Worker newspaper.

12 It seems likely that through the Waltham Forest  
13 Anti-Nuclear Campaign, HN155 also became involved in  
14 the campaign opposing the construction of a nuclear  
15 power plant at Torness, Scotland. Although he doubts  
16 that the reports on this subject within his witness pack  
17 are necessarily his. It seems likely that he attended  
18 a protest at the site in the course of his deployment.

19 HN155 began reporting on the Right to Work Campaign  
20 some months after the start of his deployment. He  
21 states that he was not specifically directed to target  
22 the Right to Work Campaign, nor did he set out to  
23 infiltrate it, but became involved via the SWP.

24 He notes that the Right to Work Campaign was of  
25 interest to the SDS, as it involved large numbers of

1 people on marches lasting a number of days, with  
2 hundreds or thousands of local activists joining along  
3 the way, including "Marxists and anarchists". He states  
4 that it would have been important to provide local  
5 constabularies intelligence to assess the risk of public  
6 disorder and ensure an appropriate police presence.

7 HN155 recalls attending two Right to Work marches,  
8 but accepts that he may have attended more.

9 One such march took place between 23 September and  
10 10 October 1980, marching between Port Talbot and  
11 Brighton, and ending at the Conservative Party  
12 conference. HN155 states that he would have kept his  
13 managers constantly updated during the march, almost on  
14 a daily basis. HN155 states that he may also have  
15 attended a march in November 1980, between Manchester  
16 and Liverpool, but has no specific recollection of  
17 the event.

18 The Inquiry holds reporting on both of these  
19 marches, including a comprehensive report on the 1980  
20 Brighton march, likely to be attributable to HN155 and  
21 HN80, who was also involved in this group at the time.

22 Documents show that HN155 was also heavily involved  
23 in the organisation of the 1982 Right to Work march in  
24 his role as national treasurer for the campaign.

25 HN155 adopted at least two notable positions of

1 responsibility within the groups he reported on.

2 A report held by the Inquiry from April 1980 lists HN155  
3 as having been elected treasurer of the Waltham Forest  
4 Anti-Nuclear Campaign, though the officer states that he  
5 cannot recall holding this position.

6 In January 1982, HN155 became national treasurer of  
7 the Right to Work Campaign. This latter position  
8 allowed the officer control over the campaign's bank  
9 account, as well as access to personal bank details of  
10 certain individuals involved. He was also able to  
11 obtain private documents and correspondence with  
12 the organisers, one of whom was serving Member of  
13 Parliament, Ernie Roberts.

14 HN155 states in his witness statement that he did  
15 not consider taking a position of responsibility to be  
16 off-limits, as he would have sought to position himself  
17 wherever he would be best placed to gather intelligence.  
18 However, he asserts that he would not have sought to  
19 influence the group's actions. He cannot recall  
20 discussing with his managers before accepting  
21 the position, but notes that he would have kept them  
22 appraised of his actions.

23 HN155 states that he has little recollection of  
24 the reports he has been shown. He notes that he has not  
25 been provided with many reports on demonstrations, and

1 believes that reports not forwarded to Box 500 may be  
2 missing.

3 When asked about reporting on individuals, including  
4 the relationships and employment of activists, he states  
5 that such information would contribute to the overall  
6 intelligence picture of the groups and their members.  
7 It would be for others to assess the relevance of any  
8 information and any action that should be taken as  
9 a result.

10 HN155 provided detailed reports on SWP's structure  
11 and branches, and seems to have attended a number of  
12 major party events. Reporting suggests that he attended  
13 the 1981, 1982 and 1983 SWP national delegate  
14 conferences. He cannot recall attending these  
15 conferences or providing lists of delegates, but notes  
16 that he was "in and out of the SWP main office even in  
17 1981, to deliver the Socialist Worker newspaper", and so  
18 would have probably been able to obtain a list of  
19 delegates from that office.

20 He also reports on the annual SWP rally at Skegness  
21 in 1982 and 1983, and believes he would have collected  
22 the entrance money at this event, which would have  
23 provided him with a list of attendees.

24 A July 1982 report concerns a change of address for  
25 the SWP main office, and encloses a drawn floor plan.

1 HN155 indicates that he had a desk at the SWP main  
2 office due to his position as treasurer for the Right to  
3 Work Campaign. He notes that while he was never on  
4 the SWP central committee, he did have a working  
5 relationship with them due to his Right to Work role.  
6 Due to this position, HN155 was also able to receive and  
7 forward on SWP weekly internal information sheets  
8 circulated only to district secretaries, National  
9 Committee members and full time party organisers.

10 HN155 also reported on the SWP computer, enclosing  
11 a distribution list for the Socialist Worker newspaper.  
12 He notes in his witness statement:

13 "I was never required to consider, and I did not  
14 consider, the continued proportionality of reporting  
15 this information. As far as I was concerned, this was  
16 a question for more senior officers."

17 There is some reporting on trade union activities  
18 and membership within the context of the SWP and the  
19 Right to Work Campaign. HN155 states that he cannot  
20 recall joining a trade union or becoming involved in  
21 trade union affairs while deployed. However, he notes  
22 that:

23 "Extreme left wing activists intentionally made  
24 their way into trade unions, with the primary aim of  
25 upsetting the operation of large companies, rather than

1 to simply improve the working conditions of employees.  
2 This information was therefore a useful piece of  
3 a larger intelligence picture regarding the presence of  
4 left wing activists in trade unions at that time."

5 HN155 states that he did witness public disorder and  
6 violence whilst deployed, although he cannot now recall  
7 any particular incidents. HN155 states that he did not  
8 participate in any public disorder, and was not involved  
9 in any violence as a perpetrator or victim.

10 He understood Special Branch to have a role in  
11 countering subversion, and he states that he believed  
12 the SWP to be engaged in subversive activity. In his  
13 witness statement he refers particularly to the large  
14 amount of industrial action supported by the group. He  
15 states:

16 "The SWP were very confrontational towards people  
17 trying to break picket lines and would threaten violence  
18 towards anyone attempting to go back to work. They  
19 would also stop supply vehicles from entering business  
20 premises. It was these kinds of actions that crossed  
21 the boundary between legitimate strikes and what I would  
22 call industrial subversion."

23 Documents held by the Inquiry indicate  
24 Security Service interest in HN155's reporting.  
25 However, the officer states that he cannot recall ever

1 being given a list of questions from Box 500 directly,  
2 and believes that any requests may have been filtered  
3 down through his managers. HN155 recalls that he spent  
4 more and more time in his cover identity as his  
5 deployment progressed. Accordingly, he recalls that  
6 the overtime would have increased his take-home pay,  
7 although there was a significant cutback in overtime  
8 payments during his deployment.

9 HN155 recalls frequent meetings at the SDS  
10 safe house, but cannot remember if they were once or  
11 twice per week.

12 He states that he also regularly requested a private  
13 meeting with an SDS manager around every week or so, in  
14 order to discuss any particular issues that had arisen  
15 in his deployment. These meetings would usually take  
16 place in a pub.

17 He suspects that he would have written up reports at  
18 meetings in the safe house, but notes that much of his  
19 reporting would have been given verbally over the phone,  
20 and probably written down by someone else.

21 He recalls general discussion amongst UCOs during  
22 meetings, and states that the SDS managers would raise  
23 concerns and provide advice and guidance where needed.  
24 He recalls police commissioners visiting these meetings  
25 on occasion. He believes someone from

1 the Security Service may have attended once or twice as  
2 well, which he thinks was to thank the Squad for  
3 the intelligence they were collecting.

4 In his statement, HN155 denies engaging in any  
5 sexual activity whilst in his cover identity. There  
6 remains a significant dispute of fact regarding whether  
7 155 told his risk assessors that he engaged in sexual  
8 activity whilst he was deployed. Within a risk  
9 assessment prepared for the Inquiry in late 2017,  
10 the author records that:

11 "HN155 admitted to having a number of liaisons,  
12 although he would not necessarily use  
13 the term 'relationship', as they were short-lived. He  
14 stated that he needed to live a full alternative  
15 lifestyle in all aspects, but could not recall  
16 the specifics. None of the relationships were medium or  
17 long-term length. He stated there were groupies who  
18 wanted to spend the night with someone who was close to  
19 the SWP central committee. He was reluctant to discuss  
20 matters further, but thought that he would only have  
21 given the women his first name. He does not recall  
22 their names. He stated that not all of the dalliances  
23 [his word] would have led to sex. He initially stated  
24 that there may have been two or three women, but said  
25 that there may possibly have been a few more. N155

1 clarified during the fact check that these were purely  
2 social encounters, and not done to enhance his  
3 deployment. He did not comment upon whether his  
4 supervisors were aware."

5 Both the auditor, David Reid, and the second risk  
6 assessor, Brian Lockie, were left with the impression  
7 that HN155 was describing his own experiences whilst  
8 deployed.

9 HN155 disputes these conclusions, and asserts that  
10 both assessors have misinterpreted his comments. He  
11 states that:

12 "I was not as clear as I should have been about  
13 the dividing line between the specific factual details  
14 for my particular deployment and more hypothetical  
15 comments about such deployments more generally."

16 He continues:

17 "During the interview with the two risk assessors,  
18 which lasted a couple of hours, I recall being quite  
19 clear that I did not engage in any sexual activity  
20 whilst I was undercover. To the best of my  
21 recollection, the risk assessors responded that it would  
22 have been quite possible and not surprising if my  
23 deployment had taken such a turn, given its length and  
24 depth. I accepted this, and went on to discuss the SWP  
25 social scene, the status or cachet enjoyed by those

1 within its inner circle, meetings in pubs, flirtatious  
2 chat, and the fact that sexual activity could have been  
3 an option. I did not want to appear naive, and wanted  
4 to be open about the fact that I lived my alter ego's  
5 life to the full. Indeed, I think I may have said this  
6 to the risk assessors. I can understand how and why  
7 they came away thinking that I had been talking about  
8 myself, but this was not my intention and not what  
9 I meant."

10 He likewise takes issue with the fact-checking  
11 process, noting that he was asked to review the draft  
12 risk assessment "at short notice and quite urgently".  
13 He states:

14 "I would never have had any sexual relationship with  
15 a target. It would have jeopardised my own  
16 relationship, and it would also be a road to disaster  
17 because a relationship would scrutinise your own cover  
18 to a much greater extent. I am happy for my cover name  
19 to be released. I am certain that no female will come  
20 forward."

21 In a medical report dated 18 November 2020,  
22 submitted to the Inquiry and published on the UCPI  
23 website, HN155 is noted to be suffering from a number of  
24 physical and mental health conditions. Of note,  
25 the examining doctor states the following when

1 discussing HN155's fitness to give oral evidence:

2 "155 would be an unreliable witness. He finds it  
3 difficult to differentiate between what is real from  
4 what is imagined or possible", and "if asked a leading  
5 question or confirmatory question, he is likely to  
6 endorse any view or suggestion put to him, in the belief  
7 that this is what is required of him. He is also  
8 avoidant and will do whatever he can to avoid thinking  
9 about the traumas he experienced."

10 The full account on this issue given by HN155 can be  
11 found at paragraphs 114 to 115 of his witness statement,  
12 which will be published on the Inquiry website today.  
13 Relevant extracts of the risk assessment and the risk  
14 assessors' notes will also be published. The risk  
15 assessors themselves will be called as witnesses later  
16 today to address this issue.

17 HN155 states that he did not develop any close  
18 personal relationships with his target group during his  
19 deployment. He did not participate or encourage others  
20 to participate in criminality, and was never arrested  
21 nor, to his knowledge, was any of his reporting used in  
22 connection with criminal investigation or prosecution.

23 He states that, to his recollection, he did not  
24 become aware of any legally privileged information and  
25 was never specifically tasked to report on elected

1 politicians, although he may have reported on them if  
2 they had been speakers at events.

3 HN155 was withdrawn in early 1984. He recalls four  
4 years as being the standard deployment at the time.  
5 The Inquiry holds a transcript of a telephone call from  
6 December 1983, in which a discussion is had between two  
7 members of the SWP about HN155. The SWP members note  
8 that HN155 had provided a strange story and as a result,  
9 his cover was now blown with the group.

10 HN155 believes he was made aware of the call, and  
11 recalls discussions over whether he had been  
12 compromised. He states that he got the impression his  
13 senior managers were very concerned about this having an  
14 effect on obtaining future intelligence, but HN155  
15 believes that he did not change his withdrawal strategy  
16 because of this.

17 HN155 does not believe that this call precipitated  
18 his exit from the SDS, as he recalls formulating his  
19 withdrawal before that date. He states:

20 "I think my exit strategy may have led to this  
21 telephone call, rather than the other way around."

22 He told his group that he was leaving to rejoin  
23 the Merchant Navy after spending some time in Paris, and  
24 recalls "a certain amount of dismay amongst the SWP"  
25 that he was leaving. He notes that he was never

1 publicly outed as a UCO.

2 HN155's marriage ended whilst he was on the SDS, and  
3 he is aware that managers Barry Moss and Martin Gray  
4 visited his wife on one occasion during this time. He  
5 believes he was not present and was spoken to  
6 separately.

7 HN155 understands that his SDS managers visited his  
8 wife, as they were concerned that she might disclose  
9 information about his deployment. Although HN155 states  
10 that he was confident she would not have done so.

