



# Covert Human Intelligence

**A Background Briefing  
on the Mitting Inquiry**

Mike Hughes version 1.0

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on the Mitting Inquiry

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[spiesatwork.org.uk](http://spiesatwork.org.uk)  
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## About the Author

Mike Hughes is the Author of Spies at Work, the history of the Economic League in its various forms over the last thirty years. He Keeps the website Spiesatwork and as of Tranche I Phase 2 has attended, online, all the public evidence sessions of the mitting Inquiry

## Publication Details

This is, at the moment, a free to download document available on the Spiesatwork web page

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# **I. Introduction**

- **What this is.**

In watching, reading and listening to the Mitting Inquiry it is striking how little context has been provided. History, organisational detail you name it, And though the events detailed happened in my lifetime and I remember them, and was involved some of them I have found my self-scurrying around finding it and putting it down in one place.

Like most close followers of the inquiry I am deeply sceptical of its seriousness and doubtful of to deliver judgements the begin to deliver justice for the victims of the spycops. But there is no doubt that despite the secrecy and redactions and the evasion by the spycops and their former employer, Scotland Yard, there is a wealth of new information about the operation of the secret state's campaign against radical activists.

That campaign was better organised and larger than anyone in my generation or the previous generation thought, and it was carried out by a bunch of coppers far less intelligent than we would have expected.

What this is then is not a story, or a campaign text, it is just a compilation of some of that missing contextual material that I have gathered so far. With the court cases about the Consulting Association and the Economic League complete and won, and with the Shrewsbury Pickets convictions quashed the Mitting Inquiry is the next stage in the never-ending story of the Economic League.

I've given it version number indicating my intention as a collect more information. I will be interested if you have any comments, corrections, or additions which you can dm to me, and please feel free to pass it on to anyone who might find it useful.

- **For more detailed Information**

What this isn't is the story of the spycops, nor in depth research into them. All that has been done brilliantly by Undercover Research, and the Campaign against Police Surveillance which have great websites and a social media presence.

The Guardian journalists Rob Evans and Paul Lewis have done a fabulous job of telling the story and keeping the unfolding scandal in the public and political domain. As well as the book Undercover you can pick up their stories in the Guardian Archive,

The other place to go for information is the UPCI with a growing number of **REDACTED** special branch files, spycops witness statement and transcripts photographs and video clips it is a fascinating., and an important=nt reminder that just because something is written down it doesn't mean it is true.....

## 2. The Mitting Inquiry

On January 10 2010 the guardian published a story by their reporter Rob vans and Paul Lewis about an undercover policemen, Mark Kennedy who used te assumed name of `Mark Stone, who had infiltrated environmental campaigns since 2003 and using a passport in his fake identity as a professional Climber he had taken part in environmentalist actions in 22 countries.

Over the next six years built a growing but low profile in the UK based in Nottingham. In the summer of 2010, he had been involved in organising and planning of an invasion and occupation of an EON power station in Ratcliffe on Soar in Nottingham, On April 12th 2009, he night before the planed invasion police raided the school where 114 preselectors, drawn from the G20 protests in London, were staying. Kennedy was amongst those arrested and charged with conspiracy to commit trespass,

Kennedy had be a key organiser and had done a recky on the PowerStation, reporting tat there was no police presence, shortly before the raid. Suspicions about Kennedy were further roused when he refused to use the same lawyer as the other 27 activists who had been arrested, and when the charges were dropped against him.

The following summer, while the court case was pending and these suspicions were brewing Mark Stone's girlfriend found his real passport, in the name of Kennedy. in the glove compartment of his van. He claimed it was a fake identity that i he had used when he was smuggling drugs. This dodgy past was a part of the story he used to explain his mysterious background to his girlfriend's fellow activists when he had first infiltrated their organisations.

Neither she or her comrades accepted his story at face value and they investigated further and concluded that Mark Kennedy was a policeman who had infiltrated their organisations and their lives. On the 21 October 2010 six of his friends confronted him with what they had found out:

*"He confessed, breaking down in tears and expressing regret for the pain he had caused. He told those present that he was not the only officer deep undercover in the protest movement, costing the taxpayer £250,000 a year per agent"*<sup>1</sup>

The Ratcliffe Protestors were sentenced on January 4 2011. They were all found guilty and received a mixture of community service orders fines and conditional discharges. On Monday 10 January 2010 two Guardian Journalists, Rob Evans and Paul Lewis, started reporting this story and before the year was out they could report accurately that:

*"That discovery set in train a series of disclosures which have begun to lay bare a covert police operation to infiltrate political groups over the past four decades."*

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<sup>1</sup> Guardian, Mon 10 Jan 2011

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In the twelve months up to December 2011 women had identified themselves as having been drawn into relationships with undercover policemen and were about to launch legal action against police chiefs. The steps that had been used to unmask Kennedy had been more or less codified and a website set up to encourage other political, environmental and community activists to investigate whether similar tactics had been used against them.

Had this been an isolated example of maverick police breaching the human rights of citizens campaigning for a better world this would have been a big news story. The speed and seriousness and the damage limitation approach of the police response at a national level might have suggested that this was bigger than that. But it was some years before the staggering scale of undercover policing operations targeted at political and social activists became widely known.

Within days of the Guardian breaking the story it was able to report<sup>2</sup> that Police had set up three separate investigations into their revelations. The national response for the Police was being fronted by Jon Murphy the Chief Constable of Merseyside. Looking back this may seem a strange choice since there was no Merseyside angle to the story. But at this early stage of the breaking story Kennedy's undercover activity had been associated with the National Public Order Intelligence Unit (NPOIU). Despite its name this was not a formal Police body but a not-for-profit association run by the Association of Chief Police Officers itself as a not-for-profit limited company. Although fully funded by the Home Office, this arrangement provided some protection from freedom of information requests.

In the article published on Wednesday 19 January 2011 Lewis and Evans named Jim Boyling as the fourth undercover policeman identified. Boyling had actually married one of the targets and went on to have children with her. The other officers identified were Kennedy, and two officers called Lynn Watson and Mark Jacobs. Although Murphy was not prepared to talk about individual cases, senior officers had asked the Guardian not to publish photographs of Watson and Jacobs thereby confirming their roles.

## **Operation Soisson**

The main internal police investigation into the Guardian revelations of about the undercover activities was called Operation Soisson which seems to have been launched in the Metropolitan Police in October 2011. This was to look at subsequent revelations in the Guardian and evidence turned up in the earlier internal investigations. It was led by Deputy Assistant Commissioner Mark Simmon. By this stage the scope of the inquiry was expanded to include not merely the NPOIU, but a predecessor organisation – the Special Demonstration Squad, set up as long ago as 1968. In October 2012 Deputy Assistant Commissioner Pat Gallan replaced Mark Simon as the lead and in February 2013 the Metropolitan Police Commissioner Sir Bernard Hogan-Howe ordered a “wider review and full investigation” and Derbyshire's Chief Constable was put in charge of the investigation and it was given the new name Operation Herne.

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<sup>2</sup> Guardian Jan 19, 2011

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The publicly available evidence for the early developments in the internal police investigations is to be found in a 2013 document from the Metropolitan Police in response to a Freedom of Information Request.<sup>3</sup> There is also some information in a briefing on the Undercover Police Inquiry from the National Police Chiefs Council from 2018.<sup>4</sup>

## Operation Herne

Part of the thinking of putting the investigation in the hands of a Chief Constable outside the Met was to introduce an element of independence. In this respect it was not successful. Creedon was the ACPO lead on undercover policing and an enthusiastic proponent of Neither Confirming Nor Denying the identity of the spycops. This was a policy that was denying information to the women deceived into relationships with the police officers in their assumed identities. As a result of these the women did not cooperate with Operation Herne.

Herne was to produce four reports:

- **Report 1** - Use of Covert Identities was published in July 2013;
- **Report 2** - Allegations of Peter Francis was published in March 2014;
- **Report 3** - Special Demonstration Squad Reporting: Mentions of Sensitive Campaigns was published in July 2014;
- **Report 4** - Operation Herne Update was delivered in February 2015 and had restricted circulation.

There was clearly some dissatisfaction on the part of the Conservative Home Secretary, Theresa May, and the approach of the Metropolitan Police and ACPO. As early as 2012 it had emerged that the spycops had infiltrated the Stephen Lawrence Campaign. May had appointed a leading criminal QC, Mark Ellison, to review this evidence. On March 6<sup>th</sup> she announced the damning results of the Ellison Review and six days later announced in a written statement the establishment of a Public Inquiry under the Inquiries Act 2005, into Undercover Policing.

- To inquire into and report on undercover police operations conducted by English and Welsh police forces in England and Wales since 1968 and, in particular, to:
  - Investigate the role and the contribution made by undercover policing towards the prevention and detection of crime;

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<sup>3</sup>[https://www.whatdotheyknow.com/request/476748/response/1361457/attach/4/Operation%20Rivewood%20Report%20July%202013%20redacted.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/476748/response/1361457/attach/4/Operation%20Rivewood%20Report%20July%202013%20redacted.pdf?cookie_passthrough=1)

<sup>4</sup><https://www.npcc.police.uk/NPCCBusinessAreas/OtherWorkAreas/UCPI/UndercoverPolicingInquiry.aspx>

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- Examine the motivation for, and the scope of, undercover police operations in practice and their effect upon individuals in particular and the public in general;
- Ascertain the state of awareness of undercover police operations of her Majesty's Government;
- Identify and assess the adequacy of the:
  - Justification, authorisation, operational governance and oversight of undercover policing;
  - Selection, training, management and care of undercover police officers;
- Identify and assess the adequacy of the statutory, policy and judicial regulation of undercover policing.

### **Pitchforth/Mitting Inquiry**

Sir Christopher Pitchforth, a Lord Justice of Appeal, was appointed to lead the inquiry and he delivered his opening remarks on 28<sup>th</sup> July 2015 and work began on time tabling the inquiry, identifying core participants and dealing with a range of request for anonymity by state core participants and difficulties from the Metropolitan Police Service over the release of evidence.

In May 2017, without any evidence having yet been presented Sir Christopher Pitchforth announced he had to he was standing down, having been diagnosed with motor neurone disease.

On the 31<sup>st</sup> May Sir John Mitting was announced as his successor. He continued the preparatory work and finally the first evidence was heard by the Mitting Inquiry five years and three months after Sir Christopher Pitchforth had opened it.

