



House of Commons  
Home Affairs Committee

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# **Undercover policing: follow-up**

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**Oral and written evidence**

***10 July 2013***

*Doreen Lawrence OBE; Mark Ellison QC*

***16 July 2013***

*Mick Creedon, Chief Constable, Derbyshire  
Police*

*Ordered by The House of Commons  
to be printed 10 and 16 July 2013*

## The Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

### Current membership

Rt Hon Keith Vaz MP (*Labour, Leicester East*) (Chair)  
Nicola Blackwood MP (*Conservative, Oxford West and Abingdon*)  
James Clappison MP (*Conservative, Hertsmere*)  
Michael Ellis MP (*Conservative, Northampton North*)  
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Chris Ruane MP (*Labour, Vale of Clwyd*)  
Mr David Winnick MP (*Labour, Walsall North*)

The following Members were also members of the Committee during the parliament.

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### Committee staff

The current staff of the Committee are Tom Healey (Clerk), Robert Cope (Second Clerk), Eleanor Scarnell (Committee Specialist), Andy Boyd (Senior Committee Assistant), Iwona Hankin (Committee Support Officer) and Alex Paterson (Select Committee Media Officer).

### Contacts

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# List of witnesses

---

## Wednesday 10 July 2013

*Page*

Doreen Lawrence OBE

Ev 1

Mark Ellison QC

Ev 6

## Tuesday 16 July 2013

Mick Creedon, Chief Constable, Derbyshire Police

Ev 12

# List of written evidence

---

*Page*

1 Letter from Mick Creedon, 2 July 2013

Ev 18

2 Letter from Harriet Wistrich, 4 July 2013

Ev 19



# Oral evidence

## Taken before the Home Affairs Committee

on Wednesday 10 July 2013

Members present:

Keith Vaz (Chair)

Nicola Blackwood  
Michael Ellis  
Dr Julian Huppert  
Steve McCabe

Bridget Phillipson  
Chris Ruane  
Mr David Winnick

### Examination of Witness

*Witness:* **Doreen Lawrence OBE** gave evidence.

**Q1 Chair:** Could I call the Committee to order? This is the Committee's inquiry into policing in London, and our witness today is Doreen Lawrence. Yesterday we took evidence from the Metropolitan Police Commissioner and the Mayor for London. Mrs Lawrence, thank you very much for coming in to give evidence to the Committee again. I will begin by passing on our best wishes to the Stephen Lawrence Trust from the whole of the Committee. I know that this year has been a very painful year for you, because you have acknowledged that it has been 20 years since the death of Stephen, and some of us were fortunate enough to be at the service that you held at St Martin-in-the-Fields. Thank you for coming.

The reason why we have asked you to come in today is to review the ongoing inquiry that was set up by the Home Secretary last year under Mark Ellison QC—we will be hearing from him later, after you have given evidence—and, in particular, the recent developments that have occurred. The Committee was very concerned, as were the public, the Home Secretary, the Prime Minister and others, by the revelations that, during the campaign that you and your husband led, there were allegations that undercover agents were in some way involved in your household, possibly even spying on you. What were your thoughts when you first heard about this?

**Doreen Lawrence:** I was very shocked. That is the last thing I expected. Over the years there have been so many revelations coming out since Stephen's murder. I think one of the things I said was, "I think this is just topped it toxic", because I just cannot believe that the police were doing that, and we had no idea. It has taken 20 years for us to hear about this.

**Q2 Chair:** Do you feel now, in hindsight, that this kind of activity ought to have been investigated and revealed earlier—that you had absolutely no idea at the time that people might be entering your household who were, in effect, involved in the kinds of activities that we have heard?

**Doreen Lawrence:** We had no idea whatsoever. The only time that we were questioning certain actions of the police was when the liaison officers were coming to our home. When they came, my understanding of what their role should have been was to give us information on how the investigation was being

carried out, but they spent most of the time when they attended our home asking about what individuals were in our home, what their names were and what their purpose was. That is the bit that we did not understand. In hindsight, looking back and since the revelation about undercover police, now I know why they were questioning our family and our friends to the extent of asking them for their contact details.

**Q3 Chair:** Peter Francis said he was responsible and was involved in this. You cannot identify him? You cannot remember who he was and what he was doing there?

**Doreen Lawrence:** No. I do not think he ever came to our house. I do not remember ever seeing him before, no.

**Q4 Chair:** Yesterday we heard from the Commissioner that when you met him—and you have met both the Commissioner and the Home Secretary very recently—you told him that the revelations made you feel that you were taking one step forward and two steps back. Do you have confidence in the police's ability to investigate these very serious allegations?

**Doreen Lawrence:** No, I have no confidence whatsoever. I have no confidence. I think over the years I was beginning to develop a level of trust, because the investigation and then the court case that we had did have the conviction of two of the suspects, so I was beginning to develop some confidence, but I just don't know what to believe any more.

**Q5 Chair:** You are telling this Committee that you do not think the Metropolitan Police can be involved in this investigation?

**Doreen Lawrence:** Definitely not. You cannot have police officers investigating each other, because over the years I think it is proven that is not the right way to do things. If it was, during the Barker review we would have had a lot of information that only came out at the inquiry.

**Q6 Chair:** You have made it clear that in your view, following these revelations, you think that there is a strong case for a public inquiry over and above what is being done at the moment by Mr Ellison. Is that

your view today? Do you think that there ought to be a full public inquiry into these revelations and allegations?

**Doreen Lawrence:** Definitely so, because I think over the years all we have been given is just a drip, drip of information. After 20 years, I think we deserve to have the whole truth, and not have it so that in another five years' time we might find something out. I think having a public inquiry, led by a judge who has the power to invite people to answer questions, is going to be the way forward, and not just reviews. I think reviews are sometimes only paper-based.

**Q7 Chair:** Did you say this to both the Commissioner and the Home Secretary? Do they know your views?

**Doreen Lawrence:** Yes, they do.

**Q8 Chair:** What was their response?

**Doreen Lawrence:** The Home Secretary talked about Mark Ellison QC's review that is going on, and also the review with the Derbyshire chief constable that is taking place.

**Chair:** Mick Creedon.

**Doreen Lawrence:** What she was saying is that we should probably give them a chance to carry out what they are doing and see what comes out of it, but I still do not have confidence in that.

**Q9 Chair:** On the Ellison review, how many times have you seen Mr Ellison in the last year since the inquiry was set up?

**Doreen Lawrence:** We met Mr Ellison I think at the start, when he was tasked to carry out the review.

**Chair:** That is last year.

**Doreen Lawrence:** Yes, Imran and I met him then. I think we should have had another meeting, but I got the time wrong, so we had a telephone conference, and then my next meeting I had with him about two Fridays ago.

**Chair:** You met him once, and again two Fridays ago?

**Doreen Lawrence:** Yes.

**Q10 Chair:** Are you being updated as to what has been happening?

**Doreen Lawrence:** I know that Imran sometimes has conversations with him, but—

**Chair:** This is Imran Khan, your solicitor?

**Doreen Lawrence:** Imran Khan, my solicitor. I had an update when we had the telephone conference, and then when we met a couple of Fridays ago.

**Chair:** Thank you.

**Q11 Michael Ellis:** Mrs Lawrence, could I just take you back a step? We heard from the Metropolitan Police Commissioner, Sir Bernard Hogan-Howe, yesterday, and I think I am right in saying that he characterised the meeting that he had with you and your position by saying that your confidence had taken at least two steps backwards. Do you think it is more than that? You seem to have said to the Chairman that you have no confidence at all. It is not a question of having taken a couple of steps back; it is that you have lost all confidence, if you ever had any. Is that fair?

**Doreen Lawrence:** Yes, because I was beginning to develop the trust, but at the moment I don't feel that I have that level of trust.

**Q12 Michael Ellis:** I want to go back to your point about the liaison officers, because this is a particular concern. The police liaison officers 20 years ago were assigned to you and your family in order to be a bridge between a bereaved family and the police. Are you saying it is your assessment that those officers were, in effect, spying on you by persuading you that they were seeking to be friends when in fact they were seeking information about who was coming in and out of your house?

**Doreen Lawrence:** It felt like that, because—

**Michael Ellis:** Felt like that at the time?

**Doreen Lawrence:** At the time it felt like that, because whenever we asked questions about the investigation, we were never given any answers. We would always pass on information we received to the officers when they came, or even Mr Imran Khan would, through the telephone. Whatever the information, we were always passing it on to the police, but they never gave us any information as to how the investigation was going.

**Q13 Michael Ellis:** Had you built up what you thought were good relations with those liaison officers at the time?

**Doreen Lawrence:** I don't think we ever had that, because they did not come across in a way that meant we could have a level of trust or build a relationship with them at that time.

**Q14 Michael Ellis:** Did the family have any suspicions that the police had sought to gather intelligence on witnesses giving evidence to the Macpherson inquiry?

**Doreen Lawrence:** I was not aware of that.

**Michael Ellis:** You were not?

**Doreen Lawrence:** No.

**Michael Ellis:** There were no suspicions or anything of that sort at that point?

**Doreen Lawrence:** No. As I say, we were uncomfortable with the liaison officers because we did not understand why they were questioning, and asking who the people were in our home. That was the only thing that we were questioning. We had no idea of anything else.

**Q15 Chair:** With hindsight, you have a very large number of people who would go into your home and offer you support. Has anyone said to you, "Looking back, I was really suspicious. I thought that that officer or that liaison officer was taking information away, rather than providing you with information"? Have people said that to you since?

**Doreen Lawrence:** Yes, yes. I have heard that since the revelation came out.

**Q16 Chris Ruane:** Do you believe that if the police had concentrated their efforts and their time on gleaning information from the killers instead of sitting in your front room, spying on your bereaved family,

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10 July 2013 Doreen Lawrence OBE

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more progress would have been made in this case to date?

**Doreen Lawrence:** Definitely, because right after Stephen was murdered all the information coming through was saying that they knew who the individuals were, where they lived—they gave names. All this information was passed on to the police, and they did nothing with it, as far as I was concerned.

**Q17 Chris Ruane:** Of the people who were in your house offering you comfort in your time of need who were being spied on, did any of them report in later months or later years that they felt they had been watched, stopped and searched, or further spied on down the line?

**Doreen Lawrence:** There was only one family. We only had a few incidents where we were out on the road, around where Stephen died, and there was this young man. He was quite tall, but he was quite young. He must have been about 15. I don't know whether or not he was shouting louder than anybody else or what he was doing, but the police managed to track him down and visited him at his home to question him.

**Q18 Nicola Blackwood:** I just want to take you back to the comments that you made about the liaison officers and the information that they were asking for about the other people in your home with you. Can I ask you if they ever gave you an explanation at the time as to why they were asking for that information?

**Doreen Lawrence:** On one other occasion, we went to the police station, because we had meetings with—I don't remember his title—Ilsley and, I think, Commander Philpott in front of the police station, and I questioned them at the time about the process of being asked. The answer they gave then is that there are times—when incidents or murders and stuff happen, it is usually members of the family or friends. I pointed out to him that the majority of people in my home were black, and Stephen's killers were white.

**Q19 Nicola Blackwood:** Did you feel that you had to answer the questions, or that you would not get the same kind of investigative service if you did not answer the questions?

**Doreen Lawrence:** I think we answered questions at first, not understanding what was happening. We were answering the questions until a certain point, at which we just felt it was pointless them asking us questions about the people in our home. We didn't believe the people in our home would have been involved in Stephen's death.

**Q20 Nicola Blackwood:** You said that you felt uncomfortable with the liaison officers. If they were not giving you information about the progress of the investigation, which they were not, did you feel like you had to allow them into your home?

**Doreen Lawrence:** Yes.

**Q21 Mr Winnick:** Mrs Lawrence, the justification, according to the undercover police officer, Peter Francis, is that—and obviously, if he is telling the truth, and it seems he is telling the truth, he was acting on instructions from superiors; there does not seem to

be much doubt about that—the aim was to smear and discredit, if not the family itself, those associated with the family. What would you say to that as a justification for what occurred?

**Doreen Lawrence:** There is no justification for that. I presume, at the time, possibly because we were too outspoken and were questioning how the investigation was happening, that they probably wanted to find something—in fact, we were told on a couple of occasions that they had never met any family like us before. I find that quite disturbing, because I do not see us as the only family in this country who are law-abiding citizens and encourage our children into education, as a black family. I think basically that is what they were saying: that they have only met families who are criminals, and that what they associated with us.

