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## COUNSEL TO THE INQUIRY'S THIRD ADDENDUM DISCLOSURE NOTE REGARDING TRANCHE 1

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### Introduction

1. This note is produced alongside the Tranche 1, Module 2B and 2C hearing bundle. It should be read in conjunction with, and is intended to supplement the disclosure notes previously published in Tranche 1; the [Tranche 1 Disclosure Note](#), the [Addendum Tranche 1 Disclosure Note](#) and the [Second Addendum Tranche 1 Disclosure Note](#), only where necessary.

### Investigation of Metropolitan Police Service ('MPS') senior managers and recipients of intelligence (Module 2B)

2. The Inquiry took a focused and proportionate approach to investigation of Module 2B in the Tranche 1 era. This recognised the lack of available witnesses, primarily due to the passage of time.
3. Police managerial supervision of the Special Demonstration Squad ('SDS') sat within the broader ambit of the MPS Special Branch ('MPSB'). Due to the typical career paths of those who served as MPSB managers during the relevant period, the Inquiry found that some of those who had given evidence during previous phases of Tranche 1 also had relevant evidence to provide in respect of Module 2B from experience in such roles<sup>1</sup>. Where this occurred, the Inquiry did not seek to draw a strict distinction between previous modules and Module 2B, and received and published such evidence when it was provided. This was in recognition of the age of those who served in senior management positions, particularly during the early part of the Tranche 1 period. As a result, the Inquiry has already received evidence relevant to the issues to be considered as part of Module 2B<sup>2</sup>.
4. The Inquiry also sought and received from the MPS details of further potential witnesses able to provide evidence relevant to Module 2B. The Inquiry did not consider that evidence from all witnesses identified was necessary, and only sought evidence by way of request under Rule 9 of the Inquiry Rules 2006 in one instance<sup>3</sup>.

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<sup>1</sup> See, for example, the second statement of Roy Creamer (MPS-0747215), published in Phase 3. In some instances, this evidence was proactively sought by the Inquiry (see the second witness statement of Geoffrey Craft [MPS-0748041]).

<sup>2</sup> See [Module 2B Issues List](#).

<sup>3</sup> Anthony Speed.

In addition to the witness statement received in response to this request, the MPS also provided a number of further statements to the Inquiry on a voluntary basis<sup>4</sup>. All statements received have been published within the hearing bundle, subject to necessary redaction for reasons of public interest and/or privacy.

5. Similarly, the Inquiry has also published a significant body of documents of relevance to Module 2B in previous phases of Tranche 1. Some further documents were identified from disclosure already received from the MPS by the Inquiry Legal Team ('ILT'), and are included within the hearing bundle.
6. During the Tranche 1 time period, the primary MPS recipient of SDS intelligence was C Squad within MPSB, who, in turn, appear to have used this material to inform threat assessments for A8 public order branch, which sat outside of MPSB. The Inquiry therefore sent the MPS a Rule 9 request for evidence in an attempt to obtain any such threat assessments which were still in existence concerning notable public order incidents during the Tranche 1 time period<sup>5</sup>. In response, the MPS were unable to provide any specific C Squad threat assessments but did highlight other material it considered to be of relevance to this issue. The Inquiry reviewed this material and has published that which it considers relevant and necessary for Module 2B. This includes some further contemporaneous documents concerning the events at Lewisham in 1977 and Southall in 1979. Some further material relevant to threat assessments was also located from within the disclosure received from the Home Office (below) and is also published in the hearing bundle.

### **Investigation of other government bodies with a connection to undercover policing (Module 2C)**

#### ***Home Office***

7. The Inquiry's Module 2C investigation primarily focused on the role played by the Home Office in respect to the SDS and the MPSB structure in which it operated. The Inquiry has received a substantial volume of disclosure from the Home Office in response to requests under Rule 9 and by way of voluntary disclosure. Much of this material falls to be considered in later tranches. This disclosure also contained the

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<sup>4</sup> John Cracknell, Sir Charles Pollard, Roy Creamer (third statement). Material relevant to Module 2B was also included in the second statement of David Smith on a voluntary basis (i.e., it was not sought in the corresponding Rule 9 request).