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## 2. Basics

### What Covert Human Intelligence Is

There are several distinct types of intelligence gathering, these are distinguished from each other by the source of the intelligence,

All state intelligence is of its nature secret, whether or not it is gathered in secret or by deception. Only in exceptional circumstance would there be any advantage in letting the subject of the intelligence gathering know that intelligence had been gathered and what precisely had been gleaned.

This taxonomy of intelligence types has become a jargon and acquired a consistent naming system:

HUMINT - Human intelligence gathered by conversation by people on site

GEOINT - Geospatial Intelligence for example by satellite, aerial photography or surveying. Some of this is IMINT or image intelligence.

MASINT - Measurement and signature intelligence, here a signature is a distinctive characteristics of which there are six (electro-optical, nuclear, radar, geophysical, materials, and radiofrequency)

OSINT - Open Source Intelligence again distinguished by the source of the intelligence for example Internet/General, Scientific/Technical, trade shows, association meetings, and interviews

SIGINT - Signals intelligence again distinguish by the types of signals like Communications (COMINT) or Telemetry (TELINT)

TECHINT - Technical intelligence gathered from weapons used but also included Medical Intelligence (MEDINT)

CYBINT - Intelligence gathered from cyber space, or digital networks - DNINT

FININT - Financial Intelligence

It doesn't, but could, include JINQINT, intelligence from studying evidence presented to a Judicial Inquiry.

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All of these, and more, have entries in Wikipedia. Mitting is primarily an inquiry into Human Intelligence and specifically Covert Human Intelligence (CHI), to use a term that has now acquired popularity through “Line of duty” and notoriety through the “Covert Human Intelligence Sources (Criminal Conduct) Act 2021.

As Covert Human Intelligence Sources (“CHIS”) the spycops in the SDS and undercover officers are the most dishonest and intrusive and do the greatest injury to those spied upon. They infiltrate organisations and their members lives by means of a fictitious persona (“legend”) and deceiving those infiltrated into believing that they share the same values and beliefs as them.

Another form of CHIS which can be as injurious but does not involve deception by a state employee is the use of paid informants recruited from the infiltrated organisations. This may be indicated in police reports as “a delicate source”.

A third type of CHIS which is less intrusive is state employees “in plain clothes” attending public meetings or public demonstrations. The deception involved may be no more than dressing up (or down) and giving a false name if asked. Many of the officers who went on to become spycops have undertaken these roles in Special Branch’s C Squad.

The different intelligence “disciplines” are not mutual exclusive. The spycops will have been identifying Targets for telephone tapping and may have received information from taps. Their reports are full of Open Source Information from newspapers, leaflets and public meetings and plain clothes police officers would have dropped by radical bookshops to buy radical newspapers and pick up leaflets, in exactly the same way that Economic League workers did.

## **Police Forces, Ranks and Hierarchy**

The police are a militaristic organisation, and this requires a structure which is hierarchical and in which management is through a command structure, rather than management structure. Commands are issued to those further down the hierarchy which are expected to be obey with no challenge, and minimal discussion.

Understanding this hierarchy is important for understanding where a particular police corps or body sits in the organisation, but it is not easy to remember this hierarchy, even for those of us weaned on a diet of television police dramas. The organisation of the London Police Force formally known as the Metropolitan Police Service (MPS) and better known as Scotland Yard is different to that of the Regional forces and It has also had national responsibilities,

The structure of the hierarchy has changed over time, as has the political accountability of forces, but most of these changes have occurred outside the time frame considered by the Mitting Inquiry.

The set of tables below is based on data accessed in 2021 for 2020.

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## UK Police Forces

There are 45 police forces in the UK. Most are territorially based but there are three specialist police forces, Organisation and accountability for the forces are different reflecting devolved responsibility, Scotland officers: and Northern Ireland have centralised police forces.

### Territorial Police Forces 2020

#### *London*

<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
Metropolitan Police Service – “Scotland Yard”	Metropolitan Police District (London region excluding the City of London)	33,177	£29,399,000,000	1829

#### **England and Wales**

#### *England*

<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
Wiltshire Police	Unitary authorities of Swindon and Wiltshire	1,019	£1,277,000,000	1839
West Yorkshire Police	Metropolitan county of West Yorkshire	5,391	£4,850,000,000	1974
West Midlands Police	Metropolitan county of the West Midlands	6,846	£6,204,000,000	1974
West Mercia Police	Non-metropolitan county of Worcestershire and unitary authorities of Herefordshire, Shropshire, and Telford and Wrekin	2,256	£2,365,000,000	1967
Warwickshire Police	Non-metropolitan county of Warwickshire	1,034	£1,099,000,000	1840
Thames Valley Police	Non-metropolitan counties of Buckinghamshire and Oxfordshire and unitary authorities of Bracknell Forest, Milton Keynes, Reading, Slough, Wokingham, West Berkshire, and Windsor and Maidenhead	4,415	£4,567,000,000	1968
Sussex Police	Non-metropolitan counties of East Sussex	2,799	£3,099,000,000	1968

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<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
	and West Sussex and unitary authority of Brighton and Hove			
Surrey Police	Non-metropolitan county of Surrey	1,993	£2,494,000,000	1851
Suffolk Constabulary	Non-metropolitan county of Suffolk	1,240	£1,351,000,000	1967
Staffordshire Police	Non-metropolitan county of Staffordshire and unitary authority of Stoke-on-Trent	1,681	£2,111,000,000	1968
South Yorkshire Police	Metropolitan county of South Yorkshire	2,574	£2,821,000,000	1974
Nottinghamshire Police	Non-metropolitan county of Nottinghamshire and unitary authority of Nottingham	2,077	£2,248,000,000	1968
Northumbria Police	Metropolitan county of Tyne and Wear and unitary authority of Northumberland	3,309	£3,071,000,000	1974
Northamptonshire Police	Non-metropolitan county of Northamptonshire	1,343	£1,462,000,000	1966
North Yorkshire Police	Non-metropolitan county of North Yorkshire and unitary authority of York	1,513	£1,662,000,000	1974
Norfolk Constabulary	Non-metropolitan county of Norfolk	1,684	£1,772,000,000	1839
Merseyside Police	Metropolitan county of Merseyside	3,659	£3,597,000,000	1974
Lincolnshire Police	Non-metropolitan county of Lincolnshire	1,073	£1,316,000,000	1856
Leicestershire Police	Non-metropolitan county of Leicestershire and unitary authorities of Leicester and Rutland	2,053	£2,040,000,000	1967
Lancashire Constabulary	Non-metropolitan county of Lancashire and unitary authorities of Blackburn with Darwen and Blackpool	3,031	£3,088,000,000	1839
Kent Police	Non-metropolitan county of Kent and unitary authority of Medway	3,836	£3,384,000,000	1857

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<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
Humberside Police	Unitary authorities of East Riding of Yorkshire, Kingston upon Hull, North East Lincolnshire, and North Lincolnshire	2,005	£2,007,000,000	1974
Hertfordshire Constabulary	Non-metropolitan county of Hertfordshire	2,152	£2,213,000,000	1841
Hampshire Constabulary	Non-metropolitan county of Hampshire and unitary authorities of the Isle of Wight, Portsmouth, and Southampton	2,812	£3,664,000,000	1967
Greater Manchester Police	Metropolitan county of Greater Manchester	6,965	£6,430,000,000	1974
Gloucestershire Constabulary	Non-metropolitan county of Gloucestershire	1,200	£1,269,000,000	1839
Essex Police	Non-metropolitan county of Essex and unitary authorities of Southend-on-Sea and Thurrock	3,318	£3,202,000,000	1969
Durham Constabulary	Unitary authorities of County Durham and Darlington	1,168	£1,333,000,000	1839
Dorset Police	Unitary authorities of Dorset and Bournemouth, Christchurch and Poole	1,268	£1,443,000,000	1974
Devon and Cornwall Police	Non-metropolitan county of Devon and unitary authorities of Cornwall, the Isles of Scilly, Plymouth, and Torbay	3,197	£3,384,000,000	1967
Derbyshire Constabulary	Non-metropolitan county of Derbyshire and unitary authority of Derby	1,861	£1,939,000,000	1967
Cumbria Constabulary	Non-metropolitan county of Cumbria	1,229	£1,178,000,000	1974
Cleveland Police	Unitary authorities of Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton-on-Tees	1,373	£1,435,000,000	1974
City of London Police	City of London	811	£670,000,000	1839

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<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
Cheshire Constabulary	Unitary authorities of Cheshire East, Cheshire West and Chester, Halton, and Warrington	2,131	£2,080,000,000	1857
Cambridgeshire Constabulary	Non-metropolitan county of Cambridgeshire and unitary authority of Peterborough	1,597	£1,562,000,000	1965
Bedfordshire Police	Unitary authorities of Bedford, Central Bedfordshire, and Luton	1,300	£1,225,000,000	1966
Avon and Somerset Police	Non-metropolitan county of Somerset and unitary authorities of Bath and North East Somerset, Bristol, North Somerset, and South Gloucestershire	2,886	£3,266,000,000	1974
<b>Total</b>		<b>89,213</b>	<b>£94,178,000,000</b>	

### **Wales**

<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
Dyfed-Powys Police	Principal areas of Carmarthenshire, Ceredigion, Pembrokeshire, and Powys	1,183	£1,155,000,000	1968
Gwent Police	Principal areas of Blaenau Gwent, Caerphilly, Monmouthshire, Newport, and Torfaen	1,340	£1,422,000,000	1967
North Wales Police	Principal areas of Anglesey, Conwy, Denbighshire, Flintshire, Gwynedd, and Wrexham	1,587	£1,671,000,000	1974
South Wales Police	Principal areas of Bridgend, Cardiff, Merthyr Tydfil, Neath Port Talbot, Rhondda Cynon Taf, Swansea, and the Vale of Glamorgan	3,081	£3,158,000,000	1969
<b>Total</b>		<b>7,191</b>	<b>£7,406,000,000</b>	

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### **Scotland and Northern Ireland**

<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
Police Scotland	Scotland	17,170	£1,064 8	2013
Police Service of Northern Ireland	Northern Ireland	7,131	£1077 4	2001

### **Summary**

<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>
All Territorial Police forces	England and Wales	132,467	£19,763,700,000

Source of above data, Wikipedia

### **Special Police Forces 2020**

<b>Force</b>	<b>Area of responsibility</b>	<b>Officers</b>	<b>Budget</b>	<b>Formed</b>
British Transport Police	National Rail network, Docklands Light Railway, Glasgow Subway, London Trams, London Underground, West Midlands Metro, and the Sunderland line of the Tyne and Wear Metro	2,984	£319,170,000	1948 as BTCP
Civil Nuclear Constabulary	Civilian nuclear facilities	1,310	£116,700,000	2005
Ministry of Defence Police	Military establishments, designated critical national infrastructure, Whitehall, MOD family quarters	2,594	£156,600,000	1971
Total		6,888	£592,470,000	

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## Officer Ranks in the UK Territorial Police Forces.