**Q22 Mr Winnick:** Did you have, and do you continue to have, the feeling, Mrs Lawrence, that the authorities, and certainly the police, were far more interested in finding out if there would be any links between the family and criminality than they were to find the killers of Stephen?

**Doreen Lawrence:** Definitely so.

**Mr Winnick:** If that is so, it is a terrible indictment, is it not, of what happened following the brutal and racist murder of your son?

**Doreen Lawrence:** Definitely. Over the years we have been questioning why, with all the information the police had to find Stephen's killers, they did not use that information. Now, looking back, the only reason is that, first, Stephen was black and they were not interested, and secondly, they felt that they are the people with the powers, so we had no right to question them when we were questioning why they were not investigating Stephen's murder. To me, that would be just another way, I presume, to keep us quiet, so that we would not ask too many questions.

**Q23 Mr Winnick:** Did you get the impression that, if it had been different—if you were a white family and Stephen had been white, and all the indications were that he had been murdered by a black person—the police would have acted very differently?

**Doreen Lawrence:** Definitely. They would have searched everything, every house on that night, whereas in Stephen's case they did not even knock on any doors. I was told it was too late at night for them to do that.

**Q24 Mr Winnick:** On the basis of the Macpherson inquiry—an inquiry that you supported—and its judgments, apart from that, do you think you have been let down by the criminal justice system from the very time that Stephen was put to death?

**Doreen Lawrence:** From the time Stephen was murdered, we were very much let down by the criminal justice system as well as by the police.

**Q25 Chair:** Following from that, do you feel, having seen these very serious revelations, that in fact you have been let down a second time, having accepted Macpherson? Presumably you still accept the conclusions of the Macpherson report, I assume?

**Doreen Lawrence:** Yes, I do. Yes.

**Chair:** Do you stand by what Macpherson has said and recommended?

**Doreen Lawrence:** Yes.

**Chair:** Do you feel you have been let down a second time because of what you have heard?

**Doreen Lawrence:** Yes, because, after the Macpherson report and everything, I thought we had got to the bottom of everything that happened around Stephen's murder. This is just another revelation yet again, so I have definitely, well and truly been let down again.

**Q26 Chris Ruane:** What would you like to say to the officer or officers who sanctioned and ordered the spying on your family at this most vulnerable time for you?

**Doreen Lawrence:** It shows a lack of respect for us as a family. We have not been allowed to grieve for our son properly, because we have spent the last 20 years fighting for justice. Had we not pursued and kept on—those two who are behind bars now—that would never have happened. To say we are let down is an understatement.

**Q27 Dr Huppert:** Just for the record, I served with Mrs Lawrence on the National Council of Liberty. It is a pleasure to see you again. Can I just pick up on one of the things you were saying earlier about the work of Mark Ellison QC? I think the Home Secretary was quite clear in the terms of reference: he and his team should provide bi-monthly updates on progress to you and your solicitor. We will talk to him in a moment. Has that happened?

**Doreen Lawrence:** I am not sure if I have had bi-monthly reports. I do not remember receiving bi-monthly reports. No, I don't think I have. No.

**Q28 Dr Huppert:** That is just a small point, but we will check that later, because it is clearly important that they work very closely with you. One of the issues that clearly come out of this is fundamental trust in the police, and that is an issue for many people, but it is a particular problem for black and ethnic minority groups. We have been talking about stop-and-search recently, which is a major component. This will have hit trust and morale for the police very hard. What do you think needs to happen, both about this particular case but also more broadly, to try to restore that trust and to try to get those police who do behave correctly more confident about what they are doing?

**Doreen Lawrence:** I think, in order to gain the public's trust and especially my trust, you need to have an inquiry that is open and transparent. I think that would help. If we continue to do reviews and stuff behind closed doors, people will never be able to have the confidence in the police. What I think over the years about stop-and-search and how people have complained, and it was not until the inquiry that it was laid bare as to, within the black community, how they were feeling. For years, people have been complaining, but nothing has come out of it, so the inquiry did that. Here we are, yet again, around police and police stop-and-search, and now undercover.

Mine is not the only family, I believe, who have been around, with regard to undercover police. I just think that unless people have that confidence, there will be always that lack of trust with the police.

**Q29 Dr Huppert:** You said you had met with the Metropolitan Commissioner, whom we heard from yesterday. Do you think he is doing what you would expect him to be doing in this area?

**Doreen Lawrence:** I have spoken to the Commissioner, and—I don't want to be disrespectful—I think he is saying all the right words; only time will tell if all his actions come to fruition.

**Dr Huppert:** The right words is a start. Do you think he has not had the actions that are necessary, or not done them yet, or has he always done the wrong actions?

**Doreen Lawrence:** I think he has not done them yet.

**Q30 Chair:** We know the recommendations of Macpherson. In the 20 years that you have been involved in looking at these issues, because before that you were not involved in any of this—you are probably looking back at the last 20 years and thinking, "Is it really me who has been involved at so many levels in trying to get to the truth?"—do you think that the Metropolitan Police is still institutionally racist, or do you think that lessons of Macpherson have been learned and there have been changes that satisfy you?

**Doreen Lawrence:** I do not think all the lessons have been learned from Macpherson's inquiry. I think there is still an element of racism within the police. I am not certain exactly where you need to go from there, but I do not think all the lessons have been learned.

**Q31 Chair:** Your son Stuart has been quite outspoken about the issue of stop-and-search. Do you think that the latest report that was published yesterday, which showed that 27% of the stops and searches were unlawful, is something that should be accepted? Do you think that is fact?

**Doreen Lawrence:** That is probably fact. I think for Stuart it was the last time he was stopped that he got so angry about it. When Stephen was killed, it was six times more likely that black people would be stopped, and I think presently it is seven times more likely. That shows that things are not any better and, in fact, the stop-and-searches are rising. The report shows that the number of stops that have happened has not led to any arrests.

**Q32 Steve McCabe:** Mrs Lawrence, I just want to go back to this question of what confidence you can have in the Mark Ellison inquiry, Operation Herne, and, indeed, what confidence we can all have. As I understand it, you have said you would like a public inquiry because you would like this all out in the open. The Commissioner of Police and the Home Secretary have said, "Let Operation Herne and the Ellison inquiry take their course". Have you any reason to believe, from the feedback you have had from either of these inquiries so far, that they were pursuing this line of inquiry—that they were inquiring into undercover officers in the case of your son's

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10 July 2013 Doreen Lawrence OBE

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murder or attempts to smear your family? Is there any reason to believe that is the line of inquiry they were looking at, or has this merely surfaced because Francis decided to speak to the media?

**Doreen Lawrence:** I think it only surfaced because Francis decided to speak to the media. Mark Ellison's review was looking into police corruption. It was not to do with the undercover officer, and this is a revelation that came out later. As for the other inquiry, I have never met the chief constable, and there is no reason why I should, because I think what he was looking at was something completely different that did not involve Stephen at the time. In his review, I do not think anything came out about Stephen or about our family—not that I was aware of.

**Steve McCabe:** You believe, with the information you have been given, that had Peter Francis not gone public to the media, we would never have got to know, through the existing inquiries, what happened.

**Doreen Lawrence:** To date, no, I would not have known.

**Q33 Nicola Blackwood:** Mrs Lawrence, can I talk to you a little bit about the IPCC? You have been very clear that you think the way forward for your case is an independent, judge-led inquiry, but you have also said that in order to increase public confidence you think that we need to have clear oversight with transparency. I think that that also needs to be a long-term thing, so that we can have confidence in the police. I just wonder how you feel about the IPCC, and whether you feel like it is doing the job. There have been a few reforms lately, so the IPCC can interview police officers under caution, has some more resources, can interview private contractors and things like that. I am just wondering what your experience has been, and what your judgment would be about that going forward, because obviously that is an important mechanism for monitoring what is going on within the police in the long term.

**Doreen Lawrence:** I know there are supposed to be some new things happening within the IPCC, but I think I have said for quite a while that I have no confidence in the IPCC because it was still police investigating police. They would be retired officers, but they are still police investigating police. It needs to be a lot more independent. If those are the new things that have been put in place, I cannot speak on that, because I don't really know about the latest that is happening there.

**Q34 Nicola Blackwood:** The key is transparency and independence, as far as you are concerned, for the long term?

**Doreen Lawrence:** Yes. It needs to be that. In order to have the confidence of the public, the public needs to see it being transparent. Having retired officers investigating other officers—that is not being transparent. I do not think it is.

**Q35 Mr Winnick:** The Prime Minister the other week, Mrs Lawrence, in reply to a question from me regarding what has happened to your family, said nothing is off the table and, therefore, gave the indication that possibly a public inquiry may take

place. He never said that, but he said, "Nothing is off the table". What is your position following the previous questions to you? Are you going to continue to press the Home Secretary?

**Doreen Lawrence:** Yes, I will.

**Q36 Mr Winnick:** You met her the other week. Did she give any sort of indication that she will reflect seriously and that, despite what is happening at the moment, with the inquiry being conducted by the next witness, there might be a possibility of what you want—a public inquiry into these allegations?

**Doreen Lawrence:** We have sent a letter to the Home Office stating just that—that we want a public inquiry. The Home Secretary, I presume, probably will have seen it by now. We set out why we want to have one. I know the Home Secretary talks about giving time for Herne as well as for Mr Ellison's review to come to a conclusion. On waiting for those, we have no way of knowing whether or not anything will come to light in them, and I think sometimes that could be delay tactics. Now that it is something that we want and the public want, I think we should look to have it now, rather than later. After 20 years, I want to come to an end. I do not want this going on and on. We have just been drip-fed over the years, and I just say enough is enough now.

**Mr Winnick:** It is not likely that after 20 years anyone in Government is likely to underestimate your determination.

**Doreen Lawrence:** Yes.

**Q37 Chair:** Mrs Lawrence, the entire political establishment of the country came to St Martin-in-the-Fields to honour the memory of Stephen. What you are telling this Committee today is very clear: that you want a full public inquiry into the latest revelations, and that you have no trust and confidence in the police being able to do this investigation. Is that right?

**Doreen Lawrence:** That is right, yes.

**Q38 Chair:** As far as the Prime Minister is concerned, you have not met him as yet?

**Doreen Lawrence:** Not on this, no.

**Q39 Chair:** But you would like him to make this decision to hold a public inquiry?

**Doreen Lawrence:** Definitely. In fact, when I heard the Prime Minister speaking in the House of Commons, one of the things I reflected on was, "When Stephen was killed, nobody in the House was interested in my son's murder." Even when we had those two convictions, I do not remember hearing anybody in the House saying, "At long last, we have had some justice." To hear the Prime Minister speak out now, that was something new for me, and I welcomed that.

**Q40 Chair:** You would welcome that one step further in the Prime Minister holding a public inquiry?

**Doreen Lawrence:** I would definitely welcome the Prime Minister holding a public inquiry.

**Q41 Chair:** In terms of Stephen Lawrence's legacy, you obviously have the Stephen Lawrence Centre, and

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10 July 2013 Doreen Lawrence OBE

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there is a lot of good work being done by those who are involved in it. What would you like Stephen's legacy to be?

**Doreen Lawrence:** I think what we started on and what we are continuing to do is look at how we help young people to achieve their ambitions in life. We have managed to ensure that over nine young people are qualified architects now; we want to build on that

and look at other professions to see how we can encourage and support young people to achieve their goals in life, because that is what Stephen wanted. What we want is for young people, in Stephen's memory, to achieve their dreams.

**Chair:** Mrs Lawrence, thank you very much for coming to give evidence to us today. We are most grateful. Thank you.

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### Examination of Witness

*Witness:* **Mark Ellison QC** gave evidence.

**Q42 Chair:** Good afternoon, Mr Ellison. First of all, thank you very much for coming at such short notice before this Committee. You were appointed by the Home Secretary last year to investigate these matters. Is it correct that you have only met Mrs Lawrence once last year, and again a fortnight ago?

**Mark Ellison:** I think that is right. The intervening meeting was by telephone because Doreen could not make it, I believe.

**Q43 Chair:** Forgive me, but I would have thought, if this is an inquiry that relates to serious matters concerning the Lawrence family and what happened to Stephen Lawrence, you would have been expected to meet them more often than once last year and once a fortnight ago.