11 HN155 notes that he was generally quite impressed  
12 with the level of supervision by his SDS managers, but  
13 that it became reactive rather than proactive over time,  
14 and on this occasion he felt it was "overbearing".

15 HN155 states that his deployment was a significant  
16 contributory factor to his divorce, though not the sole  
17 reason. He notes that he was often away from home and  
18 had a young child, and that he was "wrapped up in his  
19 undercover work".

20 In a meeting with the Security Service in July 1982,  
21 HN68 is recorded as expressing "serious doubts about the  
22 performance of HN155". This is said to relate to  
23 the officer's failure to pay child maintenance and an  
24 incident where he left his cover vehicle outside his  
25 home address. HN155 does not recall this incident, and

1 notes that he finds some of the comments within this  
2 file note "objectionable".

3 Within a subsequent note, it is recorded that  
4 HN68 "is still very worried by the case because Cooper's  
5 position within the Right to Work movement gives him  
6 regular access to Ernie Roberts MP and meetings at  
7 the House of Commons". In contrast, the officer does  
8 not recall any contact with Mr Roberts, and considers  
9 any involvement would have been limited. The officer  
10 notes that he remained in the field for a further  
11 18 months, and therefore any perceived issues clearly  
12 were not considered serious enough to precipitate his  
13 withdrawal.

14 HN155 believes that there was very minimal  
15 monitoring of officers' welfare. However, he does not  
16 recall thinking that there should have been more  
17 support. He notes two exceptions to this, during his  
18 divorce, which he states was "handled in a deplorable  
19 way by the SDS senior management", and during his  
20 withdrawal. He states that during that period:

21 "I felt that some of the senior officers were more  
22 concerned about losing intelligence and repercussions  
23 for their careers rather than concern for my safety or  
24 welfare."

25 He felt like there was greater concern for welfare

1 early in his deployment, which he states was probably  
2 because those managers had all been UCOs, whereas his  
3 later managers did not have the same experience.

4 HN155 retired from the MPS in the 1980s at the rank  
5 of detective sergeant. When asked whether his  
6 deployment had any long-term effect on his welfare, he  
7 states:

8 "It is perhaps unsurprising that living in an alter  
9 ego for such a long period tends to make you a bit  
10 unsure of who you are. I did not find that there was  
11 anything in place to help me solve those identity  
12 issues. My deployment still has an effect on me now,  
13 especially having to speak about things that I thought  
14 were in the past as part of this Inquiry. The effects  
15 are quite deep-rooted and have probably made me more of  
16 an insular and secretive person. I'm not aware of any  
17 welfare services within the MPS being available to me as  
18 a former UCO."

19 HN155 states that he strongly disagrees with  
20 comments made by Bob Lambert in a discussion paper dated  
21 from May 1984 regarding his departure from the police.  
22 The paper describes HN155 as having played "the SDS  
23 card" in 1985 to extract himself from a dismissal from  
24 the police resulting from an assault.

25 It is suggested in the report that HN155

1 had "convinced his psychiatrists that he was suffering  
2 from Stockholm syndrome rather than, say, merely  
3 calculated selfish and devious behaviour, in order to  
4 obtain an ill-health pension." Lambert also alleges  
5 that HN155 wrote to a Special Branch commander  
6 threatening to expose the SDS.

7 Both the letter and threats to expose the SDS are  
8 denied by HN155, who states that he never met  
9 Bob Lambert and that Bob Lambert's report is therefore  
10 not based on any personal knowledge of him. He states:

11 "I accept that I was subject to a disciplinary  
12 allegation, and I simply said that I was mindful to  
13 appeal to the Home Secretary. The background of the  
14 incident was not fully disclosed in the disciplinary  
15 hearing. I did not actually appeal in the end, but at  
16 no point did I threaten to expose the SDS."

17 HN155 received two commendations for his work in  
18 the SDS, one of which was for supplying a full list of  
19 SWP membership requested by MI5. When asked what  
20 contribution he believes his reporting made to policing,  
21 HN155 states:

22 "I think my reporting and that of other SDS officers  
23 would have been invaluable to ensure an appropriate  
24 police presence at demonstrations. This helped prevent  
25 police violence and injury to demonstrators, police and

1 the general public. I think our reporting would have  
2 also helped to prevent subversion."

3 Sir, that concludes the summary. Thank you.

4 THE CHAIRMAN: Thank you very much. We're now going to  
5 break for about five minutes, to permit the technical  
6 arrangements to be made for us to start hearing live  
7 evidence again.

8 Thank you.

9 MR FERNANDES: Good morning, everyone. We will now take  
10 a break. May I remind those in the virtual hearing room  
11 to remember to join your break-out rooms, please.  
12 The time is now 10.30 am, so we shall reconvene at 10.35  
13 am.

14 (10.30 am)

15 (A short break)

16 (10.35 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 THE CHAIRMAN: Thank you.

22 As always at the beginning of a live evidential  
23 session, a recording made earlier is going to be played.

24 I am conducting this Inquiry under a statute,  
25 the Inquiries Act 2005, which gives me the power to make

1 orders regulating the conduct of the Inquiry, including  
2 its hearings. In the exercise of that power, I have  
3 made a number of orders which affect what you may and  
4 may not do in the hearing rooms and after you leave  
5 them. Breach of any of the orders is a serious matter  
6 and may have serious consequences for you.

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

16 Evidence is going to be given live over screens in  
17 the hearing rooms. It is strictly prohibited to  
18 photograph or record what is shown on the screens, or to  
19 record what is said by a witness or anyone else in  
20 the hearing rooms.

21 You may bring your mobile telephone into the hearing  
22 rooms, but you may not use it for any of those purposes.  
23 You may use it silently for any other purpose. In  
24 particular, you may transmit your account of what you  
25 have seen and heard in a hearing room to any other

1 person, but only once at least ten minutes have elapsed  
2 since the event which you are describing took place.

3 This restriction has a purpose. In the course of  
4 the Inquiry I have made orders prohibiting the public  
5 disclosure of information, for example about  
6 the identity of a person, for a variety of reasons.  
7 These orders must be upheld.

8 It is inevitable that, whether by accident or  
9 design, information which I have ordered should not be  
10 publicly disclosed will sometimes be disclosed in  
11 a hearing. If and when that happens, I will immediately  
12 suspend the hearing and make an order prohibiting  
13 further disclosure of the information outside  
14 the hearing rooms.

15 The consequence will be that no further disclosure  
16 of that information may be made by mobile telephone or  
17 other portable electronic device from within the hearing  
18 room, or by any means outside it.

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

1 conclusions about it. The Inquiry team will do their  
2 best to ensure that you can.

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

7 HN96

8 THE CHAIRMAN: HN96, can you hear me?

9 A. Yes, good morning, Sir.

10 THE CHAIRMAN: Good morning. Do you wish to swear or to  
11 affirm?

12 A. Affirm, please.

13 THE CHAIRMAN: Then may the words of affirmation be read to  
14 you, please.

15 (Witness affirmed)

16 Thank you.

17 Can you confirm that apart from the man on your  
18 right-hand side -- to your right-hand side, there is no  
19 other person in the room from which you're speaking?

20 A. I can confirm there's no other person in the room, apart  
21 from the two people you mentioned, yes.

22 THE CHAIRMAN: Thank you.

23 Then Mr Gray will ask questions of you now.

24 Mr Gray.

25 Questions by Mr Gray

1 MR GRAY: Thank you, Sir.

2 HN96, can you please confirm that you are  
3 the individual and former undercover officer known to  
4 this Inquiry as "HN96"?

5 A. Yes.

6 Q. HN96, is it right that you have provided to the Inquiry  
7 a witness statement running to 73 pages, which at  
8 the top right on the first page states, "First Witness  
9 Statement of HN96, date signed 16 December 2019"?

10 A. Yes.

11 Q. Have you had an opportunity to consider that statement  
12 recently?

13 A. Yes.

14 Q. And are the contents of that statement true to the best  
15 of your knowledge and belief?

16 A. Yes.

17 Q. I'm going to ask you some questions now, HN96, and I'm  
18 going to endeavour to follow the order in your witness  
19 statement. And I'd like first, please, to ask you about  
20 selection and how you came to be selected for the SDS.

21 You describe in paragraph 12 of your witness  
22 statement {MPS/745772/4} how you went to express your  
23 interest in joining the SDS to Chief Superintendent  
24 Craft; is that correct?

25 A. Yes.

- 1 Q. Did you do that by visiting him in the office  
2 face-to-face?
- 3 A. Yes.
- 4 Q. And was that one conversation or more than one  
5 conversation?
- 6 A. One conversation.
- 7 Q. You then go on to describe how you heard nothing for  
8 quite some time before being told that you'd been  
9 selected to join the SDS; is that right?
- 10 A. That's correct.
- 11 Q. Are you able to recall how long it was between you  
12 expressing interest to Chief Superintendent Craft and  
13 you being notified you'd been selected to join the SDS?
- 14 A. I don't recall exactly, but it was a matter of months,  
15 not years. It would have been -- it would have been,  
16 yeah, months. I can't give you an exact number of  
17 months, but months, yes.
- 18 Q. A period of months?
- 19 A. Correct.
- 20 Q. Other than expressing an interest to Chief  
21 Superintendent Craft, is it right therefore that you  
22 were not involved yourself at all in the selection  
23 process, whether by way of interview, assessment or any  
24 other means?
- 25 A. That's correct, I wasn't involved at all.

1 Q. And the first you knew about your selection, I think you  
2 described, was actually hearing from another officer,  
3 who you ran into in an exam hall, before you were then  
4 telephoned a couple of months later by the then chief  
5 inspector of the SDS; is that right?

6 A. Correct.

7 Q. You say in your witness statement at paragraph 16  
8 {MPS/745772/5} that you understand that SDS management  
9 spoke to your Special Branch supervising officers and to  
10 current and former SDS officers who knew you.

11 A. Yes, I think -- I think you'd expect that anybody going  
12 for a particular position, they would have done some  
13 research about who I was and what I'd been up to, and --  
14 and sought the views of -- of people that -- that would  
15 have a view on -- on my deployment.

16 Q. When did you come to learn that? Was that before you  
17 were selected or after you were selected?

18 A. Well, after I was selected, I -- I mean, common sense  
19 would have told me that they would have approached --  
20 the SDS unit would have approached officers in -- who  
21 were supervisory officers of me at the time where I was  
22 working within the department. So I would have been  
23 aware of that. Although I wasn't told that was  
24 the case, but I would have been -- I would have expected  
25 that to have been the case. And then of course, when

1 I was then recruited onto the unit, I -- I spoke to some  
2 of my colleagues there, who said, "Yes, we'd been asked  
3 what sort of a chap you were." So yeah, clearly there  
4 was some research about what I was and who I was, and  
5 whether I was suitable.

6 Q. So before you were selected, you assumed, or you applied  
7 your common sense, so as to reach the view that people  
8 who knew you would be spoken to, but that was confirmed,  
9 was, it after you joined the unit?

10 A. Yes, yes.

11 Q. Can we please put up on the screen HN96's witness  
12 statement, that's {MPS/745772}, and in particular  
13 paragraph 18, please. {MPS/745772/5}.

14 HN96, I'm just going to read paragraph 18 for  
15 the benefit of those who are following the proceedings  
16 and can't see what's on the screen. Paragraph 18 of  
17 your statement reads as follow:

18 "I was married when I joined the unit. I understand  
19 that the SDS preferred to recruit married officers. One  
20 of the main dangers of the unit was over involvement  
21 with the role. It was felt that if you had a family at  
22 home you would approach the job in a different way to  
23 a single man who had nothing other than work in their  
24 lives. The thinking was that having a personal life  
25 away from the job allowed you to retain an objective

1 distance from your work and the group you were reporting  
2 on."

3 HN96, when did you come to understand that the SDS  
4 preferred to recruit married officers?

5 A. I believe once I had been selected for the unit, these  
6 were comments that were made to me by supervisory  
7 officers.

8 Q. Soon after you joined the unit?

9 A. Say that again?

10 Q. Soon after you joined the unit?

11 A. Yes, yes, it was apparent that the preference was for  
12 married officers.

13 Q. And you say that was because of comments made to you by  
14 your supervising officers. In that context did they  
15 make those comments? Where?

16 A. Well, again, I can't recall exactly, but it seemed  
17 common sense to me that they would want officers that  
18 had another life apart from the life that they were  
19 asking them to carry out. And I certainly was in  
20 agreement -- was in agreement with that; and of course  
21 I was married at the time, so --

22 Q. Do you recall which supervising officers --

23 A. I think it was -- I think it was --

24 Q. Consult your list --

25 A. Yes.

1 Q. -- if needs be --

2 A. Yes. It would have been HN135.

3 Q. That's the officer known as -- well, Mike Ferguson; is

4 that correct?

5 A. Correct.

6 Q. Who was your supervising officer when you joined,

7 I think?

8 A. Yes.

9 Q. Returning to paragraph 18, HN96, the third sentence:

10 "One of the main dangers of the unit was over

11 involvement with the role."

12 Can you just explain, please, what you mean by that?

13 A. With all due respect, sir, I think that it's

14 self-explanatory. It means that if you have little to

15 go home to, you know, to your real -- to your real

16 identity, then the danger was that you would spend

17 longer than was required, longer than was perhaps

18 appropriate, longer than perhaps was safe, carrying out

19 your undercover role. And that was -- that was

20 the thinking behind that. And it was one that I --

21 I concurred with, that it made a lot of sense that --

22 that was the case.