GB Police	Met Police	CID & Special Branch
<a href="#">Chief constable</a>	<a href="#">Commissioner</a>	
<a href="#">Deputy chief constable</a>	<a href="#">Deputy commissioner</a>	
<a href="#">Assistant chief constable</a>	<a href="#">Assistant commissioner</a>	
	<a href="#">Deputy assistant commissioner</a>	
	<a href="#">Commander</a>	
<a href="#">Chief superintendent</a>	<a href="#">Chief superintendent</a>	<a href="#">Detective Chief Superintendent</a>
<a href="#">Superintendent</a>	<a href="#">Superintendent</a>	<a href="#">Detective Superintendent</a>
<a href="#">Chief inspector</a>	<a href="#">Chief inspector</a>	<a href="#">Detective Chief Inspector</a>
<a href="#">Inspector</a>	<a href="#">Inspector</a>	<a href="#">Detective Inspector</a>
<a href="#">Sergeant</a>	<a href="#">Sergeant</a>	<a href="#">Detective Sergeant</a>
<a href="#">Constable</a>	<a href="#">Constable</a>	<a href="#">Detective Constable</a>

(Hyperlinks to Wikipedia)

Detectives are usually assigned to a local CID unit smaller station might have five DCs with a Detective Sergeant (DS) in command, larger station would have more CID officers under a detective of higher rank.

Until 2017 an officer would have served in uniform for at least two years, and done two years training as a Trainee Detective Constable (TDC) before becoming a detective constable.

## The Roles of British Police

The precise role and responsibilities of the various branches of the British State is hugely complicated by the fact that there is no written constitution or bill of rights for citizens that clearly lays down their rights and the limits placed on Parliament and the stated in infringing them. We have the declaration of human rights but this is a minimum, bottom line, document and its application in the post Brexit state will become complicated if it is not already.

- The powers and responsibilities of the police are embodied and amended in a number of law which a changed on a regular basis and there are lot of them. One of the clearest a accessible e documents I have found is a PDF published by Nottinghamshire police which helpful cross reference to legislation [ <https://www.nottinghamshire.police.uk/sites/default/files/documents/files/Statutory%20duties%20and%20obligations%20of%20the%20police%20-%20July%202020%2013.pdf> ]

*It references a Statement of Common Purpose published by the the Association of Chief Police Officers (ACPO) in 1992 which lays out the purpose of the police force as:*

- to uphold the law fairly and firmly;
- to prevent crime;
- to pursue and bring to justice those who break the law;
- to keep the Queen's Peace;
- to protect, help and reassure the community; and
- to be seen to do all this with integrity, common sense and sound judgment.

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All of this chimes with the oath sworn by all police constables at the start of their careers and which binds them for their whole career what rank they attain. The current version of this is:

*“I do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.”*

An earlier version made reference to the “Queen’s peace” specifically and this seems to be the one that most of the officers of the SOS/SDS were sworn to and serves as the basis of their case for the activities of the squad. The Queen’s peace is a concept taken straight from English common law/

It goes without saying that this oath reflects a profoundly Conservative interpretation of the state and the role of the police in protecting it.

## Metropolitan Police DPP Oversight

1968	1972	<a href="#">Sir John Waldron</a>	1964		Sir Norman Skelhorn		<a href="#">Sir</a>
1972	1977	<a href="#">Sir Robert Mark</a>		1977	Sir Norman Skelhorn		<a href="#">Sir</a>
1977	1982	<a href="#">Sir David McNee</a>	1977		Sir Thomas Hetherington	CPS	<a href="#">Sir</a>
1982	1987	<a href="#">Sir Kenneth Newman</a>		1987	Sir Thomas Hetherington	CPS	<a href="#">Sir</a>
1987	1993	<a href="#">Sir Peter Imbert</a>	1987	1992	Sir Allan Green	CPS	<a href="#">Sir</a>
			1992		Dame Barbara Mills	CPS	<a href="#">Dame</a>
1993	2000	<a href="#">Sir Paul Condon</a>		1998	Dame Barbara Mills	CPS	<a href="#">Dame</a>
			1998		Sir David Calvert-Smith	CPS	<a href="#">Sir David</a>
2000	2005	<a href="#">Sir John Stevens</a>		2003	Sir David Calvert-Smith QC	CPS	<a href="#">Sir David</a>
			2003	2008	Sir Ken Macdonald	CPS	<a href="#">Sir Ken</a>
2005	2008	<a href="#">Sir Ian Blair</a>	2008		Sir Keir Starmer KCB	CPS	<a href="#">Sir Keir</a>
2009	2011	<a href="#">Sir Paul Stephenson</a>			Sir Keir Starmer KCB	CPS	<a href="#">Sir Keir</a>
2011	2017	<a href="#">Sir Bernard Hogan-Howe</a>		2013	Sir Keir Starmer KCB	CPS	<a href="#">Sir Keir</a>
			2013		Dame Alison Saunders	CPS	<a href="#">Dame</a>
2017	Present	<a href="#">Dame Cressida Dick</a>		2018	Dame Alison Saunders	CPS	<a href="#">Dame</a>
			2018	present	Max Hill	CPS	<a href="#">Max</a>

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## Political Oversight

Political oversight of the police oversight is provided through parliament and on a day by day basis by the Home Secretary and the Home Office. During the period of the SDS (1968-2008) and NPOIU the Home secretaries were:

James Callaghan	1967- 1970	Labour
Reginald Maudling	1970 - 1972	Conservative
Robert Carr	1972. - 1974	Conservative
Roy Jenkins	1974 - 1976	Labour
Merlyn Rees	1976 - 1979	Labour
William Whitelaw	1979 - 1983	Conservative
Leon Brittan	1983 - 1985	Conservative
Douglas Hurd	1985 - 1989	Conservative
David Waddington	1989 - 1990	Conservative
Kenneth Baker	1990 - 1992	Conservative
Kenneth Clarke	1992 - 1993	Conservative
Michael Howard	1993 - 1997	Conservative
Jack Straw	1997 - 2001	Labour
David Blunkett	2001 - 2004	Labour
Charles Clarke	2004 - 2006	Labour
John Reid	2006 - 2007	Labour
Jacqui Smith	2007 - 2009	Labour
Alan Johnson	2009 - 2010	Labour
Theresa May	2010 - 2016	Conservative

There has always been some element of local accountability for the police and with the creation of the metropolitan County Councils following 1972 local government act saw this vested in this tier of government. This tier of local authority was abolished in 1986, and the local control more or lapsed until the introduction in England and Wales of elected **Police, Fire and Crime Commissioner (PFCC)** and **Police and Crime Commissioner (PCC)**. The first incumbents of these roles were elected in 2012/

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### 3. Context Is Everything

#### Timelines of the historical context

Year	Party Politics	Prime Minister	Industrial Relations	UK Protest Movements,	International Affairs	UK Legislation, Scandals etc	Police and Secret State
1945	Gen Election win for Labour (160)	Attlee			WWII in Europe Ends UN formed		
1946		Attlee	Coal and Bank of England Nationalised		Guerrilla war against British rule in Palestine Begins; UN forms special Committee on Palestine; Britain resolves to give up its Mandate	NHS Created	Attlee directive of the purpose of MI5
1947		Attlee			Ben-Gurion declares the Independence of the Isreal state initiating the first Arb Israle war,		Attlee begins purge of communists from the cvil service
1948		Attlee	Electricity, Cable & Wireless Nationalised		Cease fire declared in Israel		
1949		Attlee	Gas Nationalised		NATO formed; Mao Tse Tung becomes Leader of China; UN admits into membership[p the new state of Israel. McCarthyism in America		
1950	Gen Election win for Labour (5)	Attlee			Korean War Starts		
1951	Gen Election win for Tories (17)	Churchill	Iron and Steel Nationalised		Apartheid becomes law in SA		Guy Burgess and Donald Maclean defect to Russia
1952		Churchill					Maxwell Fyfe Directive pn purpose of MI5
1953		Churchill			Korean War Ends; Stalin Dies, French Indochine dissolved		
1954		Eden					
1955	Gen Election win for Tories (60)	Eden					
1956		Eden			Suez Crisis, Hungarian Revolution is put down by USSR		
1957		Eden					
1958		MacMillan		First Aldermaston March			
1959	Gen Election win for Tories (60)	MacMillan		Anti Apartheid Consumer Boycott Starts	Castro becomes Cuban PM		
1960		MacMillan		Committee of 100 formed;	JFK Sends Helicopters t and special Forces to South Vietnam		
1961		MacMillan					
1962		MacMillan					
1963		Douglas Home			US backs a coup against South Vietnamese Govt; JFK Assassinated		

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Year	Party Politics	Prime Minister	Industrial Relations	UK Protest Movements,	International Affairs	UK Legislation. Scandals etc	Police and Secret State
1964	Gen Election win for Labour (4)	Wilson			American engagement in Vietnam becomes a War. Wilson refuse to send Troops.	Last Judicial Hangings	
1965		Wilson			Anti-War Protests in US start to gain strength	First Race Relations Act; Comprehensive education introduced	
1966	Gen Election win for Labour (98)	Wilson					
1967		Wilson			Nigerian Civil War (Biafra) Begins. Six day War in the Middle East	Decriminalisation of Homosexuality	
1968		Wilson		NI Civil Rights Movement	Prague Spring put down by USSR; Near Revolution in Paris; Tet Offensive		
1969		Wilson		Stop the Seventy Tour		in Place of Strife White Paper Troops sent to Northern Ireland; Open University starts teaching; Capital Punishment abolished	Special Operations Squad (SOS) setup
1970	Gen Election win for Tories (30)	Heath	Dockers Strike	Angry Brigade Bombing Campaign; Women's Liberation Movement formed; Gay Liberation Front Formed	Kent State Shooting of Protestors; Nigerian Civil War Ends	Equal Pay Act	
1971		Heath		Angry Brigade Arrested			
1972		Heath	Building Strike	Bloody Sunday Protests		Britain enters Common Market John Poulson files for bankruptcy	Home Secretary resigns as a result of his connections to Poulson and an un related fraud case in the USA
1973		Heath	Shrewsbury 23 Trial Miner strike leading to 3 Day Week	Troops Out Movement Formed	End of the Vietnam War US troops withdraw		SOS becomes SDS
1974	Gen Election win for Labour (-33)	Wilson		Birmingham Pub Bombings	Carnation Revolution in Portugal end of Fascism in the country	Sex Discrimination Act	Death of Kevin Gately
	Gen Election win for Labour (3)	Wilson					
1975		Wilson			Franco Dies, end of Fascism in Spain	3 Day Week	
1976		Callaghan	Grunwicks strike begins	Right to Work Campaign	G7/G8 formed		
1977		Callaghan	BP starts privatisation	Anti-Nazi League Formed			
1978		Callaghan	Firemen's Strike				Following newspaper accounts of Scotland Yard corruption Operation Countryman Begins
1979	Gen Election win for Tories (43)	Thatcher			Soviet War in Afghanistan begins; Fall of Shah of Iran.	First of six acts imposing restrictions on workers' rights introduced	Death of Blair Peach
1980		Thatcher	Steel Workers Strike		Solidarity formed in Poland	Right to Buy Council Houses Introduced	