<sup>5</sup> See Paragraph 20 of the Second Addendum Tranche 1 Disclosure Note. The events in question were the VSC demonstration in October 1968, the demonstration at Red Lion Square in June 1974, the 'battles' of Wood Green and Lewisham in April and August 1977 and the Southall demonstration in April 1979.

material considered by Stephen Taylor as part of his review into the links between the Home Office and the SDS, including secret annexes and other closed material<sup>6</sup>. Throughout Tranche 1, the ILT kept this material under review and have published material of general relevance to Module 2C in previous phases.

8. As the Inquiry's Tranche 1 investigations progressed, specific issues of interest to Module 2C also become clear, leading to the publication of the [Module 2C Issues List](#). In light of this, the ILT conducted a comprehensive review of the disclosure received from the Home Office to identify any further material of potential relevance to Tranche 1. This exercise led to the selection of 95 further documents for publication, which appear within the hearing bundle subject to redaction for reasons of privacy and/or public interest. The Inquiry also sent the Home Office further Rule 9 requests in an attempt to obtain specific documents of potential relevance to Tranche 1, which appeared to be absent from the original disclosure provided to the Inquiry, and to ensure that the disclosure concerning Tranche 1 was generally satisfactory. Further material was received in response and, where considered necessary by the ILT, has also been published by the Inquiry<sup>7</sup>.
9. The Inquiry also asked the Home Office to identify former senior members of staff who were able to provide evidence of relevance to Module 2C. In response, a list was provided from which the Inquiry selected 5 individuals in respect of whom Rule 9 requests for evidence were sent, along with relevant contemporaneous documents. Statements were received from 4 of these witnesses<sup>8</sup> and have been published in the hearing bundle, subject to necessary redaction. In respect of one legally represented witness, Roy Harrington, the Inquiry has published a further version of his statement with questions included so that it is comprehensible to the reader. No criticism attaches to Mr Harrington for this. All legal representatives remain expected to provide statements so that they can be understood by the public reading the statement without reference to any other document<sup>9</sup>. This includes any witness statement request emanating from the Inquiry.

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<sup>6</sup> The material of relevance to Tranche 1 consisted primarily of authorisation letters which were sent between the Home Office and the MPS concerning the SDS, which have been published in previous phases.

<sup>7</sup> The Inquiry did not consider it was necessary to provide this supplementary material to the Home Office witnesses due to its nature and the stage at which it was obtained.

<sup>8</sup> A request was sent in respect of Sir Robert Andrew, but he was excused from responding due to ill health.

<sup>9</sup> [Witness Statement Protocol](#).

## ***Cabinet Office***

10. The Module 2C investigation also involved an assessment of what, if any, influence the work of the Interdepartmental Group on Subversion in Public Life ('SPL'), had on the operation of the SDS. The SPL sat under the auspices Cabinet Office. The Inquiry therefore sent a Rule 9 request to the Cabinet Office seeking details, membership and records of the SPL within the Tranche 1 period. Following some delay, relevant material held by the Cabinet Office was made available for review by the Inquiry. The Chairman considered this material and selected that which was relevant and necessary for publication. This is contained within the hearing bundle, subject to necessary redaction for reasons of public interest and/or privacy.
11. Simultaneously, the ILT also attended the National Archives and obtained contemporaneous material relevant to Cabinet Office committees on subversion, including the SPL and the Subversion at Home Committee, and any related material within those files dealing with intelligence gathering on 'subversive' groups during the T1 period. This was material which had been released to the National Archives and was no longer held by the Cabinet Office. It was reviewed by the ILT and documents relevant and necessary to the issues to be considered within Module 2C were selected for publication. These documents are contained within the hearing bundle unredacted<sup>10</sup>.

## ***Security Service***

12. The Inquiry has considered the interaction between the SDS/MPSB and the Security Service in some detail during all previous phases of Tranche 1 (see, in particular, the Addendum Tranche 1 Disclosure Note). Therefore, a significant body of evidence has already been published in this regard, including a corporate witness statement made on behalf of the Security Service and other contemporaneous documents of relevance to Modules 1 and 2A. Further material of specific relevance to Modules 2B and 2C in this regard is also published within this hearing bundle, originating from the material obtained from the Home Office and Cabinet Office/National Archives.