**Mark Ellison:** Perhaps I can just explain the basis on which we embarked on the review.

**Chair:** Please, yes.

**Mark Ellison:** We had a number of meetings before we agreed the terms of reference, and I explained to Doreen and Neville Lawrence how I wanted to go about the review, given that it was a review rather than an inquiry with any specific powers. In agreeing, as I did, specifically to provide bi-monthly updates to the family, I indicated that, with regard to the extent to which I would be able to go into any great detail as to what I was being told or was finding out, I felt the best way of conducting the review was to give a level of confidentiality to those who provided me with information until I reached the point, which I had not yet reached, where I was able to assess the whole of the material within the context of my terms of reference and come to an objective assessment as to what conclusions should be drawn. As I understood it, we all understood that.

I then provided bi-monthly updates—I cannot say it was precisely every two months, but it was roughly bi-monthly—by letter, certainly up to and including a March letter, which went out to both Neville and Doreen, but they were rather bland updates in the sense that I have described. I indicated they were able to come and see me whenever they wanted to and, if there was a particular issue that they were concerned with, it may have been better for us to discuss it. It was a two-party relationship, and I do not think Doreen suggested that I refused to have contact with her.

**Q44 Chair:** No, she did not. You were here when she gave evidence. The concern that I have is that you

were appointed on 31 May last year. You were asked to do the job, which presumably is not a full-time job.

**Mark Ellison:** No, it is not a full-time job.

**Q45 Chair:** You are a practicing QC, so you are busy doing important matters concerned with that. You were due to be reporting this month in July.

**Mark Ellison:** No, in fact. I took the job on the express understanding that, first of all—because there are two of us engaged in the exercise, although I am leading it—we had to fit it around our existing commitments, because we could not get rid of those. There was a limit to which we could apply ourselves fully to it at that stage.

**Chair:** Yes. The Home Secretary certainly informed the House that she hoped that it would be completed by July.

**Mark Ellison:** Hoped; when the July date was mentioned to me at the outset we had not yet scoped even the material that we were going to need to look at, which we were told was over 100 crates of varying sizes. I indicated it was impossible to say when we would be ready with the report when we do not know the size of the exercise we are undertaking.

**Q46 Chair:** As you said very clearly to this Committee, you were only conducting a review. Given what you have said and given the evidence you have just heard from Doreen Lawrence, it is very clear, is it not, that there is a very powerful case for a full public inquiry into the latest revelations, simply because you were there to look at very serious allegations of police corruption involved in the Stephen Lawrence case and now, on top of that, we have these allegations of undercover police officers? You are not going to be able to do this huge amount of work, considering you have had to look at 100 crates of evidence.

**Mark Ellison:** We are, I would have thought, a little more than halfway through the exercise that we were undertaking. We still have a substantial amount of material to look at.

**Chair:** The point I am making is, given all that and having listened to Mrs Lawrence—presumably this is the first time you have heard her, live, making this assertion—

**Mark Ellison:** That is wrong, in fact. We meet, and she indicated her views to me when we met recently, so it is not the first time.

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10 July 2013 Mark Ellison QC

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**Q47 Chair:** What is the argument against it? It seems very clear that you have been doing this for a year. You are halfway through the work, and you were supposed to complete in July. You made it very clear to the Home Secretary you could not complete in July. Mrs Lawrence has called for a public inquiry. Others have called for a public inquiry. You are not going to be able to handle this, given that you have other full-time commitments. What is the case against having the full public inquiry that she asks for?

**Mark Ellison:** I would like to underline that it is not my decision whether there is a public inquiry.

**Chair:** No, but what is your view?

**Mark Ellison:** Can I just answer the question? I am undertaking the review I was asked to undertake. I have been asked to cover additional matters within that same review, which I am prepared to cover. While I am doing my review, Operation Herne is investigating the undercover policing side, prioritising, as I understand it, the Lawrence aspects. This autumn, there is an opportunity with regard to that the stage that we have reached. We will be seeking out and trying to speak to relevant individuals for further information and answers regarding some information that we already have, and they will speak to us.

**Q48 Chair:** Who are “they”?

**Mark Ellison:** Those individuals. They are retired police officers, serving police officers and other people. There is, as I understand it from the Commissioner and everything that he has said, a willingness for the Met, through him, to seek to address these issues once and for all, for obvious reasons.

**Chair:** Sure. Mr Ellison—

**Mark Ellison:** I am just answering the question. I am sorry. I do insist.

**Q49 Chair:** I just want a specific thing. I do not want to know the process, because colleagues will cover the process of how many crates you look at. From what you have just told us and what we have just heard, the issue is this: we have heard from Mrs Lawrence—the mother of Stephen Lawrence who has been involved in this campaign for 20 years—that there ought to be a full public inquiry. One of the things that she has said to us very clearly, and perhaps Parliament should have done this earlier in the Lawrence case but did not do it—a lot of people have failed to deliver on the Stephen Lawrence case—was that there ought to be a full public inquiry, led by a judge who is full-time and able to do this work. We are dealing with Mick Creedon when he comes before the Committee next week on Operation Herne. They have 50,000 documents that they have to look through. Do you think there ought to be a public inquiry in this case, given what you have heard today, and given the length of time it has taken so far? It is just that answer I need: a yes or a no.

**Mark Ellison:** I don’t know yet, from the work that I have done. One of the reasons why, as I understand it—although the Home Secretary will obviously speak for herself—she may feel it desirable that both Operation Herne and I try to complete the tasks that

we have, as they affect the Lawrence case, is that by doing so we will clarify that very issue.

**Chair:** Clarify whether you should have a public inquiry?

**Mark Ellison:** Whether a public inquiry—

**Q50 Chair:** It is kind of a pre-public-inquiry stage?

**Mark Ellison:** It may be. It depends on the results of the work that we do in the autumn.

**Chair:** I understand. Thank you; that is very helpful. We are hearing from other witnesses on Herne next week, so we will be able to find out from them.

**Q51 Steve McCabe:** Just two quick points, Mr Ellison. First, are you engaged in a regular exchange of information with the officers who are conducting Operation Herne?

**Mark Ellison:** I have met with them more than once. I understand what they are doing. I am offering suggestions as to what they might also think about doing, in the same way that I do when I engage with any police investigation. So yes, there is a dialogue.

**Q52 Steve McCabe:** So this is a police inquiry and a review working in tandem?

**Mark Ellison:** Their inquiry is far broader than the aspects that directly impact on the Lawrence case.

**Steve McCabe:** But you are working in tandem? That is the point.

**Mark Ellison:** They are carrying out their investigations as an investigation team. I am being informed of what they are doing, and I am offering views as to what else they might do.

**Q53 Steve McCabe:** Has either your review or their work to date uncovered the revelations that Peter Francis disclosed to the media? Were you pursuing that line, or is that an entirely additional element?

**Mark Ellison:** The Peter Francis allegations are an entirely new area for me, but I should make it plain that Operation Herne approached me earlier in the year with the fact that there were aspects of what they were looking into that may touch on the Lawrence case, with which I was engaged. To make it absolutely clear, Peter Francis’s allegations are completely new.

**Q54 Steve McCabe:** When they approached you and said there were aspects, were they disclosing to you that they knew there was an undercover operation designed to smear the Lawrence family? Is that what they said to you?

**Mark Ellison:** No, because that is the substance of Peter Francis’s allegations and that element is completely new.

**Q55 Steve McCabe:** What was it they were able to disclose to you about the Lawrence family?

**Mark Ellison:** Some aspects of material, which I do not think it is appropriate for me to go into. I have explained once, and I think I should repeat it, that I have undertaken this review on the understanding that I will keep the material that belongs to others that finds its way to me, at the moment, confidential until I have had a chance to determine what is relevant to my terms of reference. I am making the point that

10 July 2013 Mark Ellison QC

they initiated contact with me in relation to Operation Herne because there was some material of potential relevance to what I was looking into. I do not think I can go further than that.

**Q56 Steve McCabe:** Which may or may not have anything to do with undercover policing or smearing an innocent family?

**Mark Ellison:** I do not think I want to go into the details.

**Steve McCabe:** You cannot tell us which it is?

**Q57 Chair:** What you have said so far is that this is going to go on for years, is it not? If you are engaged with Mick Creedon on a pre-public-inquiry investigation, this is going to go on for years, adding to the distress and the stress that the Lawrence family have faced over the last 20 years. This is never going to end.

**Mark Ellison:** I would be putting myself in a frail position if I were to predict how long this will go on for, but I have undertaken to the Home Secretary that if Operation Herne manages to prioritise, in the way that they say they can, the Lawrence aspects of Operation Herne, and I am allowed to complete the exercise that I intend to do of speaking to people, I think that I will be in a better position at the end of this year to put clarity on that question.

**Chair:** By the end of this year; thank you.

**Q58 Chris Ruane:** Just to pursue that, Chair, Doreen and Neville Lawrence have been pursuing truth and justice with dignity for 20 years now. It was their son whom they lost. Our hearts—the hearts of everybody in this room—go out to them for what they have been through. Twenty years is a heck of a long time, and your inquiry is taking place now. New revelations are coming out. Your inquiry has been extended by a year and it is a pre-inquiry to another inquiry. Do you not think that human compassion should say enough is enough for this poor woman and her family, and that she deserves some closure now, and not a pre-inquiry to an inquiry, but a final inquiry at the highest level, with a full-time judge who has all the powers to demand answers from whatever level—political, police or whatever—to find out what happened?

**Mark Ellison:** If there was a means whereby I could assist Doreen to have an answer to these issues overnight, of course I would adopt it or push for it, but there is the practical problem of the vastness of the material, the need to dig as deep as one should to try to find the answer, and it does take time.

**Q59 Chris Ruane:** How much time does it take—25 years' worth of digging?

**Mark Ellison:** I have only been digging for the last year. It does take time.

**Q60 Chris Ruane:** It has been going on for 20 years. After the pre-inquiry and another inquiry, it may be 25 years on. Is it right for Mrs Lawrence to go through that?

**Mark Ellison:** Of course it is not right. I do not think anyone is suggesting it is.

**Q61 Nicola Blackwood:** I would like to get to the bottom of the process and the powers that you have as part of your review, Mr Ellison. I see that your terms of reference are to try to establish whether there was corruption within the Stephen Lawrence investigation in the first place. You are able to talk to people, but is that if they talk to you voluntarily? You are not able to require them to speak to you?

**Mark Ellison:** Yes. I have no formal powers. I have no power to get, through legal means, either documents or people coming to speak to me. I can approach them and ask them.

**Q62 Nicola Blackwood:** If you thought that there was a piece of information that you needed in order to get to the bottom of this, what would you do?

**Mark Ellison:** I would ask for it through the contacts that I have with the police, who I have to say I think I have developed a decent working relationship with.

**Q63 Nicola Blackwood:** Would Operation Herne get that information for you, do you think? Would there be another way that you could get that information, if there was a block to finding the truth?

**Mark Ellison:** I will use any means I can think of to get to the right information that I am trying to get in terms of who I ask, but I am in the end dependent on what they give me.

**Q64 Nicola Blackwood:** If, during the course of this evidence-gathering, you uncover evidence of corruption or of this smear campaign, do you refer that evidence to the police for arrest and charge? What do you do with that evidence at that point?

**Mark Ellison:** The terms of reference are for me to assess whether there is any evidence that provides reasonable cause to suspect that there was corruption, and also to indicate if there are reasonable further lines of inquiry that I have not been able to pursue.

**Nicola Blackwood:** Yes, I understand that.

**Mark Ellison:** I will make those recommendations, and I will not make the decision as to what the appropriate authority is to investigate.

**Q65 Nicola Blackwood:** No. I understand that. That is not quite what I am asking. I understand that you are quite a distinguished barrister, accustomed to working in fraud and complex terrorism, so you would be able to analyse these documents and ascertain whether criminal activity has gone on. If you find, in the course of your work, what you think are criminal offences having gone on, would you wait until the end to make recommendations, or would you refer them immediately to the police?

**Mark Ellison:** I would judge that on the strength of the material. I can see no reason for not making a reference to the police if it was appropriate, but the difficulty is getting to the point where I have looked at things and know what I have in total on a topic before I make that assessment.

**Q66 Nicola Blackwood:** Do you think that the barrier here to making progress as quickly as you like is the resource that you have at your disposal, with the volume of evidence that you are trying to get through?

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10 July 2013 Mark Ellison QC

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**Mark Ellison:** Yes, there is a lot of material, and the two of us tackle it independently of each other and then discuss what it is we have seen.