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Year	Party Politics	Prime Minister	Industrial Relations	UK Protest Movements,	International Affairs	UK Legislation. Scandals etc	Police and Secret State
1981		Thatcher		Brixton Riot Toxteth Riots Greenham Common Peace Camp Established			Scarman Report
1982		Thatcher	BP starts Privatising		Falklands War		
1983	Gen Election win for Tories (144)	Thatcher			Stop the City		
1984		Thatcher	Miners Strike	Stop the City	Stop the City		Countryman reports secretly to home officer. Between 250 and 300 officers leave the MPS
1985		Thatcher			Perestroika Begins		
1986		Thatcher	Wapping Dispute; British Gas Privatised				
1987	Gen Election win for Tories (102)	Thatcher	Rolls Royce and BA Privatised				
1988		Thatcher					
1989		Thatcher		All Britain Anti Poll Tax Federation Established	Fall of Berlin Wall; Soviet engagement in Afghanistan Ends	Poll Tax introduced in England	Security Service Act 1989
1990		Major	Regional Electric Companies Privatised	Poll Tax Riot in London	Release of Nelson Mandela; First Gulf War Starts	Poll Tax introduced in Scotland	Funding of SDS becomes MPS Responsibility under Superintendent of S Squad
1991		Major			Boris Yeltsin elected president of Russia		
1992	Gen Election win for Tories (21)	Major					
1993		Major	Following a public campaign the Economic League closes down. The construction Industry moves blacklisting to the Consulting Association				Death of Joy Gardner
1994		Major			Nelson Mandela Elected President of South Africa		
1995		Major					
1996		Major	BR starts privatising				
1997	Gen Election win for Labour (174)	Blair					Death of Ricky Reel
1998		Blair		Good Friday Agreement		Scottish Parliament Created Assemblies created in Wales and Northern Ireland	
1999		Blair				Minimum Wage Introduced	Macpherson Inquiry into the MPS handling of the Lawrence investigations concludes the MPS is institutionally Racist
1999		Blair			Vladimir Putin elected president of Russia		
2000		Blair					

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Year	Party Politics	Prime Minister	Industrial Relations	UK Protest Movements,	International Affairs	UK Legislation. Scandals etc	Police and Secret State
2001	Gen Election win for Labour (169)	Blair		Stop the War Coalition Formed	Attack on the Twin Towers; The war on Afghanistan Begins; 26 G8 Summit in Genoa makes these summits a focus of anti-globalisation demonstrations		Operation Tiberius identifies corruption in Scotland Yard involving OCRs
2002		Blair					
2003		Blair			The Iraq War Starts		
2004		Blair					
2005	Gen Election win for Labour (66)	Blair		31st G8 at Gleneagles		Civil Partnership for same sex partners	
2006		Blair			Death of Saddam Hussein		
2007		Brown					
2008		Brown					SDS closed Down
2009		Brown					Death of Ian Tomlinson
2010	Gen Election win for Con+Libs (78)	Cameron	Following reporting about the Consulting Association in the Guardian it is Raided by ICO, Fined, and closed. The employment Blacklisting Regulations are finally enacted			Equality Act	Operation Soissons NDEU established
2011		Cameron			Death of Osama Bin Laden		Operation Herne starts
2012		Cameron					
2013		Cameron		G8 - Carnival against Capitalism, London			NDEIU established Op Herne Rep 1 Operation trinity in Peter Francis Allegations
2014						Same Sex Marriage legal	Op Herne Rep 2 - Peter Francis Op Herne Rep 3 - SDS Files of use to UCPI Shredded By NDEDIU
2015	Gen Election win for Tories (12)	Cameron					Op Herne - Rep 4 Restricted circulation
2016		May					
2017	Gen Election loss for Tories (-5)	May					
2018		Johnson		Extinction Rebellion formed			
2019	Gen Election Win for Tories (80)	Johnson			Covid 19 Pandemic	Brexit enacted	54 police Dismissed for misconduct between April 2019 and 2021 Final Report of OP Hibiscus
2020		Johnson					MITTING Inquiry starts taking Evidence from UCOs and their Victims

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## **The right, that is the radical, side of history**

Anyone who has been an activist and radical in the UK and most of the developed and developing world period since the second world war will be familiar with the feeling of satisfaction a knowing that so many of the causes that we have spoken up for, and acted up for, have come to be politically and socially the mainstream viewpoint in legislation. Views that that were greeted with howls of outrage and derision by governments, the establishment and previous generations have passed not only into legislation but into the routine of normal life in polite society.

This is largely, but not exclusively, a left right split. The left have taken to the streets to lose a string of battles over their lifetime only to see the war being won, or in some cases like imperialist struggles, lost.

Tranche 1, phase 2 has brought out this sense of being on the right side of history; leaving conservatives in the political parties, and in society on the wrong side of history. And they have taken the police and the undercovers with them. I have compiled this initial, and I know incomplete, list of the issues that were on the right side of history again as a way of putting under cover into its political and ethical context. Incomplete as it is, it is satisfyingly long on time and entries, and each of those entries contains a myriad of once lost battles, now won.

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Right Side of History	When the Concept was More or Less Agreed in England	Wrong Side of History
Common Law	1066	Absolute Monarchy
Parliamentary Government - Male Aristocracy	7th Century	Absolute Monarchy and Aristocracy
Parliamentary Government - Landed Men	13th Century	Absolute Monarchy and Aristocracy
Parliamentary & Local Government - All Men	1918	Power follow wealth
Parliamentary & Local Government - All people (21years)	1928	Misogyny
Parliamentary & Local Government - All people (18years)	1969	Ageism
Referendum on key issues		Parliamentary self-importance
Toleration of Jews	after 1829	Institutional Persecution
Toleration of Protestants	1559	Institutional Catholicism
Toleration of Catholics	1829	Institutional Protestantism
Toleration of Non-Conformists	1688	Institutional Protestantism
Religious and Humanist emancipation	2010	Institutional Theism
Ordination of Women	1994	Misogyny
End of Serfdom	1574	Feudalism
End of Slavery	1807	Widespread slave ownership in mistreatment
Indentured labour	1920	Unregulated Free Enterprise
Legal Right of workers to organise	1824	Unregulated Free Enterprise
Legal Right to welfare at work - Hours and Holiday	1847	Unregulated Free Enterprise
Protect of Children from Work	1833	Unregulated Free Enterprise
Legal Right to strike	1824	Unregulated Free Enterprise
Right to free basic education	1918	Opposition to all state education
Equal access to Higher Education		Opposition to all state education
Right to Free Health Care	1946	Private medicines and surgery
Basic Universal Human Rights	1950	Opposition to any international regulation of countries
Right to Self-determination and end of imperialism	1970	Imperialism
Legal Welfare Rights	1911/1946	Misanthropy
Improved conditions in prison and sentencing	1898	Misanthropy
End to corporal punishment in judicial system and services	1948	Misanthropy
End to capital punishment in judicial system and services	1964	Misanthropy
Right to affordable contraception	1946	Misogyny
Woman's right to choose to have an Abortion	1968	Misogyny
Decriminalisation of same-sex sex	1967	Homophobia
Equal Pay for work of equal value	1970	Misogyny
Equal Rights on grounds of race	1976	Racism
Equal Rights on grounds of gender	1975	Sexism
Equal Rights on grounds of Age	2010	Ageism
Equal Rights on grounds of Religion incl. Humanism	2010	Racism
Opposition to the Vietnam War	1973	Anti-Communism
Destroying the electoral credibility of Fascists	1979	Appeasement
Bring the Berlin Wall	1989	Stalinism
Liberation of the Iron Curtain countries	1989	Stalinism
Civil Rights in the North of Ireland	1998	Unionism
Devolution in the UK	1999	Unionism
Equal rights on grounds of sexual orientation	2010	Homophobia
Trans Gender Equal Rights	2010	Homophobia
Action on Global Warming	1988	Misanthropy

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## Early SDS Annual Reports

### Editors note

The Special Demonstration Squad started life, briefly, as the “Special Operations Squad” Initially it started out with year-on-year funding additional to the main budget to Scotland Yard.

The annual report was not a single document, and certainly not a glossy reduction for publicity purpose, but was a series of related memoranda designed to inform and secure support from continuing its operations from Senior Officers in the command structure, and to enable to get budget sign off from the Home Office.

The separate Home of Office funding of the SDS actually continued until 1989, but long before then Home office had ceased to review performance of the squad before approving funding. When in 2014 Theresa May announced the Stephen Lawrence Independent Review she also announced a “forensic external review to understand the links between the Home Office and the Special Demonstration Squad”, that report is available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/411785/2015-01-06\\_FINAL\\_Report\\_on\\_HO\\_links\\_to\\_SDS\\_v2.4\\_REDACTED\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/411785/2015-01-06_FINAL_Report_on_HO_links_to_SDS_v2.4_REDACTED_FINAL.pdf)

The squad’s name was changed to “Special Demonstration Squad” in 1972 and then to “Special Duties Squad” in 1997. But it continued to operate for forty years as a distinct squad of undercover officers and their support staff and officer within S Squad of the Special Branch of the Metropolitan Police Special Branch. In 2008 it was disbanded and its function of providing Covert Human Intelligence was absorbed by National Public Order Intelligence Unit which had been created a 1999 and was by then part of the Special Operations Directorate and was to become an “arms length management organisation” insulating it to a large degree from public and political scrutiny.