23 Q. So in what ways do you think an SDS officer could become

24 over-involved with the role?

25 A. By -- by not -- not having another life to go -- to go

1 to.

2 Q. I understand that's why you might become over-involved  
3 in the role, but in what ways do you imagine --

4 A. Well, I think -- (overspeaking) --

5 Q. -- (inaudible) -- over-involved?

6 A. From my own perspective, I -- I felt I was a  
7 professional officer, that I was being asked to carry  
8 out a difficult job in a professional way, and -- and  
9 was aware from very early on in my deployment that --  
10 that you had to be very careful not to overexpose  
11 yourself to -- you know, to this -- this other life that  
12 you were leading, and that was -- that was something  
13 that I tried very hard to -- to maintain throughout  
14 the time I was -- I was doing this work.

15 Q. HN96, I understand how you say you approached the role,  
16 I understand why you consider that somebody with another  
17 life would have something to go back to, and would  
18 therefore not become overexposed, to use the word you've  
19 just used. But my question was, in what ways do you  
20 consider an SDS officer could become over-involved?  
21 What might that look like in terms of behaviour?

22 A. Well, this is very subjective opinion, because obviously  
23 individual officers behaved in different ways. In my  
24 opinion, it meant that they were too involved with  
25 the people that they were mixing with, that they lost

1 the perspective of what they were trying to achieve.

2 And there was a danger that they would -- they would  
3 expose themselves to -- in that role.

4 Q. So the concern there is one that they might expose  
5 themselves, what, as in expose their identity as an  
6 officer?

7 A. Yes, yes, yes.

8 Q. You go on in the next sentence to draw a distinction  
9 between how somebody with a family at home might  
10 approach the job to the way a "single man who had  
11 nothing other than work in their lives" might approach  
12 the job, and you say that the thinking was that having  
13 a personal life away from the job allowed you to  
14 maintain an objective distance from your work and the  
15 group you were reporting on.

16 What is the significance in that context of somebody  
17 being single as opposed to having a family at home?

18 A. Well, from a -- I think the simple answer would be they  
19 had nothing to go back to. They had -- they had -- they  
20 -- they became overly involved in this other life.

21 That's -- that's -- that was my opinion. I can't give  
22 you any good examples of that, but it was certainly  
23 a view I think that was held by other colleagues.

24 Q. Is what you're really saying in paragraph 18 that  
25 a married officer, or an officer with a family at home,

1 would be less likely to become intimately or sexually  
2 involved with a member of a target group than a single  
3 man with nothing else in their lives?

4 A. Well, that's a very loaded question, sir. And clearly  
5 the answer is yes. I'm saying that, you know, if you  
6 have a wife at home, then there's less likelihood for  
7 you to want to be involved with -- with -- with women in  
8 your other life. But I think -- but I think that's  
9 unfair for me to have to -- to -- to say that. To say  
10 that single officers were more prone to do that sort of  
11 thing. I think each -- each -- each man was --  
12 you know, from my point of view -- I -- I felt I -- I --  
13 I knew what was required, I knew how to behave in a --  
14 in a correct manner, and I assume my other colleagues  
15 would be the same.

16 Q. HN96, I'm not asking at this stage about what any of  
17 the other officers got up to during the course of their  
18 deployment, I'm simply trying to understand the basis  
19 for what you've described as the preference for the SDS  
20 to recruit married officers, a view held by your  
21 supervising officers when you joined the SDS. And my  
22 question is directed towards this paragraph of your  
23 witness statement; and really, asking you whether or not  
24 what the supervisors were concerned about was whether or  
25 not an SDS officer who was single might become

1           intimately or sexually involved with a member of  
2           the target group.

3           Is that what this paragraph really is directed to?

4       A.   The paragraph is referring to me, to -- to -- I -- I --  
5           I think it would be wrong for me to -- to assume that  
6           I'm speaking on behalf of everybody. To be quite frank,  
7           I can't remember in the group of men that I -- I worked  
8           with for -- for a period of time what their marital  
9           status was. I -- I -- I -- I believe they were -- they  
10          were all married anyway. And I -- I'm making some  
11          assumptions here, because I don't recall exactly, but  
12          I would -- I would -- I would assume that the --  
13          the senior officers who were responsible for engaging  
14          officers for this unit would have -- would have  
15          automatically have wanted to -- to engage -- employ  
16          married men. So I don't recall that there were single  
17          men that I worked with for that period of time.

18          Does that answer your question?

19       Q.   Well, HN96, was it your understanding shortly after you  
20          joined the SDS that married officers were preferred  
21          recruits?

22       A.   It was my understanding that married officers were  
23          preferred.

24       Q.   And was one of the reasons why that was the case, to  
25          the best of your understanding and from what you were

1 told, to reduce or try and avoid the risk of intimate or  
2 sexual relationships with members of target groups or  
3 other individuals?

4 A. I think that -- that assumption by you is incorrect.  
5 I think it was assumed that it would allow them to -- to  
6 live a more balanced life in connection with their real  
7 life and their undercover lives. Nothing to do with  
8 their sexual behaviour whilst doing that work.

9 Q. Nothing to do with sexual behaviour, as far as you were  
10 aware?

11 A. No, no, why would that even come up into the -- when you  
12 were first sent out there, you know? The answer is, no,  
13 I don't accept that comment of yours, that that was one  
14 of the reasons behind wanting married men to do  
15 the work, as opposed to single men.

16 Q. Can we take down the witness statement, please.

17 HN96, you go on in your witness statement, at  
18 paragraph 20, {MPS/745772/5}, to describe how, after you  
19 joined the SDS, you told the SDS that you thought it  
20 would be beneficial if they met with your then wife, so  
21 she would know who to contact if she was having any  
22 problems, or if she had any concerns relating to your  
23 work; is that right?

24 A. Correct.

25 Q. And you describe how Mike Ferguson and Angus McIntosh

- 1 visited your home and spoke to your wife.
- 2 A. Correct.
- 3 Q. You say that that was after you joined the SDS. Was it  
4 before you were first deployed?
- 5 A. Yes.
- 6 Q. And do you recall approximately how long before?
- 7 A. A matter of months.
- 8 Q. So is this at the time that you're working in  
9 the back office?
- 10 A. Yes.
- 11 Q. Was this meeting your idea or your wife's idea?
- 12 A. My idea. My wife thought it was a good idea. I was --  
13 I -- and I can still recall at the time I was surprised  
14 that that wasn't something that the office -- that my  
15 senior officers would have done anyway, but I suppose  
16 I can understand why they were waiting for -- for  
17 perhaps the invitation from -- from the person  
18 concerned, but -- so yes, to answer your question, it  
19 was my idea to go with my wife, and we spoke to my -- my  
20 supervisory officers, who agreed that it was a good  
21 idea.
- 22 Q. What sort of concerns did you or your wife have at that  
23 stage about the potential impact of your work upon your  
24 wife or family?
- 25 A. Well, primarily contact. I was thinking about this

1           recently.  When I was doing this sort of work, there was  
2           no mobile phones, there was no easy communication tools  
3           that exist today.  How would I -- how would I -- how  
4           would my wife get in touch with me if she needed to, and  
5           vice versa?  So we needed to have some -- some system in  
6           place where that would help with that.

7                     And also, it would -- any concerns that my wife may  
8           have had about my deployment, the work that I was being  
9           asked to do, they could discuss it directly with my  
10          senior officers.

11         Q.  Were those the sorts of concerns that your wife shared  
12           as well, about the potential impact of you being  
13           deployed in this role?

14         A.  Well, yeah, of course, yeah.  She was of -- she was  
15           concerned about -- I mean, we -- we didn't have a clear  
16           -- full, clear understanding of all the sort of nuances  
17           of what I was going to be asked to do.  But, you know,  
18           it was main -- mainly to do with communication, who --  
19           who -- what point of contact did my wife have if there  
20           was a need to -- to -- you know, to -- to have that.  
21           That was -- that was the main reasoning behind me asking  
22           my -- my supervisor officers to come and speak to my  
23           wife.

24         Q.  Was there just the one meeting?

25         A.  I believe so.  Although, of course it was made clear

1           that any time that -- that either -- particularly my  
2           wife, if she wanted to speak to somebody from -- from  
3           the office, then they would be available.

4           Q.   Because you say in paragraph 22 {MPS/745772/6} of your  
5           witness statement that the managers made it clear that  
6           they were available to help with issues that arose  
7           during your deployment.  What sort of issues did you  
8           understand them to be offering help with in that sense?

9           A.   Communication.  You know, if my wife needed to contact  
10          me, she didn't know, I mean, where I was, or exactly  
11          what I was doing.  It was purely that.  It was purely so  
12          that she had a point of contact, yes.

13          Q.   And you say in your witness statement -- again  
14          paragraph 20 -- that you believe that as a result of  
15          your request and this meeting, that this became  
16          a practice that was followed with all future  
17          undercover officers; is that right?

18          A.   That was my understanding.  I mean, I -- I -- it  
19          surprised me that that wasn't a practice that was  
20          already in place.  And I've not given it much thought  
21          since, but now you've asked me the question, I presume  
22          it's because the office -- the management thought that  
23          perhaps the request should come from the --  
24          the undercover officer, and -- and their respective  
25          partner, rather than the other way round.  But -- but

1           no, it wasn't -- it wasn't -- I think after  
2           I'd instigated this "let's get together and meet each  
3           other", that became a common practice.

4       Q.   So, following you suggesting it and this meeting taking  
5           place, in effect the burden shifted, and rather than  
6           the office wait for the undercover officer to raise  
7           the request, the office would initiate these sorts of  
8           meetings?

9       A.   That was my -- that was my perception, sir, yes.  
10           I mean, that was the only conclusion I could -- I could  
11           draw, because as far as I understood it, this -- this  
12           sort of meeting hadn't taken place with other officers,  
13           so -- yeah.

14      Q.   Did you or your then wife ever take up this offer of  
15           support during the course of your deployment, or take  
16           advantage of what the managers offered in terms of  
17           support?

18      A.   I don't recall that, no. I don't think there was ever  
19           -- ever an issue there that -- that -- that required  
20           that -- my wife to make contact, no.

21      Q.   As you say, actually, very much near the end of your  
22           witness statement, paragraph 347, that you don't think  
23           that your time undercover had any adverse effect on your  
24           welfare; is that right?

25      A.   Yes.

- 1 Q. Now, obviously you were deployed for a significant  
2 length of time, weren't you, sort of four and a half  
3 years or so in the field, roughly speaking?
- 4 A. Yes, yes.
- 5 Q. Are you aware of that time whilst you were deployed  
6 having any adverse effect on your then wife's welfare or  
7 on the welfare of any of your family members, apart from  
8 yourself?
- 9 A. No.
- 10 Q. Training and guidance, HN96.
- 11 You describe in your witness statement that there  
12 was no formal training for being an undercover officer  
13 when you joined the SDS; is that right?
- 14 A. Correct.
- 15 Q. And that the training and guidance you received was  
16 largely limited to guidance provided to you by HN296?
- 17 A. Yes, HN296, he gave me some words of his wisdom.  
18 I wouldn't say it was -- it was training or extensive  
19 guidance. It was more a case of, "This has been my  
20 experience, these are the things I would suggest that  
21 you -- you keep an eye on," etc. So that was it. It  
22 was words of -- words of wisdom, words of how -- how he  
23 thought I should conduct my -- myself. "Training" is  
24 too strong a word, sir.
- 25 Q. How many times did you discuss how to behave with HN296?

1 A. Well, I'm sure the Inquiry's already aware that -- that  
2 -- that officers on this unit met regularly, together  
3 with -- with management, and these were opportunities  
4 for me, at that time, as I was -- as you said -- as you  
5 mentioned earlier, was in -- in -- in the back office,  
6 getting myself organised, so every -- twice a week we  
7 met. So every -- so there was an opportunity at any  
8 time to discuss items with your colleagues. And if  
9 there were things that I felt were appropriate, then  
10 I would obviously raise it with -- either with HN296 or  
11 other officers that were on the unit at the time.

12 Q. So the conversations you describe with HN296, are those  
13 conversations that you had at the safe house meetings  
14 then, the twice-weekly meetings?

15 A. Yes. That was the only place that I -- I met with  
16 HN296.

17 Q. Because in your witness statement you describe how  
18 during your time in the SDS office, so before you were  
19 deployed but whilst you were in the back office -- this  
20 is paragraph 19 in your witness statement -- you  
21 describe how you had the opportunity during that period  
22 to talk to the field officers at twice-weekly meetings  
23 about what they were doing and how; is that right?

24 A. Yes.

25 Q. So that would be talking here about the latter part of

- 1           1978; is that right?
- 2       A.   Yes, yes, yes.
- 3       Q.   How often did you attend the safe house meetings whilst
- 4           you were in the back office?
- 5       A.   All the time.
- 6       Q.   You attend each one during that period?
- 7       A.   Yes.
- 8       Q.   Unless there was a reason why you had missed it?
- 9       A.   Exactly.
- 10      Q.   And how many field officers did you discuss what they
- 11           were doing with?
- 12      A.   Well, I can't be precise about that. I mean,
- 13           the Inquiry's aware that there were -- am I allowed to
- 14           use the number, or ...?
- 15      Q.   Just in a rough number. How many officers would you
- 16           speak to about what they were doing?
- 17      A.   As in officers doing undercover work, there was -- so
- 18           clearly some of them I -- I'd -- I'd have a better
- 19           understanding with. Some of them I'd had
- 20           a relationship -- a working relationship with them in --
- 21           in previous aspects of Special Branch work. So it was
- 22           -- you know, it was -- it was -- it was -- it was very
- 23           much a case of picking their brains as I felt
- 24           appropriate.
- 25      Q.   Using your list of officers as necessary, can you help

1           us with which of the field officers at that point you  
2           had particular conversations with before you were  
3           deployed?

