

Friday, 13 May 2022

(10.00 am)

THE CHAIRMAN: This is the second day of our evidential hearings. Before we begin, can I say to those in the public spaces at the back that you may use your electronic devices to communicate to the outside world what you hear and see in this hearing room, but only once ten minutes have elapsed. You may not use such devices for photography or for recording what goes on in here. There is a notice on the desk in front of you, I think, which sets it out more fully.

Yes, Mr Fernandes.

MR FERNANDES: Thank you, chairman.

THE CHAIRMAN: So sorry, we're beginning by having a short -- sorry, forgive me. Start again.

MS ELIZABETH LEICESTER (called)

Ms Leicester, I understand you wish to be affirmed; is that right?

A. Yes.

THE CHAIRMAN: Then I'll ask Mr Fernandes to do that and then you'll be asked some questions.

MR FERNANDES: Sir, just before I do that, just an introduction on health and safety.

Welcome to Day 2 of the evidential hearings at the undercover policing inquiry. My name is

1 Neil Fernandes and I am the hearings manager. Just to
2 confirm, there is no fire alarm testing expected today,
3 so if the fire alarm goes off, please follow the fire
4 exit signs and make your way to the muster point, which
5 is the Hard Rock Hotel, Great Cumberland Place.

6 On arrival at the muster point, please make yourself
7 known to a fire marshal, who will be wearing a high
8 visibility jacket, and who will be keeping a register of
9 all attendees.

10 The fire marshals will also be responsible for
11 letting everyone know when it's safe to return, in
12 liaison with representatives from the Thistle Hotel.

13 I'll now swear yourself in.

14 THE CHAIRMAN: She's going to affirm, I think.

15 (Witness sworn)

16 Questions by MS HUMMERSTONE

17 MS HUMMERSTONE: Can you give the Inquiry your full name,
18 please.

19 A. Elizabeth Amanda Tate Leicester.

20 Q. Thank you.

21 You have provided a witness statement to the Inquiry
22 dated 11 February 2022. Can you confirm that
23 the contents of that witness statement are true to
24 the best of your knowledge and belief?

25 A. Yes.

1 Q. Your assistance was sought, in the main, about
2 the activities undertaken at Workers' Revolutionary
3 Party Education Centre at White Meadows, where you were
4 resident with your family between approximately 1975 and
5 I think 1978. Before I ask you a few questions about
6 that, I just want to ask you a few general questions
7 about the Workers' Revolutionary Party.

8 I just first want to establish a very brief history
9 of your involvement with the WRP that you have set out
10 in your witness statement. You and your then husband,
11 Roy Battersby, had been part of the predecessor
12 organisation of the WRP, the Socialist Labour League; is
13 that right?

14 A. Yes.

15 Q. And you worked on its paper, the SLL paper,
16 the Workers Press, which later became the paper of
17 the WRP; is that right?

18 A. Yes.

19 Q. And that was a paper which Roy Battersby also
20 contributed to?

21 A. Yes, from time to time.

22 Q. And was that a full-time role that you undertook at
23 the paper?

24 A. Yes, until I had my first child.

25 Q. The WRP developed out of the Socialist Labour League in

- 1 1973; is that right?
- 2 A. Yes.
- 3 Q. You and Roy Battersby hosted left-wing discussion groups
4 at your London flat, is that right, which involved other
5 left-wing figures in the film, television and --
6 industry; is that right?
- 7 A. Yes, a large number of people came to discussions every
8 week.
- 9 Q. You were also active in your local branch of the WRP,
10 the outer London branch; is that right?
- 11 A. Yes. It was an unusual branch. It wasn't -- we didn't
12 participate in the same activities as everyone else,
13 because some of it was kind of -- these were very public
14 figures, and it was felt that we had to be a little bit
15 careful.
- 16 Q. Right.
- 17 And Roy Battersby was a member of the WRP
18 Central Committee; is that right?
- 19 A. Yes, he was.
- 20 Q. You and Mr Battersby moved to White Meadows in 1975 with
21 your family?
- 22 A. Yes.
- 23 Q. And remained there until 1978, approximately?
- 24 A. Yes, '77/'78, yes.
- 25 Q. And Mr Battersby was the Central Committee's

1 representative in charge of the premises; is that right?

2 A. Yes.

3 Q. Initial to oversee the renovations, but then involved in
4 the running of the events there and the organisation and
5 the security of the educational courses that were
6 undertaken there; is that right?

7 A. Yes.

8 Q. With that background in mind, can I ask you now just
9 a few very general questions about the WRP.

10 The ultimate aim of the WRP, you've set out in your
11 witness statement, was to establish a socialist state;
12 is that right?

13 A. Yes, but always we were very internationalist, and we
14 were aware -- if you know anything about Trotskyism,
15 that was one of Trotsky's main tenets, that this was an
16 international question.

17 Q. Was that an aim that was openly avowed by the WRP?

18 A. Yeah, sure.

19 Q. Was it an aim that was set out in WRP publications like
20 the Workers Press?

21 A. Yes, certainly particularly political statements.

22 I mean, the paper would cover all kinds of issues,
23 industrial issues, international issues, and then it
24 wouldn't necessarily always be there, but when there
25 were political statements about a particular event, then

1 it would be very open that we thought that socialism was
2 the way forward.

3 Q. The WRP also had a chain of bookshops; is that right?

4 A. Yes, it did.

5 Q. And left wing socialist literature sold at those
6 bookshops?

7 A. All kinds of literature, not just left wing. All kinds.
8 They were very broad based bookshops with all kinds of
9 things.

10 Q. A film production business also owned by the WRP?

11 A. Yes, we did.

12 Q. And what sort of films were produced by the WRP?

13 A. I was trying to think about this. The actual archive is
14 now at the British Film Institute, so I was trying to
15 remember, because we're talking 50 years ago almost.

16 Q. Yes, of course.

17 A. But I can remember certainly a film in the North of
18 Ireland about the events in Ireland, which were of
19 course very -- very lively in the late 60s and early
20 70s. A film about the Portuguese Revolution, which was
21 also happening. Films about events that we put on. For
22 instance, we had some very large, well attended, by
23 thousands of people, pageants of labour history, events
24 about working class history, about British history, etc,
25 and we would have been filming those as well. But as

1 I say, the archive is now in the British Film Institute.

2 Q. Thank you.

3 And also you've already covered this, but in
4 political statements, you were entirely open about your
5 aims were a socialist state; and in fact, you've
6 supplied an election manifesto that makes that --

7 A. Yeah.

8 Q. -- absolutely stark?

9 A. Yes.

10 Q. And I'll take you to that in a moment, if I may.

11 I want to now ask you a few questions about what
12 the WRP did to advance its aim to establish a socialist
13 state.

14 One difference with its predecessor organisation is
15 that the Socialist Labour League sought to do that by
16 means of election of a socialist Labour government, but
17 the WRP sought to do something slightly different. You
18 have said in your witness statement that the WRP sought
19 to build revolutionary leadership. What does that
20 actually mean in practice?

21 A. I think we were trying in various statements to say what
22 actually you've heard already to this Inquiry, that
23 the job of revolution is the job of the majority of
24 people, of the mass of the working class, not a small
25 group of people. And in our statements, I think we were

1 trying to say there is another way of organising
2 society, there's another way of living that can actually
3 improve the lives of everybody, that isn't based on
4 private profit. So it was in a certain way propaganda
5 to try and get in discussions -- and that's why we stood
6 in elections, to have that discussion: we can do things
7 differently. But of course, it didn't mean that a small
8 group of people would be doing that, just that we might
9 be putting forward those ideas for discussion.

10 Q. You mention that that's why you stood in those
11 elections, in order that you could have that
12 conversation publicly. And I think it's right, 1974
13 general election, ten candidates; 1979 election, 60
14 candidates?

15 A. Yes, yeah.

16 Q. Which also gave you --

17 A. Yes.

18 Q. -- I think a right to have a televised --

19 A. Yes, Corin Redgrave did a televised election broadcast.

20 Q. Thank you.

21 So is this also right, the WRP didn't believe that
22 parliamentary representation in itself would bring about
23 a socialist state?

24 A. Yes, that's right, that there are limits to the form of
25 democracy. As important as it is, there are limits to

1 the parliamentary system.

2 Q. And in fact, that's made plain in the election
3 manifesto. If we can just very briefly look, please, at
4 {UCPI/34745}, please. That's extremely tiny.
5 The column I want to look at, please, is the first
6 column, about halfway down:

7 "No illusions in parliament."

8 Is the heading -- sorry, a little bit further up,
9 please. Thank you -- which makes it quite clear that
10 the parliamentary process is not going to be terribly
11 helpful ultimately in setting up a socialist state:

12 "In fighting for a socialist programme in this
13 election, we know that it cannot be won through
14 the ballot box.

15 "Parliament is a major instrument of the capitalist
16 state machine for the defence of private ownership and
17 the oppression of the working class.

18 "The election itself will not resolve anything for
19 the working class. Socialism can only be achieved by
20 mobilising the strength of the working class independent
21 of and against the crisis-ridden capitalist state and
22 its parliamentary relics.

23 "Labour Party and [Conservative] Party, who tie
24 the working class to the 'parliamentary road', are
25 playing the game of the Tories and their capitalist

1 backers. When our candidates are elected to parliament
2 they will fight to expose it for what it is and to
3 mobilise the working class on a socialist programme for
4 the taking of state power."

5 THE CHAIRMAN: I think by a slip of the tongue you
6 said "Conservative" when it reads "communist".

7 MS HUMMERSTONE: I'm so sorry. That's my poor
8 transcription. It was rather late at night I was doing
9 it. That was a slip of the tongue.

10 You have told us that the purpose of engaging in
11 parliamentary process was for publicity of your --
12 the WRP's views; is that right?

13 A. Yes, but also to encourage people to discuss themselves
14 and think about these issues. It wasn't just about us,
15 it was about general work in the working class around
16 all these issues.

17 Q. Thank you.

18 If not through the parliamentary process, can I ask
19 you just to establish how the WRP thought socialism
20 could be achieved. The WRP had
21 the All Trades Unions Alliance, a sort of an
22 organisation sort of parallel to the trades union
23 organisation; is that right?

24 A. It was -- it was a -- it was an organisation for trade
25 unionists who might not want to join the WRP --

1 Q. Yes.

2 A. -- but who nonetheless wanted to discuss these issues,
3 to organise, as I say, and to find ways of developing
4 solidarity with each other.

5 Q. And was that a method of getting your message across
6 through the trades unions?

7 A. Oh, certainly. I think we focused a lot. And if you
8 think about the 70s, it was an extraordinary time.
9 I mean, there were millions of strike days in the 70s,
10 many of the strikes were against the wishes of some of
11 the trade union leaders. There was a real upsurge of
12 workplace democracy; all kinds of discussions going on.
13 So it's quite a different time from now. And I think
14 that's what has to be remembered in this and in that
15 context.

16 And certainly we worked -- but we worked as genuine
17 trade unionists. It wasn't a case of infiltrating trade
18 unions, it was a case of you were in the union that was
19 appropriate to where you worked, and then you argued and
20 fought for your issues with everybody else, because it
21 was a maelstrom of discussion and action at that point.

22 Q. Thank you.

23 The WRP also participated in highly organised
24 demonstrations and you have set out in your witness
25 statement the WRP aversion to violence on the streets;

1 is that right?

2 A. Violence -- what we would have called "adventurist",
3 rightly or wrongly, we didn't engage in on the streets.
4 It's a different question if you ask about if it's ever
5 the right of people who are attacked to defend
6 themselves. That would be different, yes.

7 Q. I'm going to touch on that in a moment. But you set out
8 in your witness statement that you had an aversion to
9 international terrorism, adventurism, which means
10 confrontation on the street between the left wing and
11 the right wing --

12 A. Yes.

13 Q. -- such as engaged in by the SWP, or rioting.

14 You say this in your witness statement at
15 paragraph 27 {UCPI/34740/6}:

16 "... we certainly looked back at the Russian
17 revolution as an inspiration and example of legitimate
18 violence conducted by the mass of working people in
19 the face of oppression within and invasion from
20 without."

21 Can you explain what you meant by that? That might
22 provide the bridge about the violence you possibly
23 envisaged?

24 A. Well, again, without discussing Russian history at great
25 length, that was a particular upsurge of millions and

1 millions of people. That revolution was attacked from
2 without, by Britain, etc; and they were legitimately
3 trying to defend what the mass of people had fought for,
4 and continued to fight for.

5 So if we're talking about mass movements, that's
6 what we, I think, would mean, and that's what we would
7 be thinking of. Not individual action but actually
8 a point at which -- and we were vague about it; I don't
9 think I understood precisely what we meant by that,
10 quite frankly, looking back, how that would pan out. It
11 certainly wasn't going to be like Russia. It was
12 certainly not -- you know, in the context of World War
13 I and all the rest of it. We knew that. And the
14 difference in technologies and the difference in,
15 you know, all sorts of things.

16 But I think, personally speaking, I wasn't clear
17 what that actually meant. It was more about people have
18 the right, if there's a mass mobilisation, to actually
19 fight and defend themselves.

20 So it is vague, for me, certainly.

21 Q. Can the WRP in the 1970s be summarised in this way: at
22 the time, you were striving for a socialist state, but
23 you were using constitutional and non-violent means in
24 order to advance your aims?

25 A. Yes, certainly. Certainly nothing illegal at all.

1 Q. Thank you.

2 I want to move on now, please, to White Meadows. It
3 was purchased as a drama, history and literature study
4 centre by Corin Redgrave. Was it ever intended to be
5 used as such, drama, history and literature study, or
6 was that simply to avoid calling it what it in fact was,
7 which was a college of Marxist education?

8 A. I think there was a large component of that being
9 the case. As I said, we organised -- not me personally,
10 but the people from that world organised all kinds of
11 very moving, powerful performances, which were attended
12 by thousands and thousands of people and involved a very
13 wide group of people from that world.

14 So yes, there would have been an element. And
15 certainly one of the first groups of people who
16 came -- I think I said that in my statement -- to attend
17 the College of Marxist Education, were by and large
18 the people who had been coming to the regular Friday
19 discussions.

20 Just an aside, if anybody knows Trevor Griffiths's
21 play called "The Party", it was based on those meetings
22 and those discussions.

23 So I think there would have been an element of that.
24 But, overwhelmingly, it was for the study of Marxism.
25 And I think I said why we called it that at first,

1 concerned by attacks from the National Front, concerned
2 that it would be very alarming to a local rural
3 community. So that was called that. Until the police
4 raid, of course, when it was all over the newspapers who
5 we were and what we were. And then there was absolutely
6 no point in not calling it the College of Marxist
7 Education.

8 Q. Yes.

9 The courses at White Meadows, you say in your
10 witness statement, were largely for WRP members, Young
11 Socialists and members of the All
12 Trades Unions Alliance. But it was also advertised in
13 a daily paper. Was -- that's in the Workers Press, was
14 it?

15 A. Yeah, it was in the Workers Press, yes.

16 Q. And how would a non-WRP member obtain a place on
17 the course? If they saw that advertisement, how would
18 they go about it; can you remember?

19 A. Well, they would have had their Workers Press delivered
20 by people from the local branch, and they would have
21 known who people were and they would have asked them if
22 they were interested, to say, "I'd like to attend."

23 Q. Right. And so non-WRP members were welcome to attend?

24 A. Yeah. I don't know that many did, but -- and of course,
25 I can't say for sure, actually. But they would be

1 welcomed, yes.

2 Q. I now just want to take you to the White Meadows report
3 itself, please. {UCPI/12240}, please. This is a report
4 which looks like a compilation report. It's thought to
5 be authored by one of the undercover officers who
6 infiltrated the WRP, HN298; although he's not entirely
7 clear that it was.

8 Second page, please. {UCPI/12240/2}.

9 The report is dated February 1976, and the centre,
10 we understand, opened in the summer of 1975; is that
11 right?

12 A. Yeah, right at the end of the summer, yes.

13 Q. And so by the time this report is written, it hadn't
14 been open even for a year; is that right?

15 A. Yeah.

16 Q. You set out in your statement that it's broadly
17 accurate. There are two relatively minor corrections.
18 One is that -- which perhaps I'll take you to in
19 real-time. But, first of all, in that first paragraph,
20 the writer of this report indicates that since its
21 opening in the summer of 1975, 900 students had attended
22 the centre. Is that an accurate figure, do you think?

23 A. I don't know where that figure came from, and I couldn't
24 work it out when I was thinking that the most we could
25 accommodate would be 60 at a time, and some weeks there

1 might have been 10 people there. So I don't know where
2 that came from. Which also leads me to other things in
3 that report, which I hope I get a chance to say --

4 Q. Of course.

5 A. -- about where was he getting this information. And
6 I notice that "Peter Collins", who's another HN who gave
7 evidence, was -- is called very close to
8 the Central Committee. And I think some of the stuff in
9 this report must have come through other routes. He
10 certainly wouldn't have got it from attending
11 White Meadows.

12 Q. Right.

13 So you say, although it could accommodate 60 --
14 did it ever accommodate 60?

15 A. Oh, at the beginning, when -- when, you know, a lot of
16 members went and made plans. But then you'd been once;
17 you didn't go again for some time. People had work,
18 people had families. Though we catered for children; we
19 had a lot of children -- small children coming, who
20 weren't in school.

21 But, you know, you couldn't keep that up week after
22 week. And also with a membership of a few thousand,
23 probably, you aren't going to be able to. That's why
24 the 900 seems to me unreal, but I don't know.

25 Q. Paragraph 2 of the report gives information about

1 the purchase price and renovations costs and insurance
2 value of the house following those renovations. Are
3 those details that would have been -- that were
4 available to you as a resident of White Meadows?

5 A. I might have known what the place cost to buy.
6 I wouldn't particularly have known about insurance
7 costs. I wouldn't particularly have known about
8 insurance costs, I wouldn't have known about renovation
9 costs. Roy Battersby would have known, if -- he
10 probably doesn't remember now, but he would have known.
11 But at the time, I had no reason particularly.

12 And as I said, I don't know where these figures came
13 from. They would certainly have not come from an
14 opening discussion to students at the school. So
15 they've come from somewhere else.

16 Q. And can you think of where they might have come from?

17 A. Well, as I say, I can't help but feeling that there's
18 another undercover agent involved here, because he said
19 he was close to the Central Committee, HN303.

20 Q. Okay.

21 A. So I can only imagine that. Or, of course, from other,
22 you know, security organisations, like MI5, which we are
23 sure were also busy within the WRP.

24 Q. Thank you.

25 It's also in that -- sorry, not in that paragraph.

1 At paragraph 3 it indicates that workmen attend
2 the White Meadows centre on occasion, to perform small
3 amounts of renovation, and these were WRP members. Why
4 were the workmen required to be WRP members, was that
5 a requirement?

6 A. No, it wasn't a requirement. We had been very, very
7 involved in the campaigning around the building workers
8 who had been imprisoned, the Shrewsbury 2. We had
9 organised a march, which actually Roy led, from Wigan
10 down to London, to object to what had happened to
11 the building workers after that strike, when they were
12 charged with conspiracy laws from the Victorian era.
13 And so there was a large group of, if you like,
14 "workmen", as he called them, who were around, friendly,
15 etc, and very willing to help. So it wasn't an
16 obligation, a number of them would have been of course,
17 but wasn't necessary.

18 Q. A large part of this report deals with the security
19 measures employed at White Meadows. Whilst it's fair to
20 say that the WRP was open about its ambitions and
21 campaigned openly at general elections, is it also fair
22 to say it was a security conscious organisation?

23 A. Oh, absolutely it was, yes; and rightly so, as it turns
24 out.

25 Q. I just want to just sort of supply some of the context

1 in which we're going to be looking at the security
2 measures employed by the WRP at White Meadows.

3 This was a time of great hostility between
4 the National Front, the far right, and left-wing groups.
5 You say in your statement there was a general press
6 interest in the activities of the Socialist
7 Labour League and then the WRP, which you felt was
8 hostile to your aims, and White Meadows had been
9 the subject of a police raid in September 1975, very
10 shortly after the centre had opened; is that right?

11 A. Yes.

12 Q. So it's in that context we're looking at the writing of
13 this report.

14 Were there security measures in place prior to that
15 police raid?

16 A. Well, there would have been some security, but nothing
17 like what -- what -- after the raid.

18 Q. Thank you.

19 You say at your paragraph 49 {UCPI/34740/13} of your
20 witness statement that under the -- you had attended
21 a summer camp set up by the Socialist Labour League,
22 attended by hundreds of members and their families. And
23 there was a concern that that was going to be raided,
24 and you were sent back to London with documents that
25 might have been seized during any raid.

1 What sort of documents were you taking back; what
2 sort of things were you worried about?

3 A. Well, membership lists, financial information, what any
4 political party will have that's not necessarily for
5 the rest of the world to see. But the context of that
6 event was the picture on the front page of the Daily
7 Telegraph taken from a helicopter, which I say in my
8 statement, I think, which was warning about, you know,
9 some terrible threat from our organisation. I mean,
10 that was the context. So of course there was alarm. To
11 be on the front page of The Daily Telegraph at that
12 point for a left wing group wasn't a happy thing.

13 Q. Just to take you through the security measures that were
14 employed by the White Meadows -- by White Meadows at the
15 time of the writing of this report, there was first
16 a personal search of each student and his luggage. And
17 in fact, one of the errors you point out within this
18 report is that Roy Battersby would search the men but
19 you would search the women; is that right?

20 A. Yes.

21 Q. And the search was specifically for offensive weapons,
22 cameras, tape recorders and any names, addresses or
23 telephone numbers written down.

24 What was your anxiety about those items?

25 A. We were alarmed, particularly after the police raid,

1 that there would be any excuse to actually -- any kind
2 of provocation to put us at risk, frankly. And as
3 I say, we weren't necessarily wrong. If you read,
4 again, Roy Battersby's statement, which is a witness
5 statement, I know, although he's not here in person, he
6 describes in detail how that raid took place and how
7 The Observer treated it and the libel case. It was
8 a huge -- it was a huge experience for all of us at the
9 time.

10 So we were very concerned that there would be
11 nothing, (a) that might have indicated that it was an
12 undercover officer, and of course we missed that; but
13 that they had anything illegal, anything dangerous,
14 anything that might compromise us, information that
15 could be sloshing around. We would be very careful
16 about that because of that police raid; and the concern
17 that it was going to happen again, or some such thing;
18 and a concern as well about being bugged, and bugs were
19 found.

20 So it was in that context that this -- this quite
21 intensive security was arranged.

22 Q. Students were also warned to be careful about what they
23 said in the house. And you've mentioned the finding of
24 a bugging device, I think. What sort of thing was it --
25 were the anxieties about? What sort of things might

1 have been said that were felt to be -- that might have
2 compromised you; can you imagine?

3 A. I don't know. I think we would have been more concerned
4 with individual people and their, you know, being
5 identified, because of the blacklisting that was going
6 on. Roy himself was the victim of a blacklist at
7 the BBC, and he knew that. And so there would be
8 a concern about that. And other people obviously in all
9 sorts of other industries were also being blacklisted,
10 which we now know. It wasn't just the television world.
11 Certainly building workers were at risk in a big way at
12 this point. So there would have been a concern about
13 that.

14 That would have been the main concern really. There
15 was nothing illegal happening there, and nobody would
16 have had any access to anything that was. But it was
17 just a general atmosphere of "be careful, be mindful,
18 because probably it's being listened to".

19 Q. And you mention in your witness statement that -- in
20 fact, in the report it mentions that the students were
21 enjoined not to refer to each other by their surname,
22 and you mention in your witness statement that
23 identifiable details were a matter of anxiety because
24 you might have had individuals coming from other
25 countries which have fascist regimes, for example?

