

THE UNDERCOVER POLICING INQUIRY

SUBMISSIONS OF THE METROPOLITAN POLICE SERVICE ON THE PRELIMINARY DRAFT MODULE 2C ISSUES LIST SPECIAL DEMONSTRATION SQUAD

Introduction

1. These are the MPS's submissions on the Inquiry's 'Draft Module 2C Issues List For Tranche 1', which were published for consultation on 30 June 2022.
2. As with previous submissions on the Inquiry's draft issues lists, the MPS makes no concessions as to whether particular aspects of the evidence on these issues can safely be considered in public without damage to the public interest and/or to individuals, particularly in light of any anonymity decisions that have been or will be made during the course of these proceedings.

Submissions

3. The submissions below follow the headings and numbering of the Draft List.

Introduction

4. **Paragraph 5:** The MPS observes that it is not clear whether the Inquiry proposes to collect evidence from Module 2C witnesses at the same time as, or after, receiving statements from other categories of witnesses. The MPS requests clarification of the proposed order of the collection of such evidence.
5. In respect of the Inquiry's intention to focus on "the role of official bodies in relation to particular episodes or incidents of significance", the MPS requests clarification of what those episodes and incidents are and asks that it and the other Core Participants be given the opportunity to make submissions on the evidence that should be adduced in respect of those matters.
6. **Paragraph 8:** The MPS repeats the submission made in §36 of its opening statement for T1P3 that the statement of Witness Z is of limited value and that statements are needed from contemporaneous Security Service officers who requested intelligence from MPSB

on subversion or security-related matters, assessed the resulting product, and reported directly to the Government.

7. In respect of the Cabinet Office, the MPS submits that the Inquiry should not focus solely on the role of the Interdepartmental Working Group on Subversion in Public Life, which is only one publicly known manifestation of the Government's direct interest in subversion. It should ensure that it understands the full extent of the Prime Minister's and the Cabinet Office's interest in both subversion and public order, and the associated requirement for intelligence on those matters.

The Home Office

8. **New question before Question 1:** "Did the Home Office sanction the long-term infiltration of political activist groups by undercover police officers?" Within this section, this is the paramount question for the Inquiry to answer.
9. **First new question after Question 1:** "What role, if any, did the Home Office play in the way in which Metropolitan Police Special Branch (MPSB) operated?" The Home Office's influence over the operation of the SDS can only be understood in the context of its influence over the policing branch within which it operated: MPSB.
10. **Second new question after Question 1:** "What role did the Home Office play in defining subversion and identifying subversive groups or activities?" It is important to fully understand the role of the Home Office in respect of matters which directly affected the work of MPSB and the SDS.
11. **Question 3:** Add wording to the conclusion of the question (emphasis added): "What influence did the Home Office have, either directly or indirectly, on the SDS, *including via the Security Service or MPSB?*" It is necessary to be explicit about the ways in which the Home Office may have indirectly influenced the SDS.
12. **First new question after Question 3:** "What reports or other briefings on public order did the Home Office receive directly or indirectly from the MPS?" The MPS understands that the Home Office liaised closely with the MPS as to the policing of public order and received both pre-demonstration and post-demonstration reports from the MPS.
13. **Second new question after Question 3:** "What intelligence on public order or subversion did the Home Office request or receive, directly or indirectly, from the SDS, including via

the Security Service or MPSB?” It is important to establish whether and to what extent the Home Office tasked the SDS or was a beneficiary of its intelligence.

14. **Third new question after Question 3:** “Of what value was SDS intelligence to the Home Office?” It is also important to understand the reasons why intelligence was provided to the Home Office and any value that it may have had. This question is consistent with Question 9, which relates to the value of SDS intelligence to the Security Service.
15. **First new question after Question 5:** “Who in the Home Office knew of the existence of SDS, or that there was an MPSB undercover police unit which gathered intelligence on subversion and public order?” This question is important to understanding who may have authorised or otherwise approved of the SDS’s work.
16. **Second new question after Question 5:** “What, if any, consideration was given by the Home Office to the need for authorisation or oversight of the SDS or, more generally, MPSB undercover police operations?” This question bears directly on issues included in the Inquiry’s Terms of Reference.
17. **Question 6:** The MPS seeks clarification as to what is meant by “appropriately” in this question, and whether the Inquiry proposes to offer any examples of what would be, and what would not be, appropriate action in this context.
18. **New question after Question 6:** “What, if any, obligations of secrecy were imposed by or on the Home Office about the SDS’s procedures, targeting, operations, tactics, techniques and/or reporting methods?” This question is relevant to understanding the Home Office’s attitude to, discussions of, and interactions with the SDS during the relevant time periods.

