

**IN THE MATTER OF**

**IN THE UNDERCOVER POLICING INQUIRY**

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**TRANCHE TWO, PHASE ONE**

**OPENING STATEMENT**

**ON BEHALF OF ‘JENNY’ and the CAT H GROUP**

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**I: SUMMARY**

1. This is the Opening Statement on behalf of ‘Jenny’ for Tranche 2, Phase 1 (“**T2P1**”) of the Inquiry. It also contains short observations on behalf of the Category H Core Participant group (“**Cat H CPs**”). The Cat H CPs’ main Opening Statement for Tranche 2 will be delivered in October 2024 at the start of Tranche 2, Phase 2 (“**T2P2**”).
2. Tranche 2 concerns the conduct of undercover policing in deployments between 1983 and 1992 with a particular focus on the Special Demonstration Squad (“**SDS**”).
3. ‘Jenny’ was deceived first into friendship, and then into intimate sexual intercourse, by an SDS undercover police officer (“**UCO**”) HN78 (Trevor Morris) (“**Morris**”), in a relationship which lasted from 1993-1995. Morris also had a long-term intimate sexual relationship with ‘Bea’ between 1992-1993. Bea has made a separate Opening Statement.
4. The Cat H CPs are 25 women, including Jenny, who were deceived into intimate sexual relationships with UCOs, the child of one of those relationships, and a man who was deceived into a close long-term friendship.
5. The Inquiry has already examined the inception of the SDS and its activities between 1968-1982. It reached the conclusion in its Interim Report dated 29 June 2023, that the SDS’ methods, which included the long-term deployment of UCOs into political groups,

and serious intrusion into the homes, personal and political lives of many thousands of members of the public, could not be justified in the vast majority of cases.<sup>1</sup>

6. Jenny and the Cat H CPs observe that this is plainly true of the long-term deployment of Morris to spy on her and others in the Socialist Workers Party (“SWP”). As Jenny explains in her Statement dated 16 April 2024, neither she, nor the SWP groups of which she was a part, ever posed any serious threat of subversion. Nor could the need to police events so as to maintain public order justify the intrusive tactics which Morris used. Morris entered into numerous close personal relationships with individuals in the groups he spied on. The high level of intrusion this involved also carried a significant risk of sexual relationships, which it was the police’s duty to avert. They failed to do so. Morris himself claims in the Statement he has given to the Inquiry, dated 21 April 2022,<sup>2</sup> that one reason he entered into sexual relationships was to avoid suspicion as a UCO. He also states that he received no guidance or support from his managers on this issue.
7. As the Cat H CPs explained in the submissions they made in their Closing Statement for Tranche 1 Phase 1,<sup>3</sup> the SDS’ casual approach to the private lives of members of the British public, the misogyny which was rife in the Metropolitan Police Service (“MPS”), the SDS’ lack of respect for the law, and its failure to adhere to even basic standards of management and supervision, have all led directly to the mistreatment of Jenny, Bea and the other women who were deceived into sexual relationships. These deep systemic problems meant UCOs like Morris posed serious risks to the safety of women when they were deployed.
8. In this Opening Statement, Jenny and the Cat H CPs outline the treatment Jenny received at the hands of Morris and the SDS, highlighting key aspects of her Statement, and areas of Morris’ Statement which she believes should be explored.
9. The Cat H CPs also address the challenges they have faced in engaging with Tranche 2 of Inquiry, due to extended delays in the disclosure process. Although they were

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<sup>1</sup> Undercover Policing Inquiry Tranche 1 Interim Report, Ch 6, Analysis and conclusions, 29 June 2023, at §§20-28.

<sup>2</sup> Witness Statement of Trevor Morris, 21 April 2022 (“**Morris Witness Statement**”){UCPI0000035076}.

<sup>3</sup> Cat H Core Participants, Written Closing: Tranche 1, 10 February 2023, at §§10-19.

promised the disclosure necessary for them to complete their statements by Spring 2023, much of the material was not disclosed until 2024, and disclosure is still not complete for some CPs. This has made it very difficult to complete their statements. They feel that they and their evidence have been treated with disregard despite the fact that they are involved in the Inquiry due to the emotional and sexual abuse they suffered at the hands of the police and are already traumatised. The extreme difficulties they have faced in engaging with the Inquiry have caused them considerable additional distress. They express the strong hope and expectation that, in the remainder of Tranche 2 and onwards, they will have an adequate opportunity to assist the Inquiry properly in discharging its Terms of Reference (“**ToR**”). It feels particularly unfair to them that, having waited up to 9 years for disclosure of any documents, there has then been insufficient time for them to be able to properly analyse those documents, and they have also been placed under enormous time pressure to prepare both privacy applications and their statements.