1 A. And there were. I mean, Spanish, Portuguese, Greek, all
2 those countries in the early 70s had fascist
3 dictatorships; and we were extremely concerned for those
4 people that they not be identifiable; and they were
5 coming from time to time.

6 Q. Other security measures employed at the centre.
7 Students were warned that the internal pay telephone was
8 bugged and they had to seek permission to use it. They
9 could be taken to an outside telephone, but couldn't
10 leave the garden without permission. All contact with
11 neighbours or any other visitor were to be referred to
12 Roy Battersby, and there was a patrol every 15 minutes
13 of the centre between midnight and 7 am. This is all
14 reported in the undercover reports.

15 Does the same explanation go for those security
16 measures? This was a response to the police raid in
17 September and the negative press coverage, and matters
18 of that nature?

19 A. But also the rise of the National Front and
20 organisations such as that in a rural area, which,
21 you know, who knows what was going on. We didn't know
22 people's politics at all. So it was also that,
23 the right wing threat, because as far as we were
24 concerned, they were the violent ones.

25 Q. Also set out in the report is the contingency plan to be

1 put in place in the event of a police raid, which was
2 that the Clapham headquarters of the WRP should be
3 contacted without delay, and I think a ten pence piece
4 left in the telephone, in order that there was always
5 money to make that telephone call if necessary.

6 What was the purpose of that? Why were the Clapham
7 headquarters of the WRP need to be notified immediately?

8 A. Well, that's where, you know, the substantial
9 leadership, if you like, of the WRP would have been
10 based, where the paper was based, where there would be
11 ability to inform everybody else throughout the country
12 that this was happening, which would have been
13 important, to share that information very quickly, which
14 we couldn't have done from a call box in Derbyshire. So
15 I think it was the dissemination of that information,
16 and I suppose a warning to others of what was happening,
17 if something like that did happen again.

18 Q. Right.

19 Is it your view -- I think you refer to this in your
20 witness statement -- that it is partly that security
21 consciousness of the WRP which drove the police interest
22 in the WRP and what was going on at White Meadows?

23 A. That was a guess, that they found it interesting, which
24 I think they -- they do say in various reports, that
25 there was no public order threat but a lot of security

1 measures in place.

2 Q. Can we just briefly, please, go back to have the report
3 back on screen, please, {UCPI/12240}. Thank you. And
4 scroll down, please, to paragraph 20 {UCPI/12240/5}.
5 Yes, the bottom of that page and then over the page
6 {UCPI/12240/6}.

7 Paragraph 20 sets out the subjects taught at
8 White Meadows during the educational course that this
9 person attended. You can see at the bottom there:

10 "The subjects for discussion were quite
11 straightforward and innocuous and included dialectical
12 and historical materialism, capital and philosophy. The
13 principles [something] these subjects was carried out in
14 conjunction with readings from Marx's Capital Volume
15 ... Engel's Anti-Dühring, Engels' ..."

16 Etc, etc, etc.

17 Is that typical of courses run at White Meadows,
18 that set of subjects being taught?

19 A. Yes, certainly that would have been the core of
20 the discussions, yes.

21 Q. Can I just ask you about the advertisement that appeared
22 in the Workers Press; would it have made it clear that
23 it was these sorts of subjects that were being taught
24 during the course --

25 A. I can't remember, to tell you the truth. I can't

1 remember. Probably not. Probably somebody would have
2 had to chat, as I said, to whoever they knew, whoever
3 was delivering their paper, to say what kind of things
4 are happening next week, or the week after, or whatever.

5 So it would vary a bit. And there would be history
6 as well as philosophy. This is obviously a very heavy
7 piece -- piece, being one where there was philosophy. I
8 wonder how he got on with Lenin's volume 38. Not an
9 easy read! But anyway, it could have been more
10 historically based at certain times, too. But actually
11 this is what he went to. That makes me laugh.

12 Q. The subjects for discussion are described by this
13 individual as "straightforward and innocuous". Would
14 you agree with that assessment?

15 A. Well, again, it depends on whether you consider
16 Karl-Marx straightforward and innocuous and Lenin
17 straightforward and innocuous.

18 If he means, which I presume he does, there was
19 nothing about public disorder, nothing illegal, nothing
20 that anybody anywhere, if they wanted to pick up one of
21 these books, do in a totally legal way, then yes, that's
22 innocuous.

23 Q. We know, of course, that shortly after this report SDS
24 deployments into WRP came to an end.

25 Finally, this from me. The WRP were infiltrated for

1 a period of about two years or so, and your -- the place
2 where you lived and the place where you worked was
3 infiltrated, was spied on. What was your reaction to
4 that?

5 A. This was my home, and the home of two small children and
6 my partner. And I think it's outrageous, actually, when
7 there was absolutely no reason for it. And many of
8 these reports from Special Branch, they keep saying it:
9 they're not interested in disorder, but we're going to
10 keep an eye on them anyway. And I feel it was an excuse
11 which has come up from a lot of the opening statements
12 for the SDS to continue. There was no reason for
13 anybody to be there.

14 I think, if I recall, that "Peter Collins" was
15 actually longer in the WRP. And I think it's a shame
16 that we aren't going to get a chance to really explore
17 that, because we're not core participants. We aren't
18 seeing all the documents, nor are -- nor is the Inquiry,
19 presumably. And I think that's a real loss to
20 the Inquiry; because he was there longer, he's quoted as
21 saying he was close to the Central Committee, and he's
22 the one who said he was infiltrated into
23 the National Front. Now, to me, that's an extraordinary
24 statement; I knew nothing of that. And my colleagues
25 and comrades who I'm still in touch with no nothing of

1 that. And to me that's a -- you know, it's amazing, if
2 that's true.

3 So I think there's a lot more to look at here. And
4 the other thing -- I'm sorry, I'm going to just finish
5 this one point -- is that this guy, this was his
6 swansong, it says. So this is his last little piece of
7 work. Although he's been bobbling around all kinds of
8 organisations before this, I see, and very busy. But he
9 was actually instructed not to go to White Meadows.
10 The guess being that it was a very sensitive place,
11 because of the police raid and the libel trial that was
12 going on, and all the rest of it. But he went anyway.
13 And it's just not the case that he couldn't have pulled
14 out, which I think is what he implied. Of course he
15 could. People did. People got sick. People had
16 families who were sick. They couldn't go. Somebody
17 died. We couldn't enforce people going. He didn't have
18 to go. He could have come with all kinds of reasons.
19 So you can't help but feel that something else is
20 going on here, too, in terms of the Security Services,
21 broadly speaking; that isn't just the SDS and public
22 order. And I feel that quite strongly, that that's
23 a real question I would have about his evidence.

24 MS HUMMERSTONE: Okay, thank you.

25 Ms Leicester, I've got no further questions for you.

1 I don't want to -- I just want to give you a brief
2 opportunity to say anything else you want to add to your
3 evidence now. You said earlier that you hoped you were
4 going to get an opportunity to say a few things.
5 I don't want to shut you out of that opportunity.

6 A. Okay, thanks.

7 Well, I've just said one, which I think is a real
8 interesting -- and as I said, the interconnections
9 between the different Security Services, their kind of
10 fighting with each other. The SDS trying to justify its
11 existence in a way that I think was unjustifiable is one
12 of the things I wanted to say; and about the fact that
13 he went to White Meadows anyway, in spite of being
14 ordered not to. And I think there's the hand of
15 somebody else behind that. Unless he was just a rogue,
16 which is possible as well, who did what he wanted to do,
17 as some of them seemed certainly to do.

18 So that was one of the things that I was concerned
19 about.

20 I was concerned as well, as I've already said, that
21 actually "Peter Collins" was longer in the WRP. And it
22 seems to me well worth exploring further, which is why
23 we hoped we would be core participants, so that we would
24 get a chance, as would the Inquiry, to really delve
25 a bit deeper into what was going on there; and the sort

1 of limits of the Inquiry, which we're kind of frustrated
2 by; and the fact that we first contacted the Inquiry two
3 years ago, and we still had to fight to get even this
4 far as we've got.

5 So that was another thing I wanted to talk about,
6 the sort of catch 22 that we've been in.

7 I think I've got through the main things that
8 I wanted to say.

9 I didn't, probably, answer your question about
10 revolution, which is a tricky one, beyond to say that
11 I wasn't really clear. But I think what we wanted, we
12 wanted a more just society. We want a society that was
13 based on the needs of the majority and not private
14 profit. And that's really what the message was about,
15 and that's what I still feel. And I think that maybe
16 the methods and some of the language is, you know, of
17 the 1970s. But that determination that that's what we
18 wanted, a better world and a better society. And it's
19 -- it's hard to face the fact of that infiltration by
20 the forces of the state into a group of people who
21 the vast majority, except for the undercover officers,
22 believed in that.

23 So I think that's what I would want to convey.

24 MS HUMMERSTONE: Thank you very much. I've got no further
25 questions for you.

1 THE CHAIRMAN: Do either the Commissioner's team or
2 the DL have any questions now that they would wish to
3 have raised by Ms Leicester?

4 MR GREENHALL: No, thank you, Sir.

5 THE CHAIRMAN: In which case, we're going to curtail our
6 usual procedure of adjourning for 20 minutes to allow
7 those off-stage, as it were, to be able to forward any
8 questions that they might wish to have raised. Which
9 means that I'm going to ask you, if you don't mind, to
10 conduct your re-examination, if any, now. But if you
11 tell me there's a good reason not to, I'll gladly listen
12 and, if persuaded, agree.

13 MR GREENHALL: Sir, I have nothing to ask in re-examination.

14 THE CHAIRMAN: No, thank you.

15 Ms Leicester -- I hope I can call you "Ms" without
16 offence --

17 A. No offence.

18 THE CHAIRMAN: Would you mind waiting for 20 minutes in
19 the building, if you're not going anyway to listen to
20 what is going to take place later on today, just in case
21 there are any questions from outside. I think it's
22 fairly unlikely, but I don't know, and one never knows.

23 But thank you very much indeed for coming and giving
24 evidence. I'm grateful to you.

25 One of the things I am looking into is why the WRP

- 1 A. Barry Moss.
- 2 Q. You've provided us with two witness statements
3 the second of which is dated 26 July 2021. Are
4 the contents of that witness statement true and correct
5 to the best of your knowledge and belief?
- 6 A. They are, sir.
- 7 Q. Can I start with a few questions about your training.
8 I appreciate I may be taking you back a very long while.
9 I'm interested in any training that you had during
10 the period between 1968 and about 1983.
- 11 During that period, did you get any training about
12 a police officer's powers of entry, search and seizure?
- 13 A. Only in terms of the initial training at the police
14 training school when I was a recruit. I did do
15 a CID course, but I can't remember if that was within
16 the period that you're talking about. So I think it
17 probably was. So I did a CID course as well, when that
18 would have been covered.
- 19 Q. And were you given any instruction at any stage about
20 whether or not those powers of entry, search and
21 seizure, and perhaps more importantly the limitations on
22 a police officer's powers of entry, search and seizure,
23 were the same or different when you were operating in an
24 undercover capacity?
- 25 A. No. The question of undercover working wasn't -- wasn't

- 1 covered in any of those courses, sir.
- 2 Q. Did you ever address your mind to whether or not those
3 limitations on powers of entry, search and seizure still
4 applied to an officer operating undercover?
- 5 A. No, I suppose I didn't.
- 6 Q. Can I ask you whether you were ever given any training
7 -- I appreciate this is a long shot -- on the European
8 Convention on Human Rights during the Tranche 1 era?
- 9 A. No, none at all, sir.
- 10 Q. And you've already confirmed in your witness statement
11 that you didn't receive any training on either the Race
12 Relations Act or the Sex Discrimination Act in that
13 period?
- 14 A. Correct, sir.
- 15 Q. Did you give any consideration at any time that you were
16 working for the SDS during the Tranche 1 era to whether
17 or not what you or the unit was doing was
18 discriminatory, either on racial grounds or on grounds
19 of sex?
- 20 A. No, sir, because I don't believe it was discriminatory
21 in either of those cases.
- 22 Q. That's slightly two different questions. The first
23 question is: did you ever address your mind to it at
24 all?
- 25 A. No, sir.

- 1 Q. Were you trained on Peelian principles? Sir Robert
2 Peel's nine principles of policing?
- 3 A. No, sir.
- 4 Q. At any time at Hendon or Bramshill, or on the CID
5 course?
- 6 A. No. I remember we all learnt the primary objects of
7 policing, which were allegedly put down by Sir Richard
8 Mayne, but nothing other than that, sir.
- 9 Q. Let me try you with a few.
- 10 The second Peelian principle is:
11 "The ability of the police to perform their duties
12 is dependent upon public approval of police actions."
13 Was that your understanding at the time?
- 14 A. Well, I suppose in the more modern era, sir, that would
15 be called "policing by consent".
- 16 Q. Indeed.
- 17 A. So I'm familiar with it in that guise, yes.
- 18 Q. And were you familiar with it in that guise back in
19 1968?
- 20 A. Probably not, sir, no.
- 21 Q. The police must secure the willing cooperation of
22 the public in voluntary observation of the law to be
23 able to secure and maintain the respect of the public?
- 24 A. Principles that I would agree with, sir, but I wasn't
25 aware of them at that time.

1 Q. If you weren't aware of them as specific principles, did
2 you have any consciousness that you needed to police in
3 a way which would maintain the respect of the public?

4 A. Again, perhaps not so much at that time.

5 Q. The third one is principle 7:

6 "Police at all times should maintain a relationship
7 with the public that gives reality to the historic
8 tradition that the police are the public and the public
9 are the police, the police being only members of
10 the public who are paid to give full time attention to
11 duties which are incumbent on every citizen in
12 the interests of community welfare and existence."

13 A. Yes, I was aware of that, sir. Not necessarily as
14 a Peelian principle, because I hadn't heard of that.
15 But certainly from courses at Bramshill, that issue
16 would have been debated.

17 Q. And did you accept it and understand it?

18 A. Yes, sir.

19 Q. Can I move now to 1968 when you joined the SDS.

20 Unfortunately, Conrad Dixon has passed away, so we can't
21 ask him.

22 Just in case, were you aware of whether or not
23 Mr Dixon, or any other senior officer setting up
24 the SDS, took any legal advice when doing so?

25 A. I wasn't aware, sir.

- 1 Q. Were you given by Detective Chief Inspector Dixon, or
2 anyone else, any legal guidance or advice before you
3 embarked upon work as an undercover officer?
- 4 A. No, sir.
- 5 Q. You, I think, were quite new to Special Branch when you
6 started as an undercover officer?
- 7 A. Yes. I had been in Special Branch probably for a matter
8 of months before I was chosen.
- 9 Q. How did you know what to report?
- 10 A. The Met Police had had a bad time at the earlier
11 Grosvenor Square demonstration, and the general
12 instructions we were given then was to get as much
13 information as we could about the organisations which
14 had been involved in the earlier violence, to assist in
15 the policing of the later demonstration which was
16 scheduled.
- 17 Q. Now, you infiltrated mainly meetings of groups which had
18 Maoist tendencies, didn't you?
- 19 A. Yes, sir.
- 20 Q. And your reporting was about the conduct of their
21 meetings and what they were discussing?
- 22 A. Yes, sir.
- 23 Q. Some of it pertained to the 27 October demonstration
24 that was forthcoming, some of it didn't.
- 25 What I would like to know is, was there any common

1 understanding that you should be reporting on all of it,
2 as opposed to just that which went to the demonstration?

3 A. The common understanding, as I understood it, was that
4 we should report on all of it.

5 Q. And where did you get that understanding from?

6 A. I can't be specific, sir. It was the general ethos
7 within the office. I don't think Mr Dixon sat us down
8 and told us that. It was a general understanding.
9 I can't be more specific, I'm afraid.

10 Q. Can we look at one specific document from that era.
11 It's {MPS/733929}.

12 Now, this is a report dated 25 September 1968, about
13 the October 27 Committee for Solidarity with Vietnam.
14 And it says it was a meeting which lasted between
15 7.30 pm and 10.15 pm at -- then we've redacted
16 the address for privacy reasons -- "home of [Privacy]
17 [Privacy]".

18 So this appears to be a report of a meeting that
19 took place in a private home; is that right?

20 A. Yes, sir.

21 Q. And if we scroll down, please, and then over the page,
22 please {MPS/733929/2}, we see the content of
23 the meeting. And if we can go down further, we see
24 the signature block is -- we've redacted your signature,
25 but it's your name. You signed that report, didn't you?

- 1 A. Yes, sir.
- 2 Q. And was that because it was you who attended that
3 meeting?
- 4 A. Yes, sir.
- 5 Q. Were you given any advice or guidance as to whether or
6 not you should enter a private home to listen in on
7 the contents of an activists' meeting?
- 8 A. No specific guidance, sir, but the general ethos was
9 that we should do what was necessary to get the best
10 information possible pertaining to the forthcoming
11 demonstration.
- 12 Q. What was your understanding at the time of the legal
13 position as to whether or not it was lawful for you as
14 a police officer to enter someone's home?
- 15 A. We were given no specific guidance for activities in
16 this particular case. I think my understanding of
17 the rules in normal work would have been fairly clear.
18 I had no idea that this may have been illegal, as I've
19 seen from -- from Ms Kilroy's submission earlier to this
20 Inquiry.
- 21 Q. Would it be fair to say no consideration was given to
22 the question as to whether or not it was?
- 23 A. Yes, that's probably the best way of putting it.
- 24 Q. Could I have a "yes/no" answer to the next question,
25 please.

1 When you were operating undercover, did you have
2 a birth certificate?

3 A. No, sir.

4 Q. Can we move now from your short stint as an
5 undercover officer in the SDS to your time in C Squad,
6 between then and your assuming the position of head of
7 the SDS.

8 You have told us in your witness statement why it is
9 that we have three reports from 1971 which are signed by
10 you at a time when you were not in the SDS. And the
11 short explanation is you were working as a detective
12 inspector in C Squad and these were SDS intelligence
13 reports which crossed your desk in the course of that
14 work.

15 A. Yes, sir.

16 Q. Now, first of all, if we could have up, please,
17 {MPS/735902}.

18 Sir, this is tab 1 of the bundle.

19 Now, this is the minute sheet, or cover sheet --
20 perhaps you can tell me what the correct nomenclature
21 is?

22 A. Minute sheet, sir.

23 Q. Minute sheet -- for a report dated 1 November, and you
24 have told us in your witness statement that this is your
25 handwriting?

- 1 A. Yes, sir.
- 2 Q. So as a C Squad detective inspector, you are recording
3 where this report should go?
- 4 A. Yes, sir.
- 5 Q. Did you receive the report in its written form from
6 the SDS, or did you write this up from notes?
- 7 A. No, I would have received that report. That would have
8 arrived in my in-tray, and I would have actioned it
9 accordingly.
- 10 Q. You've decided -- well, is it you who's making
11 the decision as to where this information goes?
- 12 A. I was fairly junior in those days, sir, and what would
13 have happened was that I wrote the minute, and next to
14 the date you'll see the initials, which are my initials,
15 and then the chief superintendent would have looked at
16 what I'd done, to make sure I was doing things right,
17 and if he was satisfied with that, he would have signed
18 it off.
- 19 Q. So would it be fair to say you are making a decision and
20 your decision is being checked by a superior officer?
- 21 A. Correct, sir, yes.
- 22 Q. And on what basis do you make the decision?
- 23 A. From -- I was relatively junior in those days, as
24 I've already said, but from experience, from
25 the contents of the report -- I mean, generally

1 speaking, if this was an SDS report, I -- it would have
2 probably been routinely sent to the Security Service.

3 I can't remember what "Room 892" was, but DI Wilson, I'm
4 guessing, was the DI in charge of the section who had
5 a particular interest in monitoring whatever that group
6 was. It's an organisational file, as you can tell from
7 the "400" prefix.

8 Q. And "PA" means "put away" --

9 A. Put away in Special Branch records, sir, yes.

10 Q. Could we go over the page, please {MPS/735902/2}.

11 Now, I'm not too interested in the contents of this
12 report, I'm interested right at the bottom, please, on
13 the left. There is a manuscript note which reads
14 "S9090". You've suggested in your witness statement
15 that you think the "S" may stand for "S Squad"?

16 A. Yes, sir.

17 Q. The Inquiry's understanding is that S Squad of Special
18 Branch didn't exist until 1974. Can you help us with
19 whether we are wrong about that, or whether your
20 recollection now may be wrong?

21 A. Well, I'm just looking closer, sir, to see whether it
22 actually said "B". But my -- my response would still be
23 the same, that that -- that was the way that
24 the quantity of work was measured, not necessarily
25 the quality. And the prefix letter, in my recollection,

- 1 just pertains to the squad from which it originated.
- 2 Q. If we move on from the letter to the number, if
- 3 the number is an indication of quantity, is that an
- 4 indication of the quantity of reports which is coming
- 5 across your desk on C Squad, or is it an indication of
- 6 some other quantity?
- 7 A. My recollection -- and this is a bit hazy, and bear in
- 8 mind there were no computers in those days -- is that
- 9 there was a central register maintained in
- 10 Special Branch, and the first report submitted anywhere
- 11 in Special Branch at the beginning of the year would
- 12 have been number "1", then the numbers would creep up
- 13 over the year.
- 14 And to -- each squad would take a block of numbers
- 15 and use those numbers for their reports, until that
- 16 block of numbers was used up, and then they'd go and get
- 17 another block from this central register.
- 18 So this would have been report 9090 in
- 19 Special Branch. It wouldn't necessarily have been
- 20 report 9090 from S Squad, or whichever squad it was.
- 21 Q. And it follows from that answer it's not a measure of
- 22 how many reports the SDS had produced?
- 23 A. No, sir, no.
- 24 Q. When you were working on C Squad and intelligence such
- 25 as this was crossing your desk, did you have any

- 1 responsibility for preparing threat assessments for A8?
- 2 A. No, I didn't, sir. That would have been done by someone
3 else on C Squad, and not -- not by me sitting in that
4 chair at that time.
- 5 Q. Did you ever have the job of preparing threat
6 assessments for A8?
- 7 A. I probably did once or twice, sir, yes. I didn't
8 actually spend much time on C Squad. So I was aware of
9 them. I did a few of them; probably not that many.
- 10 Q. Can you help us then, in rough terms, what the process
11 involved of preparing a threat assessment for A8?
- 12 A. It would be done by the DI usually in charge of
13 the section that had the most knowledge of that
14 particular organisation. He would -- or she -- would
15 call on their knowledge of the organisations involved,
16 their personal knowledge, they would draw files of
17 the organisation involved, and that would include any
18 SDS reporting, and they would combine their experience
19 with what was on record and produce the threat
20 assessment.
- 21 Q. Now, were these threat assessments which were for
22 specific forthcoming events at which it was thought
23 there might be a public order issue, or were they more
24 general?
- 25 A. No, they were for a particular demonstration.

1 Q. I appreciate your practical experience of doing this was
2 limited, and do say if you can't help us. But from
3 the ones that you compiled, were you able to tell which
4 was the SDS intelligence and which was intelligence from
5 other sources?

6 A. Yes, in that the SDS reports, the preamble usually gave
7 an indication that it came from SDS, if you understood
8 the system.

9 Q. And are you able, then, to recall any specific
10 forthcoming demonstration or other event where you
11 filled out a threat assessment which was at least in
12 part informed by SDS intelligence?

13 A. No, I can't, sir. Not at this length of time.

14 Q. Does it follow from that that you are not able to help
15 us with quantifying the contribution that SDS
16 intelligence made to any threat assessment that you were
17 a party to?

