

Friday, 20 May 2022

(10.00 am)

MS TOSAR: Welcome to Day 7 of the evidential hearings at the Undercover Policing Inquiry. My name is Nel Tosar. There is no fire alarm testing today. If a fire alarm does go off, please follow the fire exits and make your way to the muster point located at the Hard Rock Hotel, Great Cumberland Place. On arrival, please make yourself known to a fire marshal, who will be wearing a high visibility jacket and will be keeping a register of all attendees. The fire marshals will also be responsible for informing everyone of when it is safe to return to the hotel in liaison with the representatives from Thistle Hotel.

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

Chairman.

THE CHAIRMAN: Thank you.

Now, and for the last time this session, may I say what I usually say to those in the public gallery. You may use any handheld electronic device for the purpose of communicating silently what you have seen and heard in the hearing room, but only after ten minutes have elapsed since the events that you are describing, you may not use your device for recording or photographing

1 our proceedings. There is a formal note on the desk in
2 front of you which sets out the terms of what I have
3 summarised fully.

4 Ms Campbell.

5 Summaries of the evidence of HN2152, HN350 and HN308

6 MS CAMPBELL: Thank you, sir.

7 This morning I will in fact be reading out
8 three summaries of evidence from managers who will not
9 be giving oral evidence. They are HN2152,
10 Richard Scully, HN350, Paul Croyden, and HN308,
11 Christopher Skey. I'll begin with the summary for
12 Richard Scully.

13 HN2152, Richard Scully, was a back office detective
14 sergeant posted to the SDS from approximately late 1977
15 to mid-1979. He provided a witness statement to
16 the Inquiry dated 29 September 2020 which may be
17 summarised as follows.

18 Richard Scully joined the Metropolitan Police
19 Service in 1964 and moved to Special Branch in 1968 as
20 a constable. Prior to joining the SDS, he served on
21 B and C Squads. He cannot recall the exact dates of his
22 time with the SDS, but the Inquiry believes he joined
23 the unit in late 1977.

24 Richard Scully had not done any undercover policing
25 prior to joining the SDS, though he did attend

1 demonstrations and meetings while in Special Branch. He
2 did not know what the SDS did prior to his joining and
3 he was not provided with any training. He states that
4 joining the SDS was not a question of choice; he did as
5 he was told.

6 Scully fulfilled an administrative role and
7 describes himself as the "processing point for
8 undercover officers' reporting". He recalls
9 intelligence coming into the office typed and on scraps
10 of paper to be written up. He would check names and
11 reports for any associated Special Branch file numbers
12 and add them where needed. He states that he would
13 alter the report where necessary, for example to fix
14 typos or factual inaccuracies or to correct the English.
15 Information might also be rearranged into a different
16 order. He would not have been provided with things like
17 photographs from the SDS officers. Those would rather
18 come from the Branch photographic unit and could be
19 shown to an officer to confirm the identity of
20 a particular person.

21 To his knowledge, individual sources would not be
22 identified, which was in line with ordinary
23 Special Branch practice. However, the information
24 number would be qualified with an "S" to indicate
25 S Squad. Scully states that he did not filter the

1 information. His job was to present the factual
2 position and it was for someone else to interpret its
3 significance. Reports would be typed, then forwarded on
4 where required, or put into files. He notes it would
5 not be for him to determine which reports were
6 forwarded. Reports would be sent from S Squad to the
7 operational squads in the Branch, and it would be the
8 chief superintendent of those recipient squads who would
9 determine what action, if any, should be taken.

10 Scully does not believe that he signed or marked up
11 any reports, but rather it would be signed by the
12 superintendent or chief inspector before it left the
13 office. He did not have any involvement with the report
14 after its onward transmission.

15 Richard Scully was aware that reports would also be
16 forwarded to the Security Service. However, that
17 decision would be made by a more senior officer than
18 himself. He describes the Security Service as "the main
19 beneficiary of SDS reporting" and confirms that a lot of
20 information requests received by the SDS came from the
21 Security Service.

22 Elsewhere in his statement, he states that the
23 Security Service were the great beneficiaries of the
24 undercover approach, other than the uniformed branch.
25 He notes that the SDS did get thanks from the

1 Security Service for particular reports. Scully states
2 that he had no direct involvement with the
3 Security Service while in the SDS.

4 Scully describes the filing system in place for
5 Special Branch and notes that files would be made for
6 individuals and for organisations. The file number
7 would reflect what politics were in issue. He believes
8 that files had review dates on them, and they would be
9 sent to governors for regular assessment to decide what
10 to do with them.

11 Richard Scully states that he had no involvement in
12 directing or targeting UCOs, but he believes that would
13 be down to the superintendent. He was likewise not
14 involved in the procurement or administration of safe
15 houses, cover accommodation or vehicles, cover documents
16 or overtime claims. He was not involved in drafting the
17 annual reports.

18 Richard Scully operated from Scotland Yard, but
19 recalls attending regular safe house meetings. He
20 mentions that it was considered important for the UCOs
21 to meet up and "let off steam". He says:

22 "Often there would also be a meal and they would
23 tell us what they thought of us."

24 He believes there may have been discussions about
25 deployments at these meetings, but they would have not

1 been addressed to him. Overall, Scully states that he
2 personally had little interaction with the undercover
3 officers. He knows that there would have been
4 one-on-one meetings available between management and the
5 UCOs if needed. He notes:

6 "The supervising guys were very, very conscious of
7 emotional wellbeing and all the problems that the
8 undercover officers were exposed to. This was front and
9 centre of what the supervisors were doing."

10 Scully was not aware of any unhappy working
11 relationships between members of the SDS.

12 To his knowledge, none of his contemporaries
13 provoked or encouraged a third party to commit
14 a criminal offence, engaged in sexual activity whilst in
15 their cover identity, were arrested, tried or convicted
16 in their cover identity, were involved in incidents of
17 public disorder or violence, or reported on any legally
18 privileged information. He cannot say whether any of
19 his contemporaries reported on the activities of elected
20 politicians. He believes it was branch policy not to
21 report on politicians.

22 Richard Scully states that he was unaware of any
23 training for new undercover officers, but notes that
24 they had "quite a lot" of lead up time before going into
25 the field. He states that UCOs:

1 "... were carefully assessed to see if they were
2 suitable for the role and then had considerable reading
3 in time before going into the field. They knew what
4 they were up against and could leave at that point if
5 they wanted. It was very carefully thought out."

6 Richard Scully remembers David McNee visiting
7 the SDS when he was a new Commissioner of the
8 Metropolitan Police, stating:

9 "I think it was assumed he should see the SDS
10 because it was so sensitive that it could cause him
11 grief."

12 He remembers Geoffrey Craft guiding him through
13 the squad's operations in the SDS office and McNee
14 questioning everyone on their role. Scully believes
15 McNee also visited the undercover officers in the SDS
16 flat, though he was not personally present at that
17 visit.

18 Exceptionally, Richard Scully ran an informant
19 alongside his work in the SDS. He explains that he had
20 started with this informant while posted to C Squad
21 while dealing with anarchist matters and ended up
22 maintaining the contact throughout his time in the SDS.
23 He states that it was quite difficult to keep it up as
24 it took a lot of extra time and the area of interest
25 covered by the informant did not coincide with his SDS

1 work. His experience with the informant did give him
2 prior understanding of how Special Branch squads
3 provided A8, uniform branch, with forecasts for public
4 events.

5 Scully reflects in his witness statement on the
6 benefits of undercover policing as compared to relying
7 on informants. He states that while informants
8 were "generally fine", the only way to find out exactly
9 what was being planned was with undercover policing. He
10 also notes that in matters where urgent reporting was
11 required "the odd informant was not enough". Undercover
12 policing allowed efforts to be concentrated where
13 needed. He does note, however, that he "was a bit
14 surprised we were allowed to do this with undercover
15 policing, but we had official backing".

16 Richard Scully reported directly to
17 DCI Mike Ferguson while in the SDS, but notes that he
18 ultimately did not have much to do with Ferguson as he
19 operated out in the field. Scully states that he and
20 Ferguson "did not click", and he felt that Ferguson
21 interfered in the running of his informant. This led to
22 tensions that later escalated over an unfavourable
23 annual report. Scully states:

24 "I remember I had a very poor annual report from
25 Mike Ferguson because of my personal problems with him,

1 such that it was very unfair, and I did have a word with
2 Derek Kneale out of desperation to explain the work
3 I was doing. He asked for evidence and I put in
4 a quantity of information. I think I overheard him
5 taking Mike Ferguson to task over this, even though
6 I was not asking for that."

7 Scully states that he enjoyed his work on the SDS,
8 but that the incident with DCI Ferguson "tipped him"
9 into leaving the squad. The Inquiry believes he left
10 the SDS in mid-1979.

11 When asked what he believes the SDS achieved for the
12 benefit of policing, Richard Scully says that:

13 "Undercover officers identified real troublemakers -
14 people who were potentially dangerous to the state, to
15 put it in a grand way, and who were promoting violent
16 and dangerous behaviour in the streets to the danger of
17 ordinary citizens ... we were able to contain the worst
18 aspects of what could affect the public and protect
19 them."

20 After his time on the SDS, Scully was posted to
21 ports, as he says he wished to get out of the general
22 atmosphere of Special Branch. He returned for a time to
23 B Squad after this on the invitation of Ray Wilson and
24 later ended up in another posting on S Squad unrelated
25 to the SDS. He states that he did not have any

1 involvement with SDS intelligence after his departure
2 from the unit.

3 Richard Scully retired from the Metropolitan Police
4 Service in 1994.

5 Sir, I'll now move on to the summary of the
6 statement of HN350, Paul Croyden.

7 Detective Sergeant Paul Croyden was posted to the
8 SDS from 30 July 1979 to August 1981. He provided
9 a witness statement to the Inquiry dated
10 20 October 2020. It may be summarised as follows.

11 Paul Croyden joined the Metropolitan Police Service
12 in 1966 and moved to Special Branch in late 1969. Among
13 his Special Branch postings prior to joining the SDS, he
14 served two stints on Special Branch C Squad dealing with
15 general enquiries.

16 Paul Croyden first became aware of the SDS from
17 HN45, cover name "David Robertson", who had been
18 deployed as an undercover officer and who he knew
19 socially. Croyden recalls being told that the squad was
20 referred to as the "Hairies" and that they did
21 undercover work, but nothing more.

22 Paul Croyden was approached in the late 1970s by
23 DI Angus McIntosh, who enquired whether he would be
24 interested in joining the SDS. McIntosh had been
25 Croyden's sergeant in naturalisation and Croyden

1 describes it as having been a "good working
2 relationship". They also knew each other socially.

3 Croyden states that he was not informed of the
4 purpose of the unit prior to joining, but was told that
5 the role was administrative and primarily involved
6 collating and arranging reporting. He accepted the
7 position and began with the SDS in July 1979.

8 Paul Croyden recalls on his first day meeting
9 DI McIntosh and DCI Ferguson, who explained the purpose
10 and history of the unit. There was no formal training,
11 but there was a handover period of three to four weeks
12 with DS Dick Scully, whom Croyden replaced in the back
13 office. He does not recall being shown any training
14 materials and says that he trained on the job.

15 He remembers that the SDS office was initially based
16 in New Scotland Yard when he joined, but moved to
17 a secure unit in Vincent Square several months into his
18 posting.

19 Paul Croyden states that his primary role in the SDS
20 was to process reports from the undercover officers. He
21 would be given handwritten reports following the regular
22 meetings in the safe house and it would be his
23 responsibility to read each report and make corrections
24 if needed. The corrections would be stylistic, such as
25 fixing spelling and grammatical mistakes. Information

1 would only be removed from a report if it was
2 repetitive. He notes that there was a high standard of
3 reporting in Special Branch and officers could have
4 their reports heavily modified "almost to the point of
5 pedantry". Croyden cannot recall ever amalgamating
6 reports from more than one officer, though notes that
7 the UCOs may have liaised with each other to produce
8 a joint report if more than one had attended a large
9 event.

10 In addition to stylistic changes, Paul Croyden would
11 add Special Branch and Security Service file reference
12 numbers to the reports. This was done by telephoning
13 Special Branch Records to determine which individuals
14 had open files, mentions or no trace. He states that he
15 had no direct contact or dealing with the
16 Security Service during his time on the SDS.

17 Croyden notes the use of a technique learned from
18 DS Scully to occasionally include the cover name of
19 a UCO within the reports. He explains that the reason
20 was to obscure the UCO's identity to the
21 Security Service in case they also had an informant in
22 the group.

23 Once all amendments were complete, a modified report
24 would be handed to an office typist to produce in
25 duplicate before being passed to the DCI. The DCI would

1 be responsible for disseminating the intelligence to the
2 relevant section of Special Branch. Paul Croyden
3 recalls that the superintendents on S Squad,
4 David Palmer-Hall and Kenneth Pryde at the time, took
5 receipt of the reports. If the report concerned public
6 order, a copy would also be sent to the A8 uniform
7 division via Special Branch liaison. One copy of the
8 report would be sent to Scotland Yard and a second
9 stored in a secure room in the SDS offices at
10 Vincent Square.

11 Paul Croyden confirms that most SDS intelligence was
12 written down either as a report or put into a report
13 after a phone call. Urgent calls would also have been
14 passed on to the relevant squad by telephone. He
15 suspects that a large proportion of public order matters
16 were passed on orally in this way.

17 Croyden notes that the Special Branch surveillance
18 and photographic units shared offices with the SDS in
19 Vincent Square. He recalls that an album of photographs
20 would sometimes be taken to safe house meetings
21 following a demonstration to allow the UCOs to identify
22 relevant individuals. Those photos might then be
23 appended to a report.

24 Paul Croyden states that he did not play any part in
25 tasking, procurement of cover documents, procurement or

1 administration of accommodation or vehicles, processing
2 overtime claims or drafting of annual reports.

3 Croyden states that he did occasionally receive the
4 daily welfare calls from the deployed officers. They
5 would be required to ring the office by 11.00 am. He
6 confirms that this was equally an opportunity to pick up
7 on any new information or get clarification on
8 a particular report if needed.

9 Paul Croyden states that the majority of his
10 interaction with the UCOs was by telephone, as he would
11 only occasionally visit the safe houses. He would
12 sometimes play sports or have lunch with the UCOs, but
13 usually the purpose of his attendance at the safe houses
14 would be to clear up ambiguous text in a report or
15 prepare a welfare visit. The DCI and DI would be the
16 ones to attend the safe house meetings regularly. He
17 was not aware of any unhappy working relationships
18 between members of the SDS.

19 Paul Croyden served with DCIs Ferguson and Moss and
20 DIs McIntosh, HN68 and Butler. Croyden suggests that
21 there was a high level of supervision and control by the
22 DCI and DIs over the undercover officers and the
23 administrative staff. He notes that he was always
24 supervised by them and confirms that they were
25 responsible for tasking the undercover officers. He

1 also suggests that UCOs received feedback on their
2 reporting from the DCI and DIs at meetings in the safe
3 houses. Croyden states that he himself did not give any
4 feedback aside from asking certain officers to improve
5 their handwriting.

6 Paul Croyden travelled over a weekend on
7 two occasions to provide cover for UCOs attending
8 demonstrations outside of London. He spent two days in
9 Scotland for a protest against the Torness nuclear power
10 station attended by HN155, cover name "Phil Cooper", and
11 travelled to Liverpool to assist officers in the 1981
12 SWP Right to Work march. Both times he was accompanied
13 by DI Trevor Butler. Croyden recalls that they took
14 an office car and kept in contact with the UCOs through
15 the use of pagers.