**Q67 Chair:** “The two of you” would be who?

**Mark Ellison:** Alison Morgan, who was my junior at the recent murder trial, is also working with me.

**Chair:** Thank you.

**Q68 Nicola Blackwood:** How many hours a week do you think you are able to give to this?

**Mark Ellison:** In fact, from now until Christmas, we are able to give virtually every hour that we have working. That is how it has panned out. Over this last year it has been more difficult, because of the existing commitments that we had.

**Q69 Bridget Phillipson:** Mr Ellison, just on that point, obviously we appreciate that you have other responsibilities, and you are no doubt a very busy person, but up until this point, how much time have you been able to dedicate on a week-by-week basis to your work?

**Mark Ellison:** The two of us together have dedicated about a total of seven months’ worth of our time. It has been limited because there are other commitments, as I say. That was the position from the outset and the understanding on which we undertook the review. We never promised that we could down tools.

**Q70 Bridget Phillipson:** Have you had discussions with the Home Secretary or others about the need for greater resourcing? Have you indicated that, clearly, you have a lot of work to get through and, as you say, with other responsibilities that cannot—

**Mark Ellison:** We have access to any resources that we need. The difficulty in conducting a review like this is that you do need to read the relevant material yourself, and there is a limit to which you can delegate that to somebody else, frankly, to do it properly.

**Q71 Dr Huppert:** Mr Ellison, I realise you cannot talk about what you have found. Can I just check that you are getting the things you are supposed to have the ability to get? There are a series of things, but a yes or no will do—hopefully a yes. The terms of reference say you will have access to all files held by the Metropolitan Police Service relating to the investigations into the murder of Stephen Lawrence. You have had that?

**Mark Ellison:** Correct.

**Q72 Dr Huppert:** You will have access to any files the review team considers necessary to carry out your review?

**Mark Ellison:** Correct.

**Q73 Dr Huppert:** You will be able to speak to anyone, including serving police officers, whom you wish to speak to?

**Mark Ellison:** Yes.

**Q74 Dr Huppert:** I know we touched on this earlier. Mick Creedon was told to make sure that you have

access to any relevant material uncovered in the course of Operation Herne.

**Mark Ellison:** Yes.

**Q75 Dr Huppert:** You have had all of those, so you are getting all the access that you need. That is very good to be reassured of. Can I also ask about the breadth? The Home Secretary, rather remarkably, said in her statement on 24 June that she encouraged you to go as far and wide as you would like in your investigation, which is quite a power. How far and wide do you think you will go? Will you, for example, touch on issues around the bugging, admitted by the Metropolitan Police, of Duwayne Brooks, whom I should declare I also know? Will you be able to look that broadly? How constrained do you feel yourself to be?

**Mark Ellison:** I have been told that I can look at anything that is relevant to my terms of reference, and even something like that, if it demonstrates a cultural approach by the Met, is relevant to what I am looking into. The end result of what we have to do will be to draw the appropriate inferences from a whole lot of different circumstances. It is a classic lawyer’s circumstantial case. Anything that we feel informs us on those terms of reference we will either seek out or listen to, if somebody chooses to tell us about them.

**Q76 Dr Huppert:** Are there any things that you would want us to recommend to the Home Secretary to make your ability to do your work better?

**Mark Ellison:** There is no difficulty with resources. As I have explained the process and the powers, we have to do it ourselves, to a very great extent, to do it properly.

**Q77 Dr Huppert:** There is nothing that we could suggest that would make you more able to deliver your work?

**Mark Ellison:** Not that I can think of sitting here, no.

**Q78 Mr Winnick:** Is this not, to a large extent, a matter of confidence as far as the Lawrence family are concerned? I saw you listening to the evidence given by Mrs Lawrence when she said, in answer to a question, that she felt her family had been let down by the criminal justice system for over 20 years. Without any reflection on yourself—and I expect that is the view of Mrs Lawrence—would you accept that, unless the Lawrence family have confidence in any inquiry that is being undertaken, that is a weakness, to say the least?

**Mark Ellison:** I have said to Doreen’s face when we met recently that I completely understand her perspective on this. If one even begins to contemplate what she and her family have been through in the last 20-odd years, it has strong validity to say that they believe that the only thing that will get to the bottom of this is a public inquiry with all the evidence heard in public. My position is simply that I am engaged in the job that I was asked to do a year ago. I have been asked to expand that out into some more recent matters, and I do not in any way intend to shut out the appropriateness of a public inquiry. Having done what I have done to complete the task that I am trying

to do over the autumn may make the issue slightly clearer, in terms of where we are—whether witnesses are co-operating or not, whether there is a conflict of evidence between two people that needs to be thrashed out in a public courtroom-type forum, as in an inquiry, and so on. There may, therefore, be some value in allowing that to finish before that decision is taken.

Can I just add one more point on the issue of a public inquiry, which I wanted to make when Mr Vaz was asking me questions? If today somebody said, “We are going to announce and set up a public inquiry in this case”, that inquiry would be highly unlikely, as I understand it, to hear any evidence for many, many months, long after I would have got to a point of being able at least to report on the work that we have done, and how much we have met with people who will not talk, issues that people will not address and conflicts of evidence.

The Macpherson inquiry, being an inquiry rather than a review that is done, as has been said, behind closed doors, or a police investigation, started with an undertaking of immunity to everybody who gave evidence in order to get to the truth, which has immediate consequences in terms of the potential to bring criminal charges. That potential will subsist while Operation Herne is applying itself, in the way that Mr Creedon has said it will, to these allegations and while my review continues. It may be that it is premature to lose that opportunity, because we are still both finding a lot out.

**Q79 Mr Winnick:** Say that at the time, Mr Ellison, the same arguments were advanced against having an inquiry into the murder of Stephen Lawrence—the Macpherson inquiry. Those arguments could have been used at the time against an inquiry. Do you see why perhaps the feeling is that not having a public inquiry is, in the view of the family and their supporters, who want one, simply finding an excuse?

**Mark Ellison:** I completely understand their feelings. I just point out that if, for the moment, one assumes that Peter Francis’s recent allegations are true, it must be the fact, must it not, that the Macpherson inquiry did not flush that out, despite the fact that those events had happened before the Macpherson inquiry took place? So there are limitations even on a public inquiry. It has a hearing in public. It is transparent. There are powers, and people can be questioned. But if Peter Francis’s revelations recently are right, Macpherson did not get to the bottom of it in a public inquiry.

**Q80 Mr Winnick:** Perhaps that only explains how the police or the state itself can keep its secrets even from such an inquiry. Can I finally put this question to you, following up what the Chair asked: how soon do you think you will be able to give a final report to the Home Secretary? You are to provide bi-monthly updates to the Home Secretary. You are also going to keep Mrs and Mr Lawrence aware of what is occurring on a regular basis. Can you give any indication of when it is likely? Is it going to be this year, next year or when?

**Mark Ellison:** I am going to aim for the end of this year, and I will apply every possible effort to achieve that. I cannot tell you for definite whether I will have a complete, full report by the end of the year, but I will provide a report at the end of the year that describes the situation, particularly in the context of whether we feel that we are making good progress or whether we are not, because it seems to me that is informative to all. I understand the Home Secretary has said that she will be strongly guided by what we may say about whether we are failing to achieve what we would like to achieve.

**Q81 Mr Winnick:** It will be basically an interim report?

**Mark Ellison:** It may possibly be an interim report, but—

**Mr Winnick:** A final report, unless there is a public inquiry, could be a year away, two years?

**Mark Ellison:** I really cannot comment. I do not expect it to be. I hope that it will not be. I would be a fool if I sat here and said that, whatever unforeseen event may happen between now and the end of the year, I will nevertheless provide a report.

**Q82 Chris Ruane:** Your brief has already been widened to date because of new information that has come to light and your timescales have been lengthened. If further information comes to light and your brief is widened once again and your timescale is extended once again, will there ever come a point where you say, “Enough is enough. We do not want to be reviewing all these 100 crates again, or possibly another 100 crates that might come to light. Enough is enough. The family must have what they want and a full public inquiry”?

**Mark Ellison:** I fully appreciate that it is in nobody’s interests for me to continue to undertake a task that is either hopeless or not one that I should be doing. I am not at this point doing that. If it comes to the point where that arises, I will say so.

**Q83 Chair:** The concern we have is your relationship with Operation Herne. Of course we are going to hear from Mick Creedon next week. Mick Creedon has already told us that he has 50,000 documents that he has to look through. You have said that you have been given access to those documents. I am just thinking of you and your colleague Alison Morgan sitting surrounded by your crates—it was 100, and it is now 50 crates—and then more boxes of 50,000 documents that Mick Creedon has not even looked at. When you say you have access to these documents, he has obviously said that you can come and look at them whenever you want, but no one is sifting through them for you. How would you know whether any of that is relevant?

**Mark Ellison:** Absolutely. To some extent I have to defer the initial sifting to Operation Herne. What they have indicated is that the material that impacts on the Lawrence case is a tiny proportion of that 50,000. They are prioritising it, and they expect to be able to present us with the results of their review on these Lawrence issues in September, when I will be picking that up and questioning it and making my own

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10 July 2013 Mark Ellison QC

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suggestions in relation to it. From what I have been told—40 years' worth of undercover policing by the SDS, 50,000 crates—the Lawrence aspect is much less.

**Q84 Chair:** But it is how you find this. It is a needle in a haystack.

**Mark Ellison:** They have had a long time to catalogue it and begin to use it.

**Q85 Chair:** You would have thought so, but you have not heard the evidence we heard from Pat Gallen that they were at it for 20 months, it cost £1.2 million, and yet they still have not been able to arrest anybody. You have been at it for seven months. Have you uncovered any corruption?

**Mark Ellison:** I told you I will not go into what I have discovered or not discovered.

**Q86 Chair:** But you told Nicola Blackwood that if you discovered sufficient corruption that will merit criminal action, you would have referred it.

**Mark Ellison:** No. I said that if it was appropriate, I would consider doing so.

**Q87 Chair:** At the moment you have not?

**Mark Ellison:** I am not going to go into what I have found.

**Q88 Chair:** What I am saying is that after seven months there have been no arrests and no referrals in your particular case—if there were, I am sure we would have found out by now. Look at Operation Herne, which is 20 months costing £1.2 million. They found absolutely nothing, so far as we can see. This is going to go on for years, is it not?

**Mark Ellison:** I don't know that. I cannot answer that question. I have every reason, from what I have been told by Operation Herne, to believe that what they told me is right and that they will be able to focus on the Lawrence side of their investigations relatively swiftly. They have signed up to the undertaking that we expect to be able to provide a report by the end of the year. That means they are doing their job with me looking at what they are doing and dealing with that aspect of what they are looking into.

**Q89 Chair:** We accept yours is not a public inquiry where you can summon witnesses. You do not have the powers to do so. You appear to be going through your contacts in the police. There are seven additional Metropolitan Police officers now assisting Operation Herne, and you have heard what Mrs Lawrence has said today. You have heard the questioning from colleagues on the Home Affairs Select Committee. Does this give you comfort that this is heading in the

right direction, or does this worry and concern you that this may not be going in the right direction and, at the end of the day, when you come to a considered view—by December, you say—you may be saying, “Let us hold a public inquiry”?

**Mark Ellison:** I may. All I can say is that I approach every task that I have to do with an open mind and try to gather every piece of information I can before I evaluate where I am with it.

**Q90 Chair:** You are now full-time, after being part-time for seven months. Are you being paid by the Home Office for this, and what is your salary?

**Mark Ellison:** Yes. I do not have a salary. I am being paid what I understand is a standard Government rate.

**Q91 Chair:** Which is what? I am afraid none of us are paid the standard Government rate, so you have to help us.

**Mark Ellison:** It is an hourly rate, which is applied on a daily basis, which is standard for either a QC or a junior for Government work.

**Chair:** What is that?

**Mark Ellison:** £250 an hour for me. I am afraid I have not been indecent enough to inquire for Ms Morgan, but I will imagine it will be a little less.

**Chair:** You are on public funds. It is not an indecency to ask. Even Members of Parliament have their salaries put on websites, so it is not an indecent thing to ask.

**Mark Ellison:** I have answered the question.

**Q92 Chair:** It is £250 an hour. Do you know how much it has cost so far?

**Mark Ellison:** Not precisely. We tried to tot it up this afternoon in case you asked, because for some reason I thought that might well be something that you would ask us. Just let me go back to my note, because it is the both of us combined. The two of us, taking us both together, have been paid a total of £190,000-odd in the last 12 months.