4           A.   HN21, HN80, HN126.

5           Q.   HN96, at these safe house meetings, before you were  
6           deployed, when you were attending in your back office  
7           role, how freely were the deployments talked about?

8           A.   They weren't. They weren't. I mean, there was -- and  
9           I learnt that subsequently when I became more  
10          established. There was almost an unwritten rule that  
11          you would not talk about a colleague's -- not discuss  
12          colleagues' -- what -- what they were doing or their  
13          deployment. So, in answer to your question, not very  
14          much.

15          Q.   If the deployments weren't being freely discussed, and  
16          people weren't talking about what they were doing and  
17          how and with whom, etc, how did you --

18          A.   -- (overspeaking) --

19          Q.   -- manage to speak to the undercover officers about  
20          their deployments?

21          A.   Well, let me give you an example. HN296, I -- I --  
22          I wasn't aware of -- of the area that he was involved  
23          no, but he said -- he advised me not to get too deeply  
24          involved, not -- not to become a leader, if that makes  
25          -- if that's the right word, not to become somebody who

1 was required to be available a lot. He said, "Be  
2 somebody -- a middle of the road sort of person". That  
3 was -- that was the sort of advice that he was giving  
4 me. Somebody that was there to help in various  
5 capacities, that would be seen as a -- as a willing  
6 worker, as opposed to being a leading light. That was  
7 some very sound advice which I found I -- I used  
8 without -- you know, the rest of my time doing this  
9 work.

10 Other officers, it was -- it was casual comments,  
11 you know? It wasn't in-depth. It sounds like I was  
12 having long, in-depth discussions with these officers.  
13 I wasn't. I was just trying to get a clear picture on  
14 how they -- some of the -- some of the -- perhaps "tips"  
15 are a better word. You know, good suggestions how they  
16 felt that they -- you know, that they -- they conducted  
17 what they were doing.

18 Q. You say -- (overspeaking) -- sorry, carry on.

19 A. I was going to say, bearing in mind -- and this sounds  
20 in some respects a bit arrogant, but I'd like to think  
21 I was chosen because I was a sensible, mature, thinking  
22 officer, that would draw his own conclusions about how  
23 he would conduct himself once he -- once I was out in  
24 the field, so to speak. And it was just -- it was --  
25 but it was -- it was an opportunity at these meetings to

1 -- just to, yeah, pick up some tips, if you like.

2 I think that's probably --

3 Q. I think you described it before as "casual tips" that  
4 you would pick up in conversation.

5 In paragraph 38 of your witness statement, what you  
6 say is:

7 "I had extensive conversations with officers who  
8 were already in the field about what they had done and  
9 how they had dealt with various situations that had  
10 arisen during their deployment."

11 A. Right.

12 Q. That sounds like, if I may say, a rather more detailed

13 --

14 A. -- (overspeaking) -- does.

15 Q. -- discussion, than occasional, casual tips?

16 A. Well, first of all, I said I agree with my statement,  
17 and I do. But my recollection was that extensive in  
18 the sense that I was attending these meetings on  
19 a regular basis, so I -- I had every opportunity to  
20 speak to -- to -- to various individuals whenever I felt  
21 it was necessary. But I -- I -- I think perhaps --  
22 perhaps the word "extensive" is too strong a word to  
23 use. It was a case of if I -- if I felt a need to ask  
24 them a particular question, I would. But there was no  
25 -- there was no -- "extensive" is too strong a word, I

1 think for that.

2 Q. What was the atmosphere like at these meetings?

3 A. Very friendly. I mean, the management were supportive,  
4 the officers themselves were pretty relaxed, you know,  
5 they were in an environment where they could be  
6 themselves.

7 Q. Was there a social aspect to it as well?

8 A. Yes, yes, yeah.

9 Q. Was alcohol consumed at the meetings?

10 A. Occasionally, yes, yeah.

11 Q. And when you had these discussions about other people's  
12 experiences and deployments that you've described,  
13 everybody was in the same room?

14 A. No, the accommodation we had was big enough for you to  
15 have a -- no, for example, if somebody was to have  
16 a private conversation with the supervising officers,  
17 then that was something that they could do privately in  
18 a different part of the accommodation. But, you know,  
19 the accommodation wasn't expensive, but it was big  
20 enough to -- you know, to -- to allow people to have --  
21 for it to be open, but for people to have private  
22 conversations if they wished.

23 Q. The conversations you had about the deployments of  
24 others and the tips you picked up, was that done in  
25 the general area?

1 A. As I recall, yes, yes.

2 Q. You referenced earlier in your oral evidence, and it's  
3 in your witness statement, particular pieces of advice  
4 that HN296 gave you, and in particular the fact that he  
5 cautioned you against assuming positions with lots of  
6 responsibility, or making yourself too available; is  
7 that right?

8 A. Yes.

9 Q. Too accessible, I'm sorry.

10 A. Yes.

11 Q. And I think you said somewhere in the middle before, but  
12 in your statement you describe how he suggested that  
13 somewhere in the middle of the hierarchy would be  
14 appropriate; is that correct?

15 A. Yes.

16 Q. What do you mean by "the middle of the hierarchy"? What  
17 type of role did you understand him to be suggesting you  
18 should take on?

19 A. Well, again, when we had this discussion, I didn't know  
20 what -- what I was going to be -- what I would find when  
21 I was deployed. I don't think I knew at the time where  
22 I was going to be deployed. I don't think that would  
23 have been -- that would have been made clear to me. But  
24 again, I think it was a fairly commonsensical sort of  
25 question, you know? Middle of the road is exactly what

1           it was; it was somebody that wasn't seen to be a leading  
2           light; it wasn't somebody that was -- that was not very  
3           available or not very cooperative. It was just -- it  
4           was just somebody who was -- who was seen to be  
5           a willing hand.

6           Q. A willing hand, did you say?

7           A. Yes.

8           Q. And I think you also have described HN296 suggesting you  
9           should adopt a similar approach to personal  
10          relationships: friendly and helpful, but not getting too  
11          close to members of the group --

12          A. Yes.

13          Q. -- is that right?

14          A. Yes.

15          Q. And you also say that it was your understanding that it  
16          was not permitted to participate in criminal activity?

17          A. Clearly. I was a police officer.

18          Q. Well, why did you think that even when deployed  
19          undercover you were not permitted to participate in  
20          criminal activity? Is that something you were told or  
21          something you assumed?

22          A. I'm -- I'm -- I'm -- I must -- I must think that at some  
23          time I was told that (inaudible), that was something  
24          that would have been said to me -- made clear to me  
25          that, you know -- but also I would have assumed that. I

1 mean, I'd been a -- I'd been a serving officer for some  
2 years, I -- I knew the way police officers were expected  
3 to behave.

4 Q. The guidance that you describe receiving from HN296 is  
5 focused very largely on how you should behave whilst  
6 deployed, in terms of the relationship --  
7 the appropriate parameters of the relationships that you  
8 would develop with groups, with individuals, etc. Did  
9 HN296, or other officers, speak to you about  
10 the mechanics of the job, and in particular what  
11 the purpose of your deployment would be, or how you  
12 would carry it out on a practical level?

13 A. I don't recall in-depth conversations about that.  
14 I mean, I think, you know, I -- I -- I was clearly  
15 drawing my own conclusions about what the objective of  
16 the job was. It was to go out and establish yourself in  
17 an organisation, with a view to trying to understand  
18 what they were getting up to. I think that was quite  
19 apparent. I didn't need to be told that. And if it  
20 came up in conversation, I don't recall it being,  
21 you know, something that we -- that I discussed in  
22 the -- in detail with any -- anybody in particular.

23 Q. In terms of how you should write up reports or what  
24 information you should include, was that something you  
25 just picked up as you went along in the back office?

1 A. Yes, yes. There was no -- there was no -- if you're  
2 looking for me to say there was training, there was no  
3 training in that sense, no.

4 But bearing in mind, again, I'd been report-writing  
5 for a number of years doing other work in -- in  
6 the department, not in this particular unit, so I --  
7 I was -- I was -- I was -- I was -- I knew how to put  
8 a report together. But exactly what -- what was  
9 required, I think it was left to my own judgment, my own  
10 common sense.

11 Does that answer your question?

12 Q. HN96, yes, I'm going to move on. Thank you.

13 For the purposes of your deployment, you adopted an  
14 undercover identity, didn't you? A cover identity?

15 A. Yes.

16 Q. And you used the identity of a deceased child to assist  
17 you with the construction of your cover identity; is  
18 that right?

19 A. Yes.

20 Q. And you describe in your witness statement at  
21 paragraph 42 that someone in the office told you to find  
22 the identity of a deceased child?

23 A. Well, this would have been senior management. This was  
24 the practice of -- of the department. This had been  
25 going on for -- for as long as I was aware. So I was

- 1           instructed this was the way that I would start  
2           the process of obtaining a -- an assumed identity.
- 3       Q.   And that was why you were in the back office,  
4           presumably?
- 5       A.   Yes.  This is something that I didn't take on --  
6           I didn't do myself, you know -- I mean, I did it myself  
7           but I -- but I was instructed, I was directed that this  
8           was the -- this was the practice that was -- that was  
9           used.
- 10      Q.   Do you recall who it was who told you to find  
11           the identity of a deceased child?
- 12      A.   It would have been -- it would have been the senior  
13           management.  I can tell you -- I can guess it would have  
14           been either -- and you've used their name, so presumably  
15           I can: it was either McIntosh or Ferguson.
- 16      Q.   Were you given particular instruction as to how to go  
17           about doing that?
- 18      A.   Yes.
- 19      Q.   And what was your understanding about why a real  
20           identity rather than a fictitious identity invented by  
21           you or somebody else was necessary?
- 22      A.   Well, it became apparent over time that clearly it was  
23           better for me to have an assumed identity rather than my  
24           own.  And -- and I -- I mean, I made that conclusion  
25           straight away.  So that was -- you know, it was

1 a practice that I knew was -- was part of the procedure  
2 of becoming an undercover office. It made sense,  
3 you know? It made sense that I was -- that I would be  
4 operating as somebody else.

5 Q. Yes, sorry. My question was, what was your  
6 understanding of why a real identity, ie the identity of  
7 a deceased real person, was considered necessary, rather  
8 than a fictitious or invented identity?

9 A. You know, good question, sir. I -- I -- I didn't ask  
10 myself that question at the time. Clearly that was what  
11 I was being asked to do. I'm assuming -- I'm assuming  
12 it was because of -- and again, I'm not a hundred  
13 per cent certain about this, but the documentation that  
14 I subsequently obtained, I mean, as a -- as -- as this  
15 undercover identity I had, I'm assuming that this was  
16 supplied by the Security Services. So -- so I -- I --  
17 I -- I drew the conclusion this was a practice that was  
18 quite common amongst people doing the sort of work I was  
19 doing.

20 Q. But as you understood it, it was the accepted practice  
21 at the time and you went along with it?

22 A. Exactly.

23 Q. Did you at any point stop to think, if only privately,  
24 about whether or not this was a morally acceptable thing  
25 to be doing at the time?

1       A. Well, I think -- and I'm sure it must have been said by  
2       a lot of officers -- first of all, the individual that  
3       I chose -- whose ID I chose to use, there -- there was  
4       no -- the family concerned knew nothing of this, nobody  
5       had any -- any -- there was no -- there was no attempt  
6       to speak to anybody. So they would have had no idea  
7       about this -- their child's identity being used by, in  
8       my case, myself. So I had no moral -- moral  
9       reservations about this at all, you know? I mean,  
10      I accepted this was the practice that I was being --  
11      I was being asked to -- to -- to deal with. And  
12      I couldn't see why it was -- why it was a moral issue,  
13      because -- because it didn't involve anybody.

14             I mean, the way it was done, if you've not been told  
15      this, is births, marriages and deaths registration is  
16      kept in Central London. You can go -- anybody can go  
17      along there and search those records. And this is --  
18      that's exactly what I did. Found -- found an  
19      appropriate identity which would have been okay for  
20      me to use, and -- and if you're going to ask me further  
21      questions about it, I'll explain what happened then, so  
22      I ...

23      Q. But from your perspective, you didn't consider there to  
24      be any moral issue because -- (overspeaking) --

25      A. Not at all. Not at all. And I think it's -- it's -- in

1 fact, it's immoral to actually suggest that now,  
2 I think. No -- no -- no family were injured or caused  
3 any distress because of this practice.

4 Q. You also describe how the SDS office told you to visit  
5 Blackpool, in case a member of your group ever asked you  
6 about aspects of the identity, presumably?