16 Paul Croyden recalls undercover officers spending
17 time in the back office prior to their deployments. He
18 states that it would be between three to six months,
19 where their primary role would be creating their
20 legends. They would also assist with administrative
21 tasks in the office. No UCOs spent time in the back
22 office following their withdrawal.

23 To his knowledge, none of his contemporaries
24 provoked or encouraged a third party to commit
25 a criminal offence, engaged in sexual activity whilst in

1 their cover identity, were arrested, tried or convicted
2 in their cover identity, were involved in incidents of
3 public disorder or violence, or reported on any legally
4 privileged information or elected politicians.

5 He states that he believes his contemporaries
6 achieved a great deal for policing, gathering
7 intelligence which was instrumental for the effective
8 and proper policing of demonstrations. He also believes
9 that the SDS was of assistance to the Security Service,
10 stating:

11 "I do not think that it would be possible for the
12 Security Service to obtain the same depth and quality of
13 intelligence by using any other method."

14 Paul Croyden left the SDS in August 1981. He states
15 that he was asked to stay by DCI Butler, but he felt he
16 did not want to be tied to a predominantly
17 administrative job. He was succeeded in his role by
18 HN45.

19 After leaving the SDS, Croyden undertook positions
20 including on C Squad and later B Squad. He cannot
21 recall coming across intelligence emanating from the SDS
22 in these roles, though accepts that it is feasible that
23 he did.

24 Paul Croyden retired from the MPS in 1989 at the
25 rank of detective sergeant. He concludes his statement

1 with the following comment:

2 "I have no more evidence to give other than to say
3 that during my time with the SDS, it was a highly
4 professional unit that acted in a proficient, skilled
5 and upstanding manner. Sadly, the unit has subsequently
6 been besmirched by the poor behaviour of a few
7 officers."

8 Finally, sir, I have the summary for HN308,
9 Christopher Skey.

10 Christopher Skey served on the SDS as
11 an administrative detective sergeant from approximately
12 mid-1978 to early 1982. He has provided two witness
13 statements to the Inquiry, the first dated
14 15 December 2020 and the second dated 8 December 2021.
15 They may be summarised as follows.

16 Christopher Skey joined the Metropolitan Police
17 Service as a cadet in 1958, becoming a full constable in
18 1960. He recalls being on duty as a uniformed officer
19 during the 1968 Grosvenor Square demonstration and
20 witnessing what he describes as "large scale disorder".
21 He ended up applying to join Special Branch that year.
22 Skey worked for various squads, including that which
23 dealt with Irish extremism, where he was promoted to
24 detective sergeant.

25 Christopher Skey is unable to recall the exact dates

1 of his posting in the SDS, but the Inquiry believes that
2 he joined around mid-1978. He recalls that he may have
3 been asked to join by DI Angus McIntosh. He states that
4 he did not receive any formal training for the job, but
5 recalls speaking to DS Dick Walker, who had filled the
6 role before him, as a form of handover.

7 Skey recalls first becoming aware of the SDS around
8 a year before he joined. However, he notes that the
9 "need to know" culture of Special Branch meant that it
10 was not something readily discussed.

11 Christopher Skey describes his position as a purely
12 administrative back office role. He lists his primary
13 responsibilities as the processing of expense claims and
14 liaising with the transport department over the
15 procurement and disposal of suitable vehicles for the
16 undercover officers. He assisted in procuring a car for
17 the SDS office and would liaise with officers and the
18 MPS transport department to ensure that UCO cars were
19 inspected and met police standards. He did not have
20 a role in registering the vehicles in the cover names of
21 the undercover officers and understood that this was
22 something they did themselves. Skey did help compile
23 transport cost and expenditure for the unit and is
24 identifiable in the 1980 and 1981 SDS annual reports
25 signing off the transport expenses.

1 Christopher Skey was also involved in sourcing and
2 looking after the SDS safe houses, one of which was
3 replaced during his time in the role. He was not
4 involved in the procurement of cover accommodation for
5 the officers, as this was done by the UCOs themselves.

6 Skey states that he was involved in a limited way
7 with the welfare of the UCOs. He states that his role
8 during the regular safe house meetings would be to check
9 if the UCOs needed anything. He would also collect
10 receipts for officers' expense claims and pay out the
11 previous week's expenses. Skey does not recall seeing
12 any welfare issues at the time and believes officers
13 would have known to let management know if there were
14 problems. Indeed, he recalls morale being generally
15 high and agrees with similar comments made in the
16 1980 SDS annual report.

17 Christopher Skey states that he was unaware of any
18 UCOs committing a criminal offence or acting as an agent
19 provocateur, engaging in sexual activity while in their
20 cover identity, being arrested or convicted in their
21 cover identity, being involved in public disorder or
22 criminal activity, reporting legally privileged
23 information, or reporting on elected politicians or
24 trade unions.

25 When asked by the Inquiry about specific officers,

1 Skey asserts that he was unaware of any concerns
2 regarding HN155's, cover name "Phil Cooper",
3 performance. Any potential compromises relating to
4 HN126, cover name "Paul Gray", or the incident that
5 arose with HN80, cover name "Colin Clark", that required
6 his family to relocate. He likewise was unaware of any
7 suggestion that HN106, "Barry Tompkins", or HN21 had
8 sexual activity in their undercover identity. He states
9 if he did know of any sexual activity, he would have
10 told more senior officers, as there was a risk of
11 compromise and it would have been in breach of the
12 police regulations.

13 Skey states that he did not know that HN21 developed
14 significant medical issues as a result of his time in
15 the SDS and says that if he had known, he would have
16 encouraged him to speak to more senior officers and seek
17 medical assistance. Skey was not aware of an allegation
18 that HN67, cover name "Alan Bond", had fathered a child
19 in his undercover identity, but notes that this officer
20 was not deployed when Skey was in the SDS.

21 Christopher Skey states that he was aware that the
22 majority of officers deployed when he was part of the
23 SDS adopted the identities of deceased children. He
24 notes:

25 "As far as I am aware, this practice was in place

1 when I joined. I did not, at any stage, question it or
2 ask who it was who had begun this practice."

3 He confirms that he had no role in authorising the
4 use of deceased children's identities:

5 "With hindsight I can see that it may be distressing
6 for surviving relatives, if told, but then the
7 expectation was that they would not be told. At the
8 time, I must admit that I didn't give much thought to
9 this."

10 Christopher Skey confirms that thought was given by
11 management to protect officers whose deployments
12 required them to travel outside of London. If
13 an undercover officer was required to travel outside of
14 the MPS district for an event where there was a risk of
15 arrest or to their safety, back office staff would
16 liaise with the local police force at their destination.
17 Skey states that:

18 "Often, two of the SDS back office staff would go to
19 that area to liaise with the constabulary concerned to
20 ensure that if the UCO happened to be arrested we would
21 be able to deal with the local police immediately."

22 Skey himself recalls going to Edinburgh twice in
23 relation to events concerned with the Torness power
24 station, and Liverpool once. He confirms that no
25 incidents arose on these trips that required

1 intervention.

2 Christopher Skey would also assist the other
3 administrative staff in the back office, including
4 DS Richard Scully and DS Paul Croyden, in processing
5 intelligence reports, though this was not his primary
6 responsibility.

7 He recalls receiving intelligence from UCOs at the
8 twice-weekly safe house meetings and by phone, though he
9 does not recall how much would have been passed on
10 orally. To his memory, all information that came into
11 the SDS would end up being written down. He recalls
12 that the notes would be tidied up without changing their
13 meaning before being sent to the typing pool.

14 Christopher Skey states that he would have taken
15 calls while in the SDS office providing intelligence
16 updates or conveying information too urgent to write
17 down. He recalls having to contact the duty inspector
18 of Special Branch occasionally to pass on urgent
19 intelligence.

20 Skey states that he played no part in tasking,
21 instructing or steering UCOs to collect any particular
22 intelligence. He likewise did not decide where
23 intelligence was to be disseminated. He confirms that
24 decisions on ultimate dissemination were done by the
25 customer of the information, for example Special Branch,

1 the Home Office, A8 or the Security Service.

2 Skey states that he did not have any direct contact
3 with the Security Service, but recalls that they would
4 ask for information on certain groups or persons. He
5 believes that they would have been in touch with
6 officers of superintendent rank or above. It was his
7 impression that the Security Service had a good working
8 relationship with Special Branch.

9 He confirms that intelligence reports would have
10 been held in Special Branch Records. He did not believe
11 that the SDS had its own records room.

12 When asked about gathering of personal information
13 by undercover officers, Skey states that:

14 "It was gathered because it ensured that in the
15 future should there be any problems with the groups then
16 the authorities would be aware of the identities and
17 associations of persons involved. If demonstrations
18 fragmented this could cause real issues, and knowing who
19 was associated with the broader groups was important.
20 It also meant that people would be able to be identified
21 accurately. Government and police departments had
22 a vetting process for which association with certain
23 groups may have been an important consideration."

24 He notes that the SDS was "a conduit for
25 information".

1 In terms of senior oversight, Christopher Skey
2 states that he believes the Deputy Assistant
3 Commissioner came to visit the SDS once or twice a year
4 and specifically recalls Colin Hewitt visiting once. He
5 also remembers the Assistant Commissioner
6 Gilbert Kelland visiting once. He does not believe that
7 any external regulatory body visited the SDS during his
8 time there.

9 After leaving the SDS, Skey served for several
10 months as the Special Branch liaison officer with the A8
11 uniformed public order unit. His role was to get
12 information from Special Branch and to report orally to
13 A8 on potentially problematic public order events. He
14 believes that the majority of this intelligence must
15 have come from the SDS.

16 He notes that the liaison officer was not the only
17 means of communicating between branches. He states:

18 "There were other communications and decisions
19 taking place at other levels and on other channels and
20 my role was to assist at a more administrative,
21 day-to-day level. I would put questions and requests to
22 Special Branch on behalf of A8 and pass back the
23 responses and I would receive information from
24 Special Branch unprompted and feed this to A8."

25 Christopher Skey confirms that he did have some

1 direct contact with the SDS in this post. He states
2 that A8 would not have made requests directly of the SDS
3 considering the covert nature of the squad. Rather,
4 requests were made general of Special Branch, but as
5 liaison officer, he would have known when a particular
6 answer needed to be sought from the S Squad or from
7 the SDS.

8 He does recall sanitising information received from
9 Special Branch to protect its source. He also remembers
10 pulling different pieces of information together into
11 a single document for use by A8, though he notes that
12 this is a feature of Special Branch work more generally
13 and accepts he might be thinking of work he did in
14 another post.

15 After leaving this position, Skey served in the
16 anti-terrorism branch and then the unit concerned with
17 the extreme left wing until his retirement.
18 Christopher Skey served in the MPS for 30 years before
19 retiring at the rank of detective inspector in 1990.

20 Sir, that concludes the summaries. The documents
21 related to all of these managers will be published on
22 the Inquiry website today, along with documents for
23 two further deceased managers. They are HN608,
24 Kenneth Pryde, who was detective chief inspector in
25 charge of the SDS between November 1977 to early 1978,

- 1 A. They are.
- 2 Q. Could I start, please, with a little bit about your
3 training. You tell us you were trained at Peel House,
4 Hendon and had a CID course in 1969 and went to
5 Bramshill in 1978; is that right?
- 6 A. That's right.
- 7 Q. And would you, in the course of at least some of that
8 training, have been trained on police powers of entry,
9 search and seizure?
- 10 A. I can't recall, but it would be logical that I would
11 have done, yes.
- 12 Q. And did you understand that a police officer doesn't
13 have an automatic right of entry to private premises?
- 14 A. Yes.
- 15 Q. And did you understand that a police officer doesn't
16 have an automatic right to confidential information?
- 17 A. On consideration, yes.
- 18 Q. You qualified your answer with "on consideration". What
19 was your understanding at the time?
- 20 A. I'd never given it any thought, to be honest.
- 21 Q. Were you given any training about how these basic legal
22 principles applied to the work of undercover police
23 officers?
- 24 A. No.
- 25 Q. Did you give that any thought?

- 1 A. No.
- 2 Q. Did you consider that they applied to your work as the
3 manager of an undercover police unit?
- 4 A. Could you refresh me? What are we talking about now?
- 5 Q. About a police officer's powers of entry and seizure of
6 confidential information.
- 7 A. No, I can't say that I gave that any consideration.
- 8 Q. I appreciate this next question is something of a long
9 shot, Mr Butler. Did anyone train you on the European
10 Convention on Human Rights in the 1960s and 1970s?
- 11 A. No.
- 12 Q. You've already told us in your witness statement that
13 you didn't have any training on the Discrimination Act.
14 Did you give any consideration to discrimination whilst
15 you were serving in the SDS?
- 16 A. No.
- 17 Q. You were presumably trained about the police discipline
18 regulations?
- 19 A. Yes.
- 20 Q. And, for example, that sexual misconduct was an offence
21 contrary to police discipline?
- 22 A. Yes.
- 23 Q. Was that something that you thought applied to the work
24 of undercover police officers?
- 25 A. No.

- 1 Q. Why not?
- 2 A. Because the officers I worked with on the SDS were
3 experienced, trustworthy men who I had no concerns
4 about.
- 5 Q. I think that's slightly different to the question I was
6 asking. Did you think that if they did commit an act of
7 sexual misconduct whilst on duty undercover, they were
8 subject to police disciplinary regulations or not?
- 9 A. Yes, of course.
- 10 Q. Were you familiar with the Peelian principles,
11 Sir Robert Peel's principles of policing? Shall I --
- 12 A. If you remind me, sir, yeah.
- 13 Q. Shall I try you with a couple?
- 14 The first is, were you familiar with the principle
15 that the ability of the police to perform their duties
16 is dependent upon public approval of police actions?
- 17 A. Of course.
- 18 Q. Did you give any consideration to whether or not the
19 public would approve of what the SDS was doing?
- 20 A. With hindsight, I would have thought the public would
21 have been hugely grateful for the work that the
22 undercover officers did.
- 23 Q. And without going into any details, because?
- 24 A. Because the -- the officers were there to help protect
25 the tranquility and safety of the public.

1 Q. The next principle I want to put to you is: police must
2 secure the willing cooperation of the public in
3 voluntary observance of the law to be able to secure and
4 maintain the respect of the public.

5 A. Yes.

6 Q. Did you give maintaining the respect of the public any
7 consideration in relation to the way in which the SDS
8 was operating?

9 A. I didn't give it particular consideration, but overall,
10 it was the standard by which we -- we served in the
11 Metropolitan Police; that we are a force that police by
12 consent, which is a shorthand form of the Peel
13 objectives.

14 Q. And were you familiar with the principle that a police
15 officer is essentially a member of the public devoting
16 his or her full working time to upholding law and order?

17 A. Certainly.

18 Q. And that, unless a statute provided so, you have no
19 special legal rights or powers?

20 A. Only those granted to a constable.

21 Q. Can I ask you now a little bit about the training you
22 got when you joined Special Branch. I realise that you
23 joined Special Branch a long time before 1979, but the
24 only syllabus that we have been able to find for
25 Special Branch training is dated 1979. So what

1 I'm going to do is have some of it called up for you to
2 look at and then the question I'm going to ask you is
3 whether that was broadly similar to the training that
4 you had.

5 So if we could have up, please, {UCPI/34702/1} and
6 if we could go to the next page, please {UCPI/34702/2}.

7 You see in the first week there was a lot of
8 training on the role of Special Branch, Special Branch
9 structure, the role of the Security Service, the
10 police/Security Service liaison and an introduction to
11 the threat of subversion and the role of the desk
12 officer. I am paraphrasing.