## **II: JENNY’S EXPERIENCE**

10. Jenny has set out her experience in her Statement. She highlights the following.
11. She began political activism in the 1980s when she was in her teens, exercising what she considered to be her key democratic rights with a view to combating a range of evils including nuclear war, apartheid, and gender inequality. She joined the Campaign for Nuclear Disarmament (“**CND**”) and the Anti-Apartheid movement. She also became involved in her university women’s group which campaigned for equal rights and safety for women, reproductive rights, and LGBT rights. This commitment to equality and anti-racism, later led her to joining the SWP from 1987 to 1989 and then again from 1990 to 1994, and to her involvement in the Anti-Nazi League (“**ANL**”), between 1992 and 1994. Her opposition to war led to involvement in the Stop the War movement in the early 1990s during the invasions of Iraq. In the mid-1990s her work as a journalist led Jenny to reduce her involvement in political activism and protest.
12. Jenny’s long-term commitment to political activism and protest as a student and young person was not only entirely consistent with democracy but an essential part of the democratic constitution and health of the United Kingdom. She has never been involved in any violence, arrested or convicted of a criminal offence. She emphasises that the SWP’s objective was to build a mass movement and that it was therefore opposed to the

use of violence. The ANL's objective was similarly to be seen and heard, through exercising the right to protest, not to create public disorder. In any event, she had an absolute right not to be subject to inhuman or degrading treatment.

13. To her shock and distress, Jenny discovered in 2019 that her long-term commitment to democratic political organisations and protest had led not only to UCOs infiltrating her life and that of many thousands of others, but also that one of these police officers, Morris, had used his position of friendship with her to exploit her for sexual intercourse.
14. Jenny had developed what she considered to be a real friendship with Morris, having first met him at a party in Bea's home in around 1992-1993. As Bea has explained in her Statement of 1 April 2024, when Jenny and Morris met, Morris had deceived Bea into a sexual relationship with him.
15. Jenny and Morris did not spend time alone together, but Jenny often ran into Morris at house parties, protests and marches. Morris sought Jenny and her friends out on these occasions, speaking to her one on one. He made her feel special, encouraged her to confide in him, asking about her relationships and others in the SWP. She now realises he was using this close relationship to obtain access to others, and information.
16. In 1994, Jenny moved, reduced her political activism and saw Morris less. In July 1995, however, she was in central London at the time of the annual SWP conference, and ran into Morris at a bar after the event. He showered her with warmth and affection, and after an evening of intimate conversation about family, memories and politics, and on the strength of their friendship, Morris deceived her into sexual intercourse. Shortly afterwards, his deployment ended.
17. In 2019 Jenny discovered that Morris was a police officer on social media. She was hugely shocked and shaken to realise that someone with whom she thought she had formed a deep emotional connection and with whom, on the strength of that connection, she had sexual intercourse, was in fact a UCO. It has led her to mistrust many of those around her, and cautious and guarded towards those who try to befriend her now.

18. Jenny’s sense of betrayal and hurt has been aggravated by the fact that Morris has claimed in his Witness Statement that he does not recognise her real name.<sup>4</sup> It is also indicative of the contemptuous attitude Morris had towards the women on whom he was spying. If Morris is confused about who Jenny is, it raises the question of how many other women Morris had sexual intercourse with casually while undercover.

### **Morris’ Statement**

19. In this Opening Statement Jenny highlights the following issues arising from Morris’ Statement for further consideration. She will address his evidence in more detail in her Closing Statement, once he has given oral evidence.

#### (i) Attitude to sexual relationships

20. Morris explains that his “*present attitude*” to the relationships is that they “*happened*” suggesting that, “*...at the time they happened I was, for all intents and purposes, my alter ego and not HN78...*”<sup>5</sup> As Jenny has pointed out, it was Morris, the undercover police officer, who formed sexual relationships with the women on whom he was spying, not his “alter ego”.
21. Morris states that:
- 21.1. He did not consider that either Bea or Jenny were active members of SWP or ANL;<sup>6</sup>
- 21.2. He felt that being single was unhelpful to his role and exposed him to allegations of being a spy. He may, therefore, have “*taken up*” with Bea to rebut any further suspicion that he was a spy, as a “*sub-conscious factor*”;<sup>7</sup>
- 21.3. The “*one off incident*” with the “*other woman*” (i.e. Jenny) happened at the end of his deployment and that he used his ex-filtration story to deceive Jenny into having sexual intercourse, “*[a]t the end of my deployment I maintained my ex-filtration story that I was leaving the UK to return to Germany to re-unite with my estranged wife and family and that led us to spending one night together.*”<sup>8</sup>

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<sup>4</sup> Morris Witness Statement, §204 {UCPI0000035076}.