18 A. It does, sir, yes.

19 Q. Can we move now to another question, in case you can
20 help. And if you can't, say so. Could we have up
21 {UCPI/35070}.

22 Can we scroll down until we can see something,
23 please. Thank you.

24 We think this is the registry file record sheet of
25 Diane Langford -- and we think there's a misspelling --

1 who was -- who is one of our core participants. Is that
2 what this is?

3 A. Yes, sir.

4 Q. There are various dates in the left-hand column. They
5 largely run chronologically, but not entirely so. I can
6 take you to an example if you would like to see one.
7 But otherwise, can you just help us in general terms how
8 it might be that on a record sheet there might be
9 entries out of chronological order?

10 A. Yes. The -- the record system we had in those days was,
11 for its time, a very sophisticated paper-only system,
12 which obviously predates computers. And the purpose of
13 the record sheet was to give cross-references to other
14 places, other files where a report concerning
15 Diane Langford were to be found. These were all put in
16 manually by a staff of -- oh, several dozens of -- of
17 people. And the reports would come from the squads, and
18 it would just depend which report reached which clerk at
19 which time. So if you had reports coming from different
20 sources, it might get to clerk A, who might have
21 the record sheet. And then someone else would ask for
22 the file to add something they had on their desk, which
23 might just be out of sequence.

24 So the dates are the dates of the report, not
25 the dates when they were input onto the record sheet.

1 Q. Thank you.

2 Could we have page 8 of this document, please
3 {UCPI/35070/8}, and could we scroll down -- I'm
4 interested in -- yes.

5 From 20 May 1971, a pattern starts of letters
6 appearing to the right of the date sometimes. Some of
7 them say "SP", some of them say "C".

8 Can you help us as to what those acronyms or what
9 those letters mean?

10 A. Yes, that refers to the classification of the file. We
11 -- we used to use three -- the government has a system
12 of paper classification which we used to follow. But
13 for reasons, which I can't really enlighten you about in
14 any great detail, we had two classifications of secret
15 file. So the "C" stands for "confidential". We,
16 I don't think, ever dealt with anything at the lower
17 classification, which was "restricted". So that didn't
18 exist in Special Branch.

19 But we had two classifications of secret file: one
20 was secret pink and the other was secret green, "SG".
21 The secret pink files were fairly easily available to
22 anyone in Special Branch, and the secret greens were
23 slightly more highly classified. And they would not be
24 given out freely to staff members, even vetted staff
25 members, usually because there was something, perhaps

1 one or two items, a bit more sensitive on them. So "SP"
2 means "secret pink", "C" means "confidential".

3 Q. Thank you very much.

4 Can we take that down now, please.

5 Did you ever sit on the industrial desk?

6 A. No, sir.

7 Q. When you were working in C Squad, or indeed anywhere
8 else in Special Branch, did you ever pass requests for
9 intelligence down to the SDS.

10 A. I don't think so, sir. But as I say, I didn't really
11 spend that much time on C Squad. Because I'd been on
12 a particular course, I was being rotated round
13 the squads to sort of broaden my experience, and so my
14 time on C Squad was quite limited. And subsequently
15 I didn't go back to C Squad.

16 Q. Do you know whether your colleagues did that?

17 A. I would imagine they did, sir, yes.

18 Q. When you say "imagine", do you know or not?

19 A. No, sir, I don't, no.

20 Q. Can we now move into the 1980s. I'd like to start by
21 anchoring the dates of your service as a manager within
22 the SDS.

23 The earliest document that we've been able to find
24 is a document dated 11 February 1980 bearing your
25 signature in the capacity as the head of the SDS. Do

- 1 you think that's about when you started?
- 2 A. I think I probably started the month before that, sir.
- 3 Q. You were promoted on 5 January 1981. Can you recall
- 4 whether that was the date when you left the SDS?
- 5 A. Yes, that came about because the previous post-holder
- 6 retired, and I stayed on S Squad, so I still had overall
- 7 responsibility for the SDS, but it was among other
- 8 things.
- 9 Q. When you started, was Detective Inspector Butler acting
- 10 up?
- 11 A. No, sir, I -- when I took over, Chief Inspector Ferguson
- 12 was still on the scene. Mr Butler was there, but
- 13 Mr Ferguson was the chief inspector until the day I took
- 14 over.
- 15 Q. Did you get a handover?
- 16 A. No, I didn't, sir. Not from Mr Ferguson, but Mr Butler
- 17 was extremely helpful.
- 18 Q. Don't go into details when answering this question, but
- 19 did Mr Butler tell you about all of the UCOs who were
- 20 operating within the SDS?
- 21 A. Yes, sir.
- 22 Q. Did Mr Butler cover what was going to be expected of you
- 23 as the head of the SDS?
- 24 A. I wouldn't say he covered it in words of one syllable.
- 25 I had an idea myself and I picked it up in fairly quick

- 1 time, I would say.
- 2 Q. And where did you get the idea from?
- 3 A. Because I'd been a UCO 12 years previously, albeit
- 4 the operation was a very different one to the one
- 5 I left.
- 6 Q. Were you told, either at the outset of your service as
- 7 head of the SDS or at any other time, that there had
- 8 been in the past a problem with an undercover officer
- 9 having been confronted with the death certificate of
- 10 the child whose identity he had used?
- 11 A. I was aware of it, sir, but I'm not sure where I got to
- 12 know about it.
- 13 Q. Can you help us with when you got to know about it?
- 14 A. It may have been when I joined -- well, rejoined
- 15 the SDS. I can't be more specific. But I was aware of
- 16 it.
- 17 Q. And aware of it whilst you were the head of the SDS?
- 18 A. Yes, sir.
- 19 Q. We may come back to that in a little while.
- 20 Were you told about any past or present instance of
- 21 an undercover police officer having been involved in
- 22 sexual activity with anybody in his undercover identity?
- 23 A. No, sir.
- 24 Q. Were you told in general terms that this was something
- 25 that either was or might be happening?

- 1 A. No, sir.
- 2 Q. Specifically -- and you may want to use the chart you've
3 got -- whether HN300 had married an activist?
- 4 A. Sorry, I haven't got the chart, sir.
- 5 Q. We should have a key for you, to make sure you know who
6 we're talking about without using the name. Or perhaps
7 while that's being found, I will move on.
- 8 Did you hear any statement or rumour about an
9 undercover officer having his cover blown as a result of
10 being involved with women whilst undercover?
- 11 A. No, sir.
- 12 Q. Did you get any instruction or guidance, or was there
13 any discussion at all, about the legality or ethics of
14 what the SDS was doing whilst you were the head of
15 the unit?
- 16 A. No, sir.
- 17 Q. Were you given a briefing about what was being gathered
18 by the SDS when you started as its head?
- 19 A. I wasn't given a briefing, sir, but I think I would say
20 I was probably fairly well aware from my previous
21 experience, albeit a long time previously, and I was
22 aware what the SDS was for.
- 23 Q. Well, there had been quite a change, hadn't there --
- 24 A. Yes, sir.
- 25 Q. -- between the early days and the focus on

1 the Vietnam Solidarity Committee and other groups that
2 were involved in organising the 27 October demonstration
3 on the one hand, and by the time we get to 1980, when
4 there is deployment across a much wider field, for much
5 longer terms?

6 When did you become aware that the SDS was operating
7 in that different way?

8 A. Well, I suppose within a couple of weeks, sir, from my
9 talks with Mr Butler, and from seeing the product.

10 Q. When you did establish which groups were being
11 infiltrated by the undercover officers under your
12 command, were there any surprises?

13 A. Yes, I was surprised at the level of coverage of
14 the SWP.

15 Q. And we'll come back to that a little later.

16 Were you given any introduction before you actually
17 met them face to face about the relationship between
18 the SDS and the Security Service?

19 A. No, sir, but I would say I was aware of it, because
20 although I didn't spend much time on C Squad, I'd been
21 in Special Branch in various other roles, so I was aware
22 of the links of Special Branch, in general, with
23 the Security Service.

24 Q. Were you told anything about the unit's relationship
25 with A8?

1 A. Well, the unit itself didn't have a direct relationship
2 with A8. The relationship with A8 was with C Squad.

3 Q. I'd understood that there were occasions when either
4 the detective chief inspector or the detective inspector
5 might telephone A8 direct with urgent intelligence.

6 A. Sorry, I understand what you mean.

7 Yes, that would happen occasionally, but it was only
8 if it was something urgent. I understand the question.

9 Q. Was there a direct relationship with B and C Squads?

10 A. With C Squad, definitely. With B Squad, less so.

11 Q. And what was your relationship with C Squad whilst you
12 were DCI of the SDS?

13 A. It's difficult to put it in formal words.

14 Special Branch was, even then, a relatively small
15 organisation; and relationships were on quite an
16 informal basis. I'm not quite sure where you're going
17 with this one, sir.

18 Q. Let me try this. If I have understood correctly, when
19 you first take up the post, you are based in
20 Scotland Yard?

21 A. Yes, sir.

22 Q. And you are either on a corridor or not very far away
23 from the superintendent who is next above you in
24 the chain of command?

25 A. Yes, sir.

- 1 Q. And are you not very far away from C Squad either?
- 2 A. Correct, sir.
- 3 Q. I am wanting to understand whether the relationship that
4 you have with C Squad is one where you are frequently
5 talking to officers within C Squad because you're in
6 the same building, very close to one another in physical
7 proximity, and you are providing intelligence to
8 C Squad. Is there a regular dialogue?
- 9 A. An ad hoc dialogue, sir, probably not a regular
10 dialogue.
- 11 Q. When you say "ad hoc", could you help us a little?
12 Paint the picture of what day-to-day life was like.
- 13 A. The days might pass when I'd have nothing to do with
14 C Squad whatsoever. But if there was something
15 particular coming up that they wanted, perhaps,
16 particular help on, then they might ask me to go along
17 to their office or pop down to see us, that sort of
18 thing. That's what I mean by "ad hoc".
- 19 Q. And how frequently did that sort of request get made?
- 20 A. Again, if -- if there was a need, if there was a big
21 demonstration expected, then they might come to us,
22 asking if we could help in a particular area. But it
23 wasn't a regular thing, it was more a sort of routine,
24 and often down via paperwork, I would say.
- 25 Q. And how often were you getting paper requests from

- 1 C Squad with specific intelligence requests?
- 2 A. I -- I couldn't really answer that, sir.
- 3 Q. Could you help us with whether we're talking daily,
4 weekly, monthly, less frequently than that?
- 5 A. Oh, I see. Maybe between weekly and monthly.
- 6 It was more -- if I can help. It was more us
7 knowing more or less what C Squad wanted from sort of
8 long understanding of how Special Branch worked, even
9 though I personally hadn't spent that much time in
10 C Squad, and providing what we believed they needed.
11 And if we were giving them things they didn't want, or
12 if we weren't giving things they did want, that is when
13 the interaction would take place.
- 14 Q. And is this an understanding which starts with
15 the course when an officer joins Special Branch and then
16 is developed through experience?
- 17 A. Yes, that is probably fair comment.
- 18 Q. When you started with the SDS, were you told that
19 officers were using deceased children's identities as
20 part of their undercover identities?
- 21 A. Yes, sir.
- 22 Q. And that was obviously a change from the position in
23 1968?
- 24 A. It certainly was, sir.
- 25 Q. We'll come back to that in a little more detail later.

1 Were you told anything about how the targets which
2 your officers were infiltrating had been selected?

3 A. I wasn't specifically told this on the day I started,
4 but I gained an understanding of it in fairly quick
5 time. And it was based on the -- perhaps not
6 the present needs, the future needs of the branch, as
7 they were perceived, in terms of the organisations which
8 were likely to be more involved or most involved in
9 public disorder.

10 Q. Did you know who had made the decisions as to where to
11 place the officers who were already deployed when you
12 took up the reins?

13 A. No, I didn't know where those decisions were made.
14 I know how we dealt with it subsequently.

15 Q. When we come to HN19, we'll come to that in due course.

16 Were you asked or told to review the deployments
17 that were extant when you joined the SDS?

18 A. No. I would have liked to review them, because, as
19 I mentioned a few minutes ago, I thought that we had
20 perhaps too much coverage of the SWP.

21 Q. Was there any expectation that you would conduct any
22 form of review of deployments?

23 A. No, it would have been something that was up to me to
24 do, but the trouble with the -- an organisation like
25 the SDS is you cannot just easily move people around

1 once they're well entrenched. And so, it's almost
2 a question of waiting for someone to go and then not
3 backfilling that vacancy, if I can put it like that.

4 Q. Can I infer from your answer that you were not directing
5 your mind to whether or not an existing deployment was
6 serving any purpose -- any useful purpose, and should
7 therefore be terminated?

8 A. I did always have that in mind, but the problem is that
9 if you decide a deployment is not serving any useful
10 purpose -- and I don't think any of them, I would say,
11 served no useful purpose -- the only way of terminating
12 it is to move an experienced officer out and not replace
13 him; and then you've got to bring in someone
14 inexperienced to put him somewhere else -- him or her.

15 Q. Now, without going into specifics at this stage, were
16 there any of the deployments on your watch that you
17 thought were serving no useful policing purpose?

18 A. No, I don't think there were, sir.

19 Q. I'm driving at whether there were any that you thought
20 were of use only to the Security Service.

21 A. I see.

22 I suppose my -- my comments about the SWP were that
23 maybe we could have got the same level of intelligence
24 with perhaps fewer officers in the SWP, but for reasons
25 I've explained, I didn't feel that we could usefully

1 withdraw people at that stage. And yes, certainly
2 the Security Service were interested in -- in all our
3 SWP reporting.

4 Q. We'll certainly come to that in due course in more
5 detail, but at this stage what I'm asking is: were there
6 any deployments that you regarded were being conducted
7 purely for the benefit of the Security Service?

8 A. No, sir. What we gave them was, if you like,
9 a byproduct of our need for intelligence about public
10 disorder.

11 Q. Can we look, please, at a document now. It's
12 {MPS/728963}.

13 That's tab 10, Sir.

14 Now, what's come up first is a covering letter to
15 the SDS 1979 report. Could we go to {MPS/728963/9}.

16 Now, I appreciate, Mr Moss, that this was a report
17 for the year before you were responsible for the SDS,
18 but it was dated -- the covering letter is dated April.
19 It's signed off by Detective Inspector Butler. But
20 presumably you would have seen this document before it
21 was sent up the chain of command?

22 A. Yes, sir, I think I would. I have certainly seen it.

23 I can't quite remember when.

24 Q. If we could scroll down to the bottom, so we can read
25 paragraph 7.

1 Paragraph 7 starts with the sentence:

2 "At a time when covert Police activity is being
3 subjected to increasingly close and critical scrutiny it
4 remains of vital importance that all possible
5 precautions should be taken to safeguard
6 the 'identities' of field officers and the anonymity of
7 HQ flats."

8 Can you help us with what the "increasingly close
9 and critical scrutiny" was?

10 A. I can't, sir, no.

11 Q. Can you help us with whether it was generally
12 the perception that operational security was of
13 paramount importance?

14 A. Yes, I -- I would say it was. To the best of my
15 knowledge, there was no other organisation in
16 the country, or even in the world, who was -- that was
17 doing what we were doing; and we believed that our
18 methods and the identities of the individuals needed
19 safeguarding.

20 Q. Were you aware of concerns being expressed in
21 the Home Office around the time that you were the head
22 of the SDS about the role of Special Branch generally in
23 support of the Security Service?

24 A. No, I wasn't, sir. Not at the time.

25 Q. Can I come back to cover identities, please. Were you

1 aware of any previous compromises of
2 undercover police officers in the SDS?

3 A. Only the one that we've already mentioned, sir.

4 Q. The one that involved the death certificate?

5 A. Yes.

6 Q. Did you give any thought to the fact that there was
7 a risk that your officers might also have their deceased
8 child's death certificate discovered?

9 A. Yes, of course, sir. Once the -- I was aware of
10 the earlier one that we've already spoken about, that's
11 always a risk. But it's a risk that we had to take,
12 because, in those days, there was no other way of
13 getting the supporting documents which we needed without
14 a birth certificate. By which I mean a passport and so
15 on.

16 Q. Were any of your officers on your watch asked to produce
17 a birth certificate?

18 A. By the ...?

19 Q. By the groups they were infiltrating?

20 A. Not that I'm aware of, sir, no.

21 Q. When your officers built their legends, do you know
22 whether they did it entirely on their own, or with
23 assistance from other members of the unit?

24 A. I think that probably depends -- I don't know the answer
25 to that, sir, but I'm guessing it depended on

1 the attitude and the need for support of -- of
2 the officer undertaking the research.

3 Q. And on your watch, it wasn't a frequent occurrence,
4 was it?

5 A. It wasn't, no.

6 Q. Did you delegate supervision of the creation of
7 the identities, because you've told us that you didn't
8 do it yourself?

9 A. You mean I didn't do it for me personally, sir; is that
10 what you mean?

11 Q. No, your witness statement, as I understand it, says
12 that you didn't take a personal hand in overseeing
13 the creation of a cover identity by any of your
14 subordinates?

15 A. That's correct.

16 Q. I'm asking whether you delegated that job or whether you
17 just left the officers to it?

18 A. I left the officers to it, sir.

19 Q. Did you check or test how robust the cover legends were?

20 A. I didn't personally, no, sir.

21 Q. Did you consider the ethics of using a deceased child's
22 identity?

23 A. Yes, I did, sir. You know, particularly with hindsight,
24 I suppose. But, as I've just said, I didn't see any
25 other way of -- of being able to get the supporting

1 documents than having a birth certificate. And with
2 hindsight, perhaps, we could have done it -- well,
3 I don't think we could have done it another way.

4 Q. There is another question, though. Was it actually
5 necessary for your officers to have the additional
6 protection that comes from having a birth certificate?
7 And I don't want you to go into details, but anything
8 else that flowed from that?

9 A. I -- I think we did need it, because unlike many other
10 undercover deployments, ours were for a period of
11 several years, whereas many other undercover deployments
12 elsewhere in the police service were just for a matter
13 of weeks, and identities were unlikely to be so severely
14 challenged.

15 Q. Were any of the officers on your watch the subject of
16 close scrutiny?

17 A. Not that I'm aware of, sir, no.

18 Q. Can I take it from earlier answers you've given me about
19 the legal position that you didn't address your mind to
20 whether or not the use of deceased children's identities
21 was lawful or not?

22 A. I didn't, sir, no.

23 Q. Having been aware of the compromise where the officer
24 was confronted with his death certificate, did you
25 accept that there might be a risk that a family might

- 1 find out if another officer was so compromised?
- 2 A. Yes, I did, sir, but I suppose, on the balance of
3 probabilities, this -- I don't know when the practice of
4 using dead children's identities started, but clearly it
5 had been going on for five/six years before I came back,
6 and that had been the only incident, so I thought that
7 the chances of it happening again were probably remote.
- 8 Q. Was there a black folder with advice and guidance for
9 undercover police officers?
- 10 A. I've thought about this since reading submissions, and
11 I don't recall seeing one. I've no doubt it was, but
12 I don't recall seeing it.
- 13 Q. Was there any other form of written material to help
14 the officers?
- 15 A. Not that I remember seeing.
- 16 Q. Now, you've said in your witness statement that you
17 didn't provide your officers with any guidance. Why
18 not?
- 19 A. Guidance in what way, sir?
- 20 Q. In terms of any training.
- 21 A. Because the system that I inherited, which I thought was
22 a good system, was that while in the back office, they
23 assisted in processing the reports, they had time to
24 create their identity and legend; and more importantly,
25 they came out to the meetings at the safe house every --

1 often twice a week; and they had every opportunity to
2 speak to existing officers.

3 Q. Well, my next question is: how would officers know what
4 they could and couldn't do in the absence of any formal
5 guidance?

6 A. They had informal guidance, sir. And it is difficult to
7 give precise guidance in a -- the sort of undercover
8 field that we are operating in. It almost requires them
9 to come back and say, "I find myself in this situation,
10 how should I deal with that?" Rather than us saying,
11 "You can do this, you can't do that."

12 Q. So would it be fair to characterise the way this was
13 dealt with as entirely reactive?

14 A. Reactive and based on experience that had gone before.
15 So some guidance, but it was informal guidance.

16 Q. Produced in response to issues being raised by officers?

17 A. And things that had happened.

18 Q. Are you saying that you would have prospectively said,
19 "Look, this has happened, be aware, don't do that" --

20 A. Exactly.

21 Q. -- "do this"?

22 A. Yes, sir.

23 Q. Can you think of any specific examples, without naming
24 the names of any officers?

25 A. Well, I think everyone was aware of the incident that

1 we've already spoken about, where the birth and death
2 certificate was -- was produced. It didn't happen on my
3 watch, as far as I'm aware, but people were aware of
4 arrests that had happened, and so what to do if
5 arrested. Those are the main sort of fields that I can
6 think of.

7 Q. Coming back to targeting and HN19. HN19 was targeted
8 towards the Revolutionary Communist Party and
9 the Revolutionary Party of Great Britain
10 Marxist-Leninist. Did you communicate that decision to
11 him?

12 A. Sorry, I still haven't got the key, sir. So I still
13 don't know who HN19 is or was.

14 Q. I think I know the name, but I'm not going to chance it.

15 A. I mean, answering your question without knowing who
16 we're talking about, sir --

17 Q. No, don't do that. That's not fair. When we've got
18 the key, we'll come back to that.

19 THE CHAIRMAN: I think, can't it be dealt with in this way.
20 This is the officer who was deployed for the first time
21 during your watch.

22 A. Right, sir. Thank you.

23 I can't remember whether it was me or whether it was
24 Trevor Butler who told him where he was going, sir.

25 THE CHAIRMAN: But you do know of whom I am speaking?

- 1 A. I do now, Sir, yes.
- 2 MR BARR: Who actually made the decision as to where HN19
3 was going to be deployed?
- 4 A. Again, I can't exactly remember, sir. It was probably
5 jointly maybe between C Squad, myself, Trevor Butler.
6 I really can't remember. I mean, I've already said that
7 I felt that we had overcoverage of SWP, so I certainly
8 wouldn't have wanted him to go there.
- 9 Q. I'm getting the impression that there was essentially
10 a consultation and discussion between C Squad and within
11 the SDS management; is that fair?
- 12 A. That's absolutely fair, sir. We would not have
13 single-handedly decided where to -- where to put people.
- 14 Q. And if there had been -- well, was there any
15 disagreement?
- 16 A. About this particular individual?
- 17 Q. Yes.
- 18 A. Not that I'm aware of, sir, no.
- 19 Q. If there had been any disagreement, who would have had
20 the final say?
- 21 A. Probably C Squad, sir.
- 22 Q. Is that because they would have outranked you?
- 23 A. No, if you like, they were our -- a term I don't like;
24 they were our "customers".
- 25 Q. Right.

- 1 A. We were there to serve them, not the other way round.
- 2 Q. And by "C Squad", were you talking to the chief
3 superintendent, the superintendent, or somebody else?
- 4 A. It would be someone in that area of ranking, sir.
5 I mean, it was -- it would have been probably an
6 informal chat one afternoon, you know, "We've got a new
7 officer, where would be an area that you particularly
8 would like him to go, if we can agree that."
- 9 Q. Was there any consideration of deploying into the far
10 right?
- 11 A. Yes, there was. Not -- not with regard to this
12 particular individual. It is something that -- that
13 probably just Trevor Butler and I discussed. It may
14 have gone higher up the rank structure. And I think
15 there was probably a policy decision at that time not to
16 deploy anyone into the far right, because they were too
17 violent, and we were concerned what the officer may have
18 to do to prove his credentials.
- 19 Q. Did you consider it any part of your role when
20 discussing where HN19 should be deployed to consider
21 whether or not there were alternative ways of getting
22 the same product for your customer?
- 23 A. No, I suppose -- I suppose I didn't as specifically as
24 that. I mean, it's always a consideration can you get
25 this information from some other source, but you never

1 quite know what you're going to get from the other
2 source until you try it, by which time it might be too
3 late.