13 Were those the sorts of things that you were trained
14 on?

15 A. As far as I can recall, there was no formal training
16 similar to that which is being displayed. It was very
17 much learning on the job.

18 Q. I see. Well, if I -- that may cut short the need to go
19 through the rest of the document, but can I ask you this
20 then. Where did you get your understanding of what
21 subversion was from?

22 A. I can't say that I ever did gain that understanding,
23 other than from my own experience and common sense.
24 I don't think I was ever trained as to exactly what
25 subversion is or was.

1 Q. Was there a received understanding, a received wisdom
2 within Special Branch about which groups were subversive
3 and which groups were not subversive?

4 A. I believe so.

5 Q. And was there any influence from the Security Service
6 about what was and what was not subversive?

7 A. Not at a junior level, no.

8 Q. Can I move -- we can take that document down now.

9 Can I move to C Squad. You spent ten months on
10 C Squad in around September 1971 and then some more time
11 as a detective inspector on C Squad between
12 approximately July 1978 and September 1979; is that
13 right?

14 A. Yes.

15 Q. When you were working for C Squad, what roles did you
16 have on C Squad?

17 A. When I first joined C Squad, it would have been dealing
18 with enquiries which were issued to officers,
19 occasionally attending meetings and doing general
20 Special Branch work.

21 Q. Did you do any work on the industrial desk at any point?

22 A. I did not.

23 Q. Did you ever prepare threat assessments for A8?

24 A. I did not.

25 Q. Did you do any work which involved you using any

1 intelligence that had come from the SDS?

2 A. Not that I was aware of, no.

3 Q. Did you make any requests for intelligence from the SDS?

4 A. No.

5 Q. What was your level of awareness of the existence of the
6 SDS before you joined the unit?

7 A. Quite slight. I knew of its existence, but very little
8 more than that.

9 Q. In 1971 when you were working for C Squad, running into
10 1972, is it right that the main concerns from a public
11 order point of view were those that followed from the
12 imposition of internment and from events on
13 Bloody Sunday?

14 A. I can't recall.

15 Q. Moving to when you were in C Squad in early 1979, can
16 you recall the demonstration at which Blair Peach was
17 fatally injured?

18 A. No, I can't.

19 Q. Can you recall whether there was any interest expressed
20 within C Squad, or asked of C Squad, relating to the
21 Friends of Blair Peach Campaign?

22 A. No, I can't recall that.

23 Q. You spent some time on B Squad in the mid-1970s,
24 between, we think, June 1975 and June 1977; is that
25 right?

- 1 A. Yes.
- 2 Q. And that was in the aftermath of the terrorist outrages
3 at Birmingham and Guildford, wasn't it?
- 4 A. Yes.
- 5 Q. How significant were Irish-related matters to
6 Special Branch at this time?
- 7 A. I believe at that time Special Branch still had the main
8 responsibility for tackling Republican terrorism before
9 the Security Service took that role, and so it would
10 have been quite significant.
- 11 Q. Can you answer the next question with a "yes" or a "no",
12 please. Did you knowingly work with any intelligence
13 which emanated from the SDS?
- 14 A. No.
- 15 Q. This you don't have to answer with a "yes" or "no". Are
16 you able to help us with whether or not the infiltration
17 by the SDS of the Troops Out Movement was of any
18 assistance to B Squad?
- 19 A. My knowledge of the activities of the SDS at that stage
20 were almost non-existent, so I wouldn't have been aware
21 of their dealings with the Troops Out Movement.
- 22 Q. I'm going to move now to your time in the SDS. We
23 understand from your witness statement that you joined
24 around September 1979.
- 25 A. Yes, sir.

1 Q. And that you took command when Barry Moss was promoted.

2 A. Yes.

3 Q. We think that Barry Moss was promoted on or around

4 5 January 1981. Does that sound about the time you took

5 over command?

6 A. Probably. I can't remember.

7 Q. You held that role in an acting rank until you were

8 substantively promoted in July 1981; is that right?

9 A. Yes.

10 Q. And then you were replaced by Detective Chief

11 Inspector Short in around January 1982.

12 A. Yes.

13 Q. Can I ask you first about your arrival at the unit. Did

14 you receive a handover?

15 A. I don't remember exactly, but I'm fairly certain that

16 I spent a certain amount of time with Angus McIntosh.

17 Q. And would your time with Angus McIntosh have been

18 sufficient to cover who the undercover officers were who

19 were serving with the unit at that time?

20 A. Yes.

21 Q. Did it cover what was expected of you in terms of your

22 duties?

23 A. Yes.

24 Q. Were you told anything of past problems with an officer

25 being presented with his death certificate?

- 1 A. No.
- 2 Q. At that stage or at any other time?
- 3 A. No.
- 4 Q. Did Mr McIntosh, when you joined the unit, tell you
5 anything about one of the officers marrying an activist?
- 6 A. No.
- 7 Q. Did you hear any rumours that an officer's cover had
8 been compromised because he'd got involved with members
9 of the opposite sex?
- 10 A. No.
- 11 Q. Were you given any briefing about the legality of what
12 the SDS did?
- 13 A. No.
- 14 Q. Were you given any guidance about the SDS's ethics?
- 15 A. No.
- 16 Q. Were you told in broad terms what intelligence was being
17 gathered, why and for whom?
- 18 A. In broad terms, yes.
- 19 Q. And in broad terms, what was the answer?
- 20 A. That their primary purpose was to obtain intelligence
21 concerning forthcoming demonstrations. This would be
22 passed to the office at Scotland Yard and disseminated
23 to A8 and others who needed the information.
- 24 Q. Did the handover cover the relationship between the SDS
25 and the Security Service?

1 A. Not that I recall.

2 Q. Did it cover the relationship with C Squad in any more
3 detail than you've just mentioned?

4 A. No.

5 Q. B Squad?

6 A. No.

7 Q. Was it explained to you that the undercover police
8 officers used deceased children's identities in part, at
9 least, to found their cover identities?

10 A. Not at that stage, no.

11 Q. Did it cover target selection?

12 A. Target selection, as far as I was aware at that stage,
13 was very much to try to offer complete coverage and was
14 usually done on a geographic basis.

15 Q. Is that because at the time there were a lot of people
16 infiltrating the Socialist Workers Party in different
17 parts of London?

18 A. That was the main reason, yes.

19 Q. Were you given any instruction or guidance to review
20 existing deployments?

21 A. No.

22 Q. The 1979 annual report contains a passage which says
23 that covert policing was "being subjected to
24 increasingly close and critical scrutiny". Can you
25 recall what that increasingly close and critical

1 scrutiny was?

2 A. No, I can't.

3 Q. At around the time you joined the SDS and were serving
4 in it, the Inquiry has seen documents which show that
5 the Home Office was expressing some concerns about the
6 relationship between Special Branch and the
7 Security Service. Were you aware of any such concerns?

8 A. No, I wasn't.

9 Q. Were you aware of any debate about the role of
10 Special Branch vis-à-vis the Security Service?

11 A. No.

12 Q. Can I move now to how undercover officers were recruited
13 into the SDS.

14 It's right, isn't it, that almost all of the
15 undercover officers were married, weren't they?

16 A. They were.

17 Q. And was one advantage of selecting officers who were
18 married that it reduced the risk of them becoming
19 involved sexually with activists --

20 A. Yes.

21 Q. -- or other members of the public?

22 And another reason was it helped to anchor them in
23 reality when they weren't operating undercover.

24 A. I believe so.

25 Q. Can you recall whether you recruited the officer we know

1 as HN155?

2 (Pause)

3 A. No.

4 Q. Can I move now to the question of cover identities.

5 Could you answer this question "yes" or "no". Were you

6 aware of any previous compromise of an SDS undercover

7 police officer?

8 A. No.

9 Q. Can you help us with whether officers identified

10 a suitable deceased child alone or with assistance?

11 A. I believe it was alone.

12 Q. Were they given any guidance about how to do it?

13 A. Not by me.

14 Q. Where would they have got instruction as to what to do?

15 A. A recruit to the SDS would spend some time, possibly

16 months, in the back office preparing himself for

17 eventual work undercover. He would talk to staff there.

18 He would also meet serving undercover officers and speak

19 to them, and that was where he -- where he would gain

20 this information.

21 Q. Did you take any steps to check or test how robust cover

22 identities were before your officers deployed?

23 A. I didn't, no.

24 Q. Do you know whether anybody else did?

25 A. Not to my knowledge.

1 Q. I'm going to quote from the 1980 SDS annual report,
2 which includes a passage:

3 "Supervisory staff place great emphasis on the need
4 to ensure that an officer's cover is as secure as
5 possible before he enters the 'field'."

6 How was that great emphasis placed if you didn't
7 check their cover identities before they deployed?

8 A. I repeat that I didn't check them. I can't recall
9 whether other members of the office did, or perhaps they
10 were checked by using one of the undercover officers or
11 somebody who had previously served as an undercover
12 officer.

13 Q. Is it right that great emphasis was placed on ensuring
14 that the cover identity was as secure as possible?

15 A. Well, in light of my answer just now, I can't agree that
16 that was the case.

17 Q. Did you have a view as to how important using a deceased
18 child's identity was?

19 A. When I became aware of the fact that this system was in
20 operation, I thought that it was acceptable and
21 an efficient way of establishing the new identity.

22 Q. Did you think it was important?

23 A. If there was no other way to achieve that end, then it
24 was important.

25 Q. Did you consider whether there was another way?

- 1 A. No.
- 2 Q. I'm getting the impression you simply picked up the
3 existing practice and ran with it; is that fair?
- 4 A. It is fair, but at that time, I wasn't critical of the
5 process.
- 6 Q. Do you know whether or not the Regional Crime Squad used
7 this method?
- 8 A. I've no idea.
- 9 Q. Did you give any consideration to the utility of using
10 the tactic, by which I mean what additional protection
11 it brought?
- 12 A. No. It was an accepted practice which seemed to work
13 well and I, at the time, found no fault with.
- 14 Q. Did you consider the risks that a family might find out
15 that a police officer was using the name of their
16 deceased child?
- 17 A. At that time, no, I didn't consider that.
- 18 Q. Looking back now, do you think it was a necessary
19 practice?
- 20 A. I think it probably was a necessary practice. I didn't
21 realise at the time that families of the deceased
22 children would learn of the system and be distressed by
23 it.
- 24 Q. And why do you think it was necessary?
- 25 A. I didn't have any alternative suggestions for obtaining

1 their identity, their birth certificate, passport,
2 whatever.

3 Q. Do you think now that it was an appropriate tactic to
4 use?

5 A. I do.

6 Q. Notwithstanding the distress of some of the families who
7 have found out?

8 A. That is now with hindsight. At the time, I thought it
9 was the correct process.

10 Q. I'm asking you now, about your position, your
11 reflections.

12 A. My reflection now is that a lot could have been improved
13 to provide their identity cover. I think they were put
14 in a very difficult position to establish that cover,
15 and they should have had far greater support from the
16 Home Office and senior police officers to make the whole
17 process more secure and easier for them to adopt.

18 Q. We've had some evidence from the very, very early days
19 of the SDS of two officers being issued with British
20 visitor's passports in the days before deceased
21 children's identities were used. Was it really
22 necessary to use this practice?

23 A. I wasn't aware of the BVPs, and if somebody had
24 suggested an alternative system, then I perhaps would
25 have agreed and implemented it, but nothing was

1 suggested and, as I was saying, it worked well at the
2 time.

3 Q. On the subject of the training of undercover police
4 officers, was there a black folder in the office
5 containing advice and guidance for undercover officers?

6 A. I wasn't aware of it. I've become aware since, but
7 I never saw it and wasn't aware at the time.

8 Q. Well, we've had, to be fair to you, Mr Butler, mixed
9 evidence about whether there was such a folder. Do you
10 have any independent recollection as to whether or not
11 there was such a folder?

12 A. I don't, no.

13 Q. Targeting, in other words which groups or which
14 geographical areas officers were allocated to. Can
15 I start at a high level.

16 There were some places that SDS officers seem simply
17 not to have gone. One example of that is the Irish
18 Republican Army. I understand from your witness
19 statement that there was never any question of the SDS
20 deploying into the IRA; is that right?

21 A. That's right.

22 Q. And was that a decision that you had to take, or one
23 that had already been taken?

24 A. One that had been taken.

25 Q. Are you able to help us with who had taken that decision

1 and when?

2 A. No. I imagine it had been taken some time beforehand,
3 because there was no talk of any officers having been
4 involved recently in Irish matters.

5 Q. We also know that in this era, no SDS officers were
6 deliberately infiltrated into the far right. Did you
7 give any consideration to any officers who joined whilst
8 you were managing the SDS deploying into the far right?

9 A. No.

10 Q. Why was that?

11 A. That consideration would have been made by officers
12 senior to me. They would have indicated to me that was
13 what was being considered and asked for me to implement
14 the action. I certainly didn't give it any
15 consideration.

16 Q. I'm getting the sense that you might have had
17 an understanding that this was just a field into which
18 the SDS did not go at that time.

19 A. Correct.

20 Q. Is that fair?

21 A. That's fair.

22 Q. Where had you got that understanding from?

23 A. From day-to-day practice, that matters of the far right
24 were very rarely even discussed other than in terms of
25 the confrontation between the left and the right.

1 Q. Since, as we have heard, confrontations between the left
2 and the right were a significant source of public
3 disorder in the time that we're talking about, why was
4 it -- are you able to help as to why it was that only
5 the far left was infiltrated by the SDS?

6 A. I can't help you, I'm afraid.

7 Q. There were some officers who seem to have been given
8 a very considerable discretion as to which groups to
9 target and simply given a geographical area into which
10 to go; is that right?

11 A. Yes.

12 Q. And there were other officers who seem to have been
13 given some clear guidance to go into a specific field.
14 I'm thinking here, for example, of HN65, who infiltrated
15 the Campaign for Nuclear Disarmament.

16 Can you assist us as to how the decision to direct
17 HN65 to do that came about?

18 A. No, I can't recall. I -- I believe that officer joined
19 at about the time I was leaving. It may even have been
20 that his -- his target was asked of him after I'd left.
21 I don't recall.

22 Q. It was a time at which CND was getting bigger and there
23 were more demonstrations than there had been for some
24 time in that field, isn't it?

25 A. Yes.

- 1 Q. Can you recall whether there was any sense within
2 Special Branch that this was an area of growing
3 significance to Special Branch?
- 4 A. If I recall, the concern was that extremist groups on
5 the left would infiltrate and use the CND, rather than
6 the problem arising from core members of the CND.
- 7 Q. Can you recall whether there was any interest emanating
8 from the Home Office about --
- 9 A. I don't recall.
- 10 Q. -- CND?
- 11 A. Sorry.
- 12 Q. Can you recall whether there was any interest emanating
13 from any other part of government?
- 14 A. No, I can't.
- 15 Q. We were, of course, still in the midst of the Cold War
16 in those days, and you've mentioned in your witness
17 statement the impact and influence that had. Would it
18 be fair to say that the concerns about the Warsaw Pact
19 and the USSR in particular were primarily in relation to
20 those groups who shared their particular form of
21 far left ideology?
- 22 A. Yes.
- 23 Q. CPGB?
- 24 A. Mm.
- 25 Q. And that -- would it be right to say that, for example,

1 the Trotskyist groups were getting no support from the
2 USSR?

3 A. I don't know.

4 Q. Do you know whether or not Maoist groups were getting
5 assistance from China in the late 1970s?

6 A. I don't know.

7 Q. It may be testing your memory too much, say so if it is,
8 but Mao died in 1976 and the Chinese form of communism
9 moved on. Were you informed about that, or instructed
10 or told what difference that might make?