7 A. Yes.

8 Q. Was that, again, something that you were told to do by  
9 senior management?

10 A. Yes.

11 Q. Saying -- would it have been the same individuals who  
12 told you to go (inaudible)?

13 A. Very much so. I mean, I was -- I was -- I was a new lad  
14 on a new unit that I wanted to be on. You know,  
15 I worked in a -- in a rank structure organisation, and  
16 if you were given an instruction by a chief inspector,  
17 normally you would -- you would carry that out.

18 So -- so yes, it was -- it was to -- really to -- to  
19 just be -- be assured that -- that if ever -- ever  
20 anything came out about this identity that I took on,  
21 that it would be very difficult for anybody to -- to --  
22 to do any -- any in-depth enquiry about -- about that.

23 Does that -- I mean, have I explained that well  
24 enough?

25 Q. Did you visit Blackpool?

1 A. Yes.

2 Q. How many times?

3 A. Once.

4 Q. And you describe how you obtained the assistance of  
5 the local Special Branch?

6 A. Yes.

7 Q. Why did you need their help?

8 A. So, it would have been very difficult for me to go up  
9 there in a day and establish -- what I wanted to  
10 establish was whether the family who was concerned --  
11 whose child that we're talking about were easily  
12 contactable, whether they were still living in the same  
13 area, whether they were -- it was just to reassure  
14 myself that -- that if there were any moves in  
15 the future to try to understand my -- my background,  
16 that -- that would have been -- that would have been  
17 difficult for people to do. So I needed -- I needed  
18 the assistance of an officer up there, that would be  
19 discrete, that would be -- that would -- would keep that  
20 secret. And that was what we did. We were able to  
21 establish very quickly that the family concerned were no  
22 longer living in the area, and were -- and there was no  
23 trace of where they -- where they'd move to. And that  
24 satisfied -- that satisfied my desire to -- for -- to  
25 protect my background.

1 Q. So you sought the assistance of local Special Branch to  
2 find out really what the current whereabouts and  
3 potential activities of the family were in 1978?

4 A. Not so much their activities, not so much -- just to --  
5 if they were still living at the same address that was  
6 recorded on -- in -- in -- on the death certificate.

7 Q. Did you visit the family's former home address?

8 A. No.

9 Q. You didn't go and look at it?

10 A. I didn't, but the other officer did -- did some discrete  
11 background enquiries, and without -- without making  
12 anybody aware of what was -- what he was doing, and  
13 satisfied me that that was the case.

14 Q. And by "the other officer", do you mean the local  
15 Special Branch officer?

16 A. Yeah.

17 Q. For the purposes of your cover identity, you've also  
18 told us in your witness statement, paragraph 51, that  
19 you told people you had a girlfriend. And there were  
20 two reasons for that: first, in case they saw you with  
21 your wife, and; second, as a reason to rebuff someone's  
22 advances if they showed a romantic interest in you?

23 A. Yes.

24 Q. When in your deployment did you start telling people  
25 that you had a girlfriend?

1       A. I rarely did. I mean, one of the things I'd found -- so  
2       I -- I -- I -- I did not divulge much about myself  
3       unless people asked. And I was -- I -- what I found out  
4       was people weren't that curious. Once they got to know  
5       you and found out you were an okay guy, they didn't then  
6       ask you about, you know, who you were married, or are  
7       you married, or who do you live with. So I protected  
8       my -- my background as much as I could, you know? And  
9       I -- I -- I was rarely asked about -- about, you know,  
10      that sort of thing.

11                So this was something that I had as a -- as a -- if  
12      anybody did ask that question, this is what I was able  
13      to -- that's what I would say. So I -- I had -- I had  
14      a story that I was ready to -- to use if -- if  
15      necessary. But I found it was -- throughout my time,  
16      that -- that that rarely happened.

17      Q. So when you went into your deployment, you had that  
18      information, in effect, up your sleeve in case --

19      A. Well, I was aware, because I know you're going to ask me  
20      these questions, and I know this has been one of  
21      the main reasons why this Inquiry is taking place, about  
22      your involvement with -- with women. So, you know, you  
23      were -- it was -- it was -- it was something that  
24      certainly I was aware of that -- that I would be  
25      meeting, obviously, people from the opposite sex during

1 my deployment. I -- in fact, I -- I was -- I was  
2 friends with -- with -- with some of these people.  
3 Clearly, I -- that was -- you know, that was -- that  
4 would go without saying. But I -- I needed to have --  
5 I needed to have a backup story, as why -- if I turned  
6 up to, for example, a social, I always came by myself,  
7 and I didn't -- I didn't have a lady in tow with me.  
8 And -- does that make -- does that answer the question?  
9 I think ...

10 Q. When you started your deployment then, were you  
11 anticipating that you might need to deal with  
12 the situation where someone showed a romantic interest  
13 in you and how you would deal with that?  
14 A. Well, my humour wants me to say that a romantic interest  
15 would be wishful thinking. But no, I wasn't thinking  
16 like that. I was thinking that I would -- I would need  
17 to be prepared to give reasonable answers to any  
18 questions that might be asked. And I -- I found that  
19 that didn't happen. I found that -- that I was rarely  
20 asked personal questions. I'd like to think my own  
21 personality, the way I conducted myself with people,  
22 helped me become friendly and accepted by the people in  
23 the organisations I looked at. And I -- and I -- and  
24 I didn't -- but in my own mind, I needed to have a story  
25 that would be acceptable if I was -- if I was

1           questioned.

2           And of course, the bit I said about if I was out  
3           with my wife, although geographically we -- we were --  
4           we were far away from where I was operating, there was  
5           always a possibility that I would bump into somebody  
6           that -- that knew me in my assumed life, and so I needed  
7           -- I needed -- but that didn't happen. I needed to  
8           have -- I needed to have that backup.

9           Q. Is it the case that when you started your deployment,  
10           this was something that you -- a piece of information  
11           that you had ready to deploy, because you knew that it  
12           was an issue, or rather there was an issue of concern  
13           around SDS officers having relationships with females?

14           A. No, I didn't see it like that. I saw it that, you know,  
15           I was there as -- I was there as a man mixing in -- in  
16           -- in a society down there. I didn't see it as anything  
17           to do with a sexual issue or my involvement with -- it  
18           was just a story that -- that I felt made sense, if  
19           people were to ask me.

20           I mean, the obvious question is -- and it wasn't  
21           like that -- it never -- it never occurred, is, "We  
22           never see you in company with a girlfriend, Mike,"  
23           you know?

24           Q. And was this -- this was something you did off your own  
25           bat, was it? You weren't given any guidance or

1 instruction about having some sort of --

2 A. No, what I said to you, sir, before, and I regarded  
3 myself as a mature, sensible, reasonable man, that --  
4 that would come -- come to these things, you know, these  
5 conclusions myself. But I suppose over a period of  
6 time, these issues probably came up in general  
7 discussion, and I -- you know, you formulated your mind  
8 around it -- yes, yeah.

9 MR GRAY: Sir, is that a convenient moment for  
10 the mid-morning break?

11 A. Okay, thank you.

12 THE CHAIRMAN: Certainly it is. We have to have a 15-minute  
13 break for the shorthand writers. Will you come back  
14 after 15 minutes?

15 A. Thank you.

16 THE CHAIRMAN: Thank you.

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

20 The time is now 11.35 am, so we shall reconvene at  
21 11.50 am. Thank you.

22 (11.34 am)

23 (A short break)

24 (11.50 am)

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

1 I will now hand over to the Chairman to continue  
2 proceedings.

3 Chairman.

4 THE CHAIRMAN: Thank you.

5 Mr Gray.

6 MR GRAY: Sir, thank you.

7 HN96, can you hear me?

8 A. Yes, good morning again.

9 Q. Thank you.

10 HN96, shortly before we broke, we were discussing  
11 the undercover identity which you adopted, and in  
12 particular your use of a deceased child's identity; and  
13 you explained to us why you didn't have any moral qualms  
14 at the time about that practice.

15 What is your attitude now to having adopted  
16 a deceased child's identity for the purposes of your  
17 undercover identity given what you know now about  
18 the identity becoming revealed?

19 A. Well, I don't have strong views about it, because I --  
20 I -- I -- I dismiss what I see in the press about what  
21 they say about the stress given to families whose  
22 children have been used in this way. And I -- I don't  
23 accept that. I -- as I said to you, from -- from my own  
24 knowledge, that didn't happen. I ...

25 What I would say is -- and you -- you did ask me

1           that question, why -- why did we use a -- a child,  
2           you know? Why did we have to take the -- take  
3           the identity of a child that had passed away? I'm --  
4           I -- I've never asked myself that question. I'm  
5           assuming it was because it enabled -- and again, I'm  
6           making a (inaudible) -- it enabled the Security Service  
7           to give us, you know, some credible identification  
8           and --

9           Q.   HN96, I'm only asking you whether or not you have any  
10           moral issue now with the practice, given you now know  
11           that --

12          A.   I'd like to think that there's a better practice now, if  
13           there is -- if there is -- if that was -- if -- if -- if  
14           there was a requirement for undercover policing ever  
15           again. Yes, I would -- so -- but at the time -- at the  
16           time I didn't have any issues about it, because I knew  
17           that nobody was -- was caused any distress.

18          Q.   I'm going to move on now to your accommodation.

19                    We know that you were deployed initially around  
20           about the end of 1978/early 1979 to East London, to  
21           become involved with the Socialist Workers Party; is  
22           that right?

23          A.   Yes.

24          Q.   You tell us that you initially moved into one bedsit,  
25           moved to a second one after around six months, but then

1           needed to move again because that was on the same road  
2           as two other members of the SWP; is that right?

3           A. Yes.

4           Q. And you went on to look for other properties, and ended  
5           up looking at flats rather than bedsits, and found what  
6           you describe as a "big flat" that you thought might be  
7           suitable.

8           A. So you need me to explain --

9           Q. Sorry, that's correct, is it?

10          A. That's correct, yes.

11          Q. You describe in your witness statement the process by  
12          which you then came to live in that flat with HN106.

13          A. Yes.

14          Q. And --

15          A. I feel you've -- you've jumped the issue a little bit.  
16          Did you want to know the transition of finding  
17          accommodation? Because I think that was something that  
18          I think would lead on quite clearly to why HN106 and  
19          myself shared accommodation.

20          Q. You've explained in your statement the sequence of  
21          events. I'm going to ask you why it was that you  
22          decided that it would be a good idea for you and HN106  
23          to share accommodation. So what is the answer to that?

24          A. Well, in a nutshell, it was -- it was quite a -- quite  
25          a nice sized flat. It was -- it was the best

1 accommodation that -- that was made available if  
2 I wanted it. And my -- so -- so my immediate reaction,  
3 yes, this is the accommodation that I think suits what  
4 people perceived me to be -- you know, people --  
5 people's perception of me. But I was also aware that it  
6 was the sort of accommodation that if it became  
7 generally known -- and again, I was very careful to  
8 protect that -- some -- some of my associates might say,  
9 "Any chance of me coming to stay with you," because,  
10 you know, it had that sort of ...

11 So in discussion with HN106, he and I were operating  
12 in the same geographical area. And so the discussion  
13 was along the lines of -- and he was unhappy with his  
14 accommodation. And I said, "If we -- I would not be  
15 unhappy if we decided to share, if we could persuade our  
16 management that would be okay," and that was exactly  
17 what we did.

18 Q. You tell us that you were already friends with HN106,  
19 and that your wives knew each other?

20 A. Yes.

21 Q. Was that a friendship which therefore involved  
22 socialising outside work?

23 A. Occasionally, yes.

24 Q. And how long had you been friends for, approximately?

25 A. Well, I think our -- I think our friendship started

1 a couple of years, a couple of years. That's the quick  
2 answer, yeah.

3 Q. And you just used the word "persuade", in terms of  
4 needing to persuade SDS management that it made sense  
5 for you to share the flat. How reluctant were they  
6 about two undercover officers sharing a flat at that  
7 time?

8 A. Well, it was unusual. As far as I understood it,  
9 certainly with the -- with the current group of people  
10 that I was operating with, the undercover officers, they  
11 -- that didn't take place; there wasn't any sharing of  
12 accommodation. So this was a new -- a new idea that we  
13 were putting forward.

14 Q. Did you persuade them that there might be operational  
15 benefits to it?

16 A. Yes. I mean, that's -- that's one of the things that  
17 [restricted] HN106 and I discussed. You know, how did  
18 we -- did we feel that it was -- it could be detrimental  
19 to our -- the lives we were leading, our -- all aspects  
20 of our undercover work. And we both felt that -- that  
21 that wouldn't be an issue.

22 Q. From your perspective, was this an arrangement which was  
23 largely for personal convenience and enjoyment and  
24 a social arrangement, or was it a policing reason for  
25 living together?

1       A. Well, I think that's too -- I think, again, you've  
2       worded it too strong, sir. The accommodation that  
3       I first obtained was pretty -- if I may use this word --  
4       I'll be polite, pretty awful, it wasn't very good. And  
5       I -- and -- and that was partly because of the amount of  
6       money that the police would -- would allow you to -- to  
7       rent accommodation. And I felt from the very beginning  
8       that that wouldn't -- that wouldn't look too good to  
9       people that I got to know in this -- in this new life,  
10      if they saw this man who, you know, was -- looked like  
11      he was doing okay financially, I ran a car, I had --  
12      I was -- so I was unhappy about the accommodation, from  
13      all sorts of perspectives.