4 Q. Can I take it from your earlier answers about the law
5 that you didn't -- that you were taking into
6 consideration your customer's needs and the safety of
7 your officers and the public, but you were not taking
8 into account any legal considerations, and you were not
9 making any assessment of the proportionality of
10 the intrusion into privacy weighed against the value of
11 the product for policing purposes?

12 A. I suppose not at that time, sir, no.

13 Q. Do you think it would have been a good idea to have had
14 a formal review of deployments periodically?

15 A. With hindsight, yes, I do. The problem, as I've said,
16 sir, is -- is, with the deep entrenchment of
17 the SDS officers, it was not that easy, possibly even
18 impossible, to move them from one field to another. So
19 the only option would be to actually remove someone all
20 together; which may have been an option of course.

21 Q. And can I take it that if you had been provided with
22 formal training about the legal parameters in which you
23 should work, or any legal advice, you would have
24 followed those procedures and any such advice?

25 A. Oh, absolutely, sir.

1 Q. From these rather legalistic questions, can we move to
2 something a little bit more political.

3 You were in post just after the 1979 general
4 election, which brought about a significant political
5 change in the country. Did you change in any way
6 the intelligence that was being gathered as a result of
7 the outcome of the 1979 general election?

8 A. No, sir, I didn't. I mean, the early 80s were a sort of
9 febrile time, for all the reasons that you've outlined.
10 I mean, inflation was high, unemployment was high,
11 industrial unrest was high. There were certainly a very
12 large number of demonstrations in 1980, a dozen or so
13 that required a thousand police officers, many more that
14 required over a hundred police officers. Even that's
15 a pretty large chunk of -- of policing. So I would say
16 that we were reporting, in 1980, on probably five or six
17 public order events. Plus, of course, there was quite
18 a lot of picketing going on, as a result, probably, of
19 the new government coming in, all of which required
20 police coverage, and we may well have reported on that
21 as well in a public disorder sense.

22 Q. So volume went up?

23 A. Volume went up dramatically, and it carried on
24 the following year as well, sir -- in fact, it went up
25 the following year.

1 Q. Was there any change in the nature of requests for
2 information as to targets coming from either C Squad or
3 the Security Service as a result of the change of
4 government?

5 A. No, I don't recall anything specifically as a result of
6 the change of government, certainly not from C Squad.
7 I mean, as you're aware, we had fairly regular meetings
8 with the Security Service. In fact, the minutes I've
9 been shown are more regular than I realised.

10 They would often try and influence our deployments,
11 and I suppose we would accede to their requests if they
12 didn't cut across our primary responsibility, which was
13 public disorder. And always was. Everything on
14 the subversive side was a byproduct of the public order
15 work that we were doing.

16 Q. We'll be coming to those documents in just a moment.
17 Before we do so, there's one further question.

18 In the 1981 election, Ken Livingstone became
19 the leader of the Greater London Council. I think he
20 had the tabloid persona "Red Ken". Was there any change
21 in intelligence requests, and in particular did anybody
22 ask you to report on him?

23 A. No, sir.

24 MR BARR: Sir, we've had one break this morning already, but
25 might it be a good idea to have another short break?

1 THE CHAIRMAN: Yes, I think everybody may need to stretch
2 their legs.

3 Can we say ten minutes? Are you content with
4 ten minutes?

5 A. Fine, sir, yes. Whatever suits you.

6 THE CHAIRMAN: We'll break for ten minutes; we'll start
7 again at quarter past.

8 (12.04 pm)

9 (A short break)

10 (12.16 pm)

11 MR BARR: Sir, thank you.

12 We're going to move now to the minutes that we've
13 recovered from the Security Service, describing meetings
14 that they had with you, amongst others, whilst you were
15 the head of the SDS.

16 Can we go to the first one, please. It's in tab 8
17 of the bundle, sir. It's at {UCPI/28813}. This is
18 dated 24 March 1980, so not very long after you had
19 started.

20 I'm going to take you through this a step at a time.

21 If we start with paragraph 1:

22 "F6 ..."

23 That's from the Security Service:

24 "... and I met the new Head of SDS ... Barry Moss
25 and ... Trevor Butler for drinks in CSH ..."

1 Is "CSH" their premises?

2 A. It was Curzon Street House, sir.

3 Q. "... on 17 March 1980. We thanked them for the flow of
4 valuable reports that they provided and in particular
5 the recent detailed report on the IMG World Congress.
6 DI Butler promised that a further long report on
7 the IMG was in the course of preparation."

8 Was it your general understanding that
9 the Security Service were very grateful for
10 the information that you were providing to them?

11 A. Yes, sir.

12 Q. Did you get the impression that that was politeness, or
13 whether they found it genuinely valuable?

14 A. I think they found it genuinely valuable, sir.

15 Q. And without going into any specific details, can you
16 help us as to what lies beneath that view?

17 A. In my very early days in Special Branch, going back
18 to '68, I was on C Squad then, and our work was
19 predicated by -- by request after request after request
20 from -- from the Security Service for information about
21 the CPGB, the Communist Party of Great Britain; and that
22 was really our bread and butter. That hadn't really
23 changed. And so when I became the head of the SDS,
24 CPGB by then was more or less defunct, but of course had
25 been replaced, in their minds, by the SWP. And I think

1 that we were probably their main source in the SWP, and
2 I think they were genuinely grateful for it.

3 Q. I mean, this is -- this particular thanks relates to
4 the IMG?

5 A. To the IMG --

6 Q. So it's your general experience they were particularly
7 grateful --

8 A. Of the left-wing groups. Left wing -- as they saw them,
9 subversive groups, sir.

10 Q. Are these the groups that I think are sometimes
11 described as the "ultra left"?

12 A. Yes, sir.

13 Q. The ones that are sometimes described as further left
14 than the CPGB?

15 A. Yes.

16 Q. Paragraph 2 appears to be you offering a debrief of one
17 of your officers by the Security Service. In other
18 words, offering them access to your officer to speak
19 about his deployment. Without naming names, have
20 I understood correctly?

21 A. Yes, sir.

22 Q. And that appears to have been well received?

23 A. Yes, sir.

24 Q. Do you know -- again, without naming names -- whether
25 that was something that had happened before?

1 A. I believe it had, sir. Not in every case, but from time
2 to time.

3 Q. And where had you got that belief from?

4 A. I would imagine that Trevor Butler, he was -- how can
5 I put it? -- my mentor to an extent, because I didn't
6 have much of a handover from Mike Ferguson. I would
7 imagine that Trevor told me that.

8 Q. Thank you.

9 If we can now go to paragraph 3. If I've understood
10 that correctly, the gist is that you are seeking
11 feedback from them about the reporting that you were
12 providing to them.

13 A. Yes, sir. As I think I've touched on when we were
14 talking about the numbers of reports at the beginning of
15 my evidence, it's very easy in the intelligence world to
16 judge the quantity of material, it's quite difficult to
17 judge the quality of the material. I imagine that's
18 a problem even the Security Service have with their own
19 product. So to get feedback from someone who received
20 a lot of work from us would be valuable to us.

21 Q. And without going into specifics, did you get feedback?

22 A. I can't remember, sir. I would imagine so, yes.

23 Q. And if there had been feedback to the effect of, "We
24 want this -- more of this, less of that," would that
25 have been fed into your conversations with your

1 officers?

2 A. Yes, but as I've said before, our primary objective was
3 -- was demonstrations/public order. And anything we did
4 for the Security Service was ancillary to that.

5 Q. Yes, I think you've made that --

6 A. Yes.

7 Q. -- clear earlier.

8 But on that point, if we move to paragraph 4, you
9 are described as "very much more forthcoming" than your
10 predecessor, who we know was Michael Ferguson. And they
11 go on to say:

12 "... and I think that we can look forward to
13 mutually useful cooperation."

14 So was it your view that subject to the fact that
15 your primary mission was public order policing, that you
16 should be as helpful as possible in servicing
17 the Security Service's requests?

18 A. With that caveat, sir, yes.

19 Q. Can we go to tab 11. That is {UCPI/28814}. Now, this
20 is dated 8 April 1980. And at paragraph 2 the document
21 says:

22 "The purpose of the meeting was to introduce me as
23 F6's successor as the F6 point of contact with the SDS."

24 Now, this meeting occurs two weeks after the last
25 one, or thereabouts. Was that more frequent than

1 normal, or --

2 A. Yeah, very much so, sir. Very much.

3 Q. And is that explained by the fact that it was to
4 introduce the new point of contact?

5 A. I imagine so, sir, yes.

6 Q. Now, at the bottom of the page, the bottom of
7 paragraph 5 -- thank you -- the last couple of sentences
8 -- or the last sentence -- two sentences read:

9 "This discussion also highlighted the advantages
10 they have over ourselves when Butler told me that they
11 meet their sources two to three times a week. Their
12 sources are fully briefed and all options are discussed
13 at these meetings."

14 The picture I'm getting from that is they are rather
15 envious of the fact that you are using
16 undercover police officers who you are meeting two or
17 three times a week and can have a constant dialogue with
18 about how they go about their business. Is that -- have
19 I understood it correctly?

20 A. Absolutely correctly, sir. One of the reasons for
21 the creation of the SDS was that informants were
22 notoriously difficult to -- to handle. And that is
23 backed up by -- by the comments at the end of that
24 report.

25 Q. Can we take that down, please, and now go to tab 16 in

1 the bundle {UCPI/28816}.

2 We've gone through to July 1980. This is a meeting
3 at which you and DI Butler go to F6 office. It's
4 described as a "routine meeting". That's happening some
5 four months after the last such meeting that we have
6 a record of. Is that your recollection of about
7 the usual frequency?

8 A. Yes, sir.

9 Q. And then at paragraph 2a, if I've understood that
10 correctly, the gist is they have got an out-of-date list
11 of where your officers are deployed, and you are going
12 to provide them with an up-to-date list?

13 A. Yes, sir.

14 Q. Does it follow from that that we can assume that in this
15 period, at least, the Security Service was fully sighted
16 on at least the fields that your officers were working
17 in?

18 A. Yes, sir.

19 Q. And would they know the real and cover names of
20 the officers as well? No examples, of course.

21 A. No. It -- it would have only been the cover names. I'm
22 a little bit surprised seeing this. My memory told me
23 that we didn't actually tell them the cover names. We
24 told them the groups, but not the cover names. But that
25 looks as though we actually did give them the cover

1 names. We certainly wouldn't have given them the real
2 names.

3 Q. At (b), at the Security Service's request:

4 "... I asked if the information contained in
5 the paragraph on the Troops Out Movement could be passed
6 to ..."

7 And then there's reference to "liaison partners".

8 Were requests to disseminate intelligence that had
9 emanated from the SDS beyond the Security Service
10 something that happened on more than this one occasion,
11 or not?

12 A. No, sir, I'm not aware of it ever happening other than
13 on that occasion.

14 Q. And I think you explain in your witness statement that
15 you -- when you made this statement, you couldn't recall
16 what the outcome of that request was?

17 A. No, sir, no.

18 Q. Without naming liaison partners, is your recollection
19 any better now?

20 A. The recollection isn't any better, because obviously
21 I have seen the unredacted one of this.

22 The recollection is no better, but there had been
23 problems in that area before. I'm guessing that
24 the outcome may have been: no.

25 Q. If we then move over the page, please, {UCPI/28816/2},

1 to, if I have interpreted it properly, a direct and
2 specific request from the Security Service for more
3 information on the Revolutionary Labour League, and then
4 a discussion about that group.

5 Were specific requests like this common?

6 A. Yes. Perhaps not common, but fairly regular.

7 Q. If we move down to the next subparagraph, about
8 the London Workers Group. You asked them if they were
9 interested in the group; they said yes; and then you say
10 that you will provide more information about that group
11 to them. I'm getting the impression of a real dialogue
12 between professionals. Is that a fair depiction of what
13 is going on?

14 A. Yes, sir. We -- we each had our jobs to do. We knew
15 what their job was and we were all on the same side, as
16 it were, so I -- I would say, yes, we would cooperate
17 with them as much as possible, subject to our own needs.

18 Q. So you weren't just passively responding to their
19 requests. If you thought there was something they'd be
20 interested in, you drew it to their attention?

21 A. Yes, sir.

22 Q. E is about the debriefing of the officer whose real
23 name, we know, is Vincent Harvey. Do you know whether
24 or not Mr Harvey actually met with the Security Service?

25 A. No, sir, I don't.

1 Q. Could we go to f, and there is a request -- you're
2 talking about membership details from the London area,
3 intelligence of very much the sort I was dealing with
4 yesterday when calling a senior member of
5 the Socialist Workers Party.

6 To what extent was the Security Service the driver
7 behind collecting the membership details and similar
8 intelligence from the SWP's headquarters?

9 A. I would say that they were the driver to collecting that
10 sort of intelligence.

11 Q. If we look at the very bottom of the page, it says:

12 "DCI Moss said that their source achieved these
13 results at some risk to himself, and would be much
14 happier if the source did not have to take this risk."

15 Now, I think we do have the cipher list in
16 the building now, if you need it, but my question
17 is: are we dealing with the officer HN155, cover name
18 "Phil Cooper", who infiltrated the SWP's headquarters?

19 A. It would have been him or one other officer --

20 Q. And is that the --

21 A. -- sir.

22 Q. -- officer HN80, cover name "Colin Clark"?

23 A. Yes, one of those two, sir, exactly.

24 Q. I'm getting the impression from this passage that
25 the SDS was taking risks that it wouldn't otherwise have

1 taken in order to service a request from
2 the Security Service. Is that a fair assessment?

3 A. This is, I suppose, one of the issues, sir, when giving
4 directions, which we discussed earlier, is very
5 difficult. You've got to leave it to the judgment of
6 the individuals on the ground as to whether that risk is
7 a risk worth taking, and if they say it isn't, then you
8 have to respect that judgment and not push them further.

9 Q. Would it be fair to say that the position here seems to
10 have been the answer was reluctantly: yes, I'll do it?

11 A. Absolutely.

12 Q. But making you know --

13 A. Yes.

14 Q. -- that the risk was increased by doing so?

15 A. Sir, we would have possibly said, "Look, use your own
16 judgment; if you can't do it, don't, because it's more
17 important to have you there than to have you exposed for
18 their sake".

19 Q. On your watch, did you sense a pressure from
20 the Security Service to push your officers further up
21 the SWP chain, if I describe it that way, than you might
22 otherwise have done?

23 A. No. No, I didn't feel -- there was no pressure to do
24 that, sir. I think they were grateful for what was
25 achieved when they were further up the chain. But in

1 fairness to them, I don't remember any pressure from
2 them to do it.

3 Q. Well, looking at the utility of the information,
4 membership lists and things like that, they would be
5 kept on Special Branch files as well --

6 A. Yes.

7 Q. -- as Security Service files.

8 A. Everything we sent to them was duplicated on our files.
9 We kept -- as you would do in a normal business, we kept
10 copies of what we sent to them.

11 Q. Special Branch is using them as part of its -- those
12 records as its intelligence database on ultra left
13 groups?

14 A. Special Branch's?

15 Q. Yes.

16 A. Yes, sir.

17 Q. It's using it -- we'll come back, perhaps, later to this
18 -- for vetting purposes?

19 A. I think -- I sense there's -- there's lack of clarity
20 about the use of that word, sir.

21 Q. I tell you what, we'll come back to that whole topic --

22 A. Okay, sir.

23 Q. -- later, in that case.

24 But in terms of public order -- the primary purpose,
25 you've told us, of the SDS -- membership lists aren't of

- 1 any immediate use, or any use, are they, in policing
2 public disorder?
- 3 A. Well, they're useful in that we need to know, to police
4 public order, the -- the number of members of any given
5 organisations. And to take it a stage further, there's
6 no point in just knowing numbers, you need to know
7 the attitudes of those members. If you've got 2,000
8 members who are all totally peaceful and, you know,
9 visit the Quaker meeting house on Sundays, then that is
10 useful to know, because it's negative reporting. But if
11 you've got 2,000 members, of whom 500 are pretty
12 violent, that is also useful to know, and you need to
13 know who they are.
- 14 Q. But from a public order point of view, don't you need to
15 know that sort of intelligence about
16 numbers/demeanour/intentions in relation to a specific
17 event?
- 18 A. Yes, you do, sir, but if the event is being organised by
19 a so-and-so branch of the SWP, for argument's sake, then
20 your starting base is: how many people does that branch
21 have, who are they, what are they like, what sort of
22 demonstration are they likely to -- to organise. Then
23 the next step would be: which other branches can they
24 bring on board with them. Then the next step would
25 be: which other ultra left groups might they bring out

1 to support them. So that's why you need to know who
2 the people are.

3 Q. I'm getting the picture that the Special Branch officer
4 sitting at his desk in C Squad producing a threat
5 assessment might be looking at this sort of material --

6 A. Exactly that, sir, yes.

7 Q. -- is that fair?

8 A. That's absolutely right.

9 Q. If we could move on to the next page of the report,
10 please {UCPI/28816/4}. I think, in relation to
11 the "Leveller", it seems to be the discussion was
12 effectively: no need for you to infiltrate the Leveller.

13 And then in relation to Freedom Collective, you are
14 putting somebody into Freedom Collective and discussing
15 that with the Security Service?

16 A. Yes, sir.

17 Q. Now, was the deployment into the Freedom Collective
18 a deployment that was being made because it was
19 considered to be a threat to public order, or as
20 a stepping stone to some further ultimate target?

21 A. I don't know the answer to that, sir. I'm guessing
22 a stepping stone.

23 Q. You then go to the bar for beer and sandwiches. Could
24 you just give us a flavour of whether you are talking
25 about work or other things over beer and sandwiches?

- 1 A. Probably still talking about work, sir.
- 2 Q. And so it's through that informal chain as well that
3 the relationship is cemented?
- 4 A. Yes.
- 5 Q. And do you swap anecdotes and that sort of thing?
- 6 A. Yes, I suppose so. Like any sort of after work meeting,
7 there's a bit of work, a bit of just exchange of,
8 I suppose, personal information.
- 9 Q. Now, you've told us in your witness statement that in
10 addition to these meetings that we've seen the records
11 of, there is also some telephone contact between you and
12 the Security Service --
- 13 A. Yes.
- 14 Q. -- is that right?
- 15 Is that over an open line or over a secure line?
- 16 A. I think it was probably over a secure line. I --
17 I can't imagine us talking to them over an open line.
- 18 Q. So that's more substantive conversation about things
19 like their requirements and so forth?
- 20 A. Yes. It wouldn't be a formal request for us to sort of
21 change direction or something like that, it would more
22 likely be passing us a little bit of updating
23 information, or a last minute request for something, or
24 vice versa.
- 25 Q. Indirect contact between the SDS and

1 the Security Service. You say in your statement that
2 C Squad had daily contact with the Security Service and
3 I wanted to know how you knew that, how it worked and
4 what its relevance was to the SDS, if I can roll three
5 questions into one.

6 A. Right. I -- I should probably have put in my opinion to
7 that statement, and it was based on my -- my relatively
8 short time in a management role on C Squad and my
9 earlier time in a very junior role on C Squad.

10 C Squad had -- the management had secure phones on
11 their desks. The more junior ranks weren't allowed to
12 talk to the Security Service. Given the necessary
13 interface, leaving aside the demonstration side of
14 things, the necessary interface between C Squad and
15 the Security Service, my assumption was that the contact
16 would be pretty regular.

17 So it was more an opinion, sir. Does that answer
18 your question?

19 Q. Well, I think where it leads me is, to what extent did
20 you receive requests via C Squad for intelligence that
21 had in fact emanated from the Security Service?

22 A. I would say that probably most direct requests and
23 interchange came at these meetings, and probably any
24 more routine requests would come via C Squad, sir.

25 Q. Is that supposition, or known fact?

1 A. Known fact from time to time, supposition on other
2 times.

3 Q. I'd like to step back from the detail and ask you
4 a couple of impressionistic questions about your
5 relationship with the Security Service.

6 How influential were they in targeting?

7 A. Influential to us? To the SDS?

8 Q. Yes. How much influence did they have over the way you
9 went about your business?

10 A. I suppose I would think they would like to have had more
11 influence than they actually did have. It was --
12 I wouldn't say it was -- it wasn't quite a two-way flow
13 of information, we probably gave them more than we --
14 they gave us. They would like to have influenced us,
15 and if we could accede to their requests without
16 detriment to ourselves, then we would oblige them.

17 Q. Who was actually taking the decisions as to which groups
18 would be targeted and what information from within those
19 groups would be focused on?

20 A. You mean right from the beginning?

21 Q. On your watch.

22 A. Sorry. You mean -- I meant on the beginning of
23 a deployment? Is that your question?

24 Q. Well, let's start with the beginning.

25 A. Yeah.

1 Well, there was only one who -- who was deployed
2 during my time, because when I went, there was someone
3 in the back office, and I can't quite remember who it
4 was, and his deployment was already decided. My
5 thoughts are that we would have spoken to certainly
6 C Squad. I doubt we -- we wouldn't have spoken to
7 the Security Service and sought their opinion on that,
8 we would have spoken to C Squad and asked what their
9 needs were, we'd have used our own judgment based on
10 public disorder, and there might have been an input from
11 maybe commander operations, but I'm not sure about that.

12 Q. And then you've told us, in terms of once a deployment
13 was ongoing, you were doing your best to be
14 accommodating, but was the formal decision-making as to
15 whether or not you acceded to those requests your
16 decision, or did you have to do what you were told?

17 A. No, I would say it was our decision at -- at the office
18 level. My decision, if you like.

19 Q. Can we now take that document down and move to
20 the definition of subversion.

21 You have said in your witness statement that you
22 understood subversion to be undermining the power or
23 authority of an established system or institution.
24 Where did you get your understanding of subversion from?

25 A. I suppose what I said then was perhaps a bit loose and

1 my understanding of subversion, which I probably should
2 have learnt parrot fashion, was probably from my --
3 either my early days on C Squad, although that predates,
4 I think, the definitions that came out, or from an
5 introductory course I did with the Security Service in
6 1970s some time when we were given the -- you know,
7 the Denning definition and the -- the other definition,
8 the name of which escapes me.

9 Q. Well, I'm going to show you them now.

10 A. Yeah.

11 Q. We appreciate, in your witness statement, you were
12 relying on rather elderly memories, so let's have a look
13 at the documents.

14 Could we have {UCPI/4459}.

15 Now, this is a document dated 15 June 1970 which
16 encloses the April 1970 terms of reference for
17 Special Branch. Are you now familiar with this
18 document?

19 A. Yes, I think I've -- I've seen that one, sir.

20 Q. Did you see it in the 1970s?

21 A. Probably not, sir, because if it was from ACPO, which it
22 obviously is, it would have probably sort of stopped at
23 the very senior level in SB, at least at that stage, so
24 I probably wouldn't have seen this letter then.

25 Q. If we can go, please, to page 2 {UCPI/4459/2} and in

1 particular paragraph 3, subsection (d). Thank you.

2 It says:

3 "In consultation with the Security Service to
4 collect, process and record information about subversive
5 or potentially subversive organisations and
6 individuals."

7 Was it your understanding that the role of
8 Special Branch extended to assisting
9 the Security Service not just in relation to groups
10 which met the definition of subversion, ie were
11 subversive, but also extended to groups which were
12 potentially subversive?