11 A. No.

12 Q. Can I move now to anti-racist groups. One of the
13 officers who was deployed whilst you were managing
14 the SDS was the officer we know as HN106.

15 (Pause)

16 A. Yes.

17 Q. And he ended up spending quite a lot of his time with
18 the East London Workers Against Racism group, didn't he?

19 A. Yes.

20 Q. Could we just have a look at -- well, before I do that,
21 perhaps I should ask you: were you involved in HN106's
22 tasking or not?

23 A. I must have been, due to the -- the time that he served,
24 but I -- I don't actually recall tasking him with that
25 group.

1 Q. But you were certainly aware that he was doing that,
2 weren't you?

3 A. Yes.

4 Q. Can you help us with why he was doing that?

5 A. I can't recall whether that group was his target or
6 whether, geographically, he was in that area and became
7 involved with them. I can't recall.

8 Q. But either way, you were content for him to report on
9 that group?

10 A. Yes.

11 Q. Why was that?

12 A. I can't remember. I can only think that they offered
13 a public order threat.

14 Q. Righto.

15 Well, let's have a look at some of the documents.
16 Could we go first of all to the document which is at
17 {UCPI/15540/1}.

18 Sir, this is at tab 26 of your bundle.

19 I'm afraid this isn't very easy to read. If it
20 could be blown up a little bit, please. We're going to
21 start at paragraph 2. This is a report dated
22 18 August 1981, which we understand came from HN106.

23 Paragraph 2 reads:

24 "On Monday 10th August 1981 between 7.30pm and 10pm
25 at Ross-Wyld Hall, Church Hill, London E17 a public

1 meeting was held by the Winston Rose Action Campaign to
2 discuss the death of Winston Rose in police custody and
3 the action required to force the authorities to hold
4 a public inquiry into the circumstances. Approximately
5 100 persons attended, slightly more than half of whom
6 were black."

7 If we could go down now to paragraph 4, please.

8 I'm going to read from the middle of the page:

9 "Gitzmore, an extremely articulate speaker,
10 concentrated much of his speech on a Marxist view of
11 social and capital relations in Britain, concluding that
12 the only way for racism to be eliminated was to
13 overthrow capitalism itself. He intimated throughout
14 his speech that he considered it the responsibility of
15 the black section of the population to carry out the
16 attack on capitalism, not mentioning the role that white
17 workers should play in this activity at any time."

18 If we could go over the page to paragraph 8

19 {UCPI/15540/2}. It says:

20 "Fran Eden, of East London Workers Against Racism,
21 when she spoke, launched into a tirade against the
22 police and their racist attitudes, and the 'racist scum'
23 in the Labour Party. ELWAR, she stated, did not call
24 for the reform of the police but for their destruction.
25 This speech was very well received by the audience.

1 Eden also expressed the support of ELWAR for rioters who
2 had attacked the police during recent disturbances."

3 If we could go down to the next paragraph:

4 "The mood of the meeting could be described as
5 angry. Black separatists present who advocated revenge
6 attacks upon the police, while not gaining outright
7 support, did provoke an amount of quiet sympathy from
8 some of the audience."

9 Could we go now to page 5 of this file
10 {UCPI/15540/5}. That is the front page of the flyer
11 that was attached to this report, illustrating that it
12 was a meeting about calling for a public inquiry.

13 I'm going to ask you two broad lines of questions
14 about this. First of all, from your point of view, was
15 there any policing value in reporting on a meeting such
16 as this?

17 A. I think there were elements in that report of the
18 speeches made which were of great interest to police.
19 The call for the destruction of the police force sounds
20 to me a call for violence and public disorder, which is
21 the reason the SDS was established.

22 Q. Second matter is this. This document is dated not very
23 long after the Brixton riots, isn't it?

24 A. Yes.

25 Q. The atmosphere was febrile to say the least, wasn't it?

- 1 A. Yes.
- 2 Q. There was a great deal of anger, wasn't there, amongst
3 the black community?
- 4 A. Yes.
- 5 Q. Do you think that in that atmosphere, having
6 an undercover police officer report upon a meeting such
7 as this risked doing more harm than good?
- 8 A. I think that really depends on what happened to the
9 report when it was received, how it was disseminated and
10 whether any action ensued. The reporting itself I can't
11 think was anything but helpful.
- 12 Q. Wasn't the risk that if an undercover officer was
13 discovered doing this, that would be just the type of
14 catalyst that might put people back on the streets?
- 15 A. But I think that could probably be said of every report
16 that an undercover officer submitted.
- 17 Q. Do you think that this sort of reporting in these
18 circumstances would secure, as Sir Robert Peel wanted,
19 public approval?
- 20 A. Yes.
- 21 Q. Why?
- 22 A. The group of people at the meeting quite rightly, as you
23 said, were annoyed and contributed to this febrile
24 atmosphere, but there'd be many members of the public
25 who would be very concerned that such a meeting was

1 going on and such sentiments were being expressed. So
2 I think it was wholly justified and a fine report.

3 Q. We've seen a certain amount of evidence to the effect
4 that the SDS was trying to monitor how far-left groups
5 were interacting with the black community; is that fair?

6 A. No, I wasn't aware of that.

7 Q. Is that what HN106 was doing, infiltrating the
8 East London Workers Against Racism to see how they were
9 interacting with the black community?

10 A. That may have been a spin off. I'm sure he was there to
11 establish the risk they posed in terms of violence and
12 demonstrations.

13 Q. "They" being?

14 A. The members of the group he infiltrated.

15 Q. Thank you.

16 Could we take that document down, please. Could we
17 have up now {UCPI/16611/1}.

18 Now, this is from 16 April 1981, so this is in the
19 immediate aftermath of the Brixton riots. We again
20 think that this came from HN106. This one is signed at
21 the bottom by you. It says:

22 "The following information has been received from
23 a reliable source:-

24 "As a result of the violent disturbances in Brixton
25 over the weekend 11/12th April 1981, the RCT has brought

1 forward plans to form a South London Workers Against
2 Racism branch.

3 "At present the level of activity is apparently
4 restricted to attempting to arrange defence facilities
5 for those arrested, and to encourage defendants to
6 employ the RCT's legal representatives. RCT influence
7 amongst the Brixton black population is acknowledged to
8 be minimal and it is thought that an attempt to increase
9 influence will be made through contact with local
10 community leaders.

11 "The events in South London are unlikely to affect
12 the commitment of East London Workers Against Racism in
13 East London and, in particular, Brick Lane, although
14 support for particular occasions is always available."

15 Now, the aspect of this report I want to ask you
16 about, Mr Butler, is the reporting about legal
17 assistance and encouragement to use particular legal
18 representatives. Did you have any concerns about
19 reporting that sort of information?

20 A. No.

21 Q. Did you have any instructions about reporting that sort
22 of information?

23 A. I didn't, no.

24 Q. And that sort of information in particular isn't
25 relevant to public order, is it, specifically?

1 A. It isn't specifically, but it does indicate:

2 "At present the level of activity is apparently
3 restricted ..."

4 It gives -- it gives an insight to the fact that the
5 RC -- the RCT were not calling for direct street action.
6 They were more concerned with the subject of that
7 paragraph.

8 Q. If we could take that down now and have up
9 {UCPI/15302/1}, the third and final document I want to
10 take you to from the aftermath of the Brixton riots.

11 This is a report dated 30 April. Again, it's our
12 understanding that it comes from HN106 and you sign it.
13 We can go to the signature, if you want to see it. It's
14 at page 3 at the bottom {UCPI/15302/3}.

15 If we go back to the top, please, to page 1
16 {UCPI/15302/1}, at paragraph 2, we see it reads:

17 "On Friday 24th April 1981 between 7.30pm and 9.30pm
18 at Stoke Newington Town Hall, Stoke Newington
19 Church Street, N16 the East London Workers Against
20 Racism held a public election meeting. With the events
21 at Brixton two weeks before still a major talking point,
22 the opportunity was taken to use the meeting to
23 illustrate the similarities between events in
24 Northern Ireland and those at Brixton. Approximately
25 fifty people attended."

- 1 Then the rest of the report is about the meeting.
- 2 Was there any concern on your part about having
- 3 an undercover police officer reporting upon the
- 4 electoral activity of an anti-racist group weeks after
- 5 the Brixton riots?
- 6 A. I think the undercover officers who infiltrated groups
- 7 thought it was their responsibility to report as fully
- 8 as they could on those groups. Some of the activity
- 9 might suggest forthcoming demonstrations, others might
- 10 be just general background. And the officers, of
- 11 course, having submitted this report, left it for others
- 12 to analyse and disseminate as they felt fit.
- 13 Q. We may come to that later. I mean, you've made very
- 14 clear in your witness statement your officers weren't
- 15 inhibited in any way as to what to report, were they?
- 16 A. Correct.
- 17 Q. Were you given any guidance as to whether there may be
- 18 sensitive areas that ought to be avoided?
- 19 A. No.
- 20 Q. At the time, you plainly didn't think this needed
- 21 avoiding; is that fair?
- 22 A. Yes.
- 23 Q. What's your view now?
- 24 A. Now, today?
- 25 Q. Please.

1 A. I think I hold the same view, that if a group has been
2 assessed as being of interest, then as much as possible
3 should be reported on that group. Some of it might
4 appear to be irrelevant, but the officer is not able to
5 make that judgment at the time, and my attitude was
6 always it's far better to report too much than too
7 little.

8 Q. Can we take that down. Having said this was the last
9 document, it's the last document from 106. There is
10 another document from HN356 that I'd like to show you,
11 please.

12 (Pause)

13 A. Yes.

14 Q. Could we have up {UCPI/15441/1}, please. If that could
15 be just blown up a little bit.

16 We think this is a report from HN396. It's dated
17 30 June 1981. HN356, it is our understanding, was
18 deployed in South East London initially and for much of
19 his time, but we see in this report, paragraph 2:

20 "On Thursday 25th June 1981, at 8.15pm at the
21 Tate Library, Effra Road, SW2 the new Brixton Branch of
22 the Socialist Workers Party held its inaugural meeting.
23 Nine persons were present."

24 Then at 3:

25 "The meeting was chaired by [Privacy] who commenced

1 the proceedings by calling for the election of Branch
2 officers. After much argument the undermentioned were
3 elected to the following posts ..."

4 And of relevance to us is branch treasurer,
5 William Biggs, and that was HN356's cover name.

6 So it appears that in the wake of the Brixton riots,
7 the SWP are setting up a new branch in Brixton and HN356
8 is moving from South East London to South West London to
9 follow that development; is that right?

10 A. I don't recall. It appears so from the document in
11 front of me.

12 Q. And would it have been because there was interest in
13 monitoring what the SWP were doing in a flashpoint?

14 A. I can't remember. Presumably.

15 MR BARR: Sir, would that be a convenient moment to take
16 the break?

17 THE CHAIRMAN: Certainly. We'll have a quarter of an hour
18 break now and you will be able, I hope, to resume your
19 evidence then.

20 (11.46 am)

21 (A short break)

22 (12.01 pm)

23 MR BARR: Mr Butler --

24 A. Sir.

25 Q. -- you have explained in your witness statement that you

1 got the occasional request from senior managers for
2 specific information about events, but otherwise you say
3 the SDS was left to get on with things, and you also say
4 that you were left very much alone. Did that apply not
5 just generally but also to the question of where you
6 targeted your officers?

7 A. I can't recall exactly how they were targeted. I think
8 it was guidance from senior officers, and as I say, it
9 was generally to ensure as complete coverage
10 geographically as possible.

11 Q. Did you consider it any part of your duty to consider
12 whether there were alternative ways of obtaining the
13 same intelligence or weighing the degree of intrusion
14 into the lives of the activists with the benefit to be
15 gained for policing purposes?

16 A. I never gave that any consideration, no.

17 Q. Did you review any of the deployments, formally or
18 otherwise?

19 A. I don't recall. I think they seemed to satisfy the
20 criteria that was required.

21 Q. Can I ask you now to answer the next question with
22 a "yes" or a "no". Did you terminate any deployments on
23 the grounds that you didn't think they were worthwhile?

24 A. No.

25 Q. Again, "yes/no". Did you alter the course of the

1 deployments of any of your officers because you thought
2 what they were doing was not worthwhile?

3 A. No.

4 Q. Coming back to those specific requests from intelligence
5 from senior managers, was your intelligence going from
6 the SDS to S Squad or from the SDS to C Squad?

7 A. To S Squad.

8 Q. Now, are you sure about that, because we've had
9 conflicting evidence on that issue?

10 A. My understanding, that it all went to S Squad and it was
11 for them to decide its onward path.

12 Q. And were the specific requests coming from S Squad or
13 from other squads or both?

14 A. I think from S Squad.

15 Q. You say you think. How sure are you?

16 A. Fairly sure. I can't recall any other way of receiving
17 requests.

18 Q. Was there any change in the nature of the requests you
19 were getting after the 1979 general election?

20 A. I can't recall that.

21 Q. Was there any change in the nature of the requests that
22 you were getting after the 1981 election as leader of
23 the GLC of Ken Livingstone?

24 A. Again, I can't recall any change.

25 Q. I'd like to move now to a completely different topic,

1 and that is your relationship with the Security Service,
2 and it's right to say, isn't it, that you met them on
3 a number of occasions whilst working for the SDS?

4 A. I've looked at some reports from the Security Service
5 and I accept that I did, but I'm afraid my memory is --
6 is failing me on those meetings.

7 Q. Righto. We'll look at a few documents. The first one
8 I want to show you in fact predates your time in
9 the SDS.

10 Could we have {UCPI/30049/1}, please.

11 This is a 1973 document. It's from
12 13 November 1973. At paragraph 2, it says:

13 "[The Security Service] defined their primary
14 targets for agent operations as the [Socialist Labour
15 League] ..."

16 Which of course became the Workers' Revolutionary
17 Party:

18 "... [International Socialists] ..."

19 Which, as I'm sure you know, became the
20 Socialist Workers' Party:

21 "... and IMG. The ideal would be a permanent
22 well-placed employee in each headquarters, not
23 necessarily too high up in the organisation. Secondary
24 targets were ..."

25 We've had to redact those:

1 "... but the [Security Service] requirement in these
2 two cases was virtually only for membership details."

3 Was it your understanding in the late 1970s that the
4 Security Service were still very keen for the SDS to
5 have someone at headquarters level in the
6 Socialist Workers Party?

7 A. I don't recall that group, no.

8 Q. Okay. If we could take that down, please.

9 Can we look at some of the documents in your era.
10 First of all, the document, sir, which is at tab 3 of
11 your bundle, {UCPI/28810/1}.

12 This is about a meeting which occurred on
13 2 October 1979. It starts by saying:

14 "[The head of the SDS] paid a routine visit to
15 CSH ..."

16 Which we understand to be the Security Service's
17 premises:

18 "... on 2 October 1979. This was an opportunity to
19 say farewell to DI Angus MacIntosh and to meet his
20 successor Trevor Butler. After lunch at the Waterloo
21 Despatch in Adams Row we returned to CSH for
22 discussions."

23 So it appears that you were introduced to the SDS
24 almost straight away, doesn't it?

25 A. It does appear so.

1 Q. A feature of the documents we're going to look at is
2 there was very often an opportunity for a bite to eat
3 and a drink either before or after the meeting with the
4 Security Service. Do you remember that?