**Chair:** Since the start of the inquiry?

**Mark Ellison:** Yes.

**Q93 Chair:** It is only you and Ms Morgan who are doing this?

**Mark Ellison:** Correct.

**Chair:** There is nobody else who comes in and opens the boxes and sifts through the material? Just the two of you?

**Mark Ellison:** We are the two who are doing the sifting.

**Chair:** Mr Ellison, thank you very much for coming. You have enlightened the Committee greatly today. We are most grateful. Thank you very much.

**Mark Ellison:** Thank you very much.

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**Tuesday 16 July 2013**

Members present:

Keith Vaz (Chair)

Nicola Blackwood  
Mr James Clappison  
Michael Ellis  
Lorraine Fullbrook  
Dr Julian Huppert

Steve McCabe  
Mark Reckless  
Chris Ruane  
Mr David Winnick

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**Examination of Witness**

*Witness:* **Mick Creedon**, Chief Constable, Derbyshire Police, gave evidence.

**Q94 Chair:** First of all, my apologies for keeping you waiting. I am afraid enforcement and crime took a little longer than we suspected, but we are most grateful. Can I begin by thanking you for publishing your interim report? I and members of the Committee found it a very interesting and useful read and you provided a huge amount of information for us in a very short period of time. We are most grateful. It really begs the question, for 20 months, Pat Gallan and her colleagues at the Metropolitan Police were looking into Operation Herne, it cost the taxpayer £1.23 million. It engaged many members of the police force of the Metropolitan Police but it did not produce anything like the information you have produced since you were appointed on 11 February. Certainly from my point of view, I thought it would be quite difficult for you to do your job as Chief Constable as well as producing this report but you have. Do you worry that this really ought to have been done much sooner?

**Mick Creedon:** I think it would be wrong of me to criticise what went before and I do know that Herne started quite literally with two or three people starting to work out what it was they were facing. By the time I was involved, the Met had already set up a large incident room and I describe Herne as a huge issue that needs examining, as you are well aware, you have seen the terms of reference to the scale of the examination. I think the specific issue of identities had understandably caused a lot of concern, so we have made sure we focus on that and sought to conclude that part of it. Herne itself is enormous. We sought to bring an early conclusion to the identity issue, on which a lot of work had been done, which is the report you have seen.

**Q95 Chair:** You have been very gracious to those in the Met but certainly, from this Committee's point of view, when we first took evidence on 5 February, we were not convinced that sufficient work was being done and you seem to have done a lot of that work. You have identified 42 dead children whose identities have been used by undercover agents. Is that the correct figure?

**Mick Creedon:** That is the correct figure we currently have. The report outlines over 100; 42 we know were based upon dead children, 45 were totally fictitious, and there are a few that we are still investigating. I am very clear in the report, it is interim in the sense we are still doing further investigations. It covers the

principle and the issue but the detail could still get more—

**Q96 Chair:** Last week, the Commissioner made an apology prior to your review. He was also mindful of the fact that you were going to publish your report today but he has subsequently, I think, today made a fulsome apology to those families whose dead children's identities were being used. Do you welcome what the Commissioner has said today? Obviously nobody is asking you to apologise today but do you welcome the fact that the Met has reacted so quickly to make such a fulsome apology to the families?

**Mick Creedon:** Totally. I briefed the Commissioner last week. He had what was a draft report. The final one was delivered yesterday and I think what was done today was absolutely right. The concerns that he expressed are the concerns that the report reported to him and I think it is the concerns that this Committee and the public have had about the use of this tactic.

**Q97 Chair:** What also concerns the Committee is the fact that there are still parents who have not been notified. You have not made a recommendation to this effect, though you have alluded in your report to the issue of confidentiality and safety of the police officers. We are talking about events that took place 20 years ago. Why is it not possible for all the parents to be notified that the identities of their children have been used in this way? Isn't that the right and fair and honourable thing to do?

**Mick Creedon:** I think my report, toward the conclusion, says there is a clear argument that the parents, or the families, should be informed or could be informed, but equally, there is a very compelling argument based upon operational security, the contract that in effect we have with undercover officers when they enter this world, and we have to weigh up the benefits as I am quite clear some of the children could have been born as early as 1940 and probably as late as 1975. So the parents and families of these deceased children, who have never known of this event whatsoever, are likely to be very elderly, could be hard to trace, and so there is an issue about what benefit there is in telling them. The most important bit for me is this issue about the absolute contract we have when we get officers who volunteer to be undercover officers that we will protect their identity, because I am quite clear in the report, and clearly I couldn't

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16 July 2013 Mick Creodon

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discuss the operation deployments, but some of these are extremely dangerous deployments and for us to start putting identity in the public arena, we cannot then control it any further.

**Q98 Chair:** You talked about authority going to a very, very high level. Did this affect both Special Branch and the units that you have described? And how senior a level? You are not telling us that Ministers authorised this.

**Mick Creodon:** No. The SDS was within the Metropolitan Police Special Branch, which obviously goes up to a very senior level including Commander, Assistant Chief Constable level. The tactic was known of within the SDS and Special Branch throughout its time. The National Public Order Unit came out of the SDS and it was a Metropolitan unit, an ACPO unit, and then returned. As you are aware from the report, we know of at least one occasion when that tactic was transferred across into the NPOIU, so it is non-Special Branch.

**Q99 Chair:** As far as the Stephen Lawrence issue is concerned, which you are also looking at, the Home Secretary has asked you to look at this. Have you uncovered any evidence so far that undercover officers were involved in smearing the Lawrence family?

**Mick Creodon:** No, none. There is limited reporting within our incident room, very limited reporting, which relates to the Stephen Lawrence murder, including references to Doreen and Neville and so on. There is no evidence whatsoever. We are really keen to speak to the officers that were deployed at that time, working at that time, including the officer that—

**Q100 Chair:** This is Peter Francis.

**Mick Creodon:** Very much so, yes.

**Chair:** We will come on to that.

**Mick Creodon:** Thank you.

**Q101 Chair:** As far as the Lawrences are concerned, I want to know because you have told me and the Committee in your letter that there were 50,000 documents that you had to sift through.

**Mick Creodon:** There are.

**Chair:** How were you able to find out the documents that specifically related to the Lawrence family? We have masses of information.

**Mick Creodon:** Yes. We have 6,000 paper documents and then around 50,000 electronic files, some of which are very small, some very large, and we have been searching on them and using search engines to go through those, hence we have names including misspellings that may or may not be Lawrence. So it is a process of elimination. Clearly, as we do the inquiry and we interview people and we start looking at more documentation and get statements, that could change.

**Q102 Chair:** In respect of the women who were involved and duped by these undercover officers, is it your view that they should also be informed fully about what happened?

**Mick Creodon:** I think in relation to the women, and, of course, there are civil claims that—

**Q103 Chair:** There were children as well.

**Mick Creodon:** Yes, the women, and the women and children, and the women who are making claims against the Metropolitan Police, I am really keen for them to come forward and speak to me. The difficulty we have is that they have a civil process they are going through, but I also have a criminal investigation that I need to get into, and without their support and their giving statements—I appreciate how hard it is for them to give statements about this matter—but without that it gets very difficult to get to the bottom of the potential criminal matters.

**Q104 Mr Winnick:** Your conclusions, Mr Creodon: it was an interesting report, as the Chair said. On page 19, paragraph 11(4), you say, “The use of children’s names by undercover agents was an imperfect solution at the time to address the needs to cover an identity and the unit had little choice before 1994”. That is a justification of what occurred, is it not?

**Mick Creodon:** I am sorry?

**Mr Winnick:** It is a justification of what occurred.

**Mick Creodon:** It is not a justification; it is an attempt at an explanation. I can’t put myself in the mind of the officers, both the operatives and the commanding officers, about the risks they faced at the time. I do know they were very real risks and they clearly made a considered judgment to go down this path. Obviously other options were available but this was seen as their safest route of providing a backstop cover identity to allow the officers to be deployed.

**Q105 Mr Winnick:** Would you describe it as morally repugnant?

**Mick Creodon:** I used those words today, but I said it would appear to some people as that. It certainly is not something that I have seen in other undercover policing, but I have to stress that the world of the SDS and the world they were in was a particularly unique world compared to what I would describe as the more usual crime undercover policing.

**Q106 Mr Winnick:** Yes. Mr Creodon, if we could get it quite clear. You say you can understand those who consider that the use of the names of dead children by undercover agents, obviously without the knowledge of their parents in any way, would be considered morally repugnant but, as far as you are concerned, you don’t believe that was so.

**Mick Creodon:** No, I didn’t say that. What I said was that, because of the inquiry, I understand now why they did it. I understand why they did it.

**Q107 Mr Winnick:** So can I put it to you directly? Do you consider that that was a morally repugnant practice?

**Mick Creodon:** I think that to a certain degree it is irrelevant what I think. As a senior police officer, and I am the lead for organised crime which includes undercover policing, this is not a tactic we would use these days—we would never authorise it in the world of undercover policing now—but it would feel very strange for me to criticise the actions of people of 20, 30, 40 years ago, without knowing what it was they faced at the time.

16 July 2013 Mick Creodon

**Q108 Mr Winnick:** Did you feel that a number of people would come to the conclusion that this was a whitewash by you?

**Mick Creodon:** No, and I would be interested to hear why it is. I have done what was set out to do. I went, I investigated, I found out what happened. Everyone is very open about what happened, and the ethical considerations are there within it, but how this could be seen as a whitewash, I really don't know.

**Q109 Mr Winnick:** I suppose the explanation people would give is that, if the police are going to investigate the police, which you did—I am not criticising the role you undertook; obviously you were asked to do a job and you did it, and you are a highly professional police officer, and no one disputes that for one moment—it is inevitable, some would say, that you would come to the conclusion that you have, to find an excuse for what occurred.

**Mick Creodon:** This is a broad question. Clearly the IPCC have a role in relation to Herne. The IPCC oversee four strands of my investigation. But not the issue of identities, I hasten to add.

**Q110 Mr Winnick:** Thank you. If I may, just one further question. You say in your report it seems to have been more extensive than what has been revealed so far. Can you give any information about that?

**Mick Creodon:** I think what my report alludes to is that I have concentrated on the SDS. I am aware of the NPOIU. What we have not done yet is look at the development of undercover policing in the 1960s, 1970s, and 1980s when there is the potential it was used by other undercover units. It absolutely does not happen now.

**Q111 Mark Reckless:** What discussions have you had with the Home Secretary, the Metropolitan Police Commissioner or indeed Doreen Lawrence following the recent revelations and how do you think they are factual on Operation Herne?

**Mick Creodon:** Clearly in relation to the Commissioner, I meet regularly with both Sir Bernard Hogan-Howe and Mr Mackey, his Deputy. I have personally briefed the Home Secretary but that was prior to the allegations about Stephen Lawrence. Since the allegations and the part of the inquiry I am doing, we have sought to have contact with Mrs Lawrence through Imran Khan. It hasn't yet happened. I have also now, as of yesterday, obtained a phone number for Mr Lawrence and I am trying to make contact with him but I have had no direct contact despite the fact we tried many times.

**Q112 Mark Reckless:** Has there been a significant change in trajectory of the operation in light of the recent revelations?

**Mick Creodon:** If you remember me describing this enormous thing, which is the investigations that are undergoing, there are four distinct strands with the IPCC. There are other distinct investigations and we can prioritise whichever part needs prioritising. We clearly prioritised the work about identities. We are able to prioritise the work around the allegations about Stephen Lawrence and his murder and the undercover

infiltration and we are doing that and we are working closely with Mark Ellison in that area.

**Q113 Chair:** Thank you. You know that Mrs Lawrence came before the Committee last week.

**Mick Creodon:** I do.

**Chair:** She said she had no confidence in the current inquiries and that she wanted a full public inquiry. What do you feel about that?

**Mick Creodon:** First and foremost, I would like the opportunity to meet Mrs Lawrence and explain to her what I am doing. I may be naïve but I think I could explain to her very clearly how we can investigate this and hopefully build some trust, and I think it is important we recognise the difficulties of any investigation of this nature. The officers that we need to speak to are clearly very concerned because they were covert officers in a dangerous arena and my attempts to build that trust have taken quite some time. The officers are now coming forward to me and my team gradually. How they would come forward to a judicial or public inquiry would be more complicated.

**Q114 Nicola Blackwood:** I wanted to go back to your answer to the Chairman about how you are providing information to Mr Ellison's review because when we heard from him, he was very clear that he is depending on you to do the initial sift and obviously you said you have 50,000 documents, some of them digital, some of them paper. You described the way that you are sifting by looking for the word "Lawrence", which seems quite simple, so I just wonder if you could give a little bit more of a detailed explanation about how you are sifting through the information to make sure all the relevant evidence is provided to Mr Ellison.