13 A. In my very junior days, which I've touched on before,
14 I believe all the requests that we had from
15 the Security Service pertained to the CPGB, because that
16 was the dominant feature then. Moving later and more up
17 the period we're dealing with now, I don't recall any
18 requests for organisations that would be regarded as
19 potentially subversive, I suppose depending on how you
20 view the SWP, of course, and similar organisations.

21 Q. And depending on how you define subversion?

22 A. Well, back to that argument, sir.

23 Q. Page 4, please {UCPI/4459/4}, paragraph 3:

24 "It is important that Special Branches should have
25 a clear idea of what constitutes 'persons and

1 organisations which may be judged to be subversive of
2 the security of the State'. Broadly speaking these are
3 any organisation or individual whose purpose is
4 the undermining or overthrow of the established
5 democratic order."

6 Now, the quote comes from the Maxwell-Fyfe
7 definition of subversion. Do you recognise that as
8 the definition of subversion that you were familiar with
9 in the early 1970s?

10 A. The 1970s definition is a bit -- was a bit longer than
11 that, but the tone was the same.

12 Q. And then the second sentence that I read out,
13 the vernacular interpretation:

14 "Broadly speaking these are any organisation or
15 individual whose purpose is the undermining or overthrow
16 of the established democratic order."

17 Was that your understanding of what a subversive
18 organisation --

19 A. That's --

20 Q. -- was?

21 A. -- that's a bit more like it, sir, yes.

22 Q. Now, a feature of that definition is it is focused on
23 purpose, so anybody who wants to overthrow
24 the established democratic order falls within it. Does
25 that accord with how you operated in the 1970s?

1 A. Well, I suppose I'm thinking of the -- the -- the newer
2 definition, which -- which includes undermining
3 the safety or wellbeing of the state.

4 Q. We'll come to that in a moment.

5 A. (Overspeaking) -- okay.

6 Q. But sticking with the 1970s terms of reference based on
7 the Maxwell-Fyfe definition, which dates from the 1950s,
8 you said a moment ago that you thought that's more like
9 it. Is that, on the ground, how you and your officers
10 understood subversion?

11 A. Yes, broadly speaking, sir, yes.

12 Q. Now, the -- what we call the Harris definition, which we
13 understand was arrived at within the Security Service in
14 1972 and was communicated publicly in Parliament by
15 Lord Harris in 1974, reads: subversive activities are:

16 "Those which threaten the safety or wellbeing of
17 the state and which are intended to undermine or
18 overthrow Parliamentary democracy by political,
19 industrial or violent means."

20 My first question to you is: can you recall whether,
21 in 1972 when the Security Service adopted this
22 definition, that was communicated to you?

23 A. I -- I recall seeing a printed document -- and I do mean
24 printed as opposed to typewritten -- setting out
25 the terms of reference of Special Branch and I've got

1 a feeling that definition was in that, but I have not
2 seen a copy of it since.

3 Q. Can you recall what sort of date that would have been?

4 If you can't recall that properly, I won't --

5 A. No, I can't really, sir. Sort of round about the period
6 you're talking about, perhaps.

7 Q. Well, let's look at a document which may help you. Can
8 we have {UCPI/4545}, please. Now, this is a document
9 from May 1974. It's a letter to all chief constables
10 which adds to the 1972 terms of reference about, as one
11 can see in block capitals, "Subversive activities in
12 industrial substitutes". Do you recall seeing this
13 document?

14 A. Again, probably not that particular document. I'm
15 guessing that how that would have been promulgated would
16 have been a paraphrase, coming out as an internal
17 Special Branch instruction.

18 Q. So, let's look at pages -- we'll start at the bottom of
19 page {UCPI/4545/2}, paragraph 4, please -- sorry,
20 paragraph 7:

21 "In this connection, it may be helpful to remind you
22 of the distinction we draw between subversion and
23 militancy in industrial disputes in the following
24 definitions:-

25 "Subversion is defined as activities threatening

1 the safety or well-being of the State and intended to
2 undermine or overthrow Parliamentary democracy by
3 political, industrial or violent means."

4 The Harris definition.

5 And then it goes on to say:

6 "Industrial militancy is defined as readiness to use
7 or threaten the use of strikes, sit-ins and other forms
8 of aggressive action in the furtherance of industrial
9 disputes and an unwillingness to seek or accept
10 compromise solutions through negotiations, conciliation
11 or arbitration."

12 And of course, it goes on to distinguish the two,
13 one being within limits and one being off limits.

14 Your feeling is that this would have been
15 disseminated not by copying the document but by some
16 other internal --

17 A. Yes.

18 Q. -- Special Branch communication.

19 Can you recall whether or not you were familiar,
20 from 1974 onwards, with the Harris definition?

21 A. I would like to say yes, sir, but it's one of these
22 things that, you know, with this Inquiry and previous
23 inquiries having gone on for so long, whether it's
24 something I picked up as a result of preparing myself
25 for this. I would like to say yes, I did know that, but

- 1 I can't say it hand on heart.
- 2 Q. Well, the next question that comes is: it is different
3 in some significant respects from the definition that we
4 looked at from 1970. Can you recall any instructions or
5 training introducing this refined definition and telling
6 you about it and telling you what changes it should
7 bring about?
- 8 A. No, I can't, sir.
- 9 Q. Is that because there wasn't any, or because there might
10 have been but you can't remember?
- 11 A. Probably the latter, sir.
- 12 Q. Now, an important qualification in the Harris definition
13 is it requires not just an intention to overthrow or
14 undermine parliamentary democracy but there has to be
15 a threat to the safety or wellbeing of the state.
16 Was there any change, on the ground, from 1974 onwards,
17 as a result of the additional requirement for a group to
18 have not just the intention to overthrow Parliament but
19 also sufficient potency to threaten the safety or
20 wellbeing of the state?
- 21 A. I think, as I said earlier, the 80s were a febrile time
22 with -- with industrial unrest, high inflation and so
23 on, and lots and lots and lots of street activity and
24 demonstrations so caused, and I would speculate that
25 the -- the activities of the SWP did fulfil that, and

1 fellow travelling organisations did fulfil that
2 definition, and certainly in their minds they were
3 subversive within that definition, I would say. I mean,
4 looking back, they clearly did not fit in with that
5 definition, but that's not how it appeared at the time
6 to us, or to them, I would suggest.

7 I'm not sure that answers your question.

8 Q. Well, let's take on your watch in 1980. Are you asking
9 yourself -- are you actually addressing your mind
10 to: does the group my officer is infiltrating not only
11 want to overthrow the state but actually is threatening
12 the state now?

13 A. No, certainly, you know, the -- the one particular
14 branch of the SWP alone could not threaten the state,
15 and that would have been obvious even at that time.

16 Q. Well, the Special Branch annual reports say the whole
17 group wasn't either. In fact, the Special Branch annual
18 reports describe a lot of groups as posing very little
19 threat.

20 A. I -- I haven't seen those reports, so I'm saying that,
21 looking backwards, that clearly was the case. I'm not
22 sure whether we, on the ground, viewed it like that at
23 the time. And certainly the Security Service didn't,
24 because they were very interested in the work of the SWP
25 and similar groups. They clearly saw them as

1 subversive.

2 Q. They certainly did.

3 The other change is by adding the rider "by
4 political, industrial or violent means". Was that more
5 by way of clarification of the existing understanding,
6 or was that something new? If you don't --

7 A. What, the addition of the word "violent"?

8 Q. The words, no, "political, industrial or violent means".
9 Was that a clarification that changed the previous
10 understanding? In other words, was a group that was
11 trying to agitate within industry regarded as subversive
12 before the Harris definition?

13 A. I would say probably not, sir.

14 Q. So, whatever the Trotskyist groups were doing in
15 industry in 1971/1972, are you saying not considered
16 subversive?

17 A. I suppose what I'm saying is that Special Branches --
18 well, I can only speak for the Met Special Branch --
19 took its lead from the request from
20 the Security Service, and if they regarded something as
21 subversive, we would have taken our lead from them.

22 Q. Was there any change in how they regarded a group --
23 which groups they regarded as subversive fundamentally
24 during your time in the 70s in Special Branch?

25 A. You'd have to ask them, sir. I don't know the answer to

1 that.

2 Q. Was it the case -- let me put this another way. Was it
3 the case that the sort of groups that you and
4 the Security Service were interested in essentially
5 remained the same throughout the 70s?

6 A. Well, I had nothing to do with the SDS in the 70s, sir,
7 and I wasn't even in Special Branch for part of that
8 time, which is perhaps why I'm having difficulty
9 answering your question.

10 Q. Yes, I see.

11 But you were within Special Branch, apart from some
12 time out --

13 A. Well, from '76 to '80, I wasn't in Special Branch.

14 Q. So in your time -- you're right, it's only fair you can
15 speak to what you know, but was there any change in how
16 the definition was applied or, on the ground, which
17 groups were of interest between 1968 and 1976?

18 A. Not that I was aware of, sir, because I was only on
19 C Squad for a very short time and, for example, for, I
20 think, three years during that time, I was working at
21 Heathrow Airport.

22 Q. And when you came back to the Special Branch, had
23 anything changed?

24 A. I don't know, sir.

25 Q. You're certainly in a position -- you're not in

1 a position to gainsay the proposition that nothing in
2 fact changed on the ground?

3 A. No. No, I'm not.

4 Q. Thank you.

5 A. But as I say, I was out of the field, in that sense, for
6 seven of those years.

7 Q. Yes, that's an absolutely fair point to make. I'll have
8 to pick another victim for that.

9 Can we now take that document down and have
10 {UCPI/34701}.

11 This is a paper, a Home Office paper from 1980. If
12 we can go to page 2, paragraph 4, at the very bottom
13 {UCPI/34701/2}.

14 So there's -- this is proposing an amendment to
15 the terms of -- to the definition of subversion, and
16 the proposed amended definition starts at the very
17 bottom:

18 "Subversive activities are defined as those which
19 threaten the safety or well being of the state, and
20 which are intended to undermine or overthrow
21 Parliamentary democracy by political, industrial or
22 violent means."

23 Harris, so far?

24 A. Mm-hm.

25 Q. Then:

1 "This includes the activities of organisations or
2 individuals which, while operating at present within
3 the law, have as their long term aim the overthrow
4 Parliamentary democracy."

5 So the rider that it was being proposed should be
6 added would make -- would make beyond doubt the fact
7 that lawful activity was within the definition of
8 subversion and all that was required, in terms of aim,
9 was a long term aim.

10 Did that in fact reflect what the SDS was doing then
11 anyway?

12 A. Yes, I'm not sure I've seen this definition before --
13 this proposed definition, but I would say that -- that
14 it -- it did, yes.

15 Q. Now, if we can take that down, please.

16 You've -- and I've been testing your memory back
17 half a century, but you've got some -- and I don't mean
18 this pejoratively, but some hazy recollections of
19 getting some information and training about those
20 subjects. Looking back, do you think you were
21 sufficiently trained and informed about the definition
22 of subversion?

23 A. No, possibly not. I suppose the -- the best training we
24 had on that was -- was with a course provided for junior
25 SB officers by the Security Service themselves and that

1 was probably the best training. It could probably have
2 done with -- with re-emphasising, perhaps.

3 I suppose my thoughts are that if
4 the Security Service came to you and said something was
5 subversive, you took their word for it.

6 Q. And so far as your men's understanding of subversion is
7 concerned, can I take it from what you've said that you
8 didn't provide them with any formal instruction about
9 the definition or anything like that?

10 A. No.

11 Q. You just followed the Security Service's lead?

12 A. Yes, sir.

13 Q. Do you think they were kept sufficiently up to date or
14 refreshed as to the definition of subversion?

15 A. Well, with hindsight, sir, possibly not. But as I said
16 before, the -- the reporting on subversion defined by
17 the Security Service was a byproduct, and the main
18 function was not that, and I've come back to that in
19 previous times.

20 MR BARR: Thank you.

21 On that note, sir, would it be convenient to break
22 for lunch now?

23 THE CHAIRMAN: Certainly it would. Roughly how much longer
24 do you have in this phase of your questioning?

25 MR BARR: I think I'm on course to finish within the day,

1 sir.

2 THE CHAIRMAN: Yes, but --

3 MR BARR: I'm halfway through.

4 THE CHAIRMAN: Yes. We do, of course, have other questions
5 that may arise from propositions that are put to you by
6 other teams.

7 MR BARR: I think we're okay, sir.

8 THE CHAIRMAN: Good.

9 Very well. Would anybody mind if, today, because
10 there may be some pressure of time, we resumed at
11 2 o'clock rather than 5 past, the full hour? I hear no
12 protest. Then we'll resume at 2.

13 (1.06 pm)

14 (The short adjournment)

15 (2.01 pm)

16 THE CHAIRMAN: Mr Barr.

17 MR BARR: Thank you, sir.

18 Mr Moss, can we go back to school now, please. I'm
19 going to have up on the screen {UCPI/34698}. This is
20 another circular from the Security Service to
21 chief constables about subversive activities. It's
22 dated 16 December 1975, and it's about subversive
23 activities in schools.

24 If we could go to the second page {UCPI/34698/2} and
25 paragraph 2, please, it says:

1 "We do not ask you to make enquiries in schools on
2 our behalf, but we would welcome any help you could give
3 us on the basis of information which comes your way from
4 the local papers or from members of the public, or by
5 recourse to other sources outside schools which you can
6 use without risk of embarrassment."

7 Did you see that document?

8 A. Not at the time, but I was aware of it -- I have been
9 made aware of it.

10 Q. Were you aware at the time of the message that was
11 contained in paragraph 2?

12 A. No, I wasn't.

13 Q. Were you aware by the time that you were the DCI of
14 the SDS of that message?

15 A. I think I might have been, but wouldn't swear to it.

16 Q. There is tension within schools, isn't there, with both
17 the far left and far right seeking to influence views
18 within schools in the late 70s and early 80s?

19 A. Yes.

20 Q. And the SDS reported on that, didn't they?

21 A. I believe so.

22 Q. Yes, we've had reporting --

23 A. Oh, fine.

24 Q. -- from HN126 in particular about that.

25 Were you aware of what that was for and who

- 1 the driver was for that intelligence?
- 2 A. I'm not sure I've seen the intelligence you're talking
3 about, but I'm guessing that it was
4 the Security Service, and it was in pursuance of that
5 letter or circular.
- 6 Q. Should I take it from the uncertainty in your voice that
7 perhaps we'd be best relying on the officer himself?
- 8 A. Yes, sir, I think so.
- 9 Q. Thank you.
- 10 Can we take that down.
- 11 I asked you before lunch about the procedure with
12 documents when you were on C Squad.
- 13 A. Mm-hm.
- 14 Q. I'm going to ask you a little bit about the procedures
15 within the SDS. You've told us in your witness
16 statement that you didn't compile or assess reports.
17 You did read them and sign them off, though, didn't you?
- 18 A. Sometimes, sir, yes.
- 19 Q. And then were they disseminated to C Squad?
- 20 A. Yes, sir.
- 21 Q. And then the process that you described was applied to
22 them and they were further disseminated as C Squad saw
23 fit?
- 24 A. Yes, sir.
- 25 Q. Was there any change in that process during the time

1 that you were working in the SDS?

2 A. No.

3 Q. You've confirmed in your witness statement what I would
4 describe as -- and do tell me if you disagree with
5 the choice of words -- an unfiltered approach to
6 intelligence-gathering, where your officers hoovered up
7 information so that it could be considered and analysed
8 by others?

9 A. That's fair comment, sir.

10 Q. You've made comment on a number of reports in your
11 witness statement, and I'm not going to take you to them
12 all, but could I take you just to a couple.

13 First of all, can we go to the document at tab 19,
14 which is {UCPI/15145}.

15 This is a report dated 5 November 1980, and it's
16 about an individual. It says at paragraph 2:

17 "[Privacy] has recently joined Kilburn branch of
18 the Socialist Workers Party. He is employed by
19 the General Post Office in the international sorting
20 office at [location]. Due to his shift work he is
21 unable to attend SWP meetings but he does
22 a regular 'Socialist Worker' newspaper sale in Finchley
23 Road, NW3 each Saturday."

24 Can you keep in mind employment at the GPO.

25 It then goes on to deal with where he's living and

- 1 a bank account. And then it talks in terms of being:
- 2 "... a supporter of the Gay Liberation Movement and
- 3 is an avid reader of 'Gay News'."
- 4 You thought that that intelligence might be of some
- 5 relevance for vetting purposes in your witness
- 6 statement?
- 7 A. Yes, sir.
- 8 Q. Could you explain, please, what the relevance of this
- 9 intelligence to vetting might be?
- 10 A. To -- to vetting, as I was describing it, none at all,
- 11 sir. But I was trying to differentiate between
- 12 the official government vetting system, which is aimed
- 13 at preventing unsuitable people in terms of their views
- 14 and attitudes having access to classified government
- 15 information, and blacklisting, as it's been described.
- 16 Q. They are two different things.
- 17 A. They are two different things, yes.
- 18 So in terms of government vetting purposes, that is
- 19 of no interest whatsoever.
- 20 Q. Was the fact that this person was working for the Post
- 21 Office potentially of vetting relevance?
- 22 A. In government terms?
- 23 Q. Yes.
- 24 A. No, sir. I don't believe -- there may be some posts in
- 25 the Post Office, pardon me, which are vetted to

1 government standards, but I'm not aware of any. I can't
2 see why they would be.

3 Q. So is it your evidence now that in fact you don't think
4 this document is of any relevance to vetting?

5 A. No, sir, I don't think it is. I think it's just
6 a question of identifying the person as -- as much as
7 possible.

8 Q. So far as bank account details are concerned, did you
9 regard these as having any quality of confidentiality
10 that ought to make you cautious about signing off
11 reports containing them?

12 A. With hindsight, probably, yes.

13 Q. At the time?

14 A. No. It was a different time, sir.

15 Q. Could we take that report down, please, and could we go
16 to a document which in fact wasn't in the bundle. It's
17 {UCPI/14174}. Thank you.

18 This is a report dated 8 August 1980, and it deals
19 with information about a member of the Revolutionary
20 Communist Tendency. Can we have a look in particular --
21 it starts about that. But, in particular, I want to
22 have a look at what it says about a particular woman, at
23 paragraph 6, please, at the bottom of the page.

24 "Since that time she has been 'unattached', until
25 recently when she formed a relationship with a bus

1 conductor on the [Privacy] bus route called [Privacy]
2 (a black-belt Karate exponent) and it is likely that
3 this liaison will blossom although the two characters
4 prefer at present to maintain their independence.
5 However, she still lives at [Privacy] [Privacy]
6 [Privacy] and in the last week has intimated that she
7 wishes to fall pregnant again and for this purpose has
8 ceased to take 'the pill' on a regular basis. She is,
9 however, not quite sure at present as to who will sire
10 this latest socialist offspring."

11 If we could go down to the next page and look at
12 paragraph 9, please {UCPI/14174/2}. It says:

13 "Whilst not actively engaged on a firm political
14 basis, she had still retained close links on a social
15 basis with her many friends in the Tottenham
16 Socialist Workers Party and Haringey/Tottenham
17 Women's Voice and it can be stated quite strongly that
18 her current political bias would not include an interest
19 in Irish orientated groups, let alone the ideals of
20 the Revolutionary Communist Tendency, as her main
21 interest, culturally, politically and personally is with
22 the black races and people of similar ethnic origins."

23 Now, if we scroll down to the very bottom, please,
24 we see that you've signed there on behalf of
25 the chief superintendent.

1 So is that one of the documents that you would have
2 read?

3 A. Yes, if I signed it, yes, certainly.

4 Q. Did you consider content like that, first of all, to be
5 necessary?

6 A. Yes, I think it's relevant in that -- I obviously don't
7 know the -- the subject, I don't know anything about her
8 from this distance in time. I think the relevance is
9 that it shows her probably possibly becoming less active
10 in ultra left wing circles, looking perhaps to settle
11 down a bit more, and certainly if she does become
12 a mother again she would have less time for activity.
13 So it would be indicating to me that this particular
14 person was likely to be taking less interest in -- in
15 activities in the future. That's what I would see as
16 the relevance.

17 Q. Did you consider the tone appropriate?

18 A. I -- I -- I thought one of the sentences was -- was
19 a bit odd, and I'm not sure I'd -- in -- in today's
20 light -- I haven't got it in front of me anymore --

21 Q. If we could go back -- which bit would you like to look
22 at again?

23 A. I think it was probably the bottom of the first page.

24 Q. So paragraph 6, please, {UCPI/14174/1}.

25 A. Well, I didn't like that sentence "not quite sure

1 at present as to who will sire this latest socialist
2 offspring". That was very poorly phrased, to say
3 the least. And in the present climate, I'm not sure
4 I like the way that they talked about her -- her
5 interest being concentrated in certain ethnic
6 minorities. I don't think that was --

7 Q. And at the time?

8 A. I probably didn't think about it at the time. As I say,
9 it was a long time -- a different time, sir.

10 Q. Coming back to the significance of this report, as you
11 saw it, in terms of the content, couldn't that have been
12 recorded much more succinctly and without the details?

13 A. I suppose my views on that, thinking of
14 the Security Service's interest, is -- you said did
15 the SDS Hoover up things, I think the Security Service
16 do very much the same. And I suppose my view would be,
17 if we had that information, and it's all relevant, as
18 far as I can see, to her as a person, I would pass that
19 on to the Security Service.

20 Q. Looking back now with hindsight, would you accept that
21 this was inappropriate reporting?

22 A. In what way, sir?

23 Q. Well, inappropriate both in terms of the level of highly
24 personal detail, and secondly the tone?

25 A. I think the tone would be unacceptable now, yes, sir.

- 1 Q. And the level of detail more than was necessary?
- 2 A. Well, I suppose, for example, I'm not quite sure what
3 you're getting at, but in paragraph 5 when she's talking
4 about -- when the author is talking about having formed
5 a relationship with the national treasurer of FLAME,
6 that could have been sort of left off her report and put
7 on his report.
- 8 Q. I'm thinking of the detail of contraception, speculation
9 about who the father of her child might be --
- 10 A. I see.
- 11 Q. -- as well as the comments about race that you've
12 already --
- 13 A. Well, I've commented on that, sir.
- 14 Q. Yes.
- 15 A. I understand what you're saying now.
16 Yes, I suppose it could have stopped at the end
17 of "intimated that she wishes to fall pregnant again",
18 and the rest of that paragraph could be -- could be left
19 out.
- 20 Q. One of the reasons I've chosen to put this document to
21 you, not only does it occur on your watch but it falls
22 at precisely the time that concerns were being expressed
23 in the Home Office, amongst other things, to the effect
24 that more information was being recorded than was
25 necessary and then stored. So that was a concern that

1 they had at the time.

2 A. I think --

3 Q. Would you agree that that was a justified concern to
4 have?

5 A. Yes. With modern eyes, I would agree with that, sir.

6 Q. Thank you.

7 Can we move -- if we can take that document down.

8 Could we move to Blair Peach. And can we start,
9 please, with whether you can recall in any general
10 discussion, whilst you were the head of the SDS or in
11 the period between Blair Peach's death and your assuming
12 that role, about what the police concerns were arising
13 from that incident.

14 A. No, sir. I mean, I was in the CID until quite literally
15 the day before I took over the SDS in that January, so
16 that answers that part of the question.

17 As far as the second part is concerned, I imagine
18 that the main interest was in any public disorder
19 arising from those tragic circumstances.

20 Q. When you say you imagine, in the conversations you were
21 having with people at C Squad and your superiors in
22 S Squad, was anybody feeding down to you any desire for
23 intelligence about the Friends of Blair Peach Campaign?