The initial “Tranches” and Phases’ of the Mitting Inquiry concentrate exclusively on the SDS before 1989 when funding for the squad was included in the mainstream allocation of funding to Scotland Yard.

The two sets of memoranda cover the operation of SOS from 1968 to 1972. There are more available in the evidence published by the UCPI inquiry.

<https://www.ucpi.org.uk/evidence-hearings/>

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## **SOS Annual Report 1968-69**

To J H Waddell, Esq , C B , Deputy Under Secretary of State, Home Office 27th May, 1969,

Dear

You will recall writing to me on 16th December, 1968, about one of the Squads which operates in Special Branch In giving Home Office blessing to our incurring certain expenditure in connection with the activities of the squad until midsummer 1969 you asked that we look at the subject again about that time

The past six months have of course seen a lessening of the violence which characterised political demonstrations last year, and you will no doubt agree that this is because the issue of Vietnam is no longer sufficiently emotive to draw the protesters on to the streets in the way it did last year The Protest Movement is at present seeking some other catalyst to bring all shades opinion together, but so far it has been unsuccessful How long this state of affairs will continue we do not know, but certainly we do not feel we are out of the 'wood yet - the-pattern of student disorder in the United States continues and we feel that once our Protest movement groups find the clarion call they are seeking they will be out on the, streets in force once again

In the past six months the Squad has continued to provide most valuable information to our uniformed colleagues about the intentions of the extremist groups, and, largely because of the patient work which has been done by its members since its inception, we are very favourably situated to continue to provide a good flow of intelligence However, the extremist groups are now very much more security minded than they were last August when the Squad was formed Were we to wind up our operations now when the situation is relatively quiet and then try to recreate the Squad, say in three months' lime should circumstances so demand, we would find our task vastly more difficult and we doubt if we would be able to achieve the degree of success we have so far had Certainly we would not be able to achieve our present patiently won position in a short space of time

The Commissioner is firmly in favour of our continuing the Squad operations, and Commander Smith tells me that the Security Service fully support our view that it be allowed to continue The product of the Squad is shared with them of course, and regular consultation takes place between that service and our officers

Should wish further information on the matter, Commander Smith and I will be happy to come over to see you If however you see fit to approve our request without this then may I ask your blessing, as before, for the expenditure of a further £1500 for the remainder of the year to prosecute {?} the squad's work WE have been able to keep just within the £1,500 allocated to us last December

Yours sincerely Sgd,  
Assistant Chief Constable

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**Aims**

*(c) Obtaining evidence and identifying suspects in relation to breaches of the law before, during and after demonstrations*

*(d) Gathering and recording information for long-term intelligence purposes*

**Results**

*One successful prosecution has been obtained for incitement, four have been secured for offences allied to riot, etc , and four cases are still pending*

*New entrants to the extreme leftwing political scene are being identified and recorded within weeks of their manifesting an interest in extremist affairs. Personal descriptions, addresses and occupations are obtained by officers working within groups, and this material is submitted personally or passed to officers engaged on normal enquiry work. A balanced view is thus obtained of these individuals from two aspects. New groups are being dealt with similarly. (Over 200 information reports have been submitted, and over 1,000 minor meetings attended, in addition to the coverage at major demonstrations )*

*4 Disorderly demonstrations are diminishing, due to some extent to superior intelligence supplied by the Squad. At the present time emphasis of the Squad's work is shifting somewhat in that more information is being obtained in relation to (c) and (d) above than heretofore*

*5 Activities of the Squad received some press publicity immediately prior to the 27th October, but no solid facts emerged and publicity soon subsided. There has been no criticism of these undercover methods by the public, by extremists or by the civil liberties groups. No officer has been exposed as a "police spy" and the precautions taken are such that this is not now regarded as a likely contingency*

*6 Members of the Squad are serving members of Special Branch and no extra manpower is employed. In money terms £3,000 a year is being spent on accommodation and telephones, and An uncomputed amount for three contract hire motor vehicles*

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MEMORANDUM

Commander

1 The Special Operations Squad (S O S ) currently composed of one Chief Inspector, two Inspectors, one 1st Class Sergeant, two 2nd Class Sergeants, seven Detective Constables and one Woman Detective Constable

2 The Squad was formed on 30th July, 1968, with the object of obtaining information relating to the demonstration held on 27th October, 1968 It was envisaged that information concerning that demonstration would be obtained from publications, informants, police sources, technical devices and undercover police officers

3 In the event, the last method proved to be the most successful It was found that information from police officers was more comprehensive and more reliable than that from informants - probably because these officers were trained detectives and knew which particular items were important and which were irrelevant Following the 27th October, it was agreed that the Squad should continue to operate, and it was then possible to look at the larger canvass of the political scene, to establish what the new aims should be and to see how these compared with the results being achieved, viz:

<u>Aims</u>	<u>Results</u>
(a) To supply information about the intentions of militant left-wing extremists on the occasions of public demonstrations	Accurate forecasts of numbers, intentions and mood of the demonstrators was, and is being supplied
(b) Identification of those who engage in preliminary planning or who take part in such demonstrations	Identifications at outdoor public demonstrations have ranged from 12 to 50 over the past nine months At indoor meetings and conferences up to 100 of the participants have been identified

7 Both by volume and worth the end product of the officers engaged on this type of work compares very favourably with that of officers engaged on normal enquiries Moreover, in certain sensitive areas information is being obtained which could not be secured by the most skilful Special Branch officer using orthodox methods

8 Such information is only made available to trusted members of groups with a checked history of commitment and activity, and members of the Squad have been able to build up reputations over the months and to be in a position to receive information when it is disseminated

9 Undercover officers are currently supplying information concerning the following groups:-

Maoists

Anarchists

International Socialism

International Marxist Group

Vietnam Solidarity Campaign

Independent Labour Party

People's Democracy

Save Biafra

10 In the next few months it is envisaged that Welsh and Irish republicanism, racialism, anti-Zionism and fascism will be used as issues to mobilise demonstrators on the London streets At present coverage is being

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given to *Irish Civil Rights activities, and similar coverage can be arranged on other "hot" issues as necessity arises*

*11 The need for accurate intelligence in the field of public order so that the correct number of police shall be in the right place at the right time is indisputable, and if we are to be called upon to supply such intelligence, as we have done since the end of July, 1968, then the continued existence of the Special Operations Squad is vital. However, in addition, the extremely valuable information referred to in (b), (c) and (d) of paragraph 3 would, on its own, amply justify the continuance of the Squad*

*12 To the present, the Squad has done an excellent job and I have no doubt it will be beneficial to the Service if it is allowed to continue*

*A Cunningham  
Chief Superintendent*

*S B 10th May, 1969*

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**MEMORANDUM To: Deputy Assistant Commissioner**

1 The Special Operations Squad (SOS) currently comprises two Detective Inspectors, one 1st Class Sergeant, one 2nd Class Sergeant, six Detective Constables and one Woman Detective Constable. This shows a reduction since the situation was last reviewed in May, of one Chief Inspector, one 2nd Class Sergeant and one Detective Constable.

2 Following the October 27th Vietnam Demonstration it was decided that the Squad should continue to operate but within a broader spectrum of the political extremist left-wing. The difficulties were foreseeable and proved by events. The Vietnam issue which briefly united the extremist factions appears temporarily at least, to have lost its appeal and to date no alternative unifying cause has been found. None of the potentially troublesome groups has been able to rally significant support for the various issues they have raised and a feeling of frustration and even lethargy is evident amongst them. It is known that the absence of serious public disorder is in part due to the increased efficiency of police, both in obtaining advanced information of potentially disorderly demonstrations and in handling them on the day.

3 Be that as it may, the task of anticipating which of the factions might well be successful in fermenting disorder, in sufficient time to penetrate them, has been the preoccupation of the Squad. The greater diversification of the Squad's activities has resulted in information now being obtained relative to the following:

People's Democracy

Irish Civil Rights Solidarity Campaign

REDACTED

Northern Ireland Civil Rights Association

Independent Labour Party

Action Committee Against N A T O

Tri-Continental Committee

Britain Vietnam Solidarity Front

Revolutionary Marxist-Leninist League

Maoists

Vietnam Solidarity Committee (under various guises)

Group '68

International Socialism Group

International Marxist Group

Students

Revolutionary Socialist Students Federation

Anarchists

National Convention of the Left

REDACTED

4 Those marked with an asterisk, which are considered to be the main threat to public order, are comprehensively covered by Squad Officers. Information concerning the remainder is obtained by affiliation with various groups, informants and contacts. The fact that it is possible to cover a larger number of organisations than when the Squad was last reviewed is partly due to the tendency of the extremists to belong to, and move amongst, several organisations enabling the undercover officers to do likewise.

5 Anarchists characteristically pose problems difficult to solve with limited facilities. The distasteful nature of the way of life of such people, which officers must assume, adds to the difficulties of penetration. Small groups can be and have been penetrated with some success by the S O S but their tendency to act in isolation makes the value of full time coverage questionable. Nevertheless, indirect information through technical aids and informants is available on some of the more prominent ones. The main areas of political extremism not covered, for a variety of reasons, by the S O S remain the Communist Party, Fascists, "Black Power", and ancillary coloured organisations, tenants and the youth sections of the major political parties.

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6 There was a marked absence during the summer months of large-scale disturbances and it soon became obvious that the situation in Northern Ireland would attract the attention of extreme elements in this country. Within weeks of their participation, the principal groups concerned, i.e. ICRSCPD [REDACTED] were penetrated by undercover officers, thus providing information, not only of activities in this country but also, to a degree, in Northern Ireland and the Republic.

7 A by-product of infiltration into these Irish organisations has been that the leading revolutionaries and other personalities here, together with their activities have been catalogued in detail. Equally effective was the penetration of the IMG earlier this year to such an extent that every person present at one of their summer camps was photographed and identified. It has also sometimes been possible to glean useful intelligence, at times relevant to the MPD, by attendance at functions organised by extremists outside the Metropolis which would not have been obtainable by other means e.g. at recent RSSF conferences in Birmingham and Leicester; a VSC gathering in Sheffield, and Irish meetings in the Home Counties.