**Mick Creodon:** Firstly, we are in regular contact. Secondly, we provided details to Mr Ellison both during the murder investigation, which he was counsel for, and also subsequently now he has the inquiry on behalf of the Home Secretary, and we provided what we have in our system. We have a number of documents that relate to the mention of the Stephen Lawrence murder. They have been provided to him.

We can look at the other documents in batches around the time and date they were provided, and clearly anything before the murder wouldn't be relevant to that anyway. We are fairly confident—and one of the members of staff is in the room—that they have been gone through. There are two elements to this and I can be very brief. A document can be looked at, it can be read physically and can be looked at. That is the easy bit. Putting a document on to a computer system and indexing every aspect is quite different. So we are able to look at the documents physically to see references but then putting them on to the system is much slower. So that first process allows us to identify documents which we could then hand over to Mr Ellison.

**Q115 Nicola Blackwood:** Yes, all right. So at this stage, you have reached the point at which you have gone through, you have identified all the documents relevant to Lawrence inquiry.

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16 July 2013 Mick Creedon

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*Mick Creedon:* We believe so, yes.

**Q116 Nicola Blackwood:** Have you put them all on the system?

*Mick Creedon:* The documents that we have, have been made available to Mr Ellison. He has them all and those documents are being prioritised and put on the system or are in the process of being put on the system. The most important bit is not the documentation now; it is talking to the officers, the supervisors, those that were involved, to understand what was happening around the time of the Stephen Lawrence murder.

**Q117 Nicola Blackwood:** All right and so that sort of human evidence, the human intelligence as it were, when do you think you will have reached a point where you are confident you have as much of that as you will be able to have?

*Mick Creedon:* I think the scoping of that and the understanding who we need to speak to is relatively easy. Getting them to come and speak to us is slightly more difficult but again, we are working with Mark Ellison and the view is we are prioritising that and I think he is certainly looking to have a report on this by the end of the year at the latest and we will work with him.

**Q118 Dr Huppert:** This inquiry started two years ago and you were given charge of it I think earlier this year. If it hadn't been for Peter Francis, if he hadn't gone public, do you think you would have found out any of this? Would you have discovered it was an issue you ought to be looking at, at all?

*Mick Creedon:* The Stephen Lawrence issue?

**Dr Huppert:** Yes.

*Mick Creedon:* Yes.

**Q119 Dr Huppert:** You are confident you would have done so.

*Mick Creedon:* Yes, because we had already made it available to Mr Ellison. It was already known by the Commissioner, his office, and it was something that was known to the Metropolitan Police Service.

**Q120 Dr Huppert:** Just not to the public.

*Mick Creedon:* Clearly not, no.

**Q121 Chair:** When was it known to the Commissioner?

*Mick Creedon:* Certainly prior to the revelations.

**Q122 Chair:** Prior to it appearing in the newspapers, the Commissioner knew about the smearing of the Lawrence family?

*Mick Creedon:* No. Prior to the revelations in the newspaper, the Commissioner knew there was reporting within the SDS about the Stephen Lawrence murder, which is quite, quite different.

**Q123 Chair:** Right. But how long prior to that?

*Mick Creedon:* I don't have the exact date but certainly prior to that. It is a matter of record, and the point being—

**Chair:** Not a matter of record with us.

**Q124 Dr Huppert:** It would be interesting to know firstly when the Met Commissioner, and presumably the Home Secretary, were told that there was some connection with Stephen Lawrence and the family—Duwayne Brooks and Doreen and Mr Lawrence—in the files. But also there was some connection that went somewhat further—were they told about the level of involvement before it went public?

*Mick Creedon:* Sorry, you say the level of involvement in terms of?

**Q125 Dr Huppert:** The efforts to smear the Lawrence family—

*Mick Creedon:* No. The allegation of efforts to smear the family is not what the Commissioner was made aware of.

**Q126 Chair:** What was it then?

*Mick Creedon:* The Commissioner was made aware that there had been covert deployments that had, in a sense, reported on the Stephen Lawrence murder.

**Q127 Chair:** That sounds very vague, Mr Creedon.

*Mick Creedon:* That is very different to the attempts to smear the family.

**Q128 Chair:** We understand that, Mr Creedon, and I realise why you are saying this, but the Committee is very concerned about this because if there was reporting which, to quote you, in a sense made reference to the Lawrence family, you are saying the Commissioner was aware of that. The reporting, maybe not the smearing, but the reporting.

*Mick Creedon:* No. The issues that Operation Herne have seen, which are in relation to covert deployments, which have reported intelligence, which relate to the Lawrence family was a matter that was known about.

**Q129 Chair:** All right. When?

*Mick Creedon:* This was revealed to counsel prior to the murder trial.

**Q130 Chair:** All right. Forget about counsel, because they are not here today. We are interested in the police. We will come to counsel later. When was it known?

*Mick Creedon:* I could find the date. I am very happy to supply it to the Committee.

**Chair:** Thank you, that is helpful.

**Q131 Dr Huppert:** Can I speak very clearly? It would be very helpful to have that. The specific allegations about smearing, did that come from Peter Francis or was that known to you, to your team or to the Commissioner, ahead of Peter Francis' comments?

*Mick Creedon:* The allegations about smearing were put to me when I did the filming for the *Dispatches* programme. That was the first I knew about them.

**Q132 Chair:** Which was when?

*Mick Creedon:* The Wednesday before it went public; the day before the book launch.

16 July 2013 Mick Creedon

**Q133 Chair:** That is all very helpful, but we need a date—the book launch, the film and all this kind of stuff.

**Mick Creedon:** Again, I can find out.

**Q134 Chair:** Sorry, can we just establish a date, please? Do we have a date? Do you know when the date was? Was it February?

**Mick Creedon:** No, no. Whenever the book launch was. It was a matter of five or six weeks ago.

**Q135 Dr Huppert:** Then to come back to my original question, can we be sure that without Mr Francis going public, there would have been information about the smearing of the family found by your inquiry or you can't be certain that it would ever have been found?

**Mick Creedon:** No. I think what I said was we can be certain that Operation Herne would have found out about reporting that related to the Stephen Lawrence family, as indeed there will be reporting in relation to many other high profile events in the capital. There was nothing in Operation Herne that suggested any attempt whatsoever, two things, firstly to be tasked against the Stephen Lawrence family and secondly, to besmirch the Stephen Lawrence family. There is no evidence to that whatsoever.

**Chair:** Thank you. That is very clear. James Clappison.

**Q136 Mr Clappison:** Can I just briefly ask you a bit more about this because the way you have chosen to put it is that it was reporting about the Stephen Lawrence family, yes? There was reporting about them being carried out under cover.

**Mick Creedon:** Let me try to explain that. If there was a violent protest group, the violent protest group may well hook on to any high-profile incident as a vehicle for their violence, for their protest. So if there was undercover reporting against that violent protest group, it may well report on several high-profile incidents. It does not mean there is an undercover operation against that family.

**Q137 Mr Clappison:** I can't put myself into Mrs Lawrence's shoes, but what I understood from the evidence she gave to us the other day, one of the things that upset her, was that she was, in effect, being spied on or watched by police officers unbeknown to her when she thought the police should be directing all their activities into finding out who had committed this very serious offence.

**Mick Creedon:** I completely understand that, and that is what she has been told as a result of the allegations made by Peter Francis, which is why there was a need to investigate these properly.

**Q138 Mr Clappison:** But the police were watching her rather than carrying out investigations.

**Mick Creedon:** I would stand to be corrected but I believe Peter Francis has been quite open: he never ever met the Lawrence family.

**Q139 Chair:** He is not here, so we will have to see him at another stage. Do you know if any action was

taken by the Commissioner when he found out about this, before it became public knowledge, when he presumably didn't know it would become public knowledge?

**Mick Creedon:** This was a matter that Operation Herne had limited knowledge on and was always investigating but this is a matter the Metropolitan Police had known about before.

**Q140 Chair:** Was anything done about it?

**Mick Creedon:** In terms of the recent knowledge by the Commissioner?

**Chair:** Yes.

**Mick Creedon:** Yes. Operation Herne was looking at this but Operation Herne is looking at many, many issues and I think people are getting the wrong end of the stick in terms of working out what this is. I keep trying to explain, the fact that an undercover deployment made a reference to the Stephen Lawrence family does not mean there was undercover deployment against the Stephen Lawrence family. Can I put this very briefly in context?

**Chair:** Very briefly.

**Mick Creedon:** If there is a violent protest group now with undercover officers in, they could well be reporting on another high-profile incident. It does not mean that family or that incident is being targeted. It means the group is being targeted.

**Chair:** Thank you. I am coming to you next, Mr Winnick. Just for colleagues who still have to ask questions, we have our other witness waiting and we must be very brief. Mr Creedon, you have been good at your brief answers. Mr Winnick.

**Q141 Mr Winnick:** Mr Creedon, do you agree with what the Prime Minister said in the House over the manner in which Peter Francis made these allegations? And if it happened, the Prime Minister, to say the least, as was the Deputy Prime Minister afterwards, was highly critical? Do you accept the sentiments they expressed?

**Mick Creedon:** If this were true, quite clearly I would accept it. It would be completely unacceptable. The most important thing is that this needs investigating and my plea would be for Peter Francis to give us a statement because without that statement, we cannot ask the question, "Who tasked you? Who was the supervisor? What was your reporting? What was the reason you were tasked?"

**Q142 Mr Winnick:** I had the impression from the answer you gave Mr Clappison that there is a distinction to be made, in your eyes at least, between spying on Mrs Lawrence, the mother of the murdered person, Stephen, and spying on a group of people that might have been involved in any demonstration over the murder. Is that correct?

**Mick Creedon:** There is a huge difference. There will be no justification that I know of why anyone would have an undercover deployment against a murder victim's family, particularly in this case. There is no reason. There is a completely different reason why you would infiltrate a violent protest group that would seek to use an event as part of their campaign.

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16 July 2013 Mick Credon

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**Q143 Mr Winnick:** When Mrs Lawrence gave evidence to us, she was quite clear in her own mind that she and her husband, at the time, were being spied on and that instead of the police investigating the brutal murder of Stephen, the police were far more interested in the families.

**Mick Credon:** This is why I would like to meet Mrs Lawrence and explain exactly what we—

**Q144 Chair:** Thank you. I think you have made that clear several times. We are going to have to move on. Chris Ruane has the final question. You don't have one?

Thank you very much for coming here today and thank you for your interim report. We do appreciate it and we will be in touch with you again. In terms of resources you now have an additional number of Metropolitan Police officers helping you. Do you think you may need officers from other forces?

**Mick Credon:** I have the support of the Home Office with some funding around this and I have a group that will now do the Phase 1 work, so I believe I have sufficient resources for the time being.

The *Dispatches* programme, I am told, was 19 June, so I would have filmed four days earlier.

**Chair:** Thank you for coming. Please keep us updated. Thank you.

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## Written evidence

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### Letter from Mick Creedon, Chief Constable, Derbyshire Police, to the Chair of the Committee, 2 July 2013

#### OPERATION HERNE

Thank you for your letter dated 24th June 2013 concerning Operation Herne and for the chance to discuss this briefly with you the other evening. In seeking to answer each of your questions I am conscious that you have requested my attendance before your committee on Tuesday, 16th July 2013 and subject to my annual leave commitments being varied I will be able to come on that date. As I discussed with you, I was due to finish for leave on Friday, 12<sup>th</sup> July but hopefully I can rearrange things and we will be in touch with your office as soon as possible to confirm this.