24 A. Not in specific terms, no, sir.

25 Q. In general terms?

- 1 A. No.
- 2 Q. Was anybody else expressing to you a desire for
3 intelligence about the Friends of Blair Peach Campaign?
- 4 A. I'm not quite sure where this is going, sir, but no.
5 I'm not sure I'm giving you the answer you're looking
6 for.
- 7 Q. Was anybody asking you for information in connection
8 with the inquest, or with any other proceedings that
9 were going on at the time, arising --
- 10 A. No.
- 11 Q. -- from the death?
- 12 Could we look at {DOC/76/1}, please. This is
13 a report dated 19 June 1979. As far as the Inquiry is
14 aware, this isn't SDS reporting. But it says:
- 15 "This report concerns those persons, known to this
16 Branch, who have made written statements to Police
17 concerning the death of Blair Peach during an
18 anti-National Front demonstration at Southall on
19 23.4.79."
- 20 Are you able to assist us in any way as to why such
21 intelligence would have been wanted by Special Branch?
- 22 A. No, I can't, sir.
- 23 Q. Can we take that down and have {DOC/77/1} up, please.
24 This is, again, a document which we don't -- our
25 understanding is this isn't SDS intelligence. It's

1 dated 19 February 1981:

2 "In connection with the investigation into the death
3 of Blair Peach on April 23, 1979 a number of persons met
4 [redacted] later that evening. It is understood that
5 the reason for this meeting was to collectively discuss
6 individual statements which would later be made to
7 Police."

8 Can you help us as to why Special Branch would be
9 interested in that intelligence?

10 A. Well, I suppose my immediate reaction to that is,
11 were they meeting for reasons of collusion? And I don't
12 see that Special Branch, per se, would have interest in
13 that, unless the people were -- were known to us. But
14 even then, I can see a reason for police interest in
15 that, but not Special Branch interest in that.

16 Q. If we could take that down now, please. And if we could
17 have up the document which is at tab 10 of the bundle,
18 which is {MPS/728963}.

19 Now, this is the 1979 annual report. And it
20 describes seeking -- in relation to Blair Peach, seeking
21 to discredit and criticise the police. I think you were
22 asked to comment on it in your witness statement.

23 A. Sorry, I'm not sure I've got the right document here,
24 sir.

25 Q. I will take you to the precise paragraph in just

1 a moment.

2 If we can go over to the next page, to paragraph 3
3 {MPS/728963/2}. It says -- this is one of the letters.
4 This is a letter from Assistant Commissioner Kelland to
5 R J Andrew at the Home Office. Paragraph 3 says:

6 "The focal point of much of the extremist activity
7 in 1979 was the General Election held in May with
8 the extreme Left contriving to take advantage of
9 the National Front's election campaign to provoke
10 hostile confrontation whenever possible.

11 The culmination of the virulent anti-fascist
12 demonstrations was the death of the Anti-Nazi League
13 supporter Blair Peach and the subsequent campaign
14 against Police. During this period
15 the Special Demonstration Squad was able to provide
16 useful information which was invaluable, enabling
17 uniformed officers to be effectively deployed."

18 Was it a concern of the police, in the light of
19 the two reports I've shown you and the annual report for
20 1979, that the SWP, the ANL or
21 the Friends of Blair Peach Campaign were trying to
22 discredit or criticise the police?

23 A. I read that -- it's perhaps unfortunately phrased in
24 the sentence beginning "The culmination of the virulent
25 anti-fascist ..." etc "... and the subsequent campaign

1 against the Police", that perhaps shouldn't have been
2 there, and it should just finish with the last sentence,
3 which I think comes back to the function of the SDS,
4 that it:

5 "... was able to provide useful information ...
6 enabling uniformed officers to be effectively deployed."

7 I would personally have no problem at all with --
8 with criticism of the police for -- for anything that we
9 do. It's -- we live in a democratic society.

10 Q. Well, is the problem that that phrase was there in
11 the document; and do you think, looking back, there
12 might have been a rather defensive mindset?

13 A. Yes, quite possibly. I was giving you my personal view
14 then. But corporately, yes, quite possibly.

15 Q. Could we take that down, please, now and have tab 15
16 {UCPI/14149}.

17 Now, this is an SDS report. It's dated
18 28 July 1980, and it is about the Friends of Blair Peach
19 Committee attempting to form a national coordinating
20 body with other groups who are concerned, as the report
21 puts it, with state brutality by the police and prison
22 authorities.

23 Can you help as to why this intelligence was
24 reported by the SDS? Was it just part of
25 the Hoovering-up approach, or was it because there was

1 a particular interest at that time in the Friends of
2 Blair Peach Committee?

3 A. I'm, again, speculating, but I assume -- I believe there
4 were demonstrations outside police stations and other
5 places, in support of -- of all these people, quite
6 justifiably of course, but it gave our uniformed
7 colleagues -- at least it would give our uniformed
8 colleagues advance notice of those demonstrations, to
9 allow them to be -- not to stop them, but to enable them
10 to police them properly.

11 Q. There were indeed demonstrations, and there is another
12 report in the pack about one of those, but I don't think
13 we need to go to it now.

14 Could we take that down, please.

15 Can you recall whether you got any feedback from any
16 source, whether the Security Service, C Squad, uniformed
17 police, anybody within police circles, about SDS
18 reporting in connection with the death of Blair Peach
19 and the subsequent justice campaign?

20 A. I don't remember getting any feedback, no.

21 Q. One of the officers who gave evidence anonymously at
22 a closed hearing says that he was at the Southall
23 demonstration, and that he gave a witness statement to
24 police about it. Can you recall that?

25 A. When was the demonstration, sir?

- 1 Q. It was St George's Day 1979?
- 2 A. That's before my time.
- 3 Q. We don't know exactly when the statement was taken,
4 whether it was immediately afterwards or not.
- 5 Do you know anything about any SDS
6 undercover officer giving a witness statement to police
7 in connection with that demonstration?
- 8 A. I don't, no, sir.
- 9 Q. Were you aware that Blair Peach was a member of
10 the Socialist Workers Party?
- 11 A. Not at the time, but from subsequent reporting, yes.
- 12 Q. Your witness statement talks about the SWP piggybacking
13 on to Blair Peach's death. Wouldn't it be fairer to
14 recognise that Blair Peach was one of their own?
- 15 A. It probably would, sir, yes.
- 16 Q. Would you accept that this was a justice campaign which
17 ultimately did secure some justice?
- 18 A. I would.
- 19 Q. Can I zoom out from the Blair Peach campaign to justice
20 campaigns more generally. Did you ever get, as far as
21 you can recall, particular requests from anybody to
22 obtain intelligence about a justice campaign?
- 23 A. No.
- 24 Q. And was there any reason, over and above the unfiltered,
25 hoovering-up approach, why justice campaigns were

1 reported on?

2 A. In connection with the potential for public disorder, of
3 a minor or large scale.

4 Q. That takes us to public disorder. Can we start at
5 tab 22 with the annual report for 1980. That's
6 {MPS/728962}. And in that report, could we go to
7 page 8, please {MPS/728962/8}, paragraph 17.

8 Paragraph 17 reads:

9 "Anti-fascist activity continued to tax
10 the resources of the Metropolitan Police and in
11 February, March, April and June there were right wing
12 marches which attracted counter demonstrations from many
13 sections of the revolutionary left ..."

14 It's right, isn't it, that tension between the far
15 left and the far right was a major theme of the time
16 when you were head of the SDS?

17 A. Absolutely, for both years.

18 Q. We've heard evidence that anti-fascist groups had
19 a policy of confronting the fascists on the street.
20 Was it your view that one side or the other was causing
21 the trouble?

22 A. Yes, it was, sir.

23 Q. And what was your view?

24 A. Well, abhorrent as it may appear, I wonder whether, had
25 the NF been allowed to march and not been confronted by

1 the left, would there have been any disorder. Sorry,
2 I didn't -- abhorrent as their views may appear, is what
3 I meant to say. Because it was the left that caused
4 the disorder in those circumstances. And it was always
5 a matter for debate within the police service how far
6 the police should go to facilitate free speech. In
7 other words, we've -- I remember seeing press cuttings
8 of forces elsewhere in the country that had an absolute
9 phalanx of police protecting ten National Front people
10 with a union flag marching down the middle of
11 the street. And a question for debate was -- and there
12 were arguments on both sides, and people supporting both
13 sides -- whether that was the correct use of -- of
14 police manpower.

15 So what I'm saying, in rather a lengthy way, is, if
16 the National Front had just been allowed to demonstrate
17 and the left wing hadn't turned up, there probably
18 wouldn't have been any disorder, in my opinion.

19 Q. Can we pick up on some evidence given yesterday. What
20 would have happened if the left and right had been
21 allowed to appear without a police presence?

22 A. Oh, it would have been mayhem.

23 Q. Can I move now specifically to the return -- sorry,
24 the Right to Work march of 1980. If we can take down
25 the present document and have up {UCPI/14264}. I just

1 want to have a look at some of the preemptive -- this is
2 dated 15 September 1980, and the march hits
3 the Conservative Conference in October. So this is
4 preemptive intelligence.

5 If we could go to page 2 {UCPI/14264/2}, please, and
6 paragraph 9, it says:

7 "With regard to the march itself it is intended that
8 approximately 100 unemployed youngsters will make
9 the journey from Port Talbot, via London to Brighton,
10 although it is anticipated that on the last three days
11 of the march, when it leaves Croydon, these numbers
12 could grow to something in excess of 400. This part of
13 the project is not seen as a great threat to public
14 order other than problems resulting from youthful
15 exuberance of the marchers, drunkenness and minor
16 breaches of the peace at places where the march stops
17 for the night. At each location where the march
18 arrives, civic receptions have been arranged where
19 the local council is deemed to be 'friendly', meetings
20 will be held with guest speakers and entertainment in
21 the form of live music will be offered where available."

22 And it speaks about a timetable of activities.

23 Paragraph 10:

24 "With regard to the pickets outside the Conservative
25 Party Conference on Friday 10th October the situation

1 relating to possible public disorder is completely
2 different. The Socialist Workers Party has throughout
3 the past five months been building steadily towards
4 totally disrupting the final day of the conference by
5 whatever means they consider necessary."

6 If we could take that down, please.

7 What I'd like to explore with you is how well
8 publicised was the Right to Work march before it took
9 place.

10 A. I have no idea, sir.

11 Q. Was it entirely predictable that there would be trouble
12 at the Conservative Party Conference?

13 A. Not necessarily. It comes back to what I was saying
14 about knowing individuals, knowing what their
15 proclivities were towards violence or peaceful
16 demonstration, and assessing it from there. So,
17 possible, not entirely predictable, I would say --

18 Q. It was 1980 in the first --

19 A. In the first, as I said --

20 Q. -- the very early days of --

21 A. The two -- the two years of the -- 1981, the difficult
22 years. So putting it in context there, I suppose, it
23 was probably, if not entirely predictable.

24 Q. The march is described in an ex post facto report that
25 we can find at {UCPI/14610}. And if we go to page 5 and

1 paragraph 24, please, {UCPI/14610/5}.

2 "It soon became apparent to the marchers that
3 the event was receiving an unexpected amount of coverage
4 by both the local and national media which made
5 the organisers instill rigid discipline amongst
6 the marchers. This tended to dampen the spirits of
7 the more unruly elements, and resulted in little public
8 disorder during the first two weeks. Indeed,
9 the Council decided to ban five individuals from
10 continuing on the march due to their disregard of
11 instructions on matters of discipline."

12 25:

13 "In addition, the march was accompanied for most of
14 the way by a World in Action reporting crew which caused
15 the march stewards to enforce council policy on
16 discipline even more strictly."

17 If we could go to paragraph 26, please

18 {UCPI/14610/6}:

19 "The organisers were of the opinion that the huge
20 wave of support that the Campaign was riding on would
21 disintegrate if the media reported any incidents of
22 violence or rowdyism, and there can be little doubt that
23 during the initial stages of the march these feelings
24 were of paramount importance in curtailing any serious
25 public order."

1 Then if we could go to page 6, paragraph 30.

2 "On entering London (Southall) the mood of the march
3 altered, becoming far more militant. This can be
4 accounted for by the fact that the marchers were faced
5 with larger numbers of police than they had previously
6 experienced, plus the moral support of freshly turned
7 out members of the SWP. This sudden turn of events lead
8 to the arrest of seven marchers following a fracas with
9 a member of the public."

10 Then if we could go to paragraphs 35 and 36 on
11 the next page {UCPI/14610/7}:

12 "It is estimated that about 8,000 demonstrators were
13 present outside the Conference Centre, and there can be
14 little doubt that had it not been for the presence of
15 large numbers of police on duty outside, serious public
16 disorder would have ensued relating in damage to
17 property and physical assaults on conference delegates.

18 "The march organisers, having witnessed the strength
19 of the police were visibly crestfallen and had no other
20 option but to advise those intent on charging the police
21 lines and undertaking other forms of direct
22 confrontation with both police and delegates, to curb
23 their actions. Apart from isolated minor scuffles and
24 verbal abuse this proved to be the case and only 16
25 arrests were made."

1 So the picture is of a march which passed off
2 essentially uneventfully until it got to London,
3 a fracas in Southall with seven arrests, a huge
4 demonstration in Brighton, with a large police presence,
5 some arrests; the police view was it could have been
6 much, much worse.

7 What I'd like to explore with you is to what extent
8 do you think SDS intelligence contributed to that
9 outcome.

10 A. It seems fairly plain, sir, with respect. The SDS
11 predicted that the -- the march from -- from Wales would
12 attract little disorder, leaving aside possibly rowdyism
13 and drunkenness from the marchers, which proved to be
14 the case, it appears. Six or so were -- five were
15 thrown off the march. It then said that -- this is
16 the SDS report -- that fresh faces would join the march
17 when it got to London, which actually did happen.

18 The disorder at Slough, I think, was it -- Southall --

19 Q. Southall.

20 A. -- disorder at Southall, involved a fracas with a member
21 of the public, not with the police. And then the report
22 correctly said that there would be disorder in Brighton,
23 which there would have been without an enormous number
24 of police.

25 Q. What I'm driving at is, if the SDS intelligence hadn't

1 been available, wouldn't it have been predictable anyway
2 that the march would probably pass off peacefully and
3 that the trouble would be at Brighton?

4 A. Yes, but if you've got an organisation like the SDS, why
5 would you employ guesswork? Thinking of the expenses of
6 police deployments, you've got the SDS; why wouldn't you
7 use them?

8 Q. I think I'm driving at, did you really need the SDS?

9 A. You had the SDS already -- I mean, I don't think that
10 question is answerable looking at the lengthy --
11 the entire history of the SDS.

12 Q. I'm asking because, as you know, one of your officers
13 was on that march, infiltrated that march. And was it
14 necessary to have an SDS officer on that march?

15 A. He may have had to go on the march to maintain his
16 cover.

17 Q. Was it necessary for public order policing purposes?

18 A. Well, I still say yes, sir. I mean, I take your point,
19 that you perhaps could have guessed what might happen.
20 But isn't it more useful -- well, it is more useful to
21 have something fairly concrete to tell you what's likely
22 to happen.

23 Q. Can we take that down, please, and move on to

24 a different topic and a different document. It's

25 {UCPI/14208}. This is a report about a meeting which

1 took place on 14 August 1980. Paragraph 2 reads:

2 "On Thursday 14 August 1980, at Mornington Hall,
3 The Green, Chingford, E4, the Waltham Forest District of
4 the Socialist Workers Party held a meeting to voice
5 their opposition to the National Front and, in
6 particular, its growth within the Chingford area."

7 Then it goes on to describe a leafletting effort.

8 If we move to paragraph 4:

9 "[Privacy] Waltham Forest District Organiser, had
10 called for, and almost achieved, a full turn-out of
11 members on Saturday 9 August at Station Road, Chingford,
12 for a mass leafletting in order to publicise this
13 meeting. In addition, the exercise was organised with
14 a view to confronting the National Front in a show of
15 strength on its ... doorstep."

16 And at paragraph 5:

17 "Due to the non-attendance of local inhabitants,
18 the meeting was confined to planning a future campaign
19 aimed at stamping out the National Front in Chingford.
20 This will take the form of increased confrontation with
21 NF supporters in the area, leafletting and a promotion
22 of anti-nazi/racist propaganda within the breeding
23 grounds of [National Front] recruitment, namely local
24 schools."

25 First question: as far as you're aware, would this

1 have been a specific commission or just part and parcel
2 of the hoovering-up approach?

3 A. Part and parcel. I'm not sure I'd call that "hoovering
4 up", sir, because it's -- it's quite specific public
5 order material. But -- but it would not have been
6 tasked, I guess, it would have been picked up.

7 Q. And what was the public order policing value in
8 a meeting of people who want to take action against
9 local fascists?

10 A. Because it tells you how they're likely to take this
11 forward.

12 Q. Do you think that the use of the term "propaganda" for
13 material which is anti-Nazi and anti-fascist in nature
14 was an appropriate term?

15 A. No, perhaps not. Again, by -- by modern eyes -- I must
16 say, I wouldn't have thought twice of it then, but now,
17 it's probably inappropriate.

18 Q. Okay. Can we take that down, please.

19 Can we move on to the subject of relationships.

20 You explained in your witness statement that you did
21 block the recruitment to the SDS when you were
22 a superintendent in 1981 of an officer because he had
23 been unfaithful to his partner in the office?

24 A. Yes, sir.

25 Q. And your concern was that if he would do that in

1 the office, he might do that when he was deployed
2 undercover?

3 A. I hadn't thought it through in as much detail as that,
4 but I -- I just felt the -- that behaviour didn't
5 indicate that he was suitable for the SDS at that time.

6 Q. Well, if you had addressed your mind to it, it must have
7 been obvious that he might do the same thing --

8 A. Yes.

9 Q. -- undercover?

10 A. Yes, sir.

11 Q. And that would have been a concern of yours --

12 A. Yes.

13 Q. -- would it?

14 A. Yes, it would.

15 Q. And was that or wasn't it one of the reasons you stopped
16 that person becoming an SDS officer?

17 A. Yes.

18 Q. If we may look at some more general factors as well.
19 Your officers were either all or mostly married,
20 weren't they?

21 A. Yes, sir.

22 Q. Was one of the reasons that married officers were
23 recruited to reduce the risk of them involving
24 themselves sexually?

25 A. That was one of the reasons. Not the only one.

1 Q. Although they were in fact married, they were pretending
2 to be single, weren't they?

3 A. Yes, sir.

4 Q. Wasn't there a risk arising from the fact they were
5 pretending to be single of sexual activity occurring?

6 A. Obviously there was a risk, as we know with hindsight,
7 sir, but I suppose we didn't see it like that at the
8 time.

9 Q. Did you address your mind to that at all at the time?

10 A. No, I just thought that to do something like that would
11 be so silly that they wouldn't contemplate doing it.

12 Q. It was a very stressful job, to go undercover, wasn't
13 it?

14 A. I imagine so, yes, sir.

15 Q. On the whole, the people that they were infiltrating
16 were no friends of the police?

17 A. Correct.

18 Q. And whatever might actually have happened if they'd been
19 uncovered, presumably you were aware your officers would
20 fear the worst should they be uncovered as police
21 officers?

22 A. As did I. That was one of the things that did exercise
23 my mind.

24 Q. Keep you awake at night?

25 A. Not quite that far, sir, but ...

- 1 Q. Wouldn't it be a natural reaction of an
2 undercover officer pretending to be a single man to
3 think: if I form a relationship, that might enhance my
4 cover and keep me safer?
- 5 A. I would have thought the more natural reaction would be
6 to -- if I start a relationship, it's going to
7 potentially cause me more trouble, to be quite honest.
- 8 Q. Do you think that there was a risk that an officer might
9 have thought that if they form a relationship, it might
10 enhance their access to information, if it was the right
11 relationship?
- 12 A. No, I -- I don't think that. I think, if anything, your
13 former comment is the more likely, which is that it
14 would enhance their cover. But I -- I don't really go
15 along with that either.
- 16 Q. Did you consider either of those risks when you were
17 the head of the SDS?
- 18 A. No, I didn't, because I come back to my answer of
19 a couple of minutes ago: I thought it was such a stupid
20 thing to do that -- that they wouldn't contemplate doing
21 it.
- 22 Q. And I think you're clear in your witness statement that
23 you gave your officers no advice at all on this subject?
- 24 A. I didn't, sir, no.
- 25 Q. Can we consider, first, the officer we know as HN21.

1 There should be a key now. He's an anonymous officer --

2 A. Ah, yes.

3 Q. -- so it's very important we don't use his name.

4 A. I know who you're talking about, sir.

5 Q. You were meeting your officers at least twice a week,

6 weren't you?

7 A. Yes, sir.

8 Q. And you were very concerned about their welfare?

9 A. Yes, sir.

10 Q. And their cover?

11 A. Yes, sir.

12 Q. And no doubt their work as well?

13 A. Yes, sir.

14 Q. And you were talking to them about all of those things?

15 A. Yes, everything. Anything they wanted to talk about and

16 that we wanted to talk about.

17 Q. And did you talk to them at the level of detail about

18 the personalities within their groups?

19 A. No. It would -- the conversations with them were more

20 pertaining to their welfare, because any information

21 about personalities within their groups would come

22 through on paper, if appropriate.

23 Q. But surely they'd talk to you about at least the more

24 prominent or remarkable figures in their groups?

25 A. Not really, sir, no. It was -- it was probably -- when

1 we did used to meet them, it was more a chance for them
2 to -- to talk to someone who was both perhaps --
3 I wouldn't say a friend, that's probably going too far,
4 but a colleague and a supervisor in their real identity,
5 and to sort of relax for a bit, be that at the safe
6 house in a group environment or be that in a pub on
7 a one-to-one basis.

8 Q. Did HN21 tell you that he'd had sex with a woman?

9 A. No, sir.

10 Q. Did he say anything to you that might have suggested he
11 was becoming close to a woman?

12 A. No, sir.

13 Q. We now know that he did have sex twice with a woman. Do
14 you think, looking back, that if you had spoken to him
15 more, you might have conveyed to him what you felt in
16 your own mind, namely it would be very stupid to do
17 something like that?

18 A. No, sir. I mean, I suppose, to put it how I saw it, I'd
19 read the statements of -- of this individual, and I'd
20 picked up on exactly what you've just told me, but
21 I could not, from my own mind, identify him until I saw
22 it in -- in the reference book here. So I had
23 absolutely no idea -- in fact, even until today -- that
24 that individual -- I knew HN21 was, but I didn't realise
25 that individual was, if that makes it clear. In fact,

- 1 I'm quite surprised.
- 2 Q. Do you think, with the benefit of hindsight, that some
3 proactive discussion about the risks and about
4 the wrongness of sexual activity with people undercover
5 might have reduced the chances of officers behaving in
6 the way they did?
- 7 A. Clearly, with hindsight, yes.
- 8 Q. Can I ask you now about the officer we know as HN106.
9 Did you get any inkling from him that he was gaining
10 a reputation within his group as somebody with
11 a girlfriend?
- 12 A. No, sir.
- 13 Q. Did you get any inkling that he was getting close to any
14 female he was mixing with as an undercover officer?
- 15 A. No, sir.
- 16 Q. The same questions that I asked you about conversations
17 about this sort of thing and whether, in hindsight, more
18 might have reduced the risk of an officer succumbing to
19 temptation, would that apply to every officer under --
- 20 A. It would, sir, yes.
- 21 Q. -- your command?
22 Can I move to HN126.
23 Did you get any inkling in any of your conversations
24 with him that he was getting close to a female?
- 25 A. No, not in his group. I mean, his -- his marriage was

1 on the rocks, and --

2 Q. We'll come back to --

3 A. Oh right, okay --

4 Q. -- that later.

5 A. Okay. But no, not in terms of --

6 Q. His group?

7 A. No.

8 Q. And any inkling that he -- did he say anything to

9 the effect that he'd had any sexual activity?