8 The benefits of the entrenchment of trained officers in these fields have been proved to be accumulative; they not only can more easily provide information on imminent public disorder but their facility in identifying leading troublemakers, before and after the event, improves. The recently re-organised Photographic Section of Special Branch particularly benefits from this aspect and the rate of positive identifications can rarely have been higher. Officers engaged on routine enquiries on extremists are regularly and increasingly assisted not only in "background" but in hard information concerning their activities.

9 During the period under review, the 'Aims' of the Squad, as outlined in the previous memorandum, have continued to be its terms of reference. In the five month period, June to October inclusive, when the strength of the Squad varied from nine to eleven, approximately 360 informations (sic) of various kinds have been submitted; additionally, attendance at meetings and major demonstrations, identification of participants and involvement in the work of target organisations have continued at a very high level. The current output of intelligence information by officers of the Squad is accelerating as evidenced by the fact that 84 items of information were submitted during the month of October.

#### ACCOMMODATION

10 The use of a nondescript, detached, office for the undercover officers has been found to be indispensable. Its vulnerability to exposure is realised but extreme caution is exercised and nothing has occurred to suggest that it has attracted undue attention; alternatives to this aspect have been discussed but discounted as being less secure.

11 Although the total number of officers on the Squad is less than it was, more are sensitively placed in extremist organisations making it vital that their cover is adequate. Experience has proved that such officers need individual cover addresses which will withstand searching enquiry; such addresses present little hazard to security. In the early days of the Squad, when the Vietnam demonstration was the sole objective, it was feasible for officers who purported to be fellow members of organisations to share addresses or use accommodation addresses. The diversification of targets has made this imprudent and the £3,000 budget allocated for accommodation has proved somewhat inhibiting. The number of officers who can be employed is restricted by the money available for their accommodation and any increase would necessitate a commensurate addition to the budget.

#### CARS

12 The use of nondescript hire cars has proved invaluable in enabling the officers to carry out their tasks. After the last review, Home Office authority was given for only two cars to be retained until the end of November, 1969 and for a third car to be hired as and when necessary. This has been complied with but the occasions when a third car is needed are increasing and it seems probable that at least three cars will soon be required on a permanent basis. One or more of the cars can always be returned to the hirers when not in use.

#### FUTURE ACTIVITIES

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*13 Predicting developments in this complex field is hazardous but it is anticipated that, until a political solution is found for the situation in Northern Ireland, the opportunities it offers for disruption will continue to attract extremists in this country and, consequently, provide fruitful grounds for public order intelligence*

*14 As mentioned earlier, the Vietnam issue is not currently unifying the 'Left' but the recent Moratorium in the USA reflected by American nationals here will probably lead to a resurgence of interest amongst sympathetic groups in this country It is known that attempts are already being made to organise support for imminent demonstrations in America with simultaneous activity here*

*15 It is possible, too, that Anti-Apartheid may provide a rallying point for the extremists The current visit by the Springboks Rugby Touring side is regarded by them as an opportunity to rally opposition to the policies of the South African government in preparation for full-scale demonstrations against the South African cricket tour next year There seems little doubt that all the well-known extremists will join the 'bandwaggon' and exploit the situation to the full, guaranteed as they are of maximum publicity by the mass media With limited strength, the SOS cannot hope to cover all participating groups but it is hoped that sufficient coverage - by virtue of the presence of officers already in various organisations will ensure that information of the larger demonstrations is obtained*

*16 The situation in the Middle East, the Anti- NATO movement, student disorders, etc , could at any time escalate into issues attractive to troublemakers Should this occur, the foothold the SOS has in their ranks could be developed*

*J Andrews Inspector*

*SB 7.11.69*

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**MEMORANDUM To: Deputy Assistant Commissioner**

1 Further to my memorandum of the 7th November, 1969, reviewing recent activities of the Special Operations Squad, as directed by you I am submitting details of our finances during the 13-month period from November, 1968 to date and an estimate of future needs

2 Statements of accounts are attached The fluctuations in monthly expenditure are due to the fact that certain of the rents were payable monthly, others three monthly; also the strength of the Squad varied during the year We were able to keep within the allotted budget of £3,000 only by restricted operations during the summer months when the Squad was reduced to four under-cover officers who needed cover addresses This was due to certain officers leaving the Squad for various reasons and it not being possible by Branch restrictions on manpower, to replace all of them If the ten officers who had been so engaged prior to the summer had continued to operate the budget would have been exceeded by about £250 in respect of accommodation needs alone

3 At present six officers need cover addresses at an annual rent, including the H Q flat of £2,661 10s 0d This is of course a basic estimate which makes no allowance for rent rises, the need to pay agents fees, advances of rent which might have to be sacrificed if the security of an address is threatened or the "float" which is essential not only to make the administration feasible but also to allow us to take advantage of opportunities which arise to further the work of the Squad I must confess that I do not know what proportion of the budget was intended purely for accommodation and what proportion was intended for other uses

4 It is clear therefore that £3,000 is barely adequate to maintain the present team which in my opinion is too small for the work expected of it The inherent danger of limiting the strength of the Squad is that it is not possible to allow for annual leave, sickness, family difficulties or exposure, without leaving a hole in the intelligence coverage considered necessary Most of the sensitively placed officers reached their positions only after several months of association with the extremists and participation in their events They are accorded a trust by their associates which is not easily achieved Some have become involved in several organisations which, although productive, is not entirely satisfactory either for the officer whose work load is proportionately increased or from the stand-point of his security They cannot be expected indefinitely; to maintain their high standards of work and enthusiasm in what is always a tense and is usually an unsavoury field If continuity of intelligence coverage is to be maintained their replacement must be anticipated, which of course means putting other officers into their organisations well in advance

5 It is appreciated that to achieve the ideal it would be necessary to "double up" penetration of the principal targets, which is probably not feasible owing to the limited number of suitable officers However, a reserve of one or two officers under training, ready to infiltrate the relevant organisations is in my view imperative This could not be done on a budget of less than £3,500

6 If it is to be possible to extend our coverage by taking advantage of opportunities which periodically arise for infiltration in organisations which are not at present penetrated then additional officers would be required, necessitating, of course a commensurately increased budget

J Andrews Inspector  
SB 12.11.69

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**Statement of account**

	£	s	d		£	s	d	
<i>Received</i>	3000	0	0	<i>To:</i>	<i>Rent</i>	2,847	13	9
	65	19	4		<i>Electricity</i>	31	15	1
					<i>Telephone</i>	49	17	8
					<i>Incidentals</i>	1	16	0
						2931	2	5
					<i>Cash in hand</i>	134	1	10
	3,065	19	4			3065	19	4

	<u>Rent</u>			<u>Electricity</u>			<u>Telephone</u>			<u>Incidentals</u>		
	£	s	d	£	s	d	£	s	d	£	s	d
<i>November</i>	356	10	2							1	16	0
<i>December</i>	196	1	0									
<i>January</i>	185	5	6									
<i>February</i>	150	18	0									
<i>March</i>	409	2	0	15	0	0						
<i>April</i>	159	9	0				15	17	4			
<i>May</i>	210	7	0	6	19	9						
<i>June</i>	311	5	0									
<i>July</i>	226	8	0				17	12	6			
<i>August</i>	77	8	0	5	4	4						
<i>September</i>	313	1	1									
<i>October</i>	221	19	0									
<i>November</i>	30	0	0	4	11	0						
	2,847	13	9	31	15	1						
<i>Grand total</i>	2,931	2	6									
<i>Balance in Hand</i>	134	16	10									
	3065	19	4	31	15	1	49	17	6	1	16	0

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**MEMORANDUM To: Commander Cunningham**

- 1 With further reference to the Special Operations Squad expenditure:-
- 2 The balance in hand remaining from the £400 received on 19th August, 1969 is £34 5 8d and £300 remains to our credit of the budget of £3,000
- 3 With variations in Squad personnel since the date of my previous memorandum it has been necessary to increase the number of flats and at the present time the total is six, i e 5 plus H Q flat. The rents for all the accommodation have been paid until the end of October and our estimated monthly expenditure for the remainder of the year, i e November and December, on current spending is about £184, a figure which will exceed our allotted budget. For the thirteen month period ending December, 1969 a more accurate assessment will be available towards the end of November and, if necessary, I will then apply for additional expenses
- 4 I ask that remaining £300 due the cash book docketts and cash balance are submitted for your examination

J ANDREWS Detective Inspector  
13 10 69

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## **SOS Annual Report 1970**

### MEMORANDUM to Commander Cunningham

1 The current strength of the Special Operations Squad (SOS) is one Detective Chief Inspector, one Detective Inspector, one 1st Class Sergeant, two 2nd Class Sergeants, seven Detective Constables and one Woman Detective constable, an increase of two officers since the Squad was last reviewed in November 1969; there has also been a slight alteration in the rank structure

2 The Squad is just over two years old and continues to fulfil the purposes for which it was formed, ie the gathering of advance information of demonstrations by left wing extremists and identifying the organisers and participants, particularly those engaging or likely to engage in acts leading to public disorder. The culling of intelligence of interest to Special Branch and the Security Service by Squad officers either entrenched in extremist organisations or acceptable associates of them is a by-product of increasing value

3 A natural consequence of the Squad's continued presence has been that more members both of Special Branch and other departments of the Force are becoming aware of its activities which obviously is a mixed blessing.

#### Coverage

4 Organisations penetrated by the SOS are:

Irish Solidarity Campaign (formerly Irish Civil Rights Solidarity Campaign)  
Northern Ireland Civil Rights Association  
Independent Labour Party  
New Socialists  
Agitprop  
Peace Action (an amalgam of Action Committee Against NATO and Chemical and Biological Warfare Action Group - CABWAG)  
Friends of Korea  
Britain Vietnam Solidarity Front  
Maoists  
Revolutionary Marxist-Leninist League  
Vietnam Solidarity Committee  
International Socialism  
International Marxist Group  
Spartacus League  
Red Circle  
Anti-Apartheid Movement  
Dambusters Mobilising Committee  
Women's Liberation Front  
Action Committee Against Racism

5 Information less full but of value is also obtained on peripheral organisations including **REDACTED** the Black Defence Committee, students and anarchists as a result of Squad officers'

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affiliations and contacts, informants and technical aids. For a variety of reasons officers have been withdrawn from the Tricontinental Committee now defunct Revolutionary Socialist Students Federation (moribund), Group 68 **REDACTED**

6 Coverage by the Squad is inevitably a compromise dictated by circumstances. Any organisation which is considered a threat to public order is obviously a target for penetration, but some present difficulties not easily overcome - "Black Power", anarchists, **REDACTED** foreign organisations and small, potentially violent groups with a "commune" existence cannot yet be said to have been mastered by our current techniques.