14             And then I got rid of -- then I persuaded them to  
15      change the accommodation. And bearing in mind -- and  
16      you'll probably -- I'm probably telling you more than  
17      you need to -- than you want to know. I changed  
18      the accommodation because I was unhappy with what  
19      I first acquired, but -- but when we -- when I then  
20      found this flat -- are you going to ask me about  
21      the structure behind that? Because that was why the job  
22      was able to offer me this accommodation, because --

23      Q. No, I'm not HN96. I'm going to move on, if I may.

24      A. Okay, Sir.

25      Q. -- to the fact that, just -- on the basis of what you

1 say in your witness statement, you shared this  
2 accommodation with HN106 for around about three years;  
3 is that right?

4 A. It was certainly for a couple of years. I'm not sure  
5 exactly -- the exact timescale, but yes.

6 Q. And you describe how you stayed at that flat for at  
7 least two nights per week. How common was it for  
8 the two of you to be staying at the flat at the same  
9 time?

10 A. Very uncommon. We had no diary. We would never sort of  
11 -- although we regularly met each other at these --  
12 these -- these office meetings, there was no diary to  
13 say: well, you've got to be there tonight; I've got to  
14 be there tomorrow night. It was very -- it was the fact  
15 that that accommodation was made -- we both had,  
16 obviously, access to that accommodation. We came and --  
17 we came and went as we -- as -- as -- as our respective  
18 lives dictated -- (overspeaking) --

19 So, it wasn't a flat-share in the real sense of --  
20 you know, as people would normally expect of  
21 a flat-share, it was just that it was there available,  
22 and we both felt that it wouldn't -- it wouldn't -- it  
23 was something that we could use.

24 Q. So there was no pattern to the time you spent there  
25 together, but there were occasions and nights presumably

1           when you did stay there at the same time?

2           A. Again, rarely, sir. Rarely.

3           Q. Were you able to relax and unwind together at the flat?

4           A. Sorry?

5           Q. Were you able to relax and unwind together at the flat?

6           A. Well, you paint this -- this idealistic picture which  
7           wasn't the case. It was a case of somewhere to go back  
8           to -- to -- so again, rarely. Rarely.

9           Q. Did you discuss your respective undercover lives whilst  
10          you were sharing accommodation over these two or three  
11          years?

12          A. Again, the answer is no. No. I mean, to say we didn't  
13          have some conversation about our -- what we were -- our  
14          lives, I -- I can see why that would not make --  
15          you know, you would think that that doesn't add up at  
16          all. Yes, we did have conversations, but it was very  
17          limited. I didn't want to know what [restricted] was  
18          doing, and vice versa.

19                 So I knew very little about what he was up to.  
20          I knew he -- what -- I knew one of the organisations  
21          that -- or the main organisation that he was -- he was  
22          -- that he was asked to be responsible for. But we --  
23          we -- there was no in-depth conversation. It was -- as  
24          I said from early on, it was ( inaudible) unwritten  
25          rule that you didn't -- you didn't enquire -- and you

1           didn't really want to enquire -- about what other  
2           officers were doing -- (overspeaking) --

3           MR GRAY:   HN96, I'm sorry to interrupt you.  We're going to  
4           need to take a short break.

5           A.   All right, sir.

6           THE CHAIRMAN:  Yes.

7                     No one, please, in the hearing room must communicate  
8           what has occurred in the last ten minutes in the hearing  
9           room by mobile telephone or otherwise, until I say so.

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

13                     The time is now 12 pm, so we shall reconvene at  
14          12.10 pm.  Thank you.

15          (12.02 pm)

16                                     (A short break)

17          (12.13 pm)

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

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

21                     Chairman.

22          THE CHAIRMAN:  Thank you.

23                     As all who are in the hearing room will now realise,  
24          a restriction order has been made in respect of any  
25          mention of names between 11.55 and 12.05 this

1 morning/this early afternoon.

2 Subject to that, anyone may send any message about  
3 anything else that occurred during that time.

4 Mr Gray.

5 MR GRAY: Sir, thank you.

6 HN96, can you hear me?

7 A. Yes, sir.

8 THE CHAIRMAN: May I first of all, before you resume your  
9 questioning, reassure you. These mishaps occur; please  
10 don't worry about it.

11 A. Thank you, Sir.

12 MR GRAY: HN96, I was asking you about whether or not you  
13 and HN106 discussed your undercover lives and your  
14 deployments whilst you were living together. In  
15 paragraph 113 of your witness statement, you say:

16 "The only other UCO who I regularly discussed things  
17 with was HN106. We shared accommodation and we were  
18 friends."

19 And then in paragraph 114:

20 "I do not remember other UCOs discussing their  
21 deployments with me."

22 And the impression that's created is that HN106 was  
23 perhaps one of a very small number, if not the only UCO  
24 with whom you discussed your deployment; is that fair?

25 A. Yes, yes.

1 Q. And you say that:

2 "Managers would be at the meetings at  
3 the safe house, so they would overhear our conversations  
4 then."

5 Was it easier to talk freely in the flat with HN106  
6 because no managers were there to overhear?

7 A. Well, again, I -- it's the way you phrased the question  
8 to me, sir. No disrespect to your question, but there  
9 was no -- in essence, officers rarely discussed what  
10 they were doing in their undercover work. That was --  
11 that was almost -- almost an unwritten rule, because you  
12 didn't -- and I didn't really want to know what other  
13 officers were doing. But clearly, with HN106, because  
14 we saw more of each other, albeit, as I said earlier on,  
15 not that much, occasionally we did discuss, in general  
16 terms, what we might be doing. But I --

17 Q. What might you have discussed? What types of things  
18 -- (overspeaking) --

19 A. Well, I don't recall, because I -- there was no in-depth  
20 conversation about -- about what -- what he was doing  
21 and what I was doing. I suspect the discussion revolved  
22 around our own private lives, because we were able  
23 obviously to do that.

24 Q. Might you have discussed things that stood out as  
25 particularly remarkable or unusual?

1       A. There was one -- one thing which I recall with HN106,  
2       and I suspect you're going to ask me about that anyway.  
3       But in terms of his deployment with the main  
4       organisation that he was -- he was involved with, we --  
5       we -- we rarely discussed that. We rarely discussed  
6       that.

7       Q. For the purposes of giving evidence today, you've been  
8       shown certain paragraphs in HN106's witness statement,  
9       paragraphs 129 to 136; is that right?

10      A. I was shown some documentations recently, which I'd not  
11      seen before, which was -- which was part of his witness  
12      statement, yes.

13      Q. And in those paragraphs, HN106 describes, firstly, being  
14      interviewed by Operation Herne regarding a possible  
15      relationship with an activist and; secondly, also goes  
16      on to describe a particular friendship he developed with  
17      a former partner of an associate of his. Do you recall  
18      that?

19      A. I recall reading that document, but that's -- that's all  
20      I -- all I can say.

21      Q. Did HN106 ever discuss those individuals with you during  
22      the course of his deployment?

23      A. No.

24      Q. The second individual who's referred to in those  
25      paragraphs is somebody who HN106 describes meeting and

1           developing a relatively close friendship with; is that  
2           fair?

3           A. Well, I don't know, sir, because when I saw that  
4           documentation recently, I had no prior knowledge to any  
5           associations that HN106 had.

6           Q. Were you aware that on a number of occasions, no more  
7           than five or so, according to HN106, HN106 stayed  
8           overnight at this lady's home address?

9           A. Well, I've already said, Sir, that I didn't know  
10          anything about HN106's involvement with anybody in his  
11          undercover life, and there was -- there wasn't -- there  
12          was no attempt to -- so the answer is no, I -- I -- I --  
13          I did not know. And there was no attempt to keep  
14          a record of how often we -- we crossed paths in this  
15          accommodation that we shared.

16          Q. Did he ever not come home when he was supposed to be  
17          staying at your shared cover accommodation?

18          A. No, because -- no, I can't answer that question, because  
19          there was -- there was no -- there was no schedule about  
20          when we would be meeting at this accommodation. And it  
21          was -- it was -- it was -- it was a convenient place to  
22          have, but it was -- it was -- it was just that. It  
23          wasn't somewhere that we would meet on a -- on a regular  
24          basis, or have -- or have any schedule to do so. And --

25          Q. Would you have been surprised to learn that HN106

1           developed a friendship whilst undercover that required  
2           him -- that involved him staying overnight at a female  
3           activist's home address on a number of occasions?

4           A.   In my opinion, HN106 was a professional officer who did  
5           his best to do the job he was required to do in the --  
6           in the most professional way.   So no, I wouldn't be  
7           surprised.

8           Q.   Would you agree that that behaviour appears to be  
9           contrary to HN296's advice or guidance regarding  
10          personal relationships?

11          A.   Well, the way -- the way you put it, yes.   I mean, yes.  
12          I mean, you word it very well, sir, but yes.

13          Q.   Are you surprised that having lived with HN106 for two  
14          to three years, and having been friends before you lived  
15          together, that he never mentioned to you that he was  
16          staying overnight at an activist's address?

17          A.   I am not surprised, but as I said to you a few minutes  
18          ago, it was an unwritten rule that you -- that you --  
19          you didn't enquire, or you didn't have any real interest  
20          in what -- what your colleagues in other fields were --  
21          were getting up to.   I mean, there was a -- I mean  
22          the logic behind that was that if that was to slip out,  
23          if I was meeting with people that I was involved with  
24          and it was to slip out that I was friendly with so and  
25          so, or friendly with -- you know, that -- that may have

1 exposed me. So -- so there was -- there was -- there  
2 was no need for me to know what HN106 was getting up to,  
3 and he didn't share that with me. One or two things  
4 that -- that I can -- I can say he discussed with me,  
5 but certainly not this -- the things that you're  
6 referring to now.

7 Q. Did you ever discuss any relationships that he had with  
8 any females at all?

9 A. No.

10 Q. Were you therefore unaware, from what you have said,  
11 that HN106's relationship with a lady at whose home he  
12 stayed overnight was such that some activists referred  
13 to her as HN106's girlfriend?

14 A. I was unaware of that. I didn't know -- I didn't know  
15 about that.

16 Q. Your deployment, as I've just touched upon in relation  
17 to accommodation, started late 1978, and I think for  
18 approximately the first two years you targeted  
19 the Socialist Workers Party in East London, before then  
20 moving on to focus more significantly on the Troops Out  
21 Movement, until you were -- until you finished your time  
22 in the field; is that right?

23 A. Yes.

24 Q. You tell us in your witness statement, paragraph 105,  
25 that you were not provided with intelligence about

1 East London Socialist Workers Party or any other group  
2 before you went into the field. You went and bought  
3 the SWP paper, but essentially you say you went  
4 in "cold"?

5 A. Yes, there was no -- there was no briefing about this  
6 organisation from my office before -- before I then went  
7 to -- to -- to get involved in that area.

8 Q. How much notice were you given of the fact that you were  
9 to be deployed against the Socialist Workers Party?

10 A. As I recollect, sir, not a lot. Not a lot. It was, "We  
11 want you to go and work in this area and get involved  
12 with this organisation." That was --

13 Q. There was no opportunity for you to use the time in  
14 the back office to do background reading or develop an  
15 understanding of what you were going to be involved  
16 with?

17 A. I would say that was the case, yeah. It wasn't an  
18 opportunity to do any further research on ...

19 Q. Having been told that you were going to go and be  
20 deployed against the SWP, were you provided with any  
21 training or guidance, in a general sense, about what  
22 information Special Branch were interested in regarding  
23 the SWP?

24 A. Well, I knew -- I -- I knew why this unit was set up and  
25 the reasoning behind it, and the intention, and so why

1           -- but no, I was not given any -- any instructions, if  
2           you like, about exactly what would be required.

3           Q.   Were you given any instruction about what information  
4           about individuals associated with the SWP should be  
5           reported?

6           A.   No.

7           Q.   No?

8           A.   No.  But that sounds -- that sounds like it's remiss on  
9           the part of my management.  But I've got to come back to  
10          this point about -- so I'm an experienced police  
11          officer, I'm an experienced Special Branch officer; I'm  
12          quite able to make my own decisions and conclusions  
13          about some of these things, and I -- I had an  
14          understanding of what -- what they would be looking for.  
15          And so -- so it didn't need to be underwritten.

16          I didn't need to go on a sort of ten-week training  
17          course to sort of understand that.  Without -- without  
18          wishing to be, you know, too impolite to you, sir.  But  
19          the answer is no, there was no real training.  It was  
20          a case of, you're an experienced officer, you --  
21          you know, you've got every -- the opportunity to find  
22          out is down to you.

23          Q.   So using your experience as an experienced  
24          Special Branch officer, and knowing why the unit had  
25          been set up, you would in effect craft your intelligence

1           accordingly; is that what you're saying?

2           A. Yes, sir.

3           Q. And what was your understanding of what the purpose of  
4           the unit was?

5           A. Well, I know the Inquiry knows this, but I'll just  
6           reiterate. The -- the object of this unit was to gather  
7           intelligence on activities of, in my case, the SWP, to  
8           try to provide good background intelligence, background  
9           information, to assist policing large -- large public  
10          order demonstrations. That was -- that was the main  
11          reason for this -- this -- this unit.

12          Q. And when you went off to deploy against the SWP, was  
13          that what -- the primary aspect of its activities?

14          A. Yes, yes, yes. I knew from the very beginning that --  
15          that I would need to establish myself within  
16          the organisation, and then endeavour to try to obtain  
17          the information, intelligence that may assist police in  
18          the future.