10 A. No.

11 Q. HN155.

12 First of all, starting with his character. How

13 would you describe him?

14 A. A larger-than-life character, quite outgoing, perhaps

15 a bit more difficult to manage than some of the others.

16 Q. If it surprises you to learn that HN21 did have sex with

17 an activist, does it surprise you that HN155's risk

18 assessors have told us that he, 155, confessed to such

19 activity?

20 A. Perhaps less so.

21 Q. Did he say anything to you about either actual or

22 imminent sexual activity?

23 A. No, sir.

24 Q. You've already told me that you won't have discussed in

25 any detail the risks with him. But is he the sort of

1 character where it might have been particularly helpful
2 to put a shot across his bows?

3 A. With hindsight, yes.

4 Q. HN297.

5 We have some evidence from 1976 that he told his
6 fellow undercover officers that one of the reasons for
7 his compromise is that he'd got involved sexually with
8 two women. Did you ever hear anything about that, any
9 whiff of that, anything at all?

10 A. About 297?

11 Q. Yes.

12 A. No. I did know him from a different environment, shall
13 we say, within Special Branch, but -- but no, I had no
14 knowledge of him in the -- in the SDS, or -- nor did
15 I hear any rumours about it.

16 Q. HN300, which is back to where we started this morning.

17 The evidence we've received is that not only did he
18 meet an activist, but he married her.

19 A. Mm.

20 Q. Did you hear anything about that?

21 A. No. Again, I -- it was outside of my time, but I --
22 I -- I did know him from elsewhere in -- in
23 Special Branch, and --

24 Q. (Overspeaking) -- sorry, carry on.

25 A. Well, I wouldn't say that -- I didn't know about

1 the marriage, but perhaps the -- the relationship
2 doesn't surprise me, put it that way. I didn't actually
3 realise he was there from the SDS, I have to say.

4 Q. You've already explained that you might have had more
5 concerns about HN155 than HN21. Were there any other
6 officers that you supervised who you might have thought
7 were more at risk of misconduct of this nature?

8 A. No, I actually thought as a general statement they were
9 all pretty steady and -- and reliable.

10 Q. Were any of them regarded as womanisers?

11 A. No.

12 Q. If any of the officers who we know had sexual conduct
13 or, if it is true, those against whom it is alleged had
14 told you, how much importance would you have attached to
15 that at the time?

16 A. Quite a lot. It would have involved quite a serious
17 conversation, I have to say. I would like to say
18 I would have done this, that and the other, but
19 the short answer is I don't quite know how I would have
20 dealt with it. It would certainly have led to
21 a reconsideration of their position in the SDS. I'm not
22 making any moral judgments whether they were married or
23 not, just that it was stupid behaviour. And I would
24 have had to make a judgment, and probably referred it up
25 the management chain as well, as to whether that person

1 should consider -- continue on the SDS or not.

2 Q. The evidence that we've had thus far indicates that
3 HN300 went at least as far as admitting he was falling
4 in love with an activist, and he was removed from
5 the SDS.

6 Another officer has told us he thought if he'd
7 admitted to what he'd done, he would have been given
8 words of guidance.

9 As someone who himself managed the SDS, what is your
10 reaction to what was done in HN300's case, and what
11 the officer in the other case thought would have
12 happened had he confessed?

13 A. Sorry, sir, I was looking at the folder then. Could you
14 repeat the question? I do apologise.

15 Q. HN300 --

16 A. Yes.

17 Q. -- removed from the SDS --

18 A. Yes, I did a double take because I thought it was
19 someone else, so I do apologise.

20 Q. -- when he admitted he was falling in love with
21 somebody.

22 A. Mm-hm.

23 Q. What's your view of that as a measure?

24 A. What, removing him from the SDS?

25 Q. Yes.

1 A. Yeah, I would have thought that was inevitable. I don't
2 like to speak ill of the dead, but I'm not sure I would
3 have had HN300 on the SDS had I been selecting people at
4 that time.

5 Q. A fear that a confession might lead to words of
6 guidance, how realistic do you think that was as to
7 the reaction that SDS management would have to
8 a confession of sexual activity with a member of
9 the public in their undercover identity?

10 A. I would have thought words of guidance would be
11 the minimum.

12 Q. In truth, this is serious misconduct --

13 A. Yes.

14 Q. -- isn't it?

15 A. Yes.

16 Q. Was -- did you ever get the sense that the operational
17 security of the SDS was such that it would inhibit
18 disciplinary action being taken in such circumstances?

19 A. Not in my time. When you say "disciplinary action",
20 I don't think it would necessarily have led to a formal
21 police disciplinary conduct in terms of appearing before
22 a disciplinary board. It would have certainly, I would
23 think, have led to a redeployment of the individual and
24 maybe a re-examination of his position in
25 Special Branch. Not sure about that.

1 All SB officers were vetted, the government vetting
2 system. And of course, something like that could you
3 put -- could put your vetting clearance in jeopardy.
4 And if you're not vetted, you don't stay in
5 Special Branch.

6 Q. The next question I want a "yes/no" answer to, please.

7 Did you give any thought to the provision of cover
8 girlfriends?

9 A. No.

10 Q. Did you give any other advice as to how to avoid sexual
11 contact, for example imaginary girlfriends or being
12 Mr Grumpy?

13 A. It might have been a good idea, but no, I didn't, sir.

14 MR BARR: Sir, would that be a good moment to have our
15 afternoon break?

16 THE CHAIRMAN: Certainly. Ten minutes or 15?

17 MR BARR: I think we can afford 15, sir.

18 THE CHAIRMAN: Okay, 15 minutes. We'll resume shortly
19 before 20 past.

20 (3.04 pm)

21 (A short break)

22 (3.23 pm)

23 MR BARR: Mr Moss, just two more things about relationships.

24 First I'd like to clear something up. You used
25 the word "stupid" about the conduct of officers who did

1 get involved in sexual activity with people in their
2 undercover identities. I'm not understanding you to be
3 saying, by using that word, that you're putting all of
4 the blame on the officers, are you?

5 A. No, sir. I'm not quite sure where you're going with
6 this, but ...

7 Q. Where I'm going is, as we discussed, they are sent in
8 without any guidance --

9 A. Understood.

10 Q. -- and they're sent into an environment --

11 A. No, fair comment.

12 Q. -- as young men pretending to be single in environments
13 which can be sexually pretty active.

14 A. Yes, sir.

15 Q. So you wouldn't wish to leave here giving the impression
16 that you're putting all of the blame on them?

17 A. No, sir.

18 Q. And the second thing is, whilst you were having your
19 meetings at the safe flats and in any socialising
20 afterwards, did you ever hear any banter of the kind
21 which might have suggested that there was sexual
22 activity going on?

23 A. No, sir.

24 Q. One of the officers who gave evidence in Phase 2 said
25 that there was such banter. He was an officer who,

- 1 I think, finished just before you, in fairness to you.
- 2 But are you sure that there wasn't any banter about that
- 3 sort of thing, or any gossip, or even any mention of it?
- 4 A. Yes, I am.
- 5 Q. Can I move now to assumptions of positions of
- 6 responsibility.
- 7 You've explained in your witness statement that no
- 8 prior permission was required by an undercover officer
- 9 on your watch to take a position of responsibility, you
- 10 thought it had advantages, you thought that it did
- 11 require fine judgment, though, and you thought that
- 12 something like a treasurer or membership secretary would
- 13 be the best. Have I fairly summarised your view?
- 14 A. That's correct, sir.
- 15 Q. Did you give your officers any guidance in this matter?
- 16 A. As I recall, a couple of conversations where informally,
- 17 usually at the safe house meetings, I was told that
- 18 someone was up for or had been invited to take up
- 19 a certain job; and I would have said, "That's a good
- 20 thing, go for it" or, "That's a bit too much". But
- 21 apart from that, no.
- 22 Q. And this is the sort of conversation that would have
- 23 arisen in the safe house, isn't it?
- 24 A. Yes.
- 25 Q. Did you ever explore with them whether they were

1 influencing the course of the groups they were
2 infiltrating?

3 A. Well, if I was given advance warning of it, as I've just
4 described, yes, then I would have asked what the
5 position involved and made it clear that it should be,
6 if you like, sufficiently senior to be useful to us, but
7 not sufficiently senior to be directing operations, so
8 to speak.

9 Q. And once one of your officers had assumed a position,
10 did you talk to them about what they were doing in that
11 position?

12 A. They -- yes, but often the -- it would come from them,
13 again at the safe house meetings, where you would just
14 informally talk and say, "Oh, I've done this," or, "I'm
15 going to do that, I might be able to get that for us,"
16 that sort of conversation.

17 Q. Your view that it required fine judgment, how did you
18 ensure that fine judgments were exercised?

19 A. By conversations with them either, as I've just
20 described, on the occasions when they said that they may
21 be up for this job, or once I knew they were in that
22 job, talking about what they were doing, how far they
23 should let it go, and -- yes, how far they should let it
24 go.

25 Q. Can I ask you about a specific example, HN155. He gets

1 into the Socialist Workers Party's headquarters, and he
2 reports a lot of organisational data from
3 the headquarters office membership lists, that sort of
4 thing, and we touched upon that earlier. Did you
5 consider that was a good thing?

6 A. I'm sure the Security Service would have considered it
7 a good thing. I thought, as long as he was fulfilling
8 our function, then I was quite happy for him to be
9 performing that function as well, as long -- I mean, he
10 was able to take part in things organised by the SWP,
11 but I didn't want him organising things. That would
12 have been my line.

13 Q. He had inveigled his way into the headquarters by
14 deception, hadn't he?

15 A. Yes.

16 Q. And he was taking property from the building, wasn't he?
17 Certainly taking confidential information.

18 A. He was taking confidential information, yes.

19 Q. Did it cross your mind that that might amount to
20 a criminal offence?

21 A. He wasn't actually taking anything material, as
22 I recall, it was copying stuff down. And if you're
23 thinking of data protection breaches, I'm not sure
24 the data protection rules were in place then.

25 Q. So you had no concerns?

1 A. No.

2 THE CHAIRMAN: Forgive me for interrupting. The Data
3 Protection Act was clearly not in force then. And
4 I think it may be to mischaracterise. Taking
5 confidential information for a purpose for which it was
6 not intended and without the permission of the owner is
7 not a crime but a civil wrong.

8 A. I would accept that, sir. But I didn't think about it
9 when I was presented with it.

10 MR BARR: Thank you.

11 Can I move now to welfare. And you've explained
12 that was something high on your agenda.

13 You tell us that you visited HN19's wife at
14 the recruitment stage.

15 A. Ah, yes.

16 Q. And could you explain in your own words the purpose of
17 that.

18 A. To ensure that she was aware of what her husband was
19 letting himself in for; what that would mean for her, in
20 terms of domestic bliss and times away from home; and
21 that she didn't have any, I suppose, moral problems
22 with it; although, of course, I couldn't really explain
23 to her really what it involved, so that was not so much
24 -- it was a concern, but not something I could really
25 discuss with her. It was really welfare.

- 1 Q. What moral problems did you think there might be?
- 2 A. Well, if -- for example, the very thing you've just
3 raised is if her husband was going to be doing things
4 like that, spying on people, that she might have a big
5 problem with that. But I wasn't really able to discuss
6 that, because it would have breached
7 the confidentiality. She knew he was working undercover
8 and infiltrating groups; I suppose she could have worked
9 it out for herself. It was more welfare, sir.
- 10 Q. Would it be fair to say that the SDS asked a lot of
11 the wives of the officers --
- 12 A. Yes --
- 13 Q. -- it deployed?
- 14 A. -- it would. More than I realised at the time.
- 15 Q. And you regarded their married status as an anchor that
16 would secure them?
- 17 A. Yes, and not -- not -- I touched on this in answer to
18 your previous question. Not so much in -- it was part
19 of it -- in a sexual way, but so they had someone they
20 could trust they could let steam off to.
- 21 Q. In a wider sense as well?
- 22 A. In the wider sense of the word, yes.
- 23 Q. There were Christmas lunches in 1980 and '81.
- 24 A. Yes, sir.
- 25 Q. And how well attended were they?

1 A. 100%, as I recall.

2 Q. And senior officers present?

3 A. I think the first -- it's something that -- that later
4 down the line seems to have fallen into disuse, but
5 I thought it was a good thing. And I think, as
6 I recall, that the first one I went to, all the --
7 the UCOs were there, together with their wives, and the
8 back office staff with their wives, myself and my wife.
9 I'm not sure anyone more senior was there. But at
10 the one after that, then the DAC came to it, with his
11 wife. And all the UCOs and their wives.

12 Q. You say, in addition, that you occasionally had a drink
13 with wives and their husbands, to provide reassurance
14 that their husbands were doing an important job?

15 A. If requested. Never at our request, because that would
16 have probably been a bit intrusive. But once or twice
17 a UCO would, for example, ask to meet us for a drink and
18 a chat and bring his wife along.

19 Q. Is that once or twice in the eleven months that you --

20 A. Yes, once or twice. It was quite rare.

21 Q. Now, there was an incident, wasn't there, when HN126 was
22 going through his divorce?

23 A. Yes, sir.

24 Q. Could we look at tab 14 {MPS/726912}. Thank you very
25 much.

1 Could we go to paragraph 3, please -- sorry, page 3
2 {MPS/726912/3}.

3 This is the minute sheet for the document concerned,
4 which deals with the incident that you had to deal with.
5 It reads:

6 "We have already discussed this matter. As stated
7 in DCI Moss' report, it seems probable that HN126's wife
8 wrote the letter and it is to be hoped that our visit
9 will have acted as a deterrent to any repetition of
10 the act. In the circumstances I feel that nothing
11 further should be done unless another communication is
12 received."

13 This is evidence that your bosses essentially
14 accepted the advice that you gave them about how to deal
15 with the incident?

16 A. Yes, sir.

17 Q. And the incident had been the receipt of an anonymous
18 letter, hadn't it?

19 A. Yes, sir.

20 Q. If we go to page 9 {MPS/726912/9}, that is the letter:

21 "Dear Sir David ..."

22 Is that the Metropolitan Police Commissioner at the
23 time?

24 A. It was at the time, yes.

25 Q. "Could you please look into why your supposed undercover

1 Special Branch officers ... have affairs with members of
2 the opposite sex who are also in the force, and in some
3 instances actually live in police accommodation
4 together, nice bit of undercover work, no wonder
5 the police are coming in for increasing criticism.

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

10 "Yours in hope of justice an ex-friend of a Hairy."

11 And it was your conclusion that this came from
12 HN126's wife?

13 A. Yes, sir.

14 Q. Now, at the time, it says, "police are coming in for
15 increasing criticism". Do you know what that is
16 a reference to?

17 A. I don't, actually, sir, no.

18 Q. The second paragraph, did you take that as a threat?

19 A. Yes, I did.

20 Q. That she, whoever the author was, might go to
21 the National Front or the press?

22 A. Yes, sir.

23 Q. And if we go to page 6 of this file, please

24 {MPS/726912/6}, and this is your report, isn't it?

25 If we go to paragraph 9, please {MPS/726912/7}.

1 Thank you. It says:

2 "Such evidence as there is therefore points to
3 HN126's wife as the writer of the letter. She has
4 committed no offence in sending it, and there seems
5 little point in pursuing the matter. Part of the object
6 of the visit to her was to let her see that the letter
7 had arrived at its destination, and that some action was
8 being taken about it. It is hoped that this object has
9 been achieved, and that she will have been persuaded not
10 to write any more letters to the Commissioner or,
11 perhaps more important, to any more public source which
12 might cause the Commissioner serious embarrassment."

13 What was the embarrassment that you were
14 referring to?

15 A. Well, the existence of the SDS.

16 Q. And why would that have been embarrassing?

17 A. Because, from the beginning, we had been instructed by
18 Home Office that the SDS was to be a top secret
19 organisation. And I can't say we were acting on
20 the fringes of the law, because there was no law
21 governing what we were doing, which was a problem.

22 But I have no doubt whatsoever, and this Inquiry is
23 -- is evidence of that, that there would have been
24 a public outcry -- maybe not, but I think there probably
25 would have been a public outcry had the existence of

1 the SDS become known at that stage.

2 Q. And why would there have been an outcry?

3 A. Well, there was when Peter Francis went to The Guardian,
4 I suppose. And what I'm saying is, that could have
5 preempted what happened then.

6 Q. Now, there may be a tension between the way you dealt
7 with the applicant for the SDS, who had had an affair at
8 work, who you did not let join the SDS and HN126, who it
9 appears had also had an affair at work. He remained
10 with the SDS, didn't he, after this episode?

11 A. Yes, sir.

12 Q. Can you explain the difference in treatment?

13 A. I haven't referred to it in the report, so I can't
14 correctly remember the circumstances. I've got
15 a feeling that the -- the marriage had irretrievably
16 broken down, so there was no question of -- of -- well,
17 legally there was infidelity but, if you like, mentally
18 there wasn't. He was living in police married quarters
19 with the third party, who was another police officer,
20 I think. So it was all above board. She knew about --
21 obviously she knew about it. He was doing a good job in
22 the field that he was in, and there seemed little point
23 in taking him out in those circumstances.

24 And I assume that the fact he was living in married
25 quarters with her meant that the organisation knew about

1 the relationship. That's what I'm not sure about from
2 -- from my report, that the organisation knew about
3 the relationship.

4 Q. In 126's case it does say the Commissioner had been
5 fully appraised of events.

6 A. I mean before -- before this letter came, that he'd been
7 given permission to live in married quarters with --

8 Q. I see.

9 A. -- the third party. So it didn't seem as bad as it
10 wasn't deceitful at all in that his wife knew about it,
11 and that was the difference.

12 Q. Did you think there was any risk that 126 might himself
13 get involved in sexual activity with activists?

14 A. Well, no, I didn't, because he'd already got involved in
15 sexual activity with a -- with a colleague. So
16 I thought that probably a fresh relationship would --
17 would keep him on the straight and narrow. I didn't
18 actually give it much thought, in truth.

19 Q. HN155.

20 Now, you say that you visited his wife because of
21 concerns that he, 155, wasn't treating her well.

22 A. Mm.

23 Q. What was the SDS's concern about this?

24 A. I'm sure that a future witness will be able to correct
25 me on this, but I've got a feeling that she and

1 Trevor Butler and his wife were friends outside of
2 the job, so to speak. And she had spoken, perhaps,
3 informally to Trevor Butler about this. And that caused
4 us to go and see her officially, as it were, rather than
5 just sort of talking over the kitchen table to Trevor
6 and his wife, to reassure her of -- of our support and
7 that we would do anything she needed in the way of
8 support officially.

9 Q. And was your concern about her welfare or
10 the operational security --

11 A. No --

12 Q. -- of the SDS?

13 A. -- in that case her welfare.

14 Q. And the operational security of the SDS, or just her
15 welfare?

16 A. No, just her welfare.

17 Q. You obviously did have some contact with the wives, as
18 you have described. Looking back with hindsight, do you
19 think that the SDS could have done more to support
20 the wives of those who were deployed undercover for
21 years on end?

22 A. Yes. I think that probably -- I mean, reading other
23 people's evidence, it's clear that in some cases
24 the wives weren't spoken to before deployment. That was
25 probably an oversight, or plain wrong. And maybe,

1 again, with hindsight, we should have put some
2 arrangement in place to perhaps make regular contacts
3 with the wives, if only on the telephone, to make sure
4 everything was in order, which -- which we didn't.
5 Other than the incident which I've described elsewhere,
6 where one of the wives had a serious domestic accident,
7 and we looked after her husband in that way and arranged
8 his duties so that he could spend time with her. And we
9 may have sent her some flowers, or contacted her or
10 something, as a result of that domestic accident.

11 Q. Thank you.

12 Can we go now to your chain of command. You've
13 described that Superintendent David Palmer-Hall had
14 a light touch and was reactive and welfare orientated.
15 How often would you speak to him?

16 A. Daily. If -- if -- I took his place when he retired.
17 He was one floor up. He was obviously very -- not
18 obviously, he was very interested in what was going on
19 and wanted to be informed.

20 Q. And would he have known which fields the SDS officers
21 were deployed into?

22 A. No. No, probably not.

23 Q. Would he have known about salient events within
24 the unit's life?

25 A. Yes, if it was something that I felt he needed to know

1 about, I would have informed him.

2 Q. And did he feed down to you any requests for
3 intelligence, or did they come through a different
4 route?

5 A. They would have come through a different route.

6 Q. And did he feed down any other feedback about the SDS?

7 A. Not that I can remember. He was always interested in
8 welfare and things like that, as -- as I've touched on.
9 He was a very gentlemanly sort of character, and wanted
10 to make sure that people were being looked after.

11 Q. The chief superintendent you've described as having
12 limited involvement, the occasional supervisory visit.

13 A. Mm-hm.

14 Q. What would a supervisory visit entail?

15 A. Usually a visit to one or other of the safe houses on
16 one of the weekly meetings, to just meet them, have
17 a chat with them, say "well done", that sort of thing.

18 Q. So this is -- is this to be distinguished from a visit
19 from the top brass --

20 A. Yes.

21 Q. -- in the sense this was not a timetabled, staged,
22 prepared-for event --

23 A. Correct.

24 Q. -- it was sitting in on an ordinary --

25 A. Ordinary meeting, yes --

- 1 Q. -- safe house meeting?
- 2 A. I mean, Ray Wilson, who was my boss to start with, would
3 have taken a slightly different view to Geoffrey Craft
4 when he became my boss, because Geoff had been in my
5 position, so he would probably have taken more of an
6 interest than Ray did.
- 7 Q. You've described the commander as being rarely involved.
- 8 A. Yes.
- 9 Q. But would have known not only of the existence of
10 the SDS, but broadly speaking what it was doing?
- 11 A. Oh, absolutely. He -- he would have probably signed off
12 the annual report, or at least certainly checked it
13 through before it went to the DAC, whoever sent it off
14 to Home Office.
- 15 And the main times that I would see him would be
16 when we were sending someone outside the Met police
17 district. You used to have to get permission to do
18 that. So I would usually, instead of putting
19 the paperwork through the correspondence system, I would
20 usually take the file actually up to him and plonk it on
21 his desk, which gave him the opportunity to ask what was
22 going on and make any comment that he wished to make.
- 23 Q. Were those questions about both welfare and operational
24 matters?
- 25 A. What, from the commander?

- 1 Q. Yes.
- 2 A. Probably both, because he would talk to me about
3 the particular visit that I was proposing, and so he'd
4 want to know that the -- that the individual was going
5 to be properly looked after and that the visit was
6 necessary. And he might, I suppose, throw in a comment
7 and ask how things are going generally, but -- but
8 a general comment that you might make if you -- if you
9 see someone.
- 10 Q. Now, you moved to Vincent Square during your tenure,
11 didn't you?
- 12 A. Yes.
- 13 Q. And the chain of command formally remained the same?
- 14 A. Absolutely.
- 15 Q. But instead of being in the same building in close
16 proximity, you were a 15-minute walk away?
- 17 A. Yes.
- 18 Q. Did that inevitably mean that the frequency of contact
19 diminished?
- 20 A. I suppose it meant that you had to make an effort if you
21 wanted to talk face to face with someone, but as I said,
22 wasn't only 15 minutes away.
- 23 Q. Could we look at what the annual report has to say about
24 this. It's at tab 22. It's {MPS/728962}.
- 25 When we get that up, if we could have page 5, please

1 {MPS/728962/5}. Thank you. Just a moment.