<sup>5</sup> Morris Witness Statement, §204(o) {UCPI0000035076}.

<sup>6</sup> Morris Witness Statement, §204(d) {UCPI0000035076}.

<sup>7</sup> Morris Witness Statement, §204(a) {UCPI0000035076}.

<sup>8</sup> Morris Witness Statement, §204(b) {UCPI0000035076}.

22. The Cat H CPs highlight that these excuses plainly cannot amount to justification of his abuse of Jenny or any other woman. They do, however, demonstrate that managers should have been alert to the risks and taken action to prevent those risks.

(ii) Knowledge of management

23. Morris has stated that he did not inform his managers of either relationship.<sup>9</sup> Morris' relationship with Bea was, however, common knowledge in the North and East London branches of the SWP. It is hard to believe other UCOs were not aware of it.

(iii) Lack of safeguards

24. Morris has admitted that a civilian would occasionally accompany him to events as a "cover partner". He has stated that he explained the "*risks and implications*" of her undertaking this role, telling her that he was undercover investigating a "*drugs crime*". He has justified this decision on the basis that he thought it was "*appropriate*" to enter into this type of arrangement with a civilian because he had "*no other option*" as a result of someone in the SWP allegedly "*coming onto him*".<sup>10</sup>

25. Morris did not "*declare this arrangement to his managers*" as, when he told them he had experienced a difficult situation, he was told to "*sort it out*" himself.

(iv) Lack of training

26. Morris explains that he did not receive any training for the role of UCO before being deployed. He has also stated that he did not receive training in his police service prior to joining SDS which was particularly relevant or helpful in his work. While he did receive some training for his role in Special Branch, that did not include conduct and ethics; sex discrimination; race discrimination; maintaining public order (other than basic training); or countering subversion.<sup>11</sup>

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<sup>9</sup> Morris Witness Statement, §204(e) {UCPI0000035076}.

<sup>10</sup> Morris Witness Statement, §32 {UCPI0000035076}.

<sup>11</sup> Morris Witness Statement, §§11-12 {UCPI0000035076}.

27. Morris has no memory, or awareness, of the various codes of conduct or guidance for UCOs and does not remember being given any advice, guidance or instructions on how far it was acceptable to become involved in the private lives of those he met undercover; how far it was acceptable to have sexual relations whilst deployed undercover; participation in criminal activity; encouraging others to participate in criminal activity; what to do if he was arrested; what to do if appearing in court; what to do if he came into possession of material subject to legal privilege; or any other ethical or legal limitations on his conduct as a UCO.<sup>12</sup>

(v) Culture within SDS

28. Morris was approached, and encouraged to join the SDS, by Robert Lambert.<sup>13</sup> Lambert himself entered into a number of sexual relationships with women, and fathered a child. His interactions with Morris are important to understanding the culture which led to Morris deceiving Jenny and Bea.

29. Despite knowing that they formed intimate relationships with women on whom they were spying, Morris describes fellow UCOs John Dines and Jim Boyling as “good” UCOs.<sup>14</sup>

(vi) Attitude to left-wing movements

30. Morris has explained his motivation for joining the SDS on the basis that the “left wing”, “*wanted to undermine the fabric of the UK by causing fissures in society*”.<sup>15</sup> Morris does not explain who or what the “left wing” comprised.

31. Morris notes that the SWP was considered to be a “*subversive*” organisation, a “*Trotskyist organisation that wanted to overthrow UK Government by non-democratic means*”.<sup>16</sup> Jenny does not accept this characterisation. Morris has not provided specific examples of such “subversive” behaviour, other than the Welling demonstration in October 1993. The police’s account of what happened that day is contested. Jenny did not have any awareness of a “plot” to burn down a BNP bookshop during that

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<sup>12</sup> Morris Witness Statement, §§13-24 {UCPI0000035076}.

<sup>13</sup> Morris Witness Statement, §5 {UCPI0000035076}.

<sup>14</sup> Morris Witness Statement, §247 {UCPI0000035076}, based on gist of redacted text.

<sup>15</sup> Morris Witness Statement, §8 {UCPI0000035076}.

<sup>16</sup> Morris Witness Statement, §42(e) {UCPI0000035076}.

demonstration and thinks that is very unlikely to be true as it would have run contrary to the SWP's opposition to the use of violence. Bea addresses this issue further in her Opening Statement.