5 A. No, I don't.

6 Q. Can you recall what sort of things you discussed with
7 them in the margins of your meetings?

8 A. No, I'm afraid I can't.

9 Q. This document goes on to include a specific request at
10 2(a) about training. And then if we go over to page 2,
11 please {UCPI/28810/2}, there's some discussion of
12 photographs, and then future coverage, and at (e),
13 picking up from near the bottom:

14 "I said that if possible we would be interested in
15 reports on one or two specific resolutions such as those
16 dealing with Flame, Womens Voice and the organisation of
17 the Party."

18 This is in connection with the forthcoming SWP
19 national conference:

20 "I asked if reports provided on the New Communist
21 Party and the Workers Party indicated that the Squad had
22 sources close to the group. Ferguson confirmed that
23 these reports were unlikely to continue."

24 Now, coming back to those specific requests about
25 Flame, Women's Voice and the organisation of the SWP,

1 was it typical of the Security Service to make specific
2 requests like this?

3 A. I'm afraid I can't recall.

4 Q. If we go to (g), this was about the officer we know as
5 HN354. I can tell you his real name. It's
6 Vince Harvey:

7 "It was confirmed that [Vince Harvey] is being
8 withdrawn. A replacement will eventually be provided
9 albeit in a different geographical area."

10 Was it the norm to keep the Security Service
11 informed about when officers started and ended their
12 deployments?

13 A. I don't think so.

14 Q. What's the basis for saying that?

15 A. I just can't recall it.

16 Q. I see.

17 In paragraph 3, it says:

18 "In general conversation we touched on the problems
19 of agents being involved in actions of varying degrees
20 of illegality. Ferguson remarked that certainly for the
21 more trivial offences this was no real hindrance to
22 their operation since they were often able to insulate
23 their sources even though this sometimes meant not
24 prosecuting other offenders."

25 Can you recall whether you had any discussions with

1 Ferguson about this sort of matter?

2 A. I don't recall.

3 Q. "Yes/no", please. Can you recall any instance in which
4 a prosecution was dropped in order to protect
5 an undercover police officer?

6 A. No.

7 Q. Over the page {UCPI/28810/3}, paragraph 4:

8 "[Head]/SDS reemphasised the value of these regular
9 meetings and we agreed to get together again in the
10 second week of November."

11 Can you give us an impression about how grateful the
12 Security Service was for the relationship you had with
13 them?

14 A. No, I can't.

15 Q. Can we take that down and go now, please, to tab 5,
16 {UCPI/29198/1}.

17 Now, this is a document which records that someone
18 from the Security Service called on DCI Ferguson on
19 6 November 1979 and gave him briefs prepared by
20 Security Service's F7 branch in relation to a number of
21 things, including the SWP national conference and the
22 debrief of the SDS source in Walthamstow. We know that
23 that source was Vince Harvey.

24 So if we go over the page now and have a look at
25 those {UCPI/29198/2}, this loose minute contained very

1 detailed questions about the SWP. So, for example, if
2 you look at 1a, under "General Points", it says:

3 "Delegates: it is understood that local branches
4 will send one delegate per 30 members. We are learning
5 the names of a number of these, but a full list, if
6 available, would be welcome."

7 And if we go down to 2a, it says:

8 "We would be particularly glad of early comments on
9 the following topics:-

10 "a. Industrial situation and policies; what is
11 the SWP's assessment of their intervention in [recent
12 strikes]."

13 And then we've had to summarise the next passage as
14 a "broad range of forthcoming strikes".

15 And the questions go on. If we go over the page
16 {UCPI/29198/3}, at f(i) we see questions about the
17 Anti-Nazi League, about the Women's Voice and about
18 Flame.

19 Is it your recollection that the Security Service
20 were interested in really pretty granular details?

21 A. I've no recollection.

22 Q. Do you have any recollection of meeting with them,
23 discussing matters at this sort of level of detail and
24 trying to service their requests?

25 A. I do not.

1 Q. Can you recall whether or not the SDS provided
2 intelligence to the Security Service trying to fulfil
3 their requests?

4 A. If that was the case, I assume it would have been done
5 through S Squad office.

6 Q. We've got a lot of meeting notes, and if you don't
7 remember, there may not be much point in me putting them
8 all to you, but there are quite a lot of them at which
9 you are recorded as having been present. Are you
10 telling me that you simply can't remember any of these
11 now?

12 A. That is the fact.

13 Q. I see.

14 Can I now move to the question of subversion.
15 You've told us already that you can't recall any tuition
16 on this subject. Can I just put a couple of documents
17 to you in case they jog your memory.

18 Can we have up {UCPI/4459/1}.

19 Now, this is a covering letter to a circular dated
20 1970 to all chief constables, which covers the terms of
21 reference for Special Branch's relationship with the
22 Security Service.

23 And if we go over the page {UCPI/4459/2}, you'll see
24 it deals with the responsibility of Special Branch and
25 the function of Special Branch vis-à-vis the

1 Security Service. And if we look on page 2 at
2 paragraph 3(d), do you see 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 Do you recall seeing these terms of reference?

8 A. I don't, no.

9 Q. Do you recall being familiar with the task of
10 collecting, processing and recording information about
11 subversive or potentially subversive organisations for
12 the Security Service?

13 A. No.

14 Q. If we go to page 4, paragraph 3 {UCPI/4459/4}, there is
15 a definition of "subversion". It says:

16 "It is important that Special Branches should have
17 a clear idea of what constitutes 'persons and
18 organisations which may be judged to be subversive of
19 the security of the State'. Broadly speaking these are
20 any organisation or individual whose purpose is the
21 undermining or overthrow of the established democratic
22 order."

23 Can you now recall being presented with this
24 definition?

25 A. No, I can't recall.

1 Q. Does it accord with your understanding of what
2 a subversive group was?

3 A. Yes, I think so.

4 Q. Can you recall that definition ever changing?

5 A. No.

6 Q. Could we have up -- if we take that down. Could we have
7 up {UCPI/4545/1}.

8 Now, this is another circular from the
9 Security Service to chief constables about "Subversive
10 activities in industrial disputes". It essentially
11 makes the point that there is a distinction between
12 militant industrial action and action designed to use
13 industry to overthrow the state.

14 Can you recall being made aware of that distinction?

15 A. No.

16 Q. Do you think that you may have been and simply can't
17 remember it, or are you saying that it didn't happen?

18 A. I can't remember it. It may not have happened.

19 Q. If we go to the bottom of page {UCPI/4545/2} at
20 paragraph 7, please. This has a slightly different
21 definition of "subversion". It says:

22 "Subversion is defined as activities threatening
23 the safety or well-being of the State and intended to
24 undermine or overthrow Parliamentary democracy by
25 political, industrial or violent means."

1 Slightly different to the last definition I read out
2 to you. Can you recall being instructed about this
3 definition?

4 A. No.

5 Q. Again, is it something that might have happened?

6 A. It might have happened.

7 Q. Could we take that down, please. Could we have up
8 {UCPI/34698/1}.

9 Now, this is a document entitled "Subversive
10 Activities in Schools", dated 16 September 1975, and if
11 we go over the page {UCPI/34698/2} to paragraph 2, again
12 it's a circular to chief constables. Paragraph 2 says:

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

19 Can you recall being given any guidance at all about
20 subversion in schools?

21 A. I wasn't, no.

22 Q. Can you recall feeling any sensitivity about that issue?

23 A. I don't think the position arose.

24 Q. We know that some SDS officers, notably HN126, did make
25 reports which referred to children, particularly in the

1 context of the group School Kids Against the Nazis. Can
2 you recall that group?

3 A. I don't recall the group, no.

4 Q. Can you recall whether there was any concern that
5 extremist groups on both left and right were seeking to
6 influence schoolchildren?

7 A. I don't recall there was any particular concern, no.

8 Q. Can we take that down, please.

9 In your witness statement, you deal at one point
10 with what you thought the most important things that
11 the SDS did were. At the top of your list was public
12 order, and you then went on to say the second most
13 important contribution was "the provision of information
14 to update MPSB files".

15 Can you help us with what SDS intelligence on MPSB
16 files was used for?

17 A. The files -- MPSB files were just a collection of
18 reports. Each one would have been dealt with
19 individually, and the file would be maintained either
20 about a group or association or an individual. Any new
21 report coming into the branch would be placed on the
22 appropriate file. Sometimes a general file, sometimes
23 a personal file.

24 Q. That doesn't quite answer my question. What I'm driving
25 at is, if you think that this was the second most

1 important thing that the SDS did, what I'm trying to
2 find out is why it was so important. What was it that
3 this information could be used for that made it
4 an important contribution?

5 A. Well, the importance might have been immediate. If the
6 report referred to an individual or a group which was
7 under active review, it would have been immediate
8 importance. If not, it could have relevance and
9 importance in the future.

10 Q. And is that an importance perhaps for informing reports
11 about public order?

12 A. Presumably.

13 Q. Do you know?

14 A. I don't know. I can't recall all the different reports
15 that were submitted and filed.

16 Q. Well, I'm asking in general terms. Do you think SDS
17 reporting, for example, contributed to the ability to
18 vet people?

19 A. Quite possibly.

20 Q. Do you think that SDS reporting contributed to
21 Special Branch's understanding of activist groups?

22 A. Yes.

23 Q. You use the phrase "latent value of information" more
24 than once in your witness statement. What did you mean
25 by that?

1 A. Information which might appear to have no immediate
2 interest but which could possibly be relevant at
3 a future date.

4 Q. Now, at a point in your witness statement when you're
5 explaining why you thought it was important to have
6 comprehensive intelligence coverage, you say "providing
7 that those individuals were not unlawfully discriminated
8 against because of this". What were you meaning by
9 that?

10 A. I don't know. I'd have to look at the whole paragraph.

11 Q. Yes, sure. We can get that up. It's {MPS/747658/1},
12 page 37 {MPS/747658/37}. If we -- it's paragraph 129
13 I want. So if you want to see the context, if we go
14 back one page {MPS/747658/36}, it reads:

15 "Having considered the reports above, a close
16 reading shows that each of them contains relevant and
17 useful information, even though parts may seem
18 unacceptable in today's context. The difficulty is that
19 you either have state-controlled organisations that keep
20 a record of potential extremists and activists, or you
21 do not. When something untoward happens, there will be
22 some who will most likely criticise the state if it does
23 not react quickly enough, and in a targeted fashion, to
24 investigate the perpetrators and bring them to justice.
25 That is much more difficult to do from a standing start.

1 I do not believe that individuals finding their names on
2 a Special Branch or Security Service file is too high
3 a price to pay for comprehensive intelligence coverage,
4 providing that those individuals were not unlawfully
5 discriminated against because of this."

6 A. I'm not quite sure what I meant by it. (Pause)

7 Q. Were you perhaps referring to the risk that information
8 might improperly have been leaked to employers who would
9 blacklist employees?

10 A. I can't really think of any other unlawful
11 discrimination arising from retaining this intelligence,
12 so I think that's probably what I was thinking about.

13 Q. And why was that on your mind?

14 A. I think when I made this statement I was probably
15 justifying the reporting on and maintaining records
16 about members of the public, which I thought was
17 acceptable, as I said there, providing, as a result,
18 they don't lose their job or are blacklisted, which
19 then, unless there are exceptional circumstances,
20 becomes unacceptable.

21 Q. Was it a known risk at the time you were serving in
22 Special Branch that information might get out and lead
23 to people losing their jobs?

24 A. Not at all.

25 Q. Can I take it then, so far as you are aware, nothing was

1 done to stop it?

2 A. To stop what?

3 Q. The unlawful disclosure of information leading to people
4 losing their jobs.

5 A. Well, I'm convinced that Special Branch records were
6 properly maintained and there was no leakage. I added
7 that at the end of that paragraph as a caveat, that's
8 all.

9 Q. Thank you.

10 Could we take that down, please, and could we look
11 at the document at tab 23 of your bundle, sir,
12 {UCPI/15469/1}.

13 This is a report dated 10 July 1981. It says:

14 "Submitted herewith are the contents of the address
15 book of Steve Sorba, a leading member of Freedom
16 Editorial Collective, which have been received from
17 a reliable source ..."

18 And then we have redacted, to protect people's
19 privacy, all the names. But if we just look down
20 the right-hand column, you can see in relation to some
21 of them is the annotation "N/T". Is that
22 for "no trace"?

23 A. It is.

24 Q. And so we can take it that some of the names that have
25 ended up on file are people from this address book who

1 were unknown to Special Branch at the time?

2 A. It depends how the report was handled by S Squad, or if
3 it was C Squad as the recipient. Quite often, no traces
4 would not be recorded, and in fact U/Is, unidentified,
5 would also fail to be recorded.

6 Q. Yes. I mean, this one -- we can go over the page.

7 There are more "N/Ts" there {UCPI/15469/2}, and then
8 over to the last page {UCPI/15469/3}, we see your
9 signature and another "N/T".

10 It appears on this occasion that the document was
11 filed -- we've got it from a Security Service file. It
12 was filed with the "no trace" names all left included.
13 Was that normal?

14 A. I'm not sure. I -- I think it probably was. The fact
15 that they were "no trace" at that stage didn't preclude
16 them from becoming people of interest, so it may well
17 have been retained on a general file, yes.

18 Q. Thank you.

19 Could we take that down.

20 I want to ask you now about how well you got to know
21 the undercover officers under your command. You've
22 explained in your witness statement that you met them
23 periodically on a one-to-one basis, often playing
24 squash, as I understand it, and for a bite to eat; is
25 that right?

- 1 A. Yes.
- 2 Q. And then you met them usually twice weekly in either the
3 south or west safe house.
- 4 A. Yes.
- 5 Q. And you would have talked to them at that stage about
6 their deployments and their wellbeing?
- 7 A. Yes.
- 8 Q. Over time, how well did you get to know these officers?
- 9 A. Some of them very well, others not quite so well, but
10 reasonably well all of them.
- 11 Q. Enough that they were telling you what they were doing
12 in their deployments and you knew a little bit about
13 their wellbeing and their home lives?
- 14 A. Yes.
- 15 Q. Would that be a fair generality?
- 16 A. It would, yes.
- 17 Q. Can I ask you a bit about the environment. The unit was
18 all male, wasn't it, at that time?
- 19 A. Yes.
- 20 Q. And was it -- would you describe it as a male
21 environment?
- 22 A. Yes.
- 23 Q. Banter?
- 24 A. Yes.
- 25 Q. Jokes?

- 1 A. Yes.
- 2 Q. Some of them of a sexual nature?
- 3 A. I can't remember, but probably.
- 4 Q. Was there ever any joking to the effect that officers
5 might have been the subject of sexual advances by female
6 activists?
- 7 A. No.
- 8 Q. Are you sure about that?
- 9 A. If it was said as a joke, it was certainly something
10 that I've forgotten by now.
- 11 Q. Was there ever any joking to the effect that an officer
12 had had some sexual contact with an activist?
- 13 A. Certainly not, no.
- 14 Q. Was there any serious discussion about the problem of
15 what to do if a female member of a group or a female
16 member of the public became amorous with an undercover
17 police officer?
- 18 A. That wasn't discussed, no.
- 19 Q. Are you sure?
- 20 A. Not by me.
- 21 Q. Did you consider whether there was a risk that there may
22 be sexual activity?
- 23 A. No.
- 24 Q. Did you consider that they may be tempted to participate
25 in sexual activity?

1 A. I might have considered that that was a possibility, but
2 I trusted all of them, who I knew quite well, not to be
3 so involved.

4 Q. I mean, they were pretending to be single men,
5 weren't they?

6 A. Yes.

7 Q. And they were infiltrating groups many of which were
8 sexually quite liberal?

9 A. Yes.

10 Q. And they might have thought, mightn't they, that getting
11 together with an activist might keep them safer and
12 enhance their cover?