2 If we could have paragraph 7, please:

3 "Due to the pressure on space at Commissioner's
4 Office, the SDS administration was moved in November to
5 Vincent Square ... This arrangement has proved generally
6 satisfactory and, in terms of security positively
7 advantageous. Although as a result of the move the SDS
8 has become a little remote from the rest of
9 Special Branch, contact is maintained through frequent
10 visits to [Commissioner's office] by members of
11 the office and the continued presence in that building
12 of the Chief Superintendent and Superintendent who are
13 in overall charge of the Squad."

14 This is the report for your year. You would, of
15 course, have approved this report. The words "a little
16 remote", those do suggest that it might have had some
17 impact on the level of supervision.

18 A. I don't think so, sir. I think that was just making
19 the point in terms of distance.

20 I mean, coincidentally, of course, I got promoted
21 a month or a couple of months after the move, so having
22 been in the office in Vincent Square, I then went back
23 to the office at the Yard, so I knew what was going on
24 there. So, it didn't really make a lot of difference.
25 And it was more secure, because if you imagine, we were

1 going out from Scotland Yard car park in our undercover
2 cars, out to meet the staff, and had anyone been trying
3 to track us, it -- it would perhaps have been easier
4 from Scotland Yard than from Vincent Square.

5 Q. I can quite see there were security reasons to do it,
6 but what I'm interested in, you being the person who was
7 in post when it starts to happen, whether you detected,
8 if only the slight beginnings of it, the potential of
9 a unit to drift away from under the wing of the rest of
10 Special Branch --

11 A. No.

12 Q. -- and to become, in the fullness of time, quite
13 isolated?

14 A. No, I don't think so, sir, because -- well, not
15 because -- because in addition to the SDS,
16 the surveillance team was housed over there as well,
17 which was also part of Special Branch, so we actually
18 moved into close prox -- and that was part of S Squad as
19 well. So, no, I don't -- I mean, you could actually see
20 Scotland Yard from that building, it was -- it was that
21 close. So I don't see it as a problem at all.

22 Q. Can I now ask you a little bit more about an overview of
23 your year's tenure, or thereabouts. Are you able to
24 help with the quantity and quality of reporting that
25 emanated from the SDS, both in terms of -- in comparison

1 to the whole Special Branch effort and in terms of
2 the impact it might have had?

3 A. Well, taking the quantity first, without access to
4 contemporaneous records, I -- I couldn't tell you. That
5 would have been available. We certainly kept a record
6 of quantity.

7 In terms of quality, I don't recall any complaints.
8 I don't recall any particular plaudits from within
9 the MPS either, but I don't recall any complaints. It
10 was a busy year, as I illustrated at the beginning of my
11 evidence.

12 Looking at the Commissioner's annual report for that
13 year, I would guess that the SDS was providing
14 intelligence on at least five demonstrations a week,
15 plus an unspecified number of industrial disputes where
16 there was a police presence at the picket line -- or
17 maybe done, I don't know at all on that.

18 So it was five reports a week. There was no
19 complaints about quality that I'm aware of, and no
20 particular plaudits either that I can remember.

21 And in terms of the overall impact, I think that it
22 was a busy year for Special Branch as a whole. I mean,
23 Special Branch didn't just deal with demonstrations, as
24 you're aware, it had many other strings to its bow. It
25 would have been seen as a busy year. I think the SDS

1 would have been seen as pulling its weight. I can't
2 really be any more specific than that.

3 Q. I mean, the two things that really stand out from
4 the annual report are, as we looked at earlier,
5 the violence between the far left and the far right --

6 A. Yes.

7 Q. -- and the Return to Work march are the two things that
8 -- (overspeaking) --

9 A. Yes, I mean, the left and right demos, as I recall,
10 the big ones, there were nine or ten of those in that
11 year, all requiring very, very hefty policing. And
12 I would imagine if the SDS had done anything wrong there
13 or got anything wrong, then that would have been
14 the cause of complaint. But it was a busy year.

15 Q. Did having been an undercover officer yourself affect
16 the way in which you managed the SDS?

17 A. Well, my deployment was -- was relatively short. As
18 I said, when the SDS was formed, the intention was to
19 just keep it up until the next demonstration. But, for
20 reasons above my pay grade, it was -- it was kept on.

21 It was -- I think I've used the word in the past: it
22 was quite an amateur operation when I first joined it.
23 But I do feel at least I had an understanding of
24 the pressures that they were under, albeit for
25 a relatively short time.

1 So I think it gave me more empathy towards the field
2 officers than might otherwise have been the case.
3 Clearly, Mike Ferguson probably had even more empathy
4 than me, because he had been a well embedded field
5 officer in his time. So I think that's how it affected
6 my outlook on them.

7 Q. Were you ever involved in preparing material or
8 briefings for the Home Office about the SDS?

9 A. No. Other than the annual report?

10 Q. Yes.

11 Moving on to your time -- I'm just going to touch on
12 this very briefly -- as a superintendent in S Squad, you
13 were on the other side of that managerial --

14 A. Yes.

15 Q. -- relationship. How did you manage that? Could you
16 give us an idea of the nature and frequency of contact
17 that you had?

18 A. Well, it decreased, because in that role, I had, with
19 the chief superintendent, other parts of S Squad to
20 supervise. I probably paid more attention to the SDS
21 than I would otherwise have done, because I probably
22 still expected to be a chief inspector there for that
23 year, and the promotion surprised me, as it probably
24 surprised my colleagues.

25 And another issue was that during 1982, as well as

1 everything else that went on, we had the Papal visit,
2 and Geoffrey Craft was the protection officer for
3 the Pope. So he was actually missing for a couple of
4 months or so, for the preparation and the actual visit.
5 So I was sort of by myself in the office then.

6 So that was how the year went. I'm not sure, again,
7 I've answered your question.

8 Q. Did you make requests of the -- of your successor for
9 specific intelligence?

10 A. Not -- no, not specific. I -- because Trevor Butler got
11 promoted to chief inspector on the same day, I think, as
12 I got promoted superintendent.

13 As I said, I showed more interest in it than
14 probably my predecessor had, only because I knew what
15 was going on and who was who, and so on and so forth.
16 But, no, I had to leave it to him to get on with things,
17 as much as the way I expected to be left to get on with
18 things myself.

19 Q. The Brixton riots happened in 1981. Are you able, from
20 the position you held in S Squad, to say anything about
21 public order policing not -- not for the riots
22 themselves but in the aftermath; and in particular,
23 whether the SDS made any contribution to that.

24 A. I've got a feeling that they didn't. And my
25 recollection is we did look at that, to say were the SDS

1 able to -- to make any contribution. And I think
2 the only thing that they might have done -- and this
3 could be inaccurate -- would be to -- to be shown some
4 photographs, to see if they could identify any of
5 the rioters as people that -- that had come within their
6 purview.

7 Q. There was an officer who was deployed into the SWP in
8 South East London, I think, from recollection, HN356,
9 who was moved to Brixton when the SWP established
10 a branch there. Can you recall that?

11 A. I knew him. He was one of my officers when I was chief
12 inspector. I don't think I was aware that he was moved
13 over there.

14 Q. Vetting. I mean vetting not blacklisting.

15 The 1979 Special Branch annual report includes some
16 statistics under the heading "Vetting". It says:

17 "Reports on information obtained by individuals ..."

18 Sorry, that was 2,886 and enquiries for Box 500.

19 In fact, I think we better call this up. Could we
20 have {MPS/727595}, just to make sure the note I've made
21 is correct. Page 27, please {MPS/727595/27}.

22 You can see those statistics:

23 "Reports on information obtained by individual
24 officers: 8,025."

25 Forgive me.

1 And then you'll see the other statistics in front of
2 you, the:

3 "Enquiries for Box 500: 2,846."

4 Can you, first of all, explain what Special Branch
5 did in relation to vetting. Was it vetting people
6 itself?

7 A. Do you know, actually, I don't really know what some of
8 these things are. We -- we had a vetting office, which
9 was tiny, and I think had two, or maybe three tops,
10 members of staff. They used to start the ball rolling
11 with applications for vetting, and do some of the
12 initial searches for police staff. So that would answer
13 some of those things.

14 I assume the "Enquiries for Box 500" were just
15 requests for searches in Special Branch records by
16 the Security Service doing their own vetting. I'm
17 assuming that the "enquiries on applicants for police
18 forces and civil staff" were similarly applications for
19 searches in Special Branch records for vetting. But of
20 course, they should only duplicate what's in
21 the Security Service records. So I'm not actually sure
22 what some of those things are, I'm afraid.

23 Q. Well, if you can't answer this next question, just say
24 so.

25 Do you know whether any of the reports on

1 information obtained by individual officers would have
2 come from the SDS?

3 A. I don't even know what that means, I'm afraid.

4 Q. And under the "enquiries for Box 500", let us assume
5 that you are correct that this is requests for searches
6 of Special Branch records. Would it follow that it's at
7 least possible that some of the records that would have
8 been looked up would have come from the SDS because SDS
9 intelligence reports ended up on Special Branch files?

10 A. Yes. Yes, absolutely.

11 Q. A very specific question about Mike Ferguson, and if
12 I could have a specific answer, please.

13 Do you know whether Mike Ferguson assumed a position
14 of responsibility within the anti-apartheid movement
15 when he was an undercover police officer?

16 A. I have no idea.

17 Q. A follow-up question from something you said right at
18 the start of your evidence about the practice of using
19 deceased children's identities.

20 Do you know how it came about that the SDS started
21 to use that practice?

22 A. No. All I can say, as I said at that time, is that I
23 left in October '68, and we weren't doing that, none of
24 us. I came back, as is a matter of record, in
25 January '80, and then it was a widespread practice. And

1 I think almost -- no, I don't think all of them, but
2 nearly all of my officers had used dead children's
3 identities. Where it happened long the path, I don't
4 know, I'm afraid.

5 Q. Thank you.

6 You mentioned getting some training from
7 the Security Service when we were discussing subversion.
8 Was that training about subversion?

9 A. No, the Security Service ran -- they had a training
10 wing --

11 Q. I think if it wasn't about subversion, we don't need to
12 go any further. Unless it was relevant to your SDS
13 work, in which case, please could you tell us.

14 A. It was a course really about the work of
15 the Security Service, and that included some discussion
16 on subversion.

17 Q. If we could have up, please, {UCPI/34702}.

18 I was reminded during the break that we've got some
19 evidence of the Special Branch training course, at least
20 for the year we've got the syllabus, which is 1979,
21 involved some of the course being taught -- may have
22 been of relevance to the Security Service.

23 Could we have a look at {UCPI/34702/4}, first of
24 all, please.

25 There's, at the bottom of that page, a "Box 500

1 speaker" referred to, about right wing extremism.

2 Can you recall whether, when you joined
3 Special Branch, you were given any training by
4 Security Service speakers?

5 A. I don't think so, it was more on-the-job training.

6 I was actually responsible for these courses in
7 a later incarnation. And, if you like, these were run
8 in parallel with the Security Service courses that
9 I referred to a minute or so ago. And these were
10 two-week courses, run and managed by Met police
11 Special Branch, which was seen as the senior
12 Special Branch, if I can perhaps incorrectly call it
13 that, the largest Special Branch, with some national
14 responsibilities. And we would run these courses in
15 conjunction with the Security Service, and they would
16 provide lecturers for a number of -- a number of topics.
17 But I don't think I went on one of these myself.

18 MR BARR: Thank you. You've been very patient, Mr Moss.

19 I'm very grateful for your assistance.

20 We've now reached the point where there will be
21 a short break, and we'll see whether anyone wants to
22 encourage me to reprise my role.

23 THE CHAIRMAN: Are we going, on this occasion, to take
24 the usual 20 minutes, to permit those who have been
25 hearing our evidence but with a ten-minute delay to

1 intervene, if they wish?

2 MR BARR: We are, sir. Although, one of the great
3 advantages of being in person is that I think quite
4 a lot of what would otherwise have been raised now was
5 raised with me at the break.

6 THE CHAIRMAN: Yes.

7 Then we will break then until 4.25 and then resume.
8 And not that long after that, I think your ordeal in
9 the witness box will come to an end.

10 A. Thank you, sir.

11 (4.07 pm)

12 (A short break)

13 (4.27 pm)

14 MR BARR: Mr Moss, not very much, just a few questions.

15 First of all, you gave some evidence about how you
16 helped to exercise a fine judgment with the assumption
17 of positions of responsibility and said that you would
18 say yes or no if a position was proposed. Can you think
19 of any position you said no to?

20 A. No, I can't, sir.

21 Q. The A8 -- the threat assessments for A8. Would
22 the threat assessment be disseminated to anybody else
23 other than A8?

24 A. Yeah, I think it's a question for them really, but --
25 but answering it to the best of my ability, it was

1 written deliberately in a bland way. It was probably
2 either unclassified, or sort of confidential or even
3 restricted. It was on a special form and it
4 had "Threat Assessment" at the top, and I believe that
5 was -- it was deliberately written so it could be given
6 further down the command chain if it was needed. I'm
7 not sure about that, but that's my belief.

8 Q. A7: can you help us with who A7 was?

9 A. A7 that was Community Relations Branch.

10 Q. Going back to the 1971 document I showed you almost at
11 the beginning of your evidence and the number --
12 the "S" number?

13 A. Oh, yes.

14 Q. And you said that you thought there was a series of
15 numbers --

16 A. Yes.

17 Q. -- for all the Special Branch reports.

18 Is there any way of telling which bit of
19 Special Branch can be related to which number?

20 A. Yes. The -- the make-up of Special Branch was -- it had
21 lettered squads. A Squad dealt with protection, so
22 nothing to do with SDS whatsoever. That was of
23 ministers of state, not royalty; all protection other
24 than royalty.

25 B Squad was the Irish --

1 Q. I wasn't so much asking you which squad did what --

2 A. Oh, right.

3 Q. -- I was asking you on the number. If you had the "S"

4 number --

5 A. Yeah.

6 Q. -- could you tell from the number which part of

7 Special Branch that report had come from?

8 A. No. The "S" would give you the part of -- I know you

9 said S Squad didn't exist then, so I'm a bit confused at

10 that, but --

11 Q. You thought there might have been an "A" and a "B"?

12 A. Well, there wouldn't have been an "A" ever, because they

13 did ... But there would have been a "B" and a "C".

14 Q. "B" and "C"?

15 A. Yes. And an "E".

16 Q. To the best of your knowledge, would there be any way of

17 telling whether it had come from the SDS from that

18 number?

19 A. Well, I'm just wondering. If you tell me that -- that

20 there was no S Squad, because I do -- I do remember that

21 it was created after some of the other squads, hence no

22 alphabetical sequence -- I'm just wondering if that was

23 an SDS number. SDS kept its own records, which are

24 probably long gone, I'm guessing, so it -- it could be

25 that, if you tell me S squad didn't exist at the time.

1 Q. Do you know whether there was any key kept, as in a key
2 to that type of filing number?

3 A. No, it's -- it's as I described it. There was --
4 bearing in mind it was pre-computerisation, there was
5 a big sort of A4 book with numbers sort of stamped down
6 the side, and if you were on B Squad, shall we say, you
7 would go and take numbers 1 to 200 from the main book,
8 you'd put them in the B Squad folder, and as a report
9 was written, that would be given a B Squad number and
10 that would be transferred to the main book, which would
11 give you -- so that was the only central record and that
12 would give you an overall number of reports that had
13 been written in the course of a year, and the only --
14 the guide would be just that prefix letter.

15 Q. I see. So nobody took a record of which numbers had
16 been taken by which branch?

17 A. Yes, yes. The book, as I recall -- and this is going
18 way, way back now -- was kept in the admin office, and
19 I'm guessing that there would be a sort of pencil
20 annotation saying, you know, numbers 1 to 200, B Squad.
21 Then it would be filled in in ink as the -- as those 200
22 reports were submitted by B Squad.

23 Q. Okay, thank you.

24 A. It was very -- a bit clunky, but that's all we had in --
25 in those days.

- 1 Q. HN155.
- 2 A. Oh, yes.
- 3 Q. You visited his wife because there was a concern that he
4 wasn't treating her well. Did that involve domestic
5 abuse?
- 6 A. Might have.
- 7 Q. Did it involve violence?
- 8 A. I'm not sure whether it went that far. I really can't
9 remember. Possibly.
- 10 Q. Did that give you any concerns about his suitability to
11 be an SDS officer?
- 12 A. Again, at this length of time, I can't remember. It
13 probably should have done, if -- if it was physical.
14 I really can't remember whether it was physical or
15 mental, if I can use that word. He was
16 a larger-than-life character. I assume that
17 Trevor Butler and I would have discussed it. We didn't
18 raise it any further up the management chain, so I can
19 only assume that if we -- we would have discussed it and
20 we decide decided that it was okay for him to carry on.
21 I can't be any more specific than that, I'm afraid.
- 22 MR BARR: You'll be very pleased to know, Mr Moss, that was
23 the last of my questions, thank you. There may be some
24 questions from your own representatives.
- 25 THE CHAIRMAN: Mr Sanders.

1 Questions by MR SANDERS

2 MR SANDERS: Thank you, sir.

3 Just on the last point about the visit to HN155's
4 wife, would it ring any bells if I suggested that
5 the difficulty and the issue was financial?

6 A. I -- I've noted -- I'm sort of going into other realms.
7 I've noted in the evidence given that HN155 mistakenly
8 has said that I went with -- with Martin Gray to -- to
9 visit him, which is inaccurate, and that he says it was
10 to do with his divorce -- that's 155's recollection --
11 and he objected to us going to see her. So I suppose
12 it's possible that it's money. I really can't remember
13 after this time.

14 Q. Very well, thank you.

15 THE CHAIRMAN: There is a suggestion that he was not paying
16 the maintenance that he'd agreed to, I think.

17 A. Ah, that -- that could be the case, sir. I -- I'm
18 sorry, I really can't remember. I know I'm sort of
19 leading with the chin on behalf of one of my colleagues,
20 but Mr Butler may be able to help you more when he
21 comes.

22 MR SANDERS: Thank you.

23 Did you receive training on the powers and duties of
24 a police constable when you joined the force?

25 A. Yes, you -- all police officers -- and it was then

1 a national requirement -- not a national school or
2 a number of police training schools, but you did
3 a 13-week course, taking you right through from
4 the beginning up to you were -- with exams going through
5 until you were fit to be released onto an unsuspecting
6 public.

7 Q. And was there then further training on your powers and
8 duties when you joined Special Branch?

9 A. No, I -- I don't recall the course that was referred to
10 in the previous session that we -- we saw the -- the --
11 part of the timetable from. I don't think that existed
12 when I joined Special Branch, and so I think the answer
13 to that was probably not. The training was done more on
14 a mentoring basis, and -- and my mentor was in fact
15 someone who's giving evidence in this -- in this
16 tranche.

17 Q. Did you understand that -- when you were an SDS
18 undercover officer and when you were supervising
19 undercover officers that you and they were acting in
20 accordance with your powers and duties?

21 A. We believed so at the time, and I have to say that
22 things I've picked up from this Inquiry, having been
23 following it, indicate that maybe that wasn't the case,
24 but I wasn't aware of it at the time.

25 Q. You were asked if it would be fair to say that no

1 consideration was given to the question whether it was
2 a legal -- whether it was legal to attend meetings in
3 private houses and you said yes. Do you mean that there
4 was no legal analysis of that carried out, or that you
5 just didn't think about whether it was lawful or not?

6 A. Sorry, what did I say yes to, sir?

7 Q. So, apologies, you were asked if it would be fair to say
8 that no consideration was given to the question of
9 whether or not it was legal to attend meetings in
10 people's homes. Did you mean by that that there was no
11 separate legal analysis, or that you just didn't think
12 whether it was legal or not?

13 A. I would say both of those questions. There was -- there
14 was certainly -- even when I was the chief inspector, we
15 didn't take any legal advice that I'm aware of -- well,
16 we didn't take any at all when I was the chief
17 inspector. Further back down the line, I don't know
18 whether there was advice on setting the whole squad up.
19 Obviously Home Office advice was taken; whether they
20 took legal advice, I don't know.

21 But no, I -- I genuinely didn't see that there was
22 a problem with gaining entry to people's houses in
23 the way that we did. And I'm conscious that Ms Kilroy
24 brought up a stated case, which I had no knowledge of
25 whatsoever.

1 Q. It was your understanding -- leaving aside whether
2 anyone had consulted lawyers to your knowledge, it was
3 your knowledge that that was lawful?

4 A. Yes, sir.

5 Q. If you had had concerns about the legality of anything
6 that the SDS was doing, was there a route available to
7 you for taking legal advice, and what would that have
8 been?

9 A. Yes, the -- the Met Police had its own -- still does --
10 had its own legals, now called the DLSSs, as I'm sure
11 you're aware, then called Solicitors' Department. So we
12 had in-house solicitors which we could have used.
13 I probably, even as a chief inspector, was not at
14 the grade to go directly to them; I had to probably go
15 through senior managers in Special Branch. But I am --
16 not relevant to this Inquiry. I am relevant -- aware of
17 information/consultations with them over other
18 Special Branch issues later on in my career, where we
19 did use it. So they were there and they were available.

20 Q. You said to the -- or the Chair -- the Chairman put
21 something to you, that taking confidential information,
22 it might not be a question of it being a crime but it
23 being characterised as a civil wrong and you said you
24 hadn't thought about that at the time.

25 Again, did you think that taking confidential

1 information was against the civil law?

2 A. No, I didn't. I -- in truth, I didn't give it
3 a thought, because we were there to garner information.
4 And perhaps it should have occurred to me, but it
5 didn't, that it would -- it might have been illegal in
6 one way or another. I didn't think of it.

7 Q. But your understanding was that it was lawful?

8 A. I believed it to be, yes.

9 Q. Just in terms of the intelligence that the SDS obtained,
10 could Special Branch have obtained the same intelligence
11 from open sources or from other covert methods?

12 A. Certainly not from open sources, no. And from other
13 covert methods, even then, I doubt it. And other covert
14 methods are actually far more cumbersome than -- than
15 many people understand. I know we're talking in code
16 here, but ... So I would say no, is the short answer to
17 -- to that question.

18 Q. There's no -- there's no need to be shy about what
19 possible covert methods there might be available,
20 because we all know that there's phone tapping and
21 eavesdropping devices and paid informants and so on.

22 A. Well, I've touched on paid informants, sir, and they are
23 -- potentially, they can be more trouble than they're
24 worth. They're difficult to -- to get, and they're even
25 more difficult to manage sometimes, which I think was

1 part of the rationale for the creation of the SDS.

2 And in terms of the -- the other covert methods,
3 they're -- they're not -- you know, telephone
4 interception is -- is not a magic -- a magic way of
5 getting information, because it is actually far more
6 labour-intensive than -- than many people realise. And
7 there's a limit, a physical limit as to -- even if
8 you're allowed to, as to -- as to the quantity of
9 telephone lines that you can eavesdrop on. But as
10 I say, there are strong constraints on what you can
11 do -- legal constraints.

12 MR SANDERS: Thank you.

13 Thank you, sir.

14 THE CHAIRMAN: I think, as a matter of accuracy, that
15 depends upon the date on which it occurs. After 1985 or
16 1986, the law requires a warrant to be obtained. Before
17 then, the practice under the Birkett Commission's
18 recommendations required a Home Office warrant to be
19 obtained, but one way or another, you had to get high up
20 mission to do it.

21 A. Yes. Thank you, sir.

22 THE CHAIRMAN: That, I think, does conclude all questions,
23 does it not, and indeed today's business?

24 MR BARR: It does, sir.

25 THE CHAIRMAN: Yes.

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