In answer to the specific questions you raise, please find the following detail:

1. I have put a request in for additional resources to Deputy Commissioner Craig Mackey and also to Stephen Rimmer at the Home Office. The Metropolitan Police are providing an additional detective sergeant and six detective constables and this is specifically to staff the HOLMES incident room. You are aware of the size of the incident room and the amount of documentation that needs dealing with formally. I have met with the Commissioner and he has assured me of his support should I require additional staff. In addition, I have put a specific request to the Home Office for four members of staff from outside the Metropolitan Police Service, to carry out the first strand of the investigation. This strand is around the whole historical context of the SDS and undercover policing. Stephen Rimmer has already indicated his support from the Home Office and I am speaking to him in the next few days to confirm this.
2. As yet, we don't know how many additional documents there will be in Operation Herne as a result of these most recent disclosures. I have met with the Guardian journalists to seek their support and depending on the information forthcoming from them and anywhere else from within the Metropolitan Police Service, this will indicate the extent of any additional enquiries. Please be assured that I have the absolute support of the Commissioner and Deputy Commissioner in accessing all necessary parts of the Metropolitan Police Service intelligence systems. The number of documents that I have to recover and examine is pure speculation at present.
3. Operation Herne has already been in close co-operation with Mark Ellison QC to ensure that the two strands of activity are complementary. Documentation has already been shared. I have spoken to Mark Ellison and met with him and I am more than confident that we can work together effectively in this area. My terms of reference are quite distinct to the enquiry that he is leading on behalf of the Home Secretary although there are obvious overlaps in terms of the covert activity which is now alleged to have taken place. We will meet regularly and ensure that all information is shared and we are able to report jointly where appropriate.
4. When I was interviewed by the Guardian journalist on Wednesday, 19th June 2013, the allegations made by Peter Francis in relation to the Lawrence family were put to me. This was the first I had heard of these. I have tasked the Operation Herne incident room staff to research all the documentation held to find out what prior knowledge there may or may not have been about these allegations.
5. As you are aware, with the introduction of the RIPA legislation in 2000, any undercover deployments of this nature would be authorised at assistant chief constable level. The authority levels required by the legislation is actually at superintendent level but the Association of Chief Police Officers has agreed that given the sensitive nature of the tactic such operations should be authorised and overseen at the more senior level. Prior to RIPA legislation there was no formal legislative framework for undercover deployments and they were subject to long standing Home Office guidance. I believe the Home Office guidance was circular 97 of 1969 amended by circular 35 of 1986. I am currently researching what the appropriate authority levels were for undercover deployments within this guidance and I believe this was also at superintendent level and assistant chief constable level. Part of my work as outlined in strand one is to describe the pre-RIPA environment of covert and undercover policing in which the SDS operated.
6. You have asked at what level this particular deployment was sanctioned. This is part of the investigation that I am now carrying out and clearly it would be improper to comment at this time.
7. In relation to the issue of use of dead children's identities, you refer to the fact that I intend to publish a report into this issue to the Commissioner's Office before the summer recess.

The issue of informing families will be addressed in this report.

*Mick Creedon, Chief Constable, Derbyshire Police*

*July 2013*

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**Letter from Harriet Wistrich, Solicitor, Birnberg Peirce & Partners, to the Chair of the Committee,  
4 July 2013**

UNDERCOVER POLICING AND OPERATION HERNE

Further to your investigation into Undercover Policing and the evidence submitted on behalf of my clients to the Home Affairs Select Committee meeting on 5 February 2013, you invited us to submit further evidence or submissions if we so wished. I am now enclosing further statements from two of my clients about their experience of a grotesque abuse of police power by undercover operatives. Some of my other clients also wish to supply statements and I shall forward these when available in the near future.

You will be aware of some of the recent revelations in the Guardian and the Dispatches documentary on June 24th, of further disturbing evidence about the activities of the SDS unit, within the Metropolitan police, which is now subject to the internal investigation by Operation Herne. These revelations include allegations made by a former undercover officer of attempts to undermine campaigns by methods which even included seeking to smear the name of the Lawrence family. I know you are already expressed concerned about the cost of this internal investigation, Operation Herne, and the length of time it is taking.

Your "Undercover Policing: Interim Report" of 1 March 2013 stated "We do not believe that officers should enter into intimate, physical sexual relationships while using their false identities undercover without clear, prior authorisation, which should only be given in the most exceptional circumstances. In particular, it is unacceptable that a child should be brought into the world as a result of such a relationship and this must never be allowed to happen again. We recommend that future guidance on undercover operations should make this clear beyond doubt. (Paragraph 14)." However we note that the Government response of 18 June declines to make any changes relating to this grossly intrusive aspect of undercover operations.

It is our view that intimate sexual relationships while undercover should not be permitted in any circumstances, that the extent of intrusion means there is no legal basis on which they can be permitted in accordance with the European Convention on Human Rights and that the failure by the Government to make this clear sends conflicting messages to undercover units, which may result in officers entering future relationships which may cause, and have caused to the women I represent, serious psychological harm. In our view this failure to take action about this callous use and abuse of women by the police, amounts to a form of institutional sexism.

I also note it has been reported that, whilst recognising the practice as "abhorrent", Chief Constable Creedon, in overall charge of Operation Herne, has refused to apologise to the women who had been duped into relationships with former police spies (including all those who gave evidence to your committee).

I have previously copied to you my correspondence with the IPCC and the CPS regarding our concerns about Operation Herne and in particular, their policy of "Neither Confirm Nor Deny". (I enclose a further complete set of this correspondence). The application of the NCND policy by the police has led to the offensive scenario that those investigating the police have requested that our clients, who are potentially critical to the investigation, provide detailed statements and evidence documenting their relationships, whilst being denied even confirmation that the officers about whom they complain were undercover police operatives. My clients have, furthermore, received no assurance that even on conclusion of this internal investigation, they will be provided with any information about the findings.

We have this week received a letter from Chief Constable Creedon who has been brought in to take command of the investigation He has enclosed a copy of the terms of reference of the investigation which indicates that any reports that are published will be "subject to the usual legal safeguards." We are not sure what this means in the context of an ongoing policy of NCND being operated in respect of the work of undercover officers.

In the meantime, as I also highlighted to you when giving evidence, the police legal team in the civil proceedings we are bringing have taken a similar approach, by either seeking to place the case in the highly secretive Investigatory Powers Tribunal (IPT) or by refusing to disclose any information in their Defence. The police have now indicated in relation to those cases pre-dating RIPA which cannot therefore be subject to the IPT, that they may make an application for a closed material procedure hearing under the Justice and Security Act 2013. It appears that there is a desire to prevent any public scrutiny of their intrusive tactics.

My clients' primary aim in bringing civil proceedings and giving evidence to your committee, is to stop this sort of abuse from ever happening again, to understand the

level and extent of the intrusion and make the police accountable, and to find out how

and why this abuse was allowed to happen . They have now no confidence that Operation Herne will be a meaningful or useful investigation. Even if it is a fully resourced and thorough investigation, my clients and the public at large may never know critical parts of its findings or have access to the detail of the investigation.

It is now clear, from the information that has seeped out into the public domain that many of the activities of the SDS unit were outrageous and a gross affront to the democratic values of a civilised society. In those circumstances we believe the policy of NCND cannot be justified and a secret inquiry conducted by the police

is utterly inappropriate. We consider that any investigation or inquiry must be independent and transparent, unfettered by any policy of NCND and free of the taint of the police investigating the police.

*Harriet Wistrich*

BIRNBERG PEIRCE & PARTNERS

Annexes

“ALISON”

1. I lived with the man I knew as Mark Cassidy for five years; I believed he was a joiner from Birkenhead. He fitted a new kitchen in our home before he disappeared in Spring 2000; it took him a long time and he struggled with the router. That, I realised some time later, was because he wasn't a joiner but a police officer working undercover for the Metropolitan Police Special Demonstration Squad.

2. Without evidence to the contrary, I had chosen to believe that Mark cared about me and that when he told me he loved me that he meant it. To choose otherwise, I felt was unnecessarily self destructive. Since discovering more recently that in his true identity Mark apparently had a wife and children, I have had to review my earlier perception of our relationship, and the pattern that has emerged from talking to the other claimants whose partners disappeared in similar ways has made me question again the extent to which any of our relationship was real. Our “Dear John” letters for example are unnervingly similar.

3. Falling in love with the enemy is a cliché spy story that has been told many times. When it becomes your own personal history, it's a narrative that sits awkwardly and is very difficult to explain. Hearing Judge Tugendhat cite James Bond in his recent judgment, referenced again by Michael Ellis MP at the Committee meeting, makes me wonder the extent to which our experiences have been fully understood. I have yet to see a Bond film where 007 moves in with his target for five years, tends the garden and attends relationship counselling! If parliamentarians really did have Fleming's Bond in mind when drafting RIPA, as suggested by Judge Tugendhat, the playboy lifestyle portrayed in the films was a very far cry from the domestic life of Mark Cassidy.

4. Being hurt and betrayed by a dishonest lover is painful enough. To discover that your lover was lying about his very identity and was in your life because his employer—the police—positioned him there to gather information on you and your friends places the experience in a different dimension.

5. The children I wanted with Mark never happened, thankfully I now realise. I was a few months off 35 when he disappeared and I have been extremely fortunate to have built another relationship since then and I have two children. I am very conscious, however, that I am an older mother than I would have liked to be; Mark and his employers stole those years from me. He stands next to me in my mother's wedding photo that sits on her mantelpiece, he teases me in the family videos of my nephew's and niece's birthdays and he lies about his family to my now deceased grandmother in the last video footage I took of her before she died. He is not only engrained in the memories in my head but features in so much of our family memorabilia from those years.

6. I was deeply in love with Mark and he knew this. I do not believe it is a coincidence that all of us involved in this case describe a deep, loving, intimate bond with our ex-partners. In normal relationships, problems can occur when people's egos clash; in our relationships the men were presenting us only with their state sponsored, easy-going alter egos. That I loved a police officer is a reality that still confuses me all these years later. I had been active in the Colin Roach Centre, an independent group that had exposed police corruption in the early 1990s and promoted trade union, anti-fascist politics. To love someone who, with hindsight, embodied the very institution much of my political energy was channeled into challenging has gone to the core of my own identity and has shaken the foundations of my judgements about many things. Of one thing, however, I remain sure: the state intrusion into my most personal life over a period of five years was unethical, immoral and, I hope we can prove, unlawful.

7. Over the years, as I have told people about this strange episode of my life, they often ask didn't I meet any of Mark's family or friends? Professionally trained, he delivered a sad, childhood story of bereavement and family dysfunction: a drunken driver killed his father when he was eight. His mother re-married a man he didn't get on with. His half brother lived in Rome. His grandmother was dead and his grandfather lived in Birkenhead and on the one occasion we went up there together the old man was on a church outing! Mark made friends very easily and was well liked. I've recently watched old video footage of him and can see how at times, he subtly closes down conversations and deflects the focus of attention onto others. In the early days of our relationship, when I asked him about old friends from school or about his past life, he responded similarly. What I then read as charming humility or childhood pain, I now see was a well-trained, professional liar at work.

8. By never being allowed to meet Mark's family or friends, I had no opportunity after his disappearance to ask those close to him what went wrong and therefore to begin the normal grieving process. Those in command would have known I was searching for him yet remained silent and invisible, allowing me—perhaps watching me—waste years of looking for someone who did not exist. I am not a psychologist but I believe such a dynamic is abusive. The fact that paid officials in the Metropolitan Police Service—a publicly funded body—

actively authorised, quietly choose to ignore or simply failed to recognise this emotional abuse is, for me, what requires recompense.

9. Although not directly relevant in terms of the damage caused personally to me, the police's attitude towards married officers committing adultery is further evidence, I believe, of the institutionalised sexism highlighted by our cases. I think it this sexist, male dominated culture within the police that has allowed these exploitative relationships to form, develop and end with no consideration for the emotional and psychological impact this might have on the innocent citizens deceived. Quite the opposite, I suspect. The stereotyped representation of the British left in the 1990s and environmental protesters a decade or so later—perpetuated by much of the media- as a “knocking shop” filled with easy women into free love is one I believe these men bought into to ease their consciences.

10. All the memories of my five-year relationship are stained. Which other police did he talk to me about? What did they say about me? What do they have on file? I have asked myself these questions many times over the years but now they are being reframed with real names and faces: Jim Boyling, John Dines, Bob Lambert.

11. From the moment I believed Mark was an undercover police officer, my view of the world fundamentally changed and has never been the same since. I am harder, less compassionate, angrier and more cynical; the idealism was knocked out of me. Since meeting the other women taking this action against the police and working together with them to challenge this injustice, I have regained some of my political spirit. I've remembered what I used to stand up for and instead of betrayal, I've experienced solidarity and comradeship. I hope that our collective action will go some way to ensuring that it is no longer acceptable in this country for the state to intrude into its citizens' lives in the ways we have experienced.

12. I appreciate the Committee offering to raise further questions on our behalf. I would like answers to the following:

What information is held about me, including about my relationship with Mark Cassidy/Jenner?

Who was in control of Mark Jenner? How will this person be held accountable?