19                 That -- that is not so easily defined, because you  
20          -- you know, you relied on being in the right place at  
21          the right time. And there was no -- there was no clear  
22          direction about what -- what constitutes the information  
23          that -- that might -- you know, the information or  
24          the intelligence that you might acquire.

25          Q. During the course of your deployment, were you provided

1 with any specific tasking by the SDS about particular  
2 events or activities upon which you should report, or  
3 were you, for the duration of your deployment, reliant  
4 on your own experience and assessment?

5 A. I -- I -- you -- you relied very much on your own  
6 judgment and your own experience.

7 Q. Were you provided with any tasking about any particular  
8 events by any part of the police during your deployment?

9 A. Not that I recall, no.

10 Q. Were you aware that on occasion, requests were made of  
11 you by the Security Service?

12 A. Not that I recall, no.

13 Q. Could we have up on the screen, please -- Sir, this is  
14 tab 24 -- {UCPI/13647}.

15 This is an SDS intelligence report dated  
16 6 December 1979. Can you see that at the top right?

17 A. Yeah.

18 Q. And paragraph 1 reads:

19 "Box 500 letter dated 5.11.79 under reference  
20 [blank] requests assistance in identifying [Privacy]  
21 a member of the Socialist Workers Party, and suggest  
22 that [Privacy], born [Privacy] of [Privacy] may be  
23 identical."

24 Paragraph 2:

25 "Enquiries made through a reliable source strongly

1           indicate that both names refer to the same person. It  
2           is known that [Privacy] was a student at the [Privacy]  
3           Polytechnic in 1977 and that the address of [Privacy] is  
4           leased to that colleague from the [Privacy] Housing  
5           Association."

6           Then the report goes on to provide current address  
7           details.

8           Are you aware that "Box 500" is a reference in that  
9           context to the Security Service?

10          A. Yes.

11          Q. And were there occasions on which you were asked to  
12           provide assistance in identifying individuals by  
13           reference to photographs? We can see on this document,  
14           to the left, there is a photograph which has been  
15           redacted. Were you aware of being asked to provide  
16           assistance as to the identities of individuals whose  
17           photographs were provided to you?

18          A. I -- I don't recall specific enquiries from Box 500 for  
19           me to answer their questions. So I can't say that this  
20           was me responding to their enquiry. I -- I don't --  
21           I don't recall that, Sir. I don't -- I can't honestly  
22           say that Box asked me specific questions about any  
23           people that I -- I knew or had been involved with.

24          Q. Can we take that document down, please.

25           You've told us therefore that in terms of what you

1           did report you were aware of the purpose of the unit.  
2           Your primary understanding was that you were concerned  
3           with matters relevant to policing large protests.

4           A.   Yes.

5           Q.   But that it was left very much to your experience as  
6           a Special Branch officer to decide what ought to be  
7           reported.  Is that a fair summary?

8           A.   I think that's a fair comment, Sir, but --

9           Q.   And in terms of how you therefore wrote up  
10          the information which you wished to report, you describe  
11          in your witness statement, paragraph 86, that you would  
12          write notes as soon as you were at a safe place,  
13          normally your real home, and then write those notes up  
14          into a draft report as soon as possible?

15          A.   Yes.

16          Q.   And that you would hand in those draft reports the next  
17          time you attended one of the twice-weekly meetings at  
18          the SDS safe house?

19          A.   Yes.

20          Q.   And thereafter you would then destroy your notes.

21                 Those, I think draft reports, were then taken away,  
22          written up and added to, as appropriate, by the SDS  
23          office?

24          A.   Yes.

25          Q.   The meetings at which you provided these draft reports

1 to the SDS office, ie the safe house meetings, took  
2 place as a matter of routine twice a week; is that  
3 right?

4 A. Yes.

5 Q. On average, how often would you attend?

6 A. All the time.

7 Q. And presumably the other officers -- and you don't need  
8 to tell me who they were -- deployed at the time would  
9 also attend to hand in their draft intelligence reports;  
10 is that fair?

11 A. Yes.

12 Q. And I think we touched on this in your pre-deployment  
13 phase, but plainly there was an element, from what you  
14 said earlier, of this being a social as well as  
15 a professional meeting and get together?

16 A. Yes.

17 Q. And an opportunity to socialise with the officers at  
18 which some alcohol would be consumed on occasions, you  
19 said?

20 A. Yes.

21 Q. Given that this was a social -- a partly social occasion  
22 at least at which the SDS officers could come together  
23 to hand in their intelligence and in effect provide  
24 the updates as to what had been going on, was it really  
25 the case that there was no discussion amongst

1 the officers about anything that had happened in  
2 the week previous or during the course of  
3 the deployments?

4 A. I -- I don't recall specific conversations, Sir.  
5 I mean, it was 40-odd years ago when I was employed  
6 doing this sort of work. So I can't say honestly that  
7 I remember a specific conversation.

8 All I can tell you is that there was a -- a general  
9 consensus that you would not be talking in detail about  
10 what your -- or -- or not enquiring about what your  
11 other colleagues were deployed in or were getting up to,  
12 and so that was -- so -- so I can't honestly give you  
13 a clear answer to the sort of discussions that took  
14 place. It was general, probably about what was  
15 happening within the Metropolitan Police, any  
16 deployments that -- other than exactly what you were  
17 doing in your undercover role.

18 Q. HN304, who was deployed until around about April 1979 --

19 A. Okay.

20 Q. -- had a deployment which obviously overlapped with  
21 yours for a period of some months?

22 A. Okay.

23 Q. He has given evidence to the Inquiry to the effect that  
24 there was fairly free and open discussion about  
25 deployments at these meetings, including jokes about

1 poor organisational skills of left wing groups, for  
2 example, and also remarks being made on a number of  
3 occasions about sexual encounters involving officers.

4 Do you recall anything of that type being discussed

5 --

6 A. Not -- not -- not in detail. Not in that -- not to  
7 the depth that this -- this officer, HN304, has  
8 expressed.

9 Q. What do you mean not in detail?

10 A. Well, in general terms. I mean, what --

11 Q. Do you recall there being any comment whatsoever made  
12 about sexual encounters involving officers at meetings  
13 you attended?

14 A. Not specifics, Sir, no. I mean -- I mean I think --

15 Q. HN96, I'm sorry to interrupt, but what do you mean "not  
16 specifics"? Either there were such comments made or  
17 there weren't?

18 A. Well, it -- it would be -- the best way to answer it  
19 would be -- it would be unrealistic not to expect  
20 a group of maybe a dozen-plus men getting together and  
21 the conversation at some point not getting around to  
22 the opposite sex, which may have -- so the conversation  
23 I recall, and not in detail, was not about individuals'  
24 involvement with the opposite sex, it was about  
25 the problems that people -- that, as an

1           undercover officer, you could have if you get too close  
2           to -- ladies were much more interested in who you were,  
3           what you were doing, than -- than -- than some of  
4           the other -- some of the female -- some of the male  
5           people I got involved with.

6           So that was the sort of level of conversation.  
7           I don't remember any specifics about, you know,  
8           Joe Bloggs being involved -- and Joe Bloggs is not one  
9           of the names that you have to -- Joe Bloggs being  
10          involved with Melissa down the road. You know, it  
11          wasn't that -- if [restricted] -- if -- oh, shit. If  
12          HN304 should -- should remember that, then I don't.  
13          I don't remember it being like that. I don't remember  
14          that.

15         Q.   HN96, what you have just described is discussion of  
16             a general nature about the risks associated with being  
17             an undercover officer and female advances; is that fair?

18         A.   Yes. I would be happy to say that -- that -- that sort  
19             of conversation generally, you know, loosely took place,  
20             yeah.

21         Q.   And those conversations took place before you were  
22             displayed at the meetings you attended then?

23         A.   I don't remember if they -- if that was the case, but  
24             probably. But I don't remember that.

25         Q.   And was that discussion one of the reasons why you had

1           in your back pocket of the explanation about having  
2           a girlfriend that we talked about previously?  
3       A.   It made -- it made sense -- so I needed to have  
4           a background where there would be -- I didn't want  
5           people -- to be perceived by people I was (inaudible) as  
6           having a tendency the other way.  But if I was  
7           constantly attending functions, etc, by myself, there  
8           was a danger that that -- that might become -- you know,  
9           some comment, people might say, "Well, we never see this  
10          man with any -- any ladies".  So that was why I wanted  
11          to have that, you know.  But primarily because, as  
12          I said to you earlier on, if I was out walking somewhere  
13          with my wife and I was spotted by somebody and -- then  
14          that would be -- that would be the sort of reason  
15          behind it, that she was a girlfriend that I had.

16       MR GRAY:  Thank you, HN96.

17                 We're going to need to take a break now.

18                 Sir --

19       THE CHAIRMAN:  There has been a call on my emergency  
20          telephone.  We're going to have on pause momentarily.  
21          Nobody must send a message outside about anything that  
22          has taken place in the hearing room in the last  
23          ten minutes until I say so.

24       MR FERNANDES:  Good afternoon, everyone.  We will now take  
25          a break.  May I remind those in the virtual hearing room

1 to join your break-out room, please. Thank you.

2 (12.40 pm)

3 (A short break)

4 (12.48 pm)

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

6 I will now hand over to the Chairman to continue  
7 proceedings.

8 Chairman.

9 THE CHAIRMAN: Thank you.

10 As those who are in the hearing room will realise,  
11 a restriction order has been made in respect of  
12 the mention of any names between 12.35 and 12.45 in this  
13 afternoon's session. Subject to that, anyone may of  
14 course transmit anything about what has happened in  
15 the hearing room apart from any mention of names.

16 Mr Gray, I think we can resume.

17 MR GRAY: Thank you, Sir.

18 HN96, can you hear me?

19 A. Yes, sir.

20 Q. If we move on now to the information that you did choose  
21 to report for the reasons you described.

22 In your witness statement, in paragraph 99, you  
23 explain different reasons, or different purposes for  
24 which reporting on individuals might be used. You  
25 described firstly that reports on individuals might

1           assist identification at a later date if the individual  
2           was to be seen at a meeting or another demonstration and  
3           enable Special Branch to keep track of certain  
4           individuals; is that right?

5           A. Yes, sir.

6           Q. Why was it considered necessary to keep track of  
7           individuals who attended demonstrations?

8           A. Well, you've got to see that -- that reply this its  
9           context. Special Branch kept records. It was -- it was  
10          -- Special Branch is an intelligence agency, you know  
11          what Special Branch was. It collated information about  
12          lots and lots and lots of organisations and individuals,  
13          much of which was filed and never used again. So -- but  
14          if that individual came to light in a different context  
15          that may have been of interest to police, then that was  
16          -- that was something that was -- was retained in -- in  
17          Special Branch records. But as I say a lot of -- a lot  
18          of the reporting was -- was -- was filed and never saw  
19          the light of day again.

20          Q. You also describe that information might be used for  
21          particular policing purposes and you give an example in  
22          your statement of some reporting that led to a raid by  
23          the Anti-Terrorist Branch of  
24          the Metropolitan Police Service; is that right?

25                 And you also then go on to describe how

1 the information the SDS gathered on individuals involved  
2 in what you describe as "extreme political groups" may  
3 also have been used for vetting purposes for government  
4 positions. How did you know that?

5 A. Well, because I was a Special Branch officer and it was  
6 -- it was -- that was -- that was the way that  
7 the system worked. If Special Branch retained  
8 information it was available to the Security Service and  
9 vice versa and it was clear that if anybody was going  
10 for a senior -- for example, I was vetted to become  
11 a member of Special Branch and they looked at  
12 information that was retained about me within  
13 the system. So that wasn't uncommon. So that's how  
14 I would have known, yes. It was -- it was ...

15 Q. So your understanding of what use in that vetting sense  
16 that SDS reporting might be put to, that understanding  
17 came from your previous work in Special Branch and not  
18 from your work at the SDS; is that right?

19 A. It was an overall understanding that I had as  
20 a Special Branch officer, yes. It wasn't something that  
21 was specifically known, because I -- I was part of this  
22 -- this -- this unit.

23 Q. Were you aware of any sort of list of individuals  
24 associated with these groups that you describe being  
25 collated for vetting purposes for government positions?

1       A. No, I -- no I think you -- again, you've asked  
2       the question in a way that is difficult for me to  
3       answer. There was -- there was clearly -- both -- both  
4       Special Branch and Security Service retained information  
5       on -- that was -- that may or may not have been of  
6       interest at some other date -- some later date, and that  
7       would only have been used -- any information that may  
8       have been retained on -- on an individual would have  
9       only have been looked at if that individual was applying  
10      for a post that required some sort of security  
11      clearance.

12      Q. Can we please have up on the screen -- Sir, this is  
13      tab 5 in the hard copy volume -- {UCPI/13171}.

14             HN96, this is an intelligence report dated  
15      26 February 1979, so relatively soon after you entered  
16      the field. It refers in paragraph 2 to:

17             "[Privacy] are members of  
18      the Socialist Workers Party ..."

19             And then sets out some personal details of who they  
20      are, including their address and which branch of  
21      the party they were members of.

22             Then paragraph 3 says:

23             "[Privacy] is employed as a social worker in  
24      the London Borough of [Privacy]. She is the owner of  
25      a yellow ..."

1           A vehicle -- sorry I can't read that:

2           "... index number [Privacy]."