## ***Her Majesty's Inspectorate of Constabulary ('HMIC')***

13. The Inquiry sent a series of general Rule 9 requests for any evidence relevant to undercover policing held by HMIC (now His Majesty's Inspectorate of Constabulary

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<sup>10</sup> Documents in this respect are therefore published by the Inquiry with their previous security classifications visible.

and Fire and Rescue Services). The material received was not relevant to the Tranche 1 time period and falls to be considered within later tranches.

### **Investigation of knowledge of use of deceased children's identities**

14. The Inquiry has primarily considered (and published evidence relevant to) the knowledge and use of deceased children's identities by undercover officers within previous phases. The Inquiry continued to investigate knowledge of this issue within the requests for evidence sent to Module 2C witnesses. No further contemporaneous documentary evidence was identified within the disclosure received relevant to Module 2B or 2C and it is not considered proportionate to investigate this issue further within the Tranche 1 era.

### **Publication of evidence**

15. All documents and witness statements underwent the same application process with state parties for restriction orders as outlined previously<sup>11</sup>. As before, any documents or statements to which redactions have been applied will be accompanied by corresponding open grounds schedules in the hearing bundle, save where it is disproportionate to do so due to the high proportion of similar redactions sought on similar grounds<sup>12</sup>.

### **Hearing bundles**

16. The hearing bundles will be published on the Inquiry's hearing platform (Opus2) organised within the structure shown below. Thereafter, all documents will be posted on the Inquiry's website.
17. The Module 2B and 2C hearing bundle will largely follow the structure of previous bundles and will consist of 4 tabs:
  - i. *Tab A – Open Documents*

This tab contains two public documents of relevance to the Tranche 1 era – a copy of Lord Scarman's report into the events at Red Lion Square in June 1974 (referred to in previous phases), and a written copy of a speech given by former Commander of MPSB, Ferguson Smith, to a conference in 1968 which was identified to the Inquiry.

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<sup>11</sup> Tranche 1 Disclosure Note, paragraph 35 onwards.

<sup>12</sup> Ibid., paragraph 52.

ii. *Tab B - Cabinet Office Documents*

Documents within this section relate to the activities of the SPL and originate from the Cabinet Office or, more predominately, the National Archives.

iii. *Tab C – Home Office Witness Statements and Documents*

Witness statements in respect of 4 former senior Home Office officials are included within this tab, along with documents obtained by the Inquiry from disclosure received from the Home Office.

iv. *Tab D – Module 2B (MPS) Witness Statements and Documents*

This tab contains witness statements sought by the Inquiry and those volunteered by the MPS from former senior police managers concerning Module 2B (including those published in previous phases). In addition, some further MPS documents of relevance to Module 2B are published here.

18. The Inquiry will also publish a bundle called T1 Additional Documents, which contains evidence of relevance to previous phases which has come to light or been identified following the conclusion of those hearings and is considered relevant and necessary by the Inquiry<sup>13</sup>. This bundle will also consist of 4 Tabs:

i. *Tab A – Open Documents*

This tab contains a newspaper report concerning the policing of a march organised in memory of Blair Peach in 1980.

ii. *Tab B - Police Regulations and General Orders*

A copy of relevant extracts from the Metropolitan Police General Orders and Regulations 1979 is included within this tab.

iii. *Tab C - Civilian Witness Statements and Documents*

This tab contains further SDS reporting mentioning two core participants: Dianne Langford and 'Madeleine'. In addition, a statement received from Neil Hardie, concerning HN126, is also published here.

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<sup>13</sup> The Inquiry has selected any such material for publication in accordance with paragraphs 33-34 of the Tranche 1 Disclosure Note.

## UNDERCOVER POLICING INQUIRY

iv. *Tab D – Former UCOs, Managers and Other Police Witness Statements and Documents*

Further reporting originating from 4 former SDS officers is published here, along with statements from HN126 in response to the evidence of Mr Hardie<sup>14</sup> and a current MPS witness explaining MPSB filing codes.

27 January 2023

Counsel to the Inquiry

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<sup>14</sup> This statement is accompanied by reporting from HN126, originally published in Phase 2 bundle, which names Mr Hardie or Ms Gardner with relevant privacy redactions now removed. The Inquiry did not consider it necessary to publish the further examples of reporting referred to by HN126 within this statement.