7 Others, which do not always represent an obvious threat to order, provide "cover" for SOS officers and sometimes a vehicle for the penetration of ad hoc "umbrella" organisations

8 The surveillance of established organisations, once penetration has been achieved, depends mainly on the skill of the officer but those groups which mushroom in response to topical matters often present but brief opportunities for infiltration which can only be seized if a suitably "qualified" officer is available - this, of course, is a problem in recruitment and administration. It is accepted that the longer an officer serves in this field the greater is his product but it is a fact that only one of the original officers on the Squad remains - due to the progress of the others in their careers and the influences of their domestic responsibilities. Their replacements are in various stages of assimilation which must now perhaps be accepted as the normal state of operations.

9 Officers who have served on the Squad have undoubtedly gained a unique insight into a wide range of political extremism and have come to know. Personally many of the leading activists, This will prove invaluable to the officers in their careers and they may provide a reservoir of trained officers should circumstances require their recall to such work.

10 In reviewing the activity of left wing extremists in the public order field during the past year it is fair to say that they went largely as predicted in November 1969. In addition, a clear pattern of cause and effect was observed which underlined the basic reasons for the formation of the SOS. When there was a sufficiently emotive issue - such as the "Stop the Seventy Tour" campaign which guaranteed broad based support and the attention of the mass media the extremists were able seriously to threaten the maintenance of order, making it imperative that advance information of their plans was available. The STST organisers flexed their muscles during the Springbok Rugby Tour from November to January and their spectacular demonstrations tended to hide the fact that in London they were well contained by police. In connection the SOS had one officer privy to the militants most closely guarded plans and four others on the periphery. Their penetration was being developed as the cricket tour approached and there is no reason to think that the quality and immediacy of their information would have been less.

11 In the event, of course, the MCC were persuaded to cancel the tour which was hailed as a victory for the campaign. The benefit of the cancellation on the public order scene was, however, most marked, instead of a series of confrontations between police and large crowds of demonstrators which, however efficiently handled, tend to escalate and feed the militants enthusiasm, there has been a relative dearth of public disorder.

12 The unsettled situation in Northern Ireland continues to fascinate interested extremist groups here, both Irish and others, and numerous attempts were made by the various factions to exploit emotive occurrences in Ireland. What soon became obvious even to these characteristically egocentric groups was that small, uncoordinated protests did nothing to further the cause of the "repressed" Irish people and, what was perhaps

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more to the point, exposed the paucity of support the individual groups could command.

Sensitive to the presence of TV and the press some extremists apparently felt obliged to attempt to cover their smallness of numbers by engaging in militant action. On every occasion this was well contained by Police, usually primed with advance information, and the militants were further disheartened.

13 Their frustrations led them to attempt to join forces in one organisation and in October a conference of 75 representatives of most of the extremist organisations preoccupied with Ireland formed the Irish Solidarity Campaign. Two officers of the SOS were able to obtain a detailed record of what transpired at the conference, to identify 80% of the delegates with their political affiliations and to establish which political group emerged as the dominating influence.

14 There is ample evidence that this sense of frustration has pervaded the whole of the extreme left. The VSC recently attempted to organise demonstrations outside the MPD, one in the City of London on the grounds, inter alia, that police there were less experienced in handling militant demonstrations, a sincere compliment to the Metropolitan Police. In the event it was postponed, but if and when it is resurrected it is likely that full information of their intentions will be available.

15 A Red Europe conference scheduled to take place in November in Brussels is a further manifestation of the extremists desire for united action but the difficulties inherent to even national amalgamations will inevitably occur, magnified by the international character of the conference and it remains to be seen whether the British contingent will be infected by the much more virulent strains of extremism which have been witnessed on the Continent or whether it will merely result in lip service being paid to the principles of solidarity.

#### Accommodation

16 The need for a detached office where undercover officers can meet for the interchange of information and ideas, for briefings and for the camaraderie necessary for officers performing their unorthodox duties, has proved essential. The present accommodation has fulfilled all the requirements necessary for an operation of this nature but security limits the number of officers who can use it at any one period. Steps are therefore being taken to secure an additional office suitable for the use of about four or five officers and it is expected that this accommodation will be available in the early part of December 1970.

17 The individual officers' accommodation, so necessary for the security of their individual cover stories, has not been found to pose any hazard to the security of the operations.

#### Cars

18 Nondescript hire cars continue to be a necessary and sufficiently secure method of assisting officers to carry out their duties. Home Office approval was given for the hire of two cars on a 'permanent' basis and a third on 'short term' hire as and when necessary. In practice it was found that the three cars were almost in constant use and, in May this year Home Office approval was sought and obtained for the hire of a fourth vehicle as and when necessary. The fourth car was in fact hired from 6 May to 29 June and on four subsequent occasions for periods varying from two to nine days. This allocation appears satisfactorily to meet the current needs of the Squad. (Secret file No TR 19/1968/1 refers)

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### Finance

19 Statements of accounts are attached. The imprest of £400 which was drawn during December 1969 and January 1970 and repaid in February 1970 was required to cover expenses prior to the allocation of a budget of £3,500 for the current financial year. By the beginning of October 1970 £2,800 had been drawn from the account of which there is a current cash balance of +271. It is anticipated that approximately £3,000 will have been spent by the end of the year but the expenditure could well be in excess of this if the rent of about £60 per month has to be met in advance for the proposed additional detached office (mentioned in para 16).

20 Total current expenditure is running at a figure slightly below £250 per month and it is anticipated that with the additional commitment of a second detached office, all expenses could be met from a budget of about £3,500 for the next financial year.

### Future activities

21 Whilst almost any topic, industrial strife, racialism, student affairs etc, could escalate into issues attractive to troublemakers, it is possible to say that most of them need a catalyst.

22 Ireland will obviously continue to preoccupy extremists both in that country and here, making it imperative that surveillance of their activities is maintained. The expected conviction and imprisonment of IRA members currently awaiting trial for possessing explosives in London will inevitably produce a reaction from their supporters.

23 A deterioration in the economic situation or 'anti-trade union legislation' would draw the revolutionaries to the scenes of trouble and, perhaps less important, the expulsion from this country of Rudi Deutsche would probably cause his student adherents to fulminate.

24 Many of the elements, particularly students who supported the STST are being drawn back to the Anti-Apartheid cause by the possibility of this country supplying arms to South Africa; there is potentially a large, liberal opposition to such a policy, ripe for exploitation by the militants. Any demonstrations under the aegis of the ill! are unlikely to be intentionally disorderly but they can, of course, provide cover for the more nefarious actions of others,

25 The lack of a real, home-based, casus belli makes the extremists more sensitive to outside influences: the jibes of foreign counterparts for their failure to advance the "revolution", the spectacular riots, kidnappings, hijackings, and bomb outrages abroad and the comparative ease with which police here are handling their demonstrations add to their frustrations.

There are signs that the extremists are seeking an outlet in small, isolated acts such as the recent petrol bomb incidents in London. The danger is that, being planned and executed by small cliques, advance information or evidence after the event cannot be guaranteed without resorting to more sophisticated methods of penetration by the SOS than are necessary for coverage of the large-scale demonstration.

SB

18.11.70

P Saunders Chief Inspector

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**Statement of account**

Received	£	s	d	To:	Rent	£	s	d
Imprest(?)	3084	17	10		Electricity	25	4	9
	400	0	0		Telephone	86	16	6
					Incidentals	2	17	0
						<u>2013</u>	<u>11</u>	<u>9</u>
					Imprest refunded	400	0	0
	<u>3,484</u>	<u>17</u>	<u>10</u>		Cash in hand	<u>271</u>	<u>6</u>	<u>1</u>
						<u>3484</u>	<u>17</u>	<u>10</u>

	<u>Rent</u>			<u>Electricity</u>			<u>Telephone</u>			<u>Incidentals</u>		
	£	s	d	£	s	d	£	s	d	£	s	d
November	54	0	0	4	11	0				1	16	0
December	211	10	0									
January	194	10	0									
February	183	10	0	4	7	1	28	5	6			
March	237	10	0									
April	248	2	0									
May	294	10	0	4	14	5	24	4	8			
June	229	7	0									
July	244	10	0	4	15	3						
August	171	0	9							2	17	0
September	248	10	0									
October	236	0	0				36	6	4			
November	148	2	9	4	17	0						
	<u>2,700</u>	<u>13</u>	<u>6</u>	<u>23</u>	<u>14</u>	<u>9</u>	<u>86</u>	<u>16</u>	<u>6</u>	<u>2</u>	<u>17</u>	<u>0</u>
Imprest	400	0	0									
Refunded												
Grand total	2,813	11	9									
Balance in Hand	271	6	1									
	<u>3,484</u>	<u>17</u>	<u>10</u>									

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- **How will it all end? The Mitting Inquiry and the Covert Human Intelligence Sources (Criminal Conduct) Act 2021**

On the 1<sup>st</sup> March 2021 the CHIS act 2021 received the royal assent, with the first element (Sections 9 & 10) by means of a statutory instrument. This means the finer, and final detail of the legislation is decided by the government, but the statutory instrument will need to be put before parliament which can either agree or on fill or reject. But they cannot amend it.

The act is very difficult reading because it amends existing laws,

There is a more readable explanation of what the government believes, or wants us to believe, it is trying to do at:

<https://www.gov.uk/government/publications/covert-human-intelligence-sources-draft-code-of-practice/covert-human-intelligence-sources-bill-factsheet-accessible-version>

## Commentary

The CHIS Act 2021 postdates the Pitchford Inquiry and was going through the final stages in Parliament before Mitting had heard a single piece of oral evidence. It has been argued with some force that to legislate on this matter while a judicial public inquiry is being conducted is contemptuous of the inquiry and prejudices its findings and renders them pointless.

The political, ethical and legal case for this Act that provides a legal basis for the use of CHIS arises from the serious nature, and scale of, serious criminal harm from the activity of organised crime by “Organised Criminal Groups”.

This is a small, anti-social target group of brutal career criminals with little or no redeeming characteristics and there would be little controversy, across the political spectrum, against extreme measures being used to thwart their activities.

The reason it has been brought forward is a finding of the Investigatory Powers Tribunal, in December 2019, which only narrowly voted in favour of MI5’s allowing agents and informants to commit serious crimes without prosecution in the course of covert activity by agents and informants. (<https://www.ipt-uk.com/judgments.asp?id=53>).