The Security Service

19. **First new question before Question 7:** “Did the Security Service sanction the long-term infiltration of political activist groups by undercover police officers?” Within this section, this is the paramount question for the Inquiry to answer.
20. **Second new question before Question 7:** “What role did the Security Service have in relation to the Terms of Reference for Special Branch?” It is important to understand how MPSB came to be given responsibility for assisting the Security Service on matters of subversion. This question mirrors Question 4 of the Draft List.

21. **Third new question before Question 7:** “What role did the Security Service play in defining subversion and identifying subversive groups or activities?” It is important to understand the role of the Security Service in respect of matters which directly affected the work of MPSB and the SDS.
22. **Fourth new question before Question 7:** “What was the working relationship between MPSB and the Security Service?” The relationship between the Security Service and the SDS (Question 7) can only be understood by reference to its overarching relationship with MPSB, as codified in the Terms of Reference for Special Branch (see above and Question 4 of the Draft List).
23. **Fifth new question before Question 7:** “What role, if any, did the Security Service have in the establishment, continuation, authorisation and funding of the SDS?” It is important to fully understand the relationship between the Security Service, the SDS and MPSB. This question also ensures consistency with the remainder of the List of Issues.

The Cabinet Office

24. The MPS repeats the observations made in paragraph 7 above. It is vital that the Inquiry establishes all of the ways in which SDS intelligence on subversion, and also on public order, was required and used by central Government.
25. **First new question after Question 10:** “Did the Prime Minister and/or the Cabinet Office sanction the long-term infiltration of political activist groups by undercover police officers?” Within this section, this is the paramount question for the Inquiry to answer.
26. **Second new question before Question 10:** “Did the Prime Minister and/or the Cabinet Office request that the Security Service and/or MPSB to provide intelligence relating to subversion and/or public order?”
27. **Third new question after Question 10:** “What role did the Cabinet Office play in defining subversion and identifying subversive groups or activities?” It is important to fully understand the role of the Cabinet Office in respect of matters which directly affected the work of MPSB and the SDS.
28. **Fourth new question before Question 10:** “What SDS intelligence, if any, was passed to the Prime Minister and/or the Cabinet Office? Who provided it – including the Home Office, the Security Service, and/or MPSB – and in what form?”

29. **Fifth new question before Question 10:** “Who in the Cabinet Office, including Ministers and civil servants, knew of the existence of SDS, or that there was an MPSB undercover unit which gathered intelligence on subversion and public order?” This question is important to understanding who may have authorised or otherwise approved of the SDS’s work.
30. **Sixth new question before Question 10:** “Who in the Cabinet Office, including Ministers and civil servants, had direct contact with the SDS and/or MPSB?” This question is also important to understanding who may have authorised or otherwise approved of the SDS’s work.
31. **Seventh new question before Question 10:** “What, if any, consideration was given by the Cabinet Office to the need for authorisation or oversight of the SDS or, more generally, MPSB undercover police operations?” This question bears directly on issues included in the Inquiry’s Terms of Reference.
32. **Eighth new question before Question 10:** “What influence, if any, did the Prime Minister and/or the Cabinet Office have on the operation of the SDS and/or MPSB?” Again, it is important to understand what Government influence over the SDS’s work may have been exercised.
33. **New question after Question 11:** “What, if any, obligations of secrecy were imposed by or on Ministers or civil servants concerning the SDS’s procedures, targeting, operations, tactics, techniques and/or reporting methods?” This question is relevant to understanding the Cabinet Office’s attitude to, discussions of, and interactions with the SDS during the relevant time periods.

PETER SKELTON QC
1 Crown Office Row

NICHOLAS CROPP
7 Bedford Row

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