13 A. I don't think so.

14 Q. Why not?

15 A. Because the selection process, as you alluded to much
16 earlier, ensured that they were married men with
17 a stable background who I trusted not to get involved
18 sexually outside of their marriage.

19 Q. If it was based on trust, can you help us, did you ever
20 give them a reminder?

21 A. No.

22 Q. Did you ever suggest to them ways that they might reduce
23 the risk of a sexual contact?

24 A. No.

25 Q. Do you think, looking back, that it would have been

1 a good idea to do that?

2 A. I'm sure it would.

3 Q. Can I ask you now about some specific officers. First
4 of all, some officers who served before your time and
5 I want to know whether you heard anything about them.

6 Did you hear anything at all about Richard Clark --

7 A. No.

8 Q. -- in a sexual connection?

9 Did you hear anything at all in terms of a sexual,
10 including a romantic, connection about the officer we
11 know as HN300?

12 (Pause)

13 A. No.

14 Q. We have evidence that HN300 formed a lasting
15 relationship with an activist and in fact went on to
16 marry her. Was there any talk in the office, any gossip
17 about who HN300 was marrying?

18 A. No.

19 Q. Can I now ask you to look at a section of somebody
20 else's witness statement. This is the witness statement
21 of HN106, and it's at {MPS/745735/1} and if we could go
22 to {MPS/745735/43}, please, and start at paragraph 132:

23 "The only reason I can think of for the
24 Security Service file note relates to another incident
25 connected with a woman called [Privacy]. I knew

1 [Privacy] as she was [Privacy]'s wife or partner
2 (I cannot remember if they were married or what her
3 surname was). She was not an activist herself. During
4 my deployment, [Privacy] and [Privacy] split up. A few
5 months after this, I bumped into [Privacy] while I was
6 selling papers on Brick Lane. She invited me to come
7 around for a drink and I met up with her. Neither of us
8 were interested in a romantic relationship; I was
9 happily married with two small children and [Privacy]
10 was very much still in love with [Privacy] who had left
11 her for another woman. In fact, I think the reason she
12 wanted to spend time with me was to hear what [Privacy]
13 had been up to.

14 "I went for a drink with [Privacy] on a couple of
15 occasions and also went around to her house. If I had
16 had something to drink and could not drive home, I would
17 sometimes stay over at [Privacy]'s home. I would sleep
18 in one of her children's rooms and they would share with
19 her. I remember there was a hamster in the child's room
20 which would keep me awake at night running around in its
21 wheel! I do not think that I stayed over more than five
22 or so times."

23 If we could scroll down, please:

24 "I became quite close with [Privacy] and even though
25 it was an entirely platonic relationship, some activists

1 started to refer to [Privacy] as 'Barry's girlfriend'."

2 "Barry Tompkins" was this officer's cover name:

3 "I do not think that they said this in front of
4 [Privacy]. I did not correct them as it was actually
5 helpful for my cover for people to think I had
6 a girlfriend as I otherwise faced questions about why
7 a young man seemingly had no interest in women."

8 Then if we could go over the page, please

9 {MPS/745735/44}:

10 "One day Trevor Butler asked to speak with me. He
11 told me that a telephone call had been intercepted
12 during which there had been discussion of where items
13 from Ireland could safely be stored. It was discussed
14 that the only place deemed not to be under surveillance
15 was 'Barry's girlfriend's place'. I think Trevor said
16 something along the lines of 'you're not going to get us
17 into trouble are you?' and I simply said 'no, it's
18 nothing like that'. I did not feel the need to say much
19 more as there was not anything untoward to explain.
20 Trevor never actually mentioned [Privacy]'s name but
21 I have always assumed that this must have referred to
22 [Privacy].

23 "My relationship with [Privacy] was never anything
24 more than friends but I was sad when I had to disappear
25 from her life."

1 First question: can you recall HN106 ever speaking
2 of the woman concerned?

3 A. No.

4 Q. Can you recall speaking with HN106 as described by him
5 in his witness statement?

6 A. No.

7 Q. Do you accept that his recollection is likely to be
8 correct?

9 A. No.

10 Q. Why not?

11 A. It didn't happen.

12 Q. Why are you so sure that it didn't happen as opposed to
13 being just something that you cannot now remember
14 40 years later?

15 A. I can't answer that question. I just know that didn't
16 happen.

17 Q. Why are you being so categoric? He wasn't explaining --
18 he wasn't confessing any wrongdoing on his account.

19 A. I just cannot recall any knowledge that I had of
20 an intercepted phone call, and I wasn't aware that he
21 had this girlfriend. So I'm fairly satisfied that he's
22 either confused me with another officer from the office
23 or I don't know the answer.

24 Q. If HN106 had explained to you what he sets out in his
25 witness statement, what would you have done?

1 A. I don't know. It's -- my outlook was probably different
2 then than it is now. I think we'd have had to have
3 a fairly long discussion about whether or not the
4 position was sustainable.

5 Q. Could you help us with what your outlook was then?

6 A. No. I can't remember.

7 Q. Well, you've just said that your outlook was different.
8 I was --

9 A. No, I said it may have been different. I can't recall.
10 Now, I think I would have insisted that he ended such
11 a relationship. Then, I might have been more tolerant.

12 Q. And why would you have been more tolerant back in the
13 day?

14 A. Well, purely because I've become older and more
15 disagreeable.

16 Q. Were attitudes different in those days?

17 A. I'm sure mine was, yes.

18 Q. How big a deal, in those days, would you have regarded
19 an undercover police officer forming a platonic
20 friendship with a woman?

21 A. I wouldn't have been concerned, providing it didn't look
22 as if it could become a problem for the officer or
23 the SDS.

24 Q. Is one of the things that leaps from the page of this
25 statement that there might in fact have been more going

- 1 on?
- 2 A. Certainly.
- 3 Q. And back in the day, would you have investigated to
- 4 establish whether or not you were being told the whole
- 5 story?
- 6 A. That's a hypothetical question. It didn't happen.
- 7 I would have investigated very thoroughly.
- 8 Q. Would you have put out a warning to other officers to be
- 9 careful about the friendships that they were forming?
- 10 A. In the event that this had happened, yes, I probably
- 11 would.
- 12 Q. In the event that you had discovered an officer having
- 13 a sexual relationship with a woman, do you think it
- 14 would have led to disciplinary proceedings or not?
- 15 A. I don't think that would be a question for me. I think
- 16 I would have ensured the officer's removal from the SDS,
- 17 but as to any disciplinary action thereafter, I don't
- 18 know.
- 19 Q. Are you telling me it was above your pay grade?
- 20 A. Indeed.
- 21 Q. Might there have been difficulties with formally
- 22 disciplining a police officer who had been undercover
- 23 because of the rights that that officer would have under
- 24 the police disciplinary procedures?
- 25 A. I'm sure it would have been a very difficult decision to

1 take, yes.

2 Q. Can we take that document down, please, and can we have
3 up {UCPI/27446/1}.

4 Now, this is another note made by the
5 Security Service. It comes from their liaison file with
6 the SDS. It's dated just after your time. It relates
7 to a visit to the SDS on 29 June 1982. I'm showing you
8 it because of what it says at paragraph 5. It says:

9 "I stressed to David Short our continued interest in
10 [blank] and asked that HN106 should pass on anything
11 that suggested a continuing contact between ..."

12 We've had to redact it:

13 "Information on this subject may be bedevilled by
14 the fact that HN106 has probably bedded [blank] and been
15 warned off by his bosses."

16 Can you help us with whether you know anything at
17 all about the circumstances in which HN106 appears to
18 have been warned off by bosses who thought he had
19 "probably bedded" a person?

20 A. No.

21 Q. Might you have been concerned and passed this on to
22 Mr Short? Is there any possibility that that happened?

23 A. No.

24 Q. Can we take that down, please.

25 Can we have your witness statement back up again.

1 That's {MPS/747658/1}. Can we have page 26, please
2 {MPS/747658/26}, paragraph 98.

3 Now, this reads:

4 "From the passage provided to me, it seems as though
5 he was quite close to the lady."

6 This is referring to 106:

7 "I know that he was married with young children at
8 the time and I believe I would have reminded him about
9 his obligations to them and to the job in fairly strong
10 terms if I had even the slightest suspicion that he had
11 or was tempted to stray. I would certainly have checked
12 with him that his wife knew where he was on the evenings
13 when he stayed over. It is possible that HN106 has
14 mixed me up with one of the other managers."

15 Now, what I want to ask you about this passage is
16 that you are clearly thinking about HN106's marriage and
17 his wife and children; that's correct, isn't it?

18 A. Yes.

19 Q. And you are plainly thinking about the risk which such
20 conduct might present to the SDS and the
21 Metropolitan Police --

22 A. Yes.

23 Q. -- is that right?

24 But what you don't mention is the woman with whom
25 HN106 had formed this, on his account, entirely platonic

- 1 but plainly quite close friendship. Was that
2 deliberate?
- 3 A. As I was unaware that this officer had formed this
4 platonic or otherwise relationship, it's a hypothetical
5 question and so, no, I gave the -- the other party no
6 consideration at all.
- 7 Q. If this had happened, would you have given the other
8 party any consideration?
- 9 A. I don't know. Possibly I might have tried to establish
10 a reasonable way for the officer to disentangle himself.
11 I don't know. I can't really comment.
- 12 Q. What was the attitude in the day? Was it that the
13 activists were just "wearies"?
- 14 A. And what are they?
- 15 Q. So you don't recognise the term. Just activists. Was
16 that the attitude, that they were the other side?
- 17 A. To a certain extent. They -- they were individuals and
18 some were potentially more of a threat than others, but
19 yes, they were basically the people we were trying to
20 gain information about.
- 21 Q. Did you give any consideration that -- the harm that
22 might be done to a woman who was deceived sexually by
23 an undercover police officer?
- 24 A. No.
- 25 Q. Can we take that down now, please.

1 Can I ask you now about Vince Harvey. Can you
2 recall whether you ever met Vince Harvey as he was about
3 to leave the SDS?

4 A. I don't think so.

5 Q. Can you ever recall whether you met him for one of your
6 one-to-ones over a game of squash and a bite to eat?

7 A. I don't recall working with Vince Harvey. I'm not sure
8 whether our times did overlap.

9 Q. As far as we can tell, it's -- he's coming out of the
10 field about the time you're starting. What
11 I'm interested in is -- I'm going to show you
12 a postcard. It's {UCPI/34819/1}.

13 Now, this is a postcard which Vince Harvey sent to
14 his group after he had withdrawn as part of covering his
15 exfiltration.

16 Can you recall this tactic being used?

17 A. No, I can't.

18 Q. Do you know who decided to use this tactic?

19 A. I've no idea.

20 Q. Thank you. If we could take that down, please.

21 The officer we know as HN21, how well did you know
22 HN21?

23 A. Reasonably well.

24 Q. HN21 has told us that he did have sex with a woman twice
25 in his undercover identity and that it happened after

1 a friendship had developed between them over a period of
2 time.

3 Did HN21, in any of his conversations with you, give
4 you the impression he was getting close to anybody?

5 A. No, he didn't.

6 Q. How surprised are you by HN21's evidence that he did
7 have sex with a woman twice when he was undercover?

8 A. I'm surprised.

9 Q. Do you think, with hindsight, that you might have been
10 able to put him off doing so if you had asked more
11 questions or put across the line more strongly that this
12 sort of thing was off limits?

13 A. Possibly.

14 Q. HN126, please. Did he tell you at any stage that he was
15 getting on very well with a member of the opposite sex?

16 A. No.

17 Q. Or express any concerns that he might be coming close to
18 somebody?

19 A. No.

20 MR BARR: Sir, would now be a good time to break for lunch?

21 THE CHAIRMAN: Certainly. We'll resume at 2.00.

22 (1.00 pm)

23 (The short adjournment)

24 (2.00 pm)

25 THE CHAIRMAN: Yes.

1 MR BARR: Thank you, sir.

2 Mr Butler, can we turn now to the officer who we
3 know as HN155. We have had evidence that he was living
4 a full alternative lifestyle undercover. Did he tell
5 you that?

6 A. What do you mean by "full", sir?

7 Q. Well, getting stoned. Did you ever mention that to you?

8 A. He didn't.

9 Q. We have heard evidence from his risk assessors that he
10 told them that he had had sexual contact with activists.
11 Did he tell you that?

12 A. No.

13 Q. What impression did he give you about how he was
14 conducting himself undercover?

15 A. I got to know this officer quite well. I realised he
16 was quite well in with his group, but he didn't give me
17 any reason to suspect that his behaviour was anything to
18 cause concern.

19 Q. Do you think that if he had been doing those things, sex
20 and drugs, he would have told you?

21 A. No.

22 Q. Because it would have led to trouble for him?

23 A. Certainly.

24 Q. Can we turn to HN67.

25 A. Which, sir?

1 Q. 67. I think it may be one of the names that's been
2 added at the end.

3 (Pause)

4 A. Can't find 67, I'm afraid.

5 Q. Righto. We'll come back to that after the break then.

6 In your witness statement, you say:

7 "As far as I was concerned then and now, the SDS
8 provided a terrific service, trouble free ..."

9 In the light of the evidence from officers such as
10 Vince Harvey, who has accepted he slept with four women,
11 and HN21, who's accepted he slept with one woman, does
12 that remain your view?

13 A. Vince Harvey I can't comment on, because I'm fairly
14 certain I had very little to do with him at all.
15 I can't remember him being on the squad at the same
16 time. Possibly he did.

17 No, my view would have changed. I considered I was
18 extremely lucky. I had a couple of years working with
19 a very successful team who presented no problems and
20 I suspected were -- were doing nothing untoward.

21 Q. And now that you do know not only about the two officers
22 that I have just identified but about the problems with
23 the SDS more generally which led to this Inquiry being
24 set up, what is your view?

25 A. Well, I'd probably want to wait for the final report

1 before I comment, but it would seem that if those
2 positions are correct that officers were having affairs,
3 then I'm disappointed, and had I known, I would have --
4 I would have dealt with it differently.

5 Q. Can I move now to the assumption of positions of
6 responsibility where, in your witness statement, you say
7 that there was definitely a balance to be struck, and
8 you talk about crossing the line between acceptable
9 recording roles and unacceptable direction setting and
10 incitement. I'd like to explore that by reference to
11 some examples.

12 Can we start with HN96, please. He was, we know,
13 the district book organiser for a branch of the SWP and
14 said that he was advised not to become too prominent.
15 Can you recall whether it was you who gave him that
16 advice or not?

17 A. I can't recall.

18 Q. What is your view of assuming the role of district book
19 organiser for the Socialist Workers Party?

20 A. I am not quite sure what that would entail, but it would
21 seem that that would be within the parameters of
22 acceptable UCO operations.

23 Q. Because?

24 A. Because he didn't seem to be formulating their policy or
25 directing them towards unlawful acts.

1 Q. If we could have up, please, on the screen
2 {MPS/745772/1} at page 41 {MPS/745772/41}. This is
3 HN96's witness statement, and I want to read to you
4 a passage about what he did within TOM. It starts at
5 paragraph 199:

6 "Hackney was a particularly 'active' branch of
7 the TOM, in the sense that there were a lot of active
8 and enthusiastic members. A number of its members were
9 on the National Steering Committee. At some point
10 during my time on the TOM there was a vacancy to join
11 the National Steering Committee. The post that was
12 available was that of Membership and Affiliation
13 Secretary and I believe it was decided that post had to
14 be filled by a member of the Hackney branch of the TOM.