3           And then paragraph 4:

4           "[Privacy] is employed as a probation officer in  
5           the borough of [Privacy]."

6           What was the purpose of reporting the employment  
7           details of these two members of the SWP?

8           A. To give an overall -- to give a better picture of who  
9           these people were. As I tried to explain in my last few  
10          comments, a lot -- a lot of information was retained  
11          within -- in Special Branch records that -- that were --  
12          that -- that may -- may have never seen the light of day  
13          again.

14          Q. HN96, the fact that it wasn't going to see the light of  
15          day again in your experience is not borne out by  
16          the fact that we're looking at it now, is it?

17          A. No, that's -- that's a very fair comment, yes.

18          Q. I'm asking you why you specifically reported  
19          the employment details of these two members of the SWP.

20          A. I find it difficult to answer that question. They were  
21          -- they were certainly people that -- that I would have  
22          come across. I don't remember who they are. I was --  
23          I didn't know what -- I would have -- I would have had  
24          no knowledge of what other information may have been  
25          retained on them in police records. I was just trying

1 to paint a reasonable picture of -- of these people.

2 That was part of what I perceived as being part of my  
3 job.

4 Q. If we take this document down, please, and just look at  
5 one other example.

6 It's tab 72, Sir, in the hard copy bundles.

7 {UCPI/15384}.

8 We move forwards now, HN96, to 9 June 1981. That's  
9 the date on this intelligence report. Paragraph 2 of  
10 which states:

11 "It is now known that [Privacy], a member of  
12 the civil service branch of the Socialist Workers Party  
13 (SWP) is an inspector with the Department of Health and  
14 social security, [Privacy], telephone number [Privacy]  
15 [Privacy]."

16 Do you see that?

17 A. I do.

18 Q. The sole purpose of that report appears to be to record  
19 the fact that that member of the SWP was an inspector  
20 with the Department of Health and social security?

21 A. It does.

22 Q. What would have been the purpose of submitting that  
23 draft report dealing solely with that individual's  
24 employment?

25 A. Well, first of all, I'm not sure this is even my report.

1 I don't recall this, and I'm looking at the dates when  
2 I'm not sure I -- I was still involved with the SWP.  
3 But again I -- I would say it was just general  
4 information. This particular individual was a member of  
5 a far right -- far left wing Trotskyist party and is  
6 also -- works for the -- in -- in the Department of  
7 Health and social security. That was -- that was --  
8 that was -- but I'm -- I'm not sure this was even my  
9 report, but that would have been the reason behind it.

10 And again I would reiterate that that information  
11 could have gone nowhere. It could have been -- could  
12 have been indexed, put away into a file which never saw  
13 the light of day. Unless, of course, there was some  
14 concern about this person's involvement in a far  
15 left wing party and working in health and social  
16 security, I don't know. I don't know. That wasn't for  
17 me to decide. I was just -- if it was me doing it --  
18 and I'm not sure it was -- it was just for this  
19 information to become available in case it might be used  
20 in another context.

21 Q. Were you specifically asked to report employment details  
22 of any particular description?

23 A. No, Sir, there was no -- there was no clear direction on  
24 what was acceptable and what wasn't acceptable. So  
25 again, you use your common sense, and again -- and I --

1 I was an individual who had no control what then  
2 happened to that information apart from my understanding  
3 that it was -- it was record in -- in the records that  
4 Special Branch retained and was either never used or was  
5 -- was of interest at a later date.

6 Q. You say there was no clear guidance as to what was  
7 appropriate or not to report. Did anybody ever take  
8 issue with any of the contents of the intelligence  
9 reports you submitted?

10 A. No, sir.

11 MR GRAY: Sir, I'm conscious it's 1 o'clock. If acceptable,  
12 it would be helpful to be able to finish this topic in  
13 the course of the next ten minutes or so.

14 THE CHAIRMAN: Certainly. We've had unforeseen  
15 interruptions and we will continue for the next  
16 ten minutes.

17 MR GRAY: Thank you.

18 HN96, we've looked there at reporting relating to  
19 the employment.

20 Can we have up on the screen, please -- Sir this is  
21 tab 8 in the hard copy bundle -- {UCPI/21293}.

22 This is an intelligence report, HN96, dated  
23 22 May 1979 which concerns a member. Clapton branch of  
24 the Socialist Workers Party and also of the Hackney  
25 branch of Women's Voice.

1 Paragraph 3 of this report reads as follows:

2 "She is a divorced woman and has a daughter, aged  
3 about six years. It is known that [Privacy], until  
4 quite recently a full time district organiser for  
5 the SWP and now a student at the north-east London  
6 polytechnic is living with her (the location of her  
7 address is not at present known)."

8 Given the reasons you identified for reporting  
9 information about individuals, why would you have  
10 included reference to this lady's marital status and  
11 also the age of her child and fact she had a child even?

12 A. Well, again, because it's -- you've showed me this  
13 document and I presume it's one that I previously said  
14 it was one of my reports, then I -- all I can conclude  
15 is that I was trying to paint a picture of this  
16 individual that -- that may have been used in -- in  
17 the future.

18 Q. Would you have been concerned at all about reporting  
19 information about children?

20 A. Well, all I said was she had a daughter of six years.  
21 I mean, I've not gone into any more detail. I -- I know  
22 -- I -- I -- when I -- when this -- when I reported  
23 information that came to my attention, I had no other  
24 knowledge about these individuals. I didn't know  
25 whether -- this lady may have been a complete -- of

1 interest to other aspects in the police service or even  
2 Security Service. I -- I have no idea. But -- but  
3 I also knew that it would not be used in a -- in a -- an  
4 aggressive or detrimental way if it was of no interest.  
5 It would just be filed. But there was a need for me.  
6 That was what was -- that was part of my raison d'etre  
7 and I was out there to report on what -- the individuals  
8 I came across that were involved in these organisations  
9 that I was looking at.

10 Q. Can we have up on the screen, please -- it's tab 13 --  
11 {UCPI/13300}.

12 This is an intelligence report dated 22 August 1979  
13 about an individual described in paragraph 2 as "now  
14 a member of the Clapton branch of the SWP" yes,?

15 And in paragraph 4, under the -- there is  
16 a description which refers to complexion, hairstyle,  
17 build, height, and also contains reference to the fact  
18 that this individual was born in circa 1963, which means  
19 at the time of this report they would have been under  
20 18.

21 A. Right.

22 Q. Again, would you have been concerned at all about  
23 reporting -- submitting a police intelligence report  
24 about an individual who was under the age of 18?

25 A. I -- I don't remember the context of this report.

1 I believe it's my report. Again, I'm not -- I'm  
2 highlighting an individual that was involved in the SWP.  
3 If I recall, REBEL were anti-right wing, were used as  
4 almost like Storm Troopers on the streets.

5 The other aspect I've just seen in this was  
6 the person who recruited -- is this person still at  
7 school?

8 Q. HN96, my question was only this. Would you have been  
9 concerned about reporting the activities of someone  
10 under the age of 18?

11 A. Under the age of 18, no. If it was under the age of  
12 sort of 12, yes, but under the age of 18, no. But  
13 I think there was obviously a reason behind me  
14 highlighting this young man who was recruited from  
15 a school where somebody who I recall was a teacher  
16 there.

17 Q. You actually highlight in paragraph 3 of the report:

18 "[Privacy] to lives with his parents in [Privacy] is  
19 a pupil at Hackney Downs Comprehensive School ..."

20 You've reported the fact of the school that he or  
21 she was at -- he, I think. Would you have had any  
22 concern --

23 A. You're saying did I have any qualms about that.

24 The answer is no. It's a long time ago, but I -- but  
25 I recall that one of the very active members of the SWP

1 in that area was also a teacher at the school so  
2 the implication being that he was attempting to recruit  
3 young school people, 17 or 18, if that's what the age  
4 was, into -- into the -- into this far -- far left wing  
5 organisation. I think that was -- that was the purpose  
6 of my report.

7 Q. Next tab 37 in the hard copy bundle {UCPI 13873},  
8 please.

9 This is an intelligence report dated 1 April 1980.  
10 Now, HN96, to be fair to you, in paragraph 163 of your  
11 witness statement you say this is not your reporting due  
12 to the geographical location of the branch. So just  
13 bearing that in mind, paragraph 2 of this report states:

14 "[Privacy], until recently an active member of  
15 the branch Socialist Workers Party, has just been  
16 discharged from the [Privacy] Hospital, [Privacy], where  
17 she has been receiving treatment for a nervous  
18 breakdown. It is thought that the breakdown was  
19 the result of her worrying about her recent series of  
20 surgical operations for [private medical details], and  
21 ending of her long lasting friendship with [Privacy],  
22 also and an active member of the SWP."

23 Paragraph 3:

24 "She has been forced to give up her job [Privacy]  
25 [Privacy] and now lives with her parents at [Privacy]

1 [Privacy]."

2 I recognise and acknowledge that you've said in your  
3 witness statement that you don't believe this to be your  
4 reporting due to the geographical location. I would  
5 like to ask you if you consider that reporting  
6 information of this time would have served any  
7 legitimate policing purpose in 1980 about a member of  
8 the SWP?

9 A. Sir, first of all thank you for recognising that it's  
10 not my report.

11 Secondly, I would not have written a report -- I may  
12 have written about this individual but I would not have  
13 written about it in this -- in this context highlighting  
14 the fact that she had a breakdown, etc. I -- I would  
15 accept that that has got little to do with police  
16 matters. But I -- I would go back to the fact that  
17 highlighting -- identifying individuals involved in  
18 really far left wing politics was something that -- that  
19 this unit was asked to do. What we weren't asked to do  
20 is analyse how this information would be used. It was  
21 -- it was down to other -- you know, we were a small cog  
22 in a big wheel if that -- if that's a good way of -- of  
23 answering your question.

24 Q. We don't need to bring up the reports, but there are  
25 examples in your bundle of reports recording the fact

1           that two people had decided to separate, the reasons for  
2           that, and also the fact of marriage of two members of  
3           the SWP in 1981, for example.

4           Why would reporting on the marital status or marital  
5           situation or relationship situation of members of  
6           the SWP have furthered any legitimate policing purpose?

7           A. Well, in -- in that -- in isolation, you can argue that  
8           it -- it doesn't make a -- you know, it -- it doesn't  
9           appear to be something that the police should be  
10          interested in. But what I keep reiterating, this  
11          information -- I -- I would not know if there are other  
12          -- if there's other interested parties within the police  
13          service or within the Security Services of these  
14          individuals. This is something this would be --  
15          Special Branch was a conduit for all this intelligence,  
16          information, whatever you want to call it. It would  
17          come into this and it would then be -- it would be then  
18          analysed be looked at and may or may not be used in a --  
19          in -- in a more proactive way.

20          Officers I worked with felt that they didn't -- it  
21          -- it was up to them to feed into this -- into this  
22          intelligence organisation items of interest that may or  
23          may not be of interest to the -- to -- to police.

24          Q. You've told us what you understood the purpose of  
25          the SDS to be and you were quite clear that the primary

1 focus, certainly as far as the SWP was concerned, from  
2 your perspective, was maintaining public order and  
3 -- (overspeaking) --

4 A. Yes, yes.

5 Q. How do the reports we've just looked at assist  
6 the police in policing demonstrations?

7 A. Because these were the people involved in that  
8 organisation that may have been of some use in  
9 the future. It's a bit like -- saying analysing  
10 the Conservative Party. You know,  
11 the Conservative Party, it's not -- you know, you can't  
12 just say it's the Conservative Party, it's -- it's --  
13 it's a group of individuals that are involved in that  
14 sort of politics.

15 So these people were involved in the politics of  
16 left wing protest, most of it legitimate, most of it  
17 very -- you know, whatever your viewpoints are,  
18 applaudable, but -- but there was the potential for --  
19 you know, extreme elements within these organisations of  
20 causing a fair amount of trouble on the streets of -- of  
21 -- of any city and that was why they were being looked  
22 at. That was why they were being looked at.  
23 Individuals were being looked at because they were  
24 a part of these organisations.

25 Does that answer your question or not?

1 MR GRAY: Thank you, HN96.

2 Sir, is that a convenient moment or not?

3 THE CHAIRMAN: Yes. Because we've had the odd interruption  
4 and we've got quite slowly I anticipate you're going to  
5 need a little more time than you had originally  
6 anticipated, a many I right in that.

7 MR GRAY: Yes, sir, and I would be grateful if we started at  
8 2 o'clock if that's sufficient for everybody running  
9 the Inquiry.

10 THE CHAIRMAN: We've got to give people sufficient time to  
11 have a bite to eat and for the shorthand writers to have  
12 I think their hour's break. We better resume, I think,  
13 at 2.10 rather than at 2.

14 On that basis, how much longer do you anticipate  
15 being?

16 MR GRAY: Sir, I anticipate I will carry on after  
17 the mid-afternoon break on that basis.

18 THE CHAIRMAN: Right. Then we have a long day.

19 Sorry, I'm afraid you too are in for a long day,  
20 HN96. Could you be back at 2.10.

21 A. Thank you, yes, sir.

22 THE CHAIRMAN: Thank you.

23 MR FERNANDES: We will now take a break for lunch. May  
24 I remind those in the virtual hearing room to remember  
25 to join your break-out rooms, please.

1                    We shall resume at 2.10 pm. Thank you.

2                    (1.14 pm)

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