32. Contrary to Morris' assertions, a SDS Briefing Document of 5 April 1993, on the "involvement and influence of far-left groups in industrial disputes" concluded that, "*[i]ndividual members...are prepared to be arrested and, collectively, will engage in sit-downs and similar forms of civil disobedience. SWP leaders may provoke others present into action but, generally the organisation does not pose a serious threat to public order*" (emphasis added).<sup>17</sup>

### **Conclusion**

33. Jenny and the Cat H CPs consider that it is clear that Morris' long-term undercover deployment should never have occurred. Nothing like it should ever occur again. His exploitation of her, and other women including Bea, and the fact that he was able to operate without any effective supervision is, furthermore, symptomatic of deep misogyny within the police force, and a culture of casual contempt for members of the public and the law. They hope that the outcome of this Inquiry will ensure that members of the public who decide to join political groups or exercise their democratic rights are not exposed to this type of intrusion or abuse ever again.
34. Finally, Jenny emphasises that she still has many unanswered questions about the extent of the surveillance of her, what information was gathered about her and how that could have impacted her relationships and her career. She has seen no documents that relate to her, other than Morris' Statement and a short extract of HN29's Statement. That knowledge vacuum causes her significant and continuing emotional distress. She has been asked to, and has, shared very intimate and personal information as part of the Inquiry process but has, so far, received no answers as to why Morris targeted and befriended her, and later had sexual intercourse with her. She hopes that answers to these questions will emerge in the course of the Inquiry.

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<sup>17</sup> {UCPI0000033830}



### **III: GENERAL OBSERVATIONS OF CAT H CPs**

35. The Cat H CPs will give their Opening Statement for Tranche 2 at the commencement of T2P2 in October 2024.
36. They wish to highlight now, however, key features of the process to date which have caused them significant concern and difficulty in preparing their own evidence, and have therefore impeded them in assisting the Inquiry in discharging its ToR.
37. First, there have been extensive delays to the disclosure made to the Cat H CPs. Significant documents have only been disclosed in 2024 and in some cases have arrived after Rule 9 requests were received. Some relevant Tranche 2 disclosure still remains outstanding. Other disclosure has been a year behind schedule. This has led to Cat H CPs being unable to provide statements in time. It has also restricted them from fully and effectively participating in the Inquiry because, until they submit their statements, they have been denied access to the hearing bundle. Although this prohibition has recently been modified, those Cat H CPs who do access the bundle without submitting statements have been warned their statements may be prejudiced and some have accordingly chosen to wait until their statements are finalised. In the past, many Cat H CPs worked collectively on the R10 process. Lack of access to the hearing bundle prevents them from doing this now. This is not only unfair but also counter-productive for the Inquiry, as the Cat H CPs have much to contribute in terms of examining the truth and reliability of the evidence of UCOs.
38. Second, there has been considerable disparity in the time allowed by the Inquiry for its consideration of the police and state applications for privacy and secrecy and that for Cat H CPs. Cat H CPs have been expected to make detailed privacy applications before disclosure to them is complete, before therefore they had fully informed legal advice and despite the Inquiry being warned in advance that they needed additional time to prepare because of the pre-existing trauma caused by the officers' actions. The length of time it has taken for police privacy applications to be concluded has meant there has been insufficient time to deal with Cat H CPs' privacy concerns ahead of publication of the hearing bundle. This is particularly oppressive and re-traumatising for women who have already endured such serious violation of their privacy as a consequence of being deceived into intimate relationships by state agents.

39. Thirdly, in relation to Tranche 3, Cat H CPs note with concern the changes to methodology being applied by the Inquiry going forward and urge a re-appraisal of this approach. It appears, from recent correspondence with the Inquiry's Tranche 3 Lead Lawyer, that the pressure to conclude by 2026 may lead to the exclusion of crucial evidence about spying on political groups. Cat H CPs are particularly concerned by the Inquiry's assertion in a letter of 11 June 2024 that "*the Inquiry does not intend to change any NSCP categorisations.*" This appears to be a direct response to requests by Cat H CPs to be recognised as political, environmental and social activists and not only as women who had an intimate relationship with a UCO. This effectively reduces Cat H CPs' involvement to their intimate and sexual relationships, ignoring the wider interference with political organising.
40. Cat H CPs make clear they consider it essential that they are able to challenge the context of political persecution in which their abuses were allowed to occur. Cat H CPs were active in some of the most significant political and protest groups, and were named as targets for multiple UCO deployments by both the SDS and the NPOIU and spanning multiple years. Under the Inquiry's current approach to Tranche 3, however, much of the evidence about these political and protest groups will not be disclosed to them, because the Inquiry is refusing to recognise the groups as separate entities for the purposes of group disclosure and group statements. This will be a substantial impediment to the Cat H CPs' ability to engage with the Inquiry and will prevent it from fulfilling its ToR. The Cat H CPs urge the Inquiry to reconsider this approach.

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