15 "At paragraph 16 of my impact statement dated
16 19 September 2017, I stated that I was National
17 Secretary of the TOM. That is incorrect. Having
18 reviewed the contents of my witness pack I can see that
19 the correct title for the role that I undertook in
20 the TOM was Membership and Affiliation Secretary.

21 "I was put forward for the post at a meeting of
22 Hackney TOM and I accepted. I came into possession of
23 meeting minutes in that way.

24 "Normally I would have shied away from a position
25 like that out of concern that it would draw too much

1 attention to me, but I decided that undertaking the role
2 would give me a closer insight into the things that
3 the TOM were doing.

4 "The nomination came out of the blue so I did not
5 have the opportunity to discuss it with my managers
6 beforehand. I spoke to them about it as soon as I could
7 after my nomination had happened. I remember them being
8 pleased."

9 Can you recall whether you were pleased with HN96's
10 deployment into TOM?

11 A. I can't remember.

12 Q. If you can't remember, can I ask you in the abstract.
13 Would becoming the membership and affiliation secretary
14 of TOM be something that the SDS would regard as a good
15 thing?

16 A. Yes.

17 Q. And why?

18 A. Because it would give greater access to membership and
19 administrative things like that without putting him into
20 a -- a position which would be against SDS policy.

21 Q. This was a position that gave him a seat on the national
22 steering committee, and if the name is anything to go
23 by, wouldn't that be dangerous territory for your
24 policy?

25 A. It depends what you did on that committee. If you were

1 the membership and affiliation secretary, I don't see
2 how that could compromise him.

3 Q. Do you recall speaking to HN96 about this at all?

4 A. No, I don't.

5 Q. Do you think that you would have done?

6 A. Possibly. I don't recall.

7 Q. And if you had known, what do you think you would have
8 said to him?

9 A. I would have ensured that he was comfortable with that
10 position, that he didn't think that it would draw too
11 much attention to him and make his position too
12 difficult.

13 Q. Would there be circumstances in which you'd tell him to
14 resign from that position?

15 A. If, after our discussions, he indicated to me that it
16 could be difficult for him, then I'd urge him to resign,
17 yes.

18 Q. But if he didn't speak up, you would have been quite
19 happy for him to remain on the national steering
20 committee of TOM?

21 A. I would have assumed that he was comfortable in that
22 position and wasn't going against any of our principles,
23 so I would have been happy, yes.

24 Q. Can we go back to HN155, please. He obtained a position
25 in the headquarters of the Socialist Workers Party. Can

1 you recall that?

2 A. I do.

3 Q. And what was your view of him working in the SWP HQ?

4 A. Having spoken to him, he felt comfortable in that

5 position and he assured me that there were no problems

6 and I supported him.

7 Q. And was the product of him being in that position well

8 received?

9 A. It was.

10 Q. Can you recall anything in particular?

11 A. No.

12 Q. And can you recall whether it was well received not just

13 by you but by others?

14 A. I can't say.

15 Q. HN126, please.

16 (Pause)

17 A. Yes.

18 Q. We've got evidence that he obtained a seat on the

19 North West London district committee of the SWP. Can

20 you recall that?

21 A. No.

22 Q. Was that the sort of position that was considered a good

23 thing?

24 A. Yes.

25 Q. Why?

1 A. Again, because he would be in a position to identify the
2 membership and also probably be privy to information
3 earlier than others.

4 Q. But on the district committee, he would be participating
5 and voting on decisions about the operation of the
6 group, wouldn't he?

7 A. I don't know what they did.

8 Q. Did you try and find out?

9 A. No.

10 Q. Can I move to a completely separate topic now: the wives
11 of your undercover police officers.

12 You visited wives at the recruitment stage?

13 A. Yes.

14 Q. And that was to ensure that they understood the role,
15 the long hours and the weekend duties that were going to
16 follow?

17 A. Yes.

18 Q. Can you help us with the extent to which the wives were
19 informed about what the job would entail?

20 A. I can't recall the precise details. They wouldn't have
21 been told very much about the political activity that
22 would be investigated. They would be told in more
23 general terms of the -- as you've described it, the long
24 hours, the disruption of family life, the fact that
25 their husbands would no longer be going to work 10.00 to

1 6.00 in a smart suit but doing irregular hours, very
2 untidily dressed, and to ensure that the wives
3 understood those difficulties and were happy to support
4 their husband in the role.

5 Q. So far as the actual job was concerned, would they be
6 told no more than that it was important work?

7 A. Exactly.

8 Q. Can you recall going to the 1980 and 1981 Christmas
9 lunches?

10 A. Yeah -- lunches?

11 Q. Yes. Were they lunches or dinners?

12 A. Dinners.

13 Q. Dinners.

14 Did you have any other contact with undercover
15 officers' wives other than seeing them at the start of
16 the deployment and at those two social occasions?

17 A. No.

18 Q. Do you think that the SDS asked a great deal of the
19 wives of undercover police officers?

20 A. Yes.

21 Q. With hindsight, would more contact have been a good
22 thing?

23 A. I can't tell. Possibly.

24 Q. Can I turn now to your chain of command. You've named
25 Derek Kneale, Ken Pryde and Geoffrey Craft as

1 chief superintendents in S Squad at various times --

2 A. Yes.

3 Q. -- that you were in the SDS and in various roles.

4 Did it help having former SDS managers as your

5 superiors?

6 A. I wasn't aware that they were.

7 Q. Did they never say so?

8 A. They didn't.

9 Q. Did you ever get the sense that they knew about the unit

10 and what was going on?

11 A. Probably Geoff Craft did. The others I didn't see very

12 much of.

13 Q. How much contact did you have with your superiors?

14 A. Not very much. There was -- we were left to our own

15 devices mainly. I reported to Geoff Craft on a fairly

16 regular basis, but there wasn't an awful lot of

17 face-to-face; more telephone contact.

18 Q. This is because you'd moved to Vincent Square?

19 A. Indeed.

20 Q. Did you feel a bit remote?

21 A. I don't think "remote" is the word. I think it was --

22 it was good to be away from the Yard for the sort of

23 duties we were performing.

24 Q. Was there any criticism of the SDS from your superiors

25 whilst you were serving in the SDS?

1 A. The only criticism I can recall is by Geoff Craft on the
2 subject of overtime.

3 Q. Okay, on that. If there's anything specific, please
4 don't mention the names of any anonymous officers.

5 A. Yes.

6 Q. Anything other than the criticism of overtime?

7 A. I can't recall anything, no.

8 Q. Can we move now to some of the annual reports from your
9 stint in the SDS.

10 We'll start with 1979, please. It's tab 11, sir,
11 {MPS/728963/1}, and once we've got that up -- that's
12 just the covering letter -- can we go to {MPS/728963/7},
13 please, in the file.

14 Now, at the bottom of paragraph 1, it says that:

15 "Information obtained from this delicate source has
16 allowed a realistic assessment to be made of numbers
17 likely to be involved in extreme left-wing and anarchist
18 demonstrations and the probable intentions of the
19 participants, enabling uniformed police officers to be
20 appropriately deployed to frustrate planned disorder and
21 safeguard property. Intelligence gained on individual
22 members of extremist organisations is always invaluable
23 to Special Branch officers in both the Metropolitan
24 Police District and the Provinces and to the
25 Security Service."

1 In what ways was individual intelligence valuable to
2 Special Branch?

3 A. Individuals make up the group, and if you're reporting
4 that a group is about to cause public disorder, then
5 it's important that you know who the individuals in that
6 group are.

7 Q. What does that tell you over and above the fact that
8 there's going to be disorder?

9 A. Well, you'll know, for example, who some of the people
10 involved will be.

11 Q. And how does that help?

12 A. It may well be that arrests need to be made if disorder
13 is serious enough, and you may need to identify some of
14 those creating -- causing those disorder and offences.

15 Q. Presumably, in a public disorder situation, police
16 arrest those who are being disorderly.

17 A. Well, very often arrests are made subsequent to the
18 event.

19 Q. Can we move to page 10, please {MPS/728963/10}, and
20 paragraph 9, and that reads:

21 "The General Election held in May was the focal
22 point of intensive activity by several extremist
23 parties. The Socialist Workers Party eschewed
24 contesting any constituency in favour of a policy of
25 confronting the National Front during the latter party's

1 election campaign. The SWP contrived to make use of all
2 public meetings arranged by the [National Front] to
3 arouse anti-fascist feeling; the death of Blair Peach,
4 an active supporter of the Anti-Nazi League, which was
5 a consequence of a violent anti-fascist demonstration in
6 Southall, provided the extreme left wing with
7 an opportunity to mount a sustained campaign to
8 discredit and criticise the Police. Information
9 supplied by SDS staff was of great value in enabling
10 uniformed officers to deal effectively with the public
11 order problems which arose both during the period before
12 the election and on subsequent demonstrations held in
13 connection with the death of Peach."

14 Can I start, first of all, with the phrase
15 "a sustained campaign to discredit and criticise
16 the Police". Was that the way that you viewed what was
17 happening?

18 A. I can't remember now. If I wrote it, then presumably
19 it's what I thought at the time.

20 Q. Do you now think that what happened in the light of
21 Blair Peach's death was a sustained campaign to
22 discredit and criticise the police?

23 A. I haven't really given it any thought.

24 Q. Were the Metropolitan Police interested in obtaining
25 intelligence on campaigns to discredit and criticise the

- 1 police?
- 2 A. Not as such, I don't think, no.
- 3 Q. Why were they interested then in the Blair Peach
4 campaign?
- 5 A. I can only suppose the interest was to obtain
6 intelligence about possible demonstrations and
7 disorderly conduct.
- 8 Q. If the police weren't interested in campaigns to
9 discredit and criticise them, why is that referred to in
10 the report?
- 11 A. I can't remember.
- 12 Q. Can you recall whether or not there was any public
13 disorder following the death of Blair Peach?
- 14 A. No, I can't remember.
- 15 Q. Did you consider that the Blair Peach campaign was
16 something that your bosses would be interested in
17 intelligence about?
- 18 A. Only if it involved potential disorder, not a campaign
19 per se.
- 20 Q. Did you know that these reports were going to go to the
21 senior chain of command and to inform decisions on
22 future funding of the SDS?
- 23 A. No, I had no idea about the funding issue.
- 24 Q. Did you think the Home Office would be interested in
25 intelligence about the Blair Peach campaign?

- 1 A. I don't know that I considered it.
- 2 Q. We have had evidence of very little trouble indeed
3 arising from the Friends of Blair Peach Campaign. Is it
4 possible that this report was written in the way it was
5 because the Blair Peach issue was thought to be a big
6 deal and it would be a good thing to make the SDS appear
7 to be an important part of policing the campaign?
- 8 A. I can't recall why that was included in the report.
- 9 Q. Can we take that down, please, and can we have up
10 {UCPI/13539/1}, and if we could have that expanded,
11 please.
- 12 5 November 1979:
- 13 "The following information has been received from
14 a reliable source:-
- 15 "[Privacy] has resigned from the Socialist Workers
16 Party but is to maintain her interest in Women's Voice
17 and the Anti-Nazi League.
- 18 "Submitted herewith is a photograph of her taken
19 during the funeral of Blair Peach in London on
20 13th June 1979. It shows a good likeness of the
21 subject."
- 22 Do you know whether or not SDS officers took
23 photographs at the funeral?
- 24 A. I wasn't aware of that, no.
- 25 Q. This report crosses the SDS desks at a time when you are

1 in the SDS. Did the fact that a photograph taken at
2 the funeral was being used to identify an activist cause
3 you any concern?

4 A. I'm not even sure if I saw this report.

5 Q. If we scroll down, please.

6 Is that Ferguson's signature at the bottom?

7 A. I don't know. It's not mine.

8 Q. Does it cause you any concern now that a photograph was
9 taken at the funeral and then used by the SDS to
10 identify an activist?

11 A. Yes, I think it would be inappropriate at a funeral to
12 do that.

13 Q. Do you know anything about the anonymous officer we call
14 HN41 giving a witness statement to police about his
15 presence at the demonstration in Southall?

16 A. No.

17 Q. Would you accept that this was a justice campaign which
18 actually in the end did secure some justice for
19 Blair Peach?

20 A. I can't remember.

21 Q. If we could take that down now, please.

22 If we could go to the 1980 report. It's tab 18, sir
23 {MPS/728962/1}, and if we could go to page 8, please
24 {MPS/728962/8} and look at paragraphs 16 and 17. 16
25 reads:

1 "Predictably, the anti-nuclear movement was active
2 throughout the year with various nuclear-related
3 policies coming under attack. The transportation of
4 nuclear waste and the siting of Cruise missiles in the
5 United Kingdom provided focal points for demonstrations
6 mounted in London. In East Lothian, the protests
7 continued against the building of a nuclear power
8 station at Torness Point, and demonstrations were held
9 in May, and on a smaller scale in August. SDS officers
10 were present on both occasions and the information
11 passed to the Lothian and Borders Police was useful in
12 preventing serious disorder and damage to property."

13 Was the SDS activity in relation to Torness one of
14 its major achievements of 1980?

15 A. Possibly, yes.

16 Q. And if we go to 17:

17 "Anti-fascist activity continued to tax the
18 resources of the Metropolitan Police and in February,
19 March, April and June there were right wing marches
20 which attracted counter demonstrations from many
21 sections of the revolutionary left; the Trotskyist,
22 Socialist Workers Party playing a principal role.
23 The mid-summer period was quiet and the last sizeable
24 opposed demonstration occurred in November when about
25 700 members of the British Movement marched in the

1 Paddington area and were confronted by some
2 1,900 counter-demonstrators. SDS information was
3 supplied in respect of all these marches ..."

4 Is it right to say that confrontations between the
5 far left and the far right were the biggest single
6 public order problem the SDS had to report upon in 1980?

7 A. Probably. I can't remember.

8 Q. This paragraph starts, "Anti-fascist activity continued
9 to tax the resources of the Metropolitan Police". Why
10 is it phrased so as to put the emphasis on the
11 anti-fascists rather than the confrontations between the
12 far left and the far right?

13 A. I've no idea.

14 Q. Was there a feeling that it was the far left who were
15 more to blame than the far right?

16 A. It depends what you mean by "blame". The ones most
17 likely to cause serious disorder, it was felt, were the
18 far left.

19 Q. And what do you mean by "cause"?

20 A. Create.

21 Q. How?

22 A. By attacking those they opposed and also the police, who
23 were generally a good target for -- for all
24 demonstrators.

25 Q. Presumably you were well aware at the time that there

1 were a lot of racist attacks on the streets mounted by
2 the far right?

3 A. Probably.

4 Q. And that so far as public order is concerned, it takes
5 two to tango?

6 A. Yes, I don't think the job of the SDS was to try and
7 predict individual racist attacks. That's a -- a crime
8 dealt with by police -- by uniform or CID. The SDS was
9 more interested in large scale serious disorder.

10 Q. But was it not outrage at some of these attacks which
11 prompted the demonstrations that led to public order
12 problems?

13 A. I've never tried to view the problems from the viewpoint
14 of the extreme left, but I accept that's probably right.

15 Q. Could we take down this report, please, and move to
16 1981.

17 Sir, that's at tab 44 of your bundle. It's
18 {MPS/728985/1} and, again, we've got the covering letter
19 at the start, so if we could go to page 4, please
20 {MPS/728985/4}.

21 On this first page we see, at paragraph 2, the
22 "Coverage" section of the report which lists, on that
23 page, various Trotskyist groups, insofar as we've been
24 able to publish them. Could you hold in your mind,
25 please, Women's Voice.