Although the judgement was in favour of the government, it seems that the majority verdict relied on specific clauses in the Security Service Act of 1989 and therefore would not apply to the numerous local and national agencies with responsibilities for enforcing the law. Ironically The Security Service as MI5 is properly called, is regarded not as a law enforcement agency but as part of the UK defence force as laid out in the Atlee and Maxwell Fyfe directives which predated the 1989 Act and have been admitted to the Inquiry as evidence.

So despite the government’s apparent success the judgement has in fact removed any legal basis for covert human intelligence gathering involving criminality of any sort. That should make it easy for Mitting, if he sticks to his Inquiry’s narrow terms of reference, to reach another very negative Outcome for the MPS.

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But it has also led the government to very rapidly cobble together an Act that was so wide in scope, allowing crimes of the most scandalous severity including rape and murder to be excused, and applicable to such a wide range of public employees responsible for enforcing some laws many of which were minor and more civil than criminal in nature.

A wide range of agencies and political organisations opposed this proposed legislation inside and outside a parliament but with a parliamentary majority and Labour whipping for abstention it was passed in to law.

But that is not the end of the matter and it should not be the end of the line for Mitting, If anything an in depth discussion, in a legal context, of the historical use covert human intelligence against political and trade union activists, involving entrapment and criminal acts including rape could help draw some boundaries for promiscuous legislation that would appear to have very few as it has been written.

To that extent it will be important for Mitting test whether acts and actions undertaken by undercover police in the past would be permissible under a regime “constrained” by the CHIS Act 2021. Of course that wouldn’t make those acts retrospectively legal – but it might bring home to the inquiry that all the criminal acts and breaches of human rights committed by spycops supervised, albeit it not very well, by the Metropolitan Police Services had no legal justification.

In the evidence already taken by Mitting it is hard to see any significant points of comparison between groups of people who want to see radical political change and “Serious Organised Criminal Groups”. But that the case that the metropolitan would appear to be pushing to the inquiry and we should all be concerned that that with those attitudes to Mitting, and with the history of deliberate and mischievous obstruction to any independent or political inquiry into the way they exercise the powers and meet their responsibilities the metropolitan Police Service now have access to a irredeemably promiscuous bill like CHIS 2021.

Of course Mitting cannot redeem this act, but if he is going to mitigate its worse excess he would have to demonstrate far more assurance and maturity in the face Scotland Yard’s defiance and mischief.

The commentary below is a on the Act and the Mitting Inquiry is a conversation starter I expected to develop over time.

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<p><b>Para in the Government’s accessible explanation of CHIS Act 2021</b></p>	<p><b>Commentary on the Act taking into account the terms and scope of the Mitting Inquiry</b></p>
<p>Covert Human Intelligence Sources (CHIS) are crucial in preventing and safeguarding victims from many serious crimes including terrorism, drugs and firearms offences and child sexual exploitation.</p>	<p>Mitting needs to decide whether they are equally crucial when applied to protest and political advocacy for political, economic and social change by groups whose views are a matter of public record.</p> <p>He need to consider the degree to which the building and using of a legend is criminal or illegal in its own right.</p>
<p>Participation in criminal conduct is an essential and inescapable feature of CHIS use, otherwise they will not be credible or gain the trust of those under investigation. This enables them to work their way into the heart of groups that would cause us harm, finding information and intelligence which other investigative measures may never detect.</p>	<p>Mitting needs to identify the circumstances in which the spy cops were forced to participate in criminal acts, where they instigated criminal acts, where they took advantage of their situation and ‘legend’ to commit criminal and uncivil acts towards the people they had deliberately deceived.</p>
<p>The Bill provides an express power to authorise CHIS to participate in conduct which would otherwise constitute a criminal offence.</p>	<p>Mitting needs to make the point that in his limited enquiry he is not considering intelligence gather from consenting informants, but employed law enforcement officers/</p>
<p>This is not a new capability; the Bill provides a clear legal basis for a longstanding tactic which is vital for national security and the prevention and detection of crime.</p>	<p>Mitting needs to identify out the degree to which National Security was threatened, if at all, by political advocacy and demonstrating in the street. He also needs to establish whether the injury and harm caused to individuals deceived and spied up was propotional to the severity of the potential crimes committed.</p>
<p>Any authorisation for criminal conduct must be necessary and proportionate and</p>	<p>See above.</p>

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compatible with obligations under the European Convention on Human Rights.	
The Bill requires the Investigatory Powers Commissioner to keep under review public authorities' use of the power and to include information on criminal conduct authorisations in his annual report.	Un-controversial. But Mitting should identify the relevant types of criminal activity that at should be recorded for intelligence gathering on ppuitical activists and protestors.
The number of public authorities able to authorise this conduct has been restricted from those who can authorise the use and conduct of CHIS generally. Only the intelligence agencies, NCA, police, HMRC, HM Forces and ten other public authorities will be able to authorise criminal conduct.	
<b>Authorisation Process</b>	
The Bill will insert new section 29B into Part II of the Regulation of Investigatory Powers Act, creating a 'Criminal Conduct Authorisation' (CCA).	
CCAs may be granted where necessary for a specified purpose:	"Necessity" is the key word here, the intelligence about groups that the spycops Mitting is considering seem to only available from open source documentation or could have been obtained from telephone taps.
<ul style="list-style-type: none"><li>• in the interests of national security</li></ul>	
<ul style="list-style-type: none"><li>• for the purposes of preventing or detecting crime or of preventing disorder</li></ul>	Mitting will need to identify thresholds of criminal activity and of public order, perhaps identifying the degree to which the police and local authorities should have a duty to enable protest as the police did with the NF in the late 1970s.  Preventing disorder on a protest of advocacy event is about the policing tactics, use of de-scalation techniques, nit about frustrating the protest.

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<ul style="list-style-type: none"> <li>in the interests of the economic well-being of the UK</li> </ul>	<p>This is the most disturbing of a promiscuous Act's permissive clauses. It is overtly Political, and the "economic well-being of the country" is an intrinsically disputable concept not appropriate for use in legislation. Mitting needs to consider what circumstance would the use</p>
<p>Authorisations must be proportionate to what is sought to be achieved. Relevant considerations when assessing proportionality include:</p>	<p>Mitting should use the lessons learned from the inquiry to identify boundaries, thresholds and exclusions boundaries</p>
<ul style="list-style-type: none"> <li>where conduct is part of efforts to prevent more serious criminality</li> </ul>	<p>see above</p>
<ul style="list-style-type: none"> <li>where there are no other reasonable or practicable means by which the outcome could be achieved</li> </ul>	<p>see above</p>
<b>Independent Oversight/ Safeguards</b>	
<ul style="list-style-type: none"> <li>CHIS will never be given unlimited authority to commit any and all crimes; a CCA will be detailed and specific about the conduct that is authorised.</li> </ul>	<p>Mitting should consider good practice guidelines</p>
<ul style="list-style-type: none"> <li>Authorisations are granted by an experienced and highly trained authorising officer who will ensure that the authorisation has strict parameters;</li> </ul>	<p>Mitting must consider good practice guidelines regarding thresholds and exclusions and the exercise of a duty of care to citizens not engaged in criminal activity</p>
<ul style="list-style-type: none"> <li>The Bill does not prevent prosecutors from considering a prosecution for any activity outside the authorised activity;</li> </ul>	<p>Consider a prosecution? No way, Good practice would be "any activity outside the authorised activity" will be routine prosecuted as corruption by people in public office</p>
<ul style="list-style-type: none"> <li>Public authorities are bound by the Human Rights Act to comply with ECHR. It provides for protections including the right to life, and prohibits torture and inhuman or</li> </ul>	<p>Mitting should identify the other ECHR protections breached by spy cops.</p>

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<p>degrading treatment or punishment;</p>	
<ul style="list-style-type: none"> <li>All investigatory powers are overseen by the independent Investigatory Powers Commissioner, who monitors the use of these powers through inspections and publishes an annual report on their use.</li> </ul>	<p>Mitting should make a recommendation about annual reporting of CHIS that have come within its remit.</p>
<ul style="list-style-type: none"> <li>The Investigatory Powers Tribunal will continue to have jurisdiction to investigate and determine complaints against public authorities' use of this power. The Tribunal is entirely independent from the Government and public authorities who use investigatory powers.</li> </ul>	<p>We'll soon see.</p>
<p>Comments from the Investigatory Powers Tribunal (December 2019) judgment on existing regime: <i>exercised with scrupulous care so as to discharge [MI5's] essential functions in protecting national security, whilst giving proper regard to the human rights of persons who may be affected by the activities of agents.</i></p>	<p>These comments are specific to MI5 and therefore irrelevant. The Police's legal authority comes down from its role in Keeping the King/Queen's peace, not defence of the realm. Mitting needs to address this distinction and the implications of it.</p>
<p><b>Key Facts/Figures</b></p>	
<ul style="list-style-type: none"> <li>CHIS have helped to identify and disrupt many of the terrorist plots our agencies have stopped.</li> </ul>	<ul style="list-style-type: none"> <li>Not it seems the Spycops. Mitting should identify negative and positive outcomes for each spycop</li> </ul>
<ul style="list-style-type: none"> <li>In 2018, CHIS operations led the National Crime Agency to disrupt over 30 threats to life, arrest numerous serious organised criminals, seize over 3000kg of Class A drugs, safeguard over 200 people, and take almost 60 firearms and</li> </ul>	<ul style="list-style-type: none"> <li>Not the spycops, Not the NPOIU and its progeny. Mitting should identify try to negative and positive outcomes for each spycop agency.</li> </ul>

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4000 rounds of ammunition off the street.	
<ul style="list-style-type: none"><li>In the last year, CHIS operations by Metropolitan police have led to 3500 arrests, recovery of over 100 firearms and 400 other weapons, seizure of over 400 kg of Class A drugs, and over £2.5m cash.</li></ul>	<ul style="list-style-type: none"><li>How many convictions, how many corrupt officers dismissed and disciplined?</li></ul>
<ul style="list-style-type: none"><li>Between 2017-19, HMRC CHIS have prevented hundreds of millions of pounds of tax loss. One case alone is anticipated to prevent loss of revenue to the Treasury, estimated to exceed £100 million.</li></ul>	<ul style="list-style-type: none"><li>Excellent. Now how many CHIS identified corruption by people in public office?</li></ul>

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