1 And if we go over the page to page {MPS/728985/5},
2 more groups. Under the "Anarchist" could you bear in
3 mind Freedom Collective and the "Pro-Irish" TOM.

4 Then "Anti-Nuclear" on the next page {MPS/728985/6},
5 we have CND amongst a number of anti-nuclear groups.

6 Could we now go to {MPS/728985/7}, and if we look at
7 the paragraph at the top of the page, paragraph 7, that
8 reads:

9 "The question of security of the SDS is and always
10 has been of paramount importance for the personal
11 protection of the 'field' officers and to prevent
12 embarrassment to the Commissioner by its existence
13 becoming public knowledge. To this end every possible
14 precaution is taken to ensure the security of the
15 headquarter flats, and the officer's individual 'cover'
16 flats. Careful attention is paid in ensuring that every
17 operational officer's cover is as secure as possible
18 before he enters the 'field'. The political sensitivity
19 of the SDS operation is fully recognised by all officers
20 concerned. The attempted penetration of an organisation
21 is never undertaken unless such action can be fully
22 justified on the basis of the Commissioner's
23 responsibility for the preservation of public order in
24 the Metropolis."

25 First of all, going back to the third line, what was

- 1 the "embarrassment to the Commissioner" that was feared?
- 2 A. Well, I suppose the fact that an undercover unit existed
3 which the police had never openly disclosed might cause
4 the Commissioner embarrassment.
- 5 Q. Why would using undercover police officers cause
6 embarrassment?
- 7 A. Perhaps "embarrassment" isn't the word. Perhaps
8 "criticism". It might be that he wouldn't be
9 embarrassed by the criticism and would bat it off, but
10 it's just a word.
- 11 Q. Was the concern that what was being reported on was
12 political activity and it would be embarrassing for it
13 to emerge that police officers were going undercover to
14 report upon political activists?
- 15 A. That's not what is meant by that paragraph, no.
- 16 Q. Can you help me any further as to what is meant by that?
- 17 A. As I've just explained, the actual existence of the --
18 this doesn't refer back to those particular groups.
19 This is talking about the security of the SDS
20 generally --
- 21 Q. Yes.
- 22 A. -- and I think the mere fact that something is secret
23 and its existence is not to be known outside a very
24 limited circle, then its disclosure probably would cause
25 embarrassment.

1 Q. Well, if we take, for example, undercover police
2 officers who were infiltrating drugs gangs or serious
3 organised criminal groups. There's no embarrassment on
4 the part of the police that it does those things, is
5 there?

6 A. No, but I think it's probably generally accepted by the
7 public that such undercover officers have been employed
8 for many years. What isn't known is that attempts to
9 manage public disorder attracted the same type of
10 policing.

11 Q. And there may be a concern that the public wouldn't
12 accept that?

13 A. I don't think there is, but it could embarrass the
14 Commissioner.

15 Q. Can we move down to the words:

16 "The political sensitivity of the SDS operation is
17 fully recognised ..."

18 Is that a reference to the matters that we've just
19 been discussing?

20 A. Yes, I think so.

21 Q. And then it goes on to say:

22 "The attempted penetration of an organisation is
23 never undertaken unless such action can be fully
24 justified on the basis of the Commissioner's
25 responsibility for the preservation of public order in

1 the Metropolis."

2 This is the point at which I want to come back to
3 some of the groups that I asked you to keep in mind.

4 Women's Voice: was that really a public order
5 threat?

6 A. Until I re-read this report, annual report, I must say
7 I'd never heard of them. I couldn't -- couldn't recall
8 them at all, so they possibly weren't a -- a public
9 order threat.

10 Q. And were members of the Freedom Collective really
11 a public order threat?

12 A. Again, I don't know who they are.

13 Q. Presumably you will remember the Campaign for Nuclear
14 Disarmament.

15 A. Of course.

16 Q. It's right to say they put very large numbers of people
17 on the streets, but isn't it also right to say that
18 their demonstrations were extremely well stewarded and
19 entirely peaceful?

20 A. Yes, as I replied earlier this morning, they were quite
21 often infiltrated by extremists who wanted to use their
22 well organised demonstrations for their own purposes.

23 Q. But the public order actuality was that they weren't
24 causing public disorder, were they?

25 A. The CND core members, no, but splinter groups within

- 1 them could well try and incite them to commit offences.
- 2 Q. But was the mere possibility that somebody might try and
3 incite a group which was in fact stewarding perfectly
4 orderly demonstrations really sufficient fully to
5 justify infiltration to preserve public order?
- 6 A. I think a lot of these groups were infiltrated or
7 examined incidentally as part -- because we didn't have
8 enough officers to infiltrate all those groups. They
9 were reported on because they attended the same meetings
10 or demonstrations as the groups the SDS officers were
11 covering.
- 12 Q. In the case of CND, though, as we discussed earlier,
13 HN65 was deployed into CND, wasn't he?
- 14 A. I think that's the officer we're talking about as I was
15 leaving. I --
- 16 Q. Yes.
- 17 A. -- I had no dealings with anybody reporting back on the
18 CND.
- 19 Q. Can we move now to page 9 {MPS/728985/9}, paragraph 18:
20 "The Socialist Workers Party, under the guise of the
21 Right to Work Campaign, continued throughout the year to
22 organise pickets, occupations and marches as protests
23 against unemployment and cuts in public expenditure.
24 Their most note-worthy adventure was a march on
25 8-16th October 1981 from Liverpool to the

1 Conservative Party Conference in Blackpool where some
2 5,000 persons took part in an 'anti-Tory' demonstration.
3 Lancashire police have placed on record their
4 appreciation of the assistance rendered by the SDS in
5 connection with this event."

6 Can you help me, first of all, how much do you
7 recall of the 1981 Right to Work march?

8 A. I remember it, but I can't remember anything about it.

9 Q. Can you recall that HN155 was the treasurer that year
10 for the Right to Work Campaign?

11 A. I can't remember whether he was or not.

12 Q. Can you recall whether or not there was trouble outside
13 the Conservative Party Conference on that occasion?

14 A. No, I can't remember.

15 Q. Thank you. Can that be taken down, please.

16 I want to move now to the Home Office. You have
17 said in your witness statement that you had lunch with
18 an individual from the Home Office about once a month.
19 Can you help us with the rank and position within the
20 Home Office of the person with whom you had lunch?

21 A. No, I can't remember who he was.

22 Q. Do you have any idea whether he was a senior official or
23 a very junior official?

24 A. No, I can only assume, by his age and demeanour, that he
25 was reasonably senior.

- 1 Q. At whose initiative did these meetings take place?
- 2 A. I don't know. I don't know whether I continued this
3 practice of meeting him, or whether it was set up while
4 I was a manager. I can't recall.
- 5 Q. Can you remember whether -- or do you know whether the
6 initiative had come from the SDS --
- 7 A. No.
- 8 Q. -- or from the Home Office?
- 9 A. No, I've no idea.
- 10 Q. What was the purpose of the meetings?
- 11 A. They were very much social meetings. I can't remember
12 what else was -- what -- what might have been discussed
13 in business terms, but a colleague and I would meet this
14 chap for a beer and a lunch. I can't really remember
15 what the -- the reason was.
- 16 Q. Being careful not to mention any anonymous names, who
17 was your colleague who attended the meetings with you?
- 18 A. It would be a fellow manager. It wouldn't be one of the
19 undercover officers. (Pause)
- 20 It might ... (Pause)
- 21 I think it was probably Chris Skey.
- 22 Q. Can you recall whether the Home Office did anything in
23 or as a result of these meetings to assist or enable
24 the SDS to do its job?
- 25 A. No.

1 Q. No, you can't remember or no, they didn't?

2 A. I can't remember.

3 Q. Did they do anything to try and influence one way or
4 another the way in which the SDS operated?

5 A. Not in my meetings with this chap.

6 Q. Were they seeking information from you about how the SDS
7 operated?

8 A. Possibly. I can't remember.

9 Q. Did they seek any assurances from you about how the SDS
10 was operating?

11 A. No, I don't think so.

12 Q. Can you help us as to what information was being passed
13 from the SDS to the Home Office?

14 A. None was passed directly from the SDS. It would have
15 gone through S Squad office.

16 Q. Can you recall if the Home Office imparted any
17 information to you in these meetings?

18 A. No.

19 Q. No, you can't remember or no, they didn't?

20 A. No, they didn't.

21 [Restricted]

22 Q. If I can move on now to vetting. Could we have up on
23 the screen, please, {MPS/727595/27}. Now, if we look
24 there, there is an entry under "Vetting":
25 "Enquiries for Box 500: 2846."

1 (Pause)

2 Mr Barr's next question was -- I'm sorry, the next
3 question which you may publish or disclose by Mr Barr
4 was:

5 "If I can now move on to vetting. Could we have up
6 on the screen, please ..."

7 Then he refers to the number:

8 "Now, if we look there, there is an entry under
9 'Vetting' ..."

10 He reads it:

11 "Do you know anything about that?"

12 "No, I don't."

13 So it is, and I hope you understand what I have
14 said, the questions and answers in between those
15 two passages that may not be published or disclosed.
16 They will in due course be redacted from the day's
17 transcript so as to make it perfectly clear.

18 The order that I have made may seem curious to you,
19 but it is important that it is obeyed. It is important
20 not merely for the Inquiry and for other interests, but
21 also your own, because were it to be breached, then the
22 consequences for anyone found to have breached it could
23 include reference to the High Court for proceedings for
24 contempt of court, which could result in serious
25 penalties for anyone found to have been in contempt of

1 court.

2 Can we now proceed.

3 MR BARR: Thank you, sir.

4 Mr Butler, can you answer this very specific
5 question. Did Mike Ferguson assume a position of
6 responsibility within the Anti-Apartheid Movement when
7 he was an undercover police officer?

8 A. I don't know the answer to that.

9 MR BARR: Thank you. That was my last question. There will
10 be a break now -- yes, we had almost got to the end --
11 whilst we see whether anybody else wishes to propose
12 questions.

13 THE CHAIRMAN: The mirth is entirely understandable, but the
14 purpose of the break is to permit anyone who wishes
15 Mr Barr to ask any further questions of this witness to
16 do so and therefore may serve a useful purpose. We rise
17 for 20 minutes, please.

18 (3.35 pm)

19 (A short break)

20 (3.57 pm)

21 THE CHAIRMAN: Mr Barr, before you begin, I understand that
22 the formal orders which I made and announced before are
23 now on the table in front of those to whom they apply.
24 Thank you.

25 Mr Barr.

1 MR BARR: Thank you, sir.

2 Mr Butler, can I ask you about a specific area of
3 expenses. Can you help us with what the policy was for
4 undercover officers reclaiming expenses, first of all,
5 for alcoholic drinks which they had bought to consume
6 themselves during the course of their undercover duties?

7 A. They wouldn't be allowed to claim for alcohol unless it
8 formed a small part of a substantial meal. They were
9 allowed to claim expenses by way of subsistence for
10 food, but not for -- for alcohol alone.

11 Q. Can you help us with what the policy was for claiming
12 the cost of alcohol bought for the activists who they
13 were spying upon?

14 A. I can't actually recall those sorts of claims. The
15 officers had to regularly submit a diary, which included
16 claims for expenses based on what they've been doing and
17 expenses incurred. I can't specifically recall them
18 claiming for alcohol for other people. It might have
19 been shown as an incidental expense, but I can't really
20 recall.

21 Q. Can you recall in general terms, first of all, whether
22 you had any impression of how much alcohol undercover
23 officers were drinking whilst undercover?

24 A. I would say most of them drank regularly, but not
25 excessively. They all drove, and driving was

1 an exceedingly important part of their duties. So
2 whilst, when we met, we usually had a beer, but as
3 I say, with the fact that they wouldn't want to be in
4 a position of drunkenness in the company of their group,
5 nor would they want to run the risk of drink driving, so
6 I would say their drinking was fairly regular, but not
7 excessive.

8 Q. Did you have any concerns that any of them might have
9 been drinking, first of all, to a level which might have
10 impaired their judgment?

11 A. No.

12 Q. And, secondly, to have affected their welfare in the
13 longer term?

14 A. I didn't, no.

15 Q. Were you concerned that activists might have been bought
16 rather a lot of drinks by undercover officers?

17 A. I never gave that any thought, no.

18 Q. Didn't give that any thought in that you didn't care how
19 much they bought for activists, or did you mean it in
20 some other sense?

21 A. In some other sense.

22 Q. In what sense?

23 A. That I never gave it any consideration. I assumed that
24 if you're going to be part of a group, you would stand
25 your round, but you wouldn't buy excessive drinks just

- 1 because you could afford to.
- 2 Q. Can I ask you now: I think we've provided the real
3 name -- not to be uttered, of course -- of HN67. Do you
4 have that?
- 5 A. No, I couldn't find 67.
- 6 Q. Is that in the ... where the Post-It note is.
- 7 A. I don't have the book at the moment.
- 8 Q. Right. Well, that's a cast iron excuse.
- 9 (Handed)
- 10 A. Thank you. (Pause)
- 11 Yes.
- 12 Q. The question is, did you ever hear any suggestion that
13 HN67 had fathered a child with an activist?
- 14 A. Not at all.
- 15 Q. Any joking to that effect?
- 16 A. Certainly not.
- 17 Q. Any rumours?
- 18 A. No.
- 19 Q. Did you know HN67?
- 20 A. Yes.
- 21 Q. In terms of what you knew about him, do you think he is
22 the sort of man who might have had sex with an activist?
- 23 A. That does surprise me. I didn't think he -- but then,
24 who knows.
- 25 Q. Can I ask you now a question I want you to

1 answer "yes/no". Did you ever give any consideration to
2 providing cover girlfriends for your undercover
3 officers?

4 A. No.

5 Q. Did you ever expressly ask any of your undercover
6 officers if they had had any form of sexual contact with
7 anybody in their undercover identity?

8 A. No.

9 Q. Did you ever ask any of them whether they had come under
10 any pressure to indulge in sexual activity?

11 A. No.

12 Q. Finally, you say in your witness statement that you were
13 called into the office at the end of your tour in the
14 SDS and in the conversation where you were told you
15 would be moving on, there was something to the effect
16 that if you stayed longer, you might lose your
17 objectivity and always side with the undercover police
18 officers.

19 Without going into the specifics of any particular
20 issue, what was your superior's concern?

21 A. I don't know. He didn't tell me. He just said, "It's
22 time for you to move". He didn't use quite your
23 language, but you sum it up well. He said, "You're
24 getting too close to the -- the undercover officers".

25 Q. Again, without mentioning any specific issues, had you

1 found yourself fighting their corner with him or other
2 senior managers?

3 A. Not with him. He was -- he was above the S Squad
4 office.

5 Q. But I'm taking from your answer you might have done with
6 another senior manager?

7 A. Possibly.

8 Q. Is this -- again, don't go into any details if the
9 answer's no -- but is this the overtime issue?

10 A. Yes.

11 Q. Again, without being specific, anything else?

12 A. No.

13 MR BARR: I'm sure you'll be very pleased that that's the
14 very last of my questions. Thank you very much.

15 A. Thank you, sir.

16 THE CHAIRMAN: Is there any re-examination?

17 MR SANDERS: No, nothing for us, thank you, sir.

18 THE CHAIRMAN: Thank you.

19 Then I'm afraid with rather a lot of interruptions,
20 that concludes your evidence. Thank you for coming.

21 A. Thank you, sir.

22 THE CHAIRMAN: That now concludes this stage of the
23 Inquiry's hearings. When we will meet again remains to
24 be seen.

25 (4.06 pm)

(The hearing concluded)

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