What systems were in place to manage Mark Jenner's operation?

Will the police apologise for what has happened?

“LILY”

1. I, Lily (real name withheld) write this statement for Home Affairs Select Committee, further to the session which sat on 5th February 2013. I would like to thank the committee for this opportunity to submit a statement in writing, and express my gratitude to my co-claimants for exposing themselves to the ordeal of giving evidence in person, in such an intimidating context, and in the face of some surprisingly insensitive lines of questioning. Emotionally I don't think I could have done that. However, I will do my best to provide what useful information I can here.

2. Much of the information here has already been submitted to the police as part of our case, and, as they were infiltrating all aspects of my life, there is probably nothing here that is not to be found in some file or archive. Nevertheless, I would like to stress that I trust this committee will preserve my anonymity. This is important to me as the image of nameless, faceless police officers picking over my life like vultures is one that haunts me, and I don't want to inadvertently offer them anything of myself that they have not already obtained either by deception or by force.

3. To give you a very brief outline of my case, I was in a relationship with Mark Stone from early November 2003 to February 2005. During that time we lived together in a shared house, and were extremely intimate both physically and (so I thought) emotionally. After we separated we remained close friends and saw each other regularly both in the UK and abroad, until October 2010, when I learned his true identity. We knew each other for seven years and he was involved in my life at all levels, regularly visiting my parents, attending my grandmother's 90th birthday party, building a relationship with my brother. None of them had any involvement in the political groups he was infiltrating and all have been scarred by his betrayal.

4. While the sexual element of our relationship is one of its most degrading aspects, and one of the hardest to come to terms with, I wish to stress the question emotional intimacy and deep involvement in family life because I believe that it is possible for these officers to far far overstep the bounds of what is reasonable, moral or “justifiable” in human (or even operational) terms, without necessarily having sex.

5. I would also like to take this opportunity to respond to the lines of questioning adopted by several of the committee members with my co-claimants when they gave evidence, relating to the idea that possible involvement in criminal activity might somehow justify the undercover police operations in question.

6. It is difficult for me now, as it was visibly difficult for my co-claimants as they attempted to respond to this, to countenance the idea that there are circumstances surrounding my case (whether real, or imagined by some psyched up police team that had seen too many Bond movies) that could justify what they did. Furthermore, I do not want to be manoeuvred into answering a question that could somehow imply that, while I may not have deserved what was done to me, if I were someone else, if I had done something else, I would have.

7. I believe one of the solicitors already made the point that there are rights that are unqualifiable in a democratic state. The right to life, the right not to be tortured. The right to live free from humiliating and degrading treatment... I am sure it must be hard for all of you to imagine what we may have gone through, however please don't doubt that it was, and still is, extremely humiliating and degrading.

8. I have been involved in environmental and social justice campaigning for as long as I can remember. I attended anti-nuclear demonstrations at Aldemarston in my pushchair; I participated in the 24 hour vigil outside South Africa House when I was 11 years old; and I have remained deeply committed to social change and environmental and social justice ever since. Like Alison, I was not naive about the lengths even a nominally democratic state will go to to control dissent, and I never ruled out the possibility that my phone calls or emails might be intercepted, or that meetings might be infiltrated or bugged. I must stress that does not mean that I believe such behaviour to be justified, just that I was aware that, like deaths in police custody, or renditions, it was something that happened. However, not even the worst stories I had been told by friends who grew up in East Berlin prepared me for the reality of what happened to me. It is therefore difficult and frustrating to be faced with our democratic representatives making the suggestion, direct, or implied, that there may be circumstances in which this would be justified.

9. Nevertheless, since it seems to be important for people who have not been victims of this kind of intrusion to raise the question of why we might have deserved it, I hope that attempting to reply to the question might help you to understand.

10. Let me make it clear that I know nothing about how the police make their depraved operational decisions. I don't know on what basis they consider what they did to me, and continue to do to others, to have been justified, proportional or necessary (or indeed if they ever considered such questions at all). One of the reasons we are bringing our case is to get answers to these, and many other questions. However, the HMIC report (one of very few sources available to me with any kind of information that might explain what was done to me) does provide some small insight, and raises serious questions about the use of undercover police to infiltrate any political movement.

11. Having been involved in a number of political campaigns since 1998, a chilling number of my fellow campaigners have turned out to have been undercover police. In addition to the horrible experience I had with Mark, I also knew Jim Boyling, Rod Richardson (who it now appears may also have been a police officer), Lynn Watson, and Marco Jacobs. It appears my life has been infiltrated almost without pause from 1998 (or possibly even earlier) until 2010, and I have no reason to assume that this process is not continuing, because I have not changed my political beliefs.

12. I do not want to be drawn into a debate about "violent protest". The kinds of violence and violation I have witnessed and experienced at the hands of the state make a mockery of most uses of the term violence when used to describe political protest. Furthermore, in a country where you can be sent to prison for writing "up the riots" on Facebook, I hope you understand that asking for someone's opinion on violent protest is not an entirely innocuous question.

13. I will say that I am not a violent person. However, the HMIC report makes it clear that that is not really relevant. The police will, in fact, infiltrate "peaceful" and "violent" protesters alike, because "the key to being able to differentiate between the two is reliable intelligence". People are singled out for infiltration because they are part of a political group or movement, not because they are considered to be violent.

14. The report also specifies that "the starting point for gathering such intelligence is prior reasonable suspicion that serious criminal acts may be in preparation" (notably, it does not specify that the persons being infiltrated have to be involved in preparing them!) However, if the argument is that I have been in the process of preparing "serious criminal acts" since 1998, I have to wonder why I have no convictions, and why they have they not, at any point in the past 15 years, brought charges against me for any serious crime!

15. In that context, it is worth considering the Rt Hon. Mr Ellis' assertion that this is not about political policing but about tackling crime. It is already proving difficult for the police to argue that their intrusions were proportionate or necessary. If the political context is removed, and we look at these operations from an exclusively criminal justice perspective, they become completely untenable, almost ridiculous. As far as I am aware, we are talking about very few arrests, almost entirely for minor offences such as aggravated trespass, criminal damage, or breach of the peace, which rarely resulted in prosecution. Apparently this is because "NPOIU officers were deployed to develop general intelligence ... rather than gathering material for specific prosecutions". In other words, political policing.

16. I am sure you can imagine, I feel very strongly about this, and I cannot prevent some of my hurt, frustration and anger come across in this text. I was lied to and violated. As Alison says, we have them bang to rights, yet instead of trying to make good the damage they did, and instead of answering the many rightful questions we have, that might help us to find closure, they continue to lie to us. They hide the truth behind vague and unsubstantiated intimations that this was about "serious crime", behind the closed doors of private sessions, behind the Investigatory Powers Tribunal, and behind their policies of neither confirm nor deny, and their "official secrets". Surely it is time for an end to their impunity, and for them to be made fully accountable to us and to the public for what they did.

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**Letter from Deborah Glass, Deputy Chair, Independent Police Complaints Commission (IPCC), 3 May 2013**

I write further to my letter of 13 March 2013, in which I advised that I was awaiting a meeting with Chief Constable Creedon so that I could understand his terms of reference and consider the appropriate level of IPCC involvement in the various matters that have been referred to us under the MPS Operation Herne.

That meeting took place on 16 April, also attended by Deputy Commissioner Craig Mackey from the MPS. One of the proposals from that meeting was that Mr Creedon would be drafting terms of reference setting out precisely the scope of Operation Herne, which is essentially a wide-ranging review into various aspects of undercover policing which may yet raise further conduct issues that require IPCC consideration, and its relationship with the specific investigations being supervised by the IPCC, which are “recordable conduct” investigations being carried out in accordance with the Police Reform Act 2002.

Each of the conduct investigations requires specific terms of reference and I have tasked investigators at the IPCC to review the ToR currently being used by the MPS before they are finalised. I expressly stated in the meeting, repeating what I said in my last letter to you, that the terms of reference for these investigations should be able to be shared with relevant interested persons and will expect this to happen. Once I am satisfied with these I will send you a copy.

Once you are aware of these your clients will no doubt wish to consider if they want to be formally interested persons for these investigations, in which case it would be the responsibility of the MPS to keep them informed.

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**Letter from Rosemary Fernandes, Crown Advocate, Special Crime and Counter Terrorism Division, Crown Prosecution Service, 27 March 2013**

Further to my letter dated 12 March 2013. I have now received the information I sought from the Independent Police Complaints Commission.

The position of the Crown Prosecution Service is that we would support the Metropolitan Police Service DPS unit’s position in relation to neither being able to confirm or deny whether the individuals with whom your clients were in a relationship with were in fact undercover officers.

I understand that your clients are deeply distressed at the situation in which they find themselves. However, I hope that you and the DPS MPS will be able to reach an understanding in order to allow this investigation to progress.

If you need further assistance please do not hesitate to contact Piers Arnold who will be assuming conduct of this case.

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**Letter from Rosemary Fernandes, Crown Advocate, Special Crime and Counter Terrorism Division, Crown Prosecution Service, 12 March 2013**

Thank you for your letters dated 21 January and the 8 March. I apologise for the delay in responding to your correspondence.

I am awaiting some information from the Independent Police Complaint Commission which I am due to receive on Friday 15 March and will be able to provide you with a substantive response early next week.

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**Letter from Deborah Glass, Deputy Chair, Independent Police Complaints Commission (IPCC), 13 March 2013**

**OPERATION HERNE**

I refer to your letters of 21 January and 8 March 2013. First I must apologise for the delay in substantive response; as you were advised in response to your letter of 21 January, I was on leave until the middle of February and I am afraid that your letter has only now been brought to my attention.

I should explain at the outset that it is not entirely accurate to say that the IPCC is supervising Operation Herne. The IPCC is supervising a small number of referrals from the MPS being investigated as part of Operation Herne. Specifically, this concerns the activities of four former undercover officers, in relation to a range of offences including fraud, forming inappropriate sexual relationships, unauthorised disclosure of information, playing a key part in organising demonstrations and providing evidence in court using a pseudonym.

I am of course aware of the MPS announcement that Operation Herne would be taken over by Chief Constable Mick Creedon, and I am currently awaiting a meeting with Mr Creedon to identify precisely what his terms of reference are so that I can review them as well as the appropriate level of IPCC involvement. I agree, in principle, that terms of reference for an investigation should be discloseable and intend to explore further why this has not yet happened in these cases.

I will be in further contact when I have been able to clarify these matters.

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**Letter to Rosemary Fernandes, Crown Advocate, Special Crime and Counter Terrorism Division,  
Crown Prosecution Service, 8 March 2013**

RE OPERATION HERNE

I write further to my letter of 21 January requesting a meeting re the above. I don't appear to have received a response?

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**Letter to Deborah Glass, Deputy Chair, Independent Police Complaints Commission (IPCC), 8 March 2013**

I write further to my letter of 21 January and a holding response received from your office on 24 January. It is disappointing not to have received any communication from the IPCC about this high profile police investigation which I understand you are supervising. I have raised this with the Home Affairs Select Committee who heard evidence from myself, a number of my clients and DAC Patricia Gallan regarding Undercover Policing and in particular the issue of undercover police officers forming intimate and sexual relationships with women in groups they were spying on. You may have seen the HASC interim report dated 26 February 2013? Keith Vaz indicated that he would wish to raise this with you and, at his request, I forwarded to him copies of my correspondence with you (see Q78 of the HASC report).

I look forward to hearing from you.

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**Letter from Nicola Walsh, Executive Assistant to the Deputy Chair, Independent Police Complaints Commission, 24 January 2013**

RE: OPERATION HERNE

Thank you for your letter to the Deputy Chair, Deborah Glass, received in her office on 23 January 2013.

Ms Glass is currently away from the office so I have raised the concerns in your letter with the Senior Investigator dealing with this matter.

A substantive response will follow in due course.

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**Letter to Deborah Glass, Deputy Chair, Independent Police Complaints Commission (IPCC), 21 January 2013**

RE: OPERATION HERNE

I represent eight women who are bringing a civil claim for damages against the Commissioner of Police for the Metropolis arising from their experiences of being deceived by undercover officers who commenced long term intimate sexual relationships with them and subsequently disappeared from their lives causing them serious psychological harm in all cases. Three of those women had relationships with Mark Kennedy, who was under the control of the NPIOU, and the other five had relationships with a number of different officers who were all, we believe, part of what was known as the Special Demonstration Squad at the Metropolitan Police. Following receipt of our letters before claim, we were contacted by police officers to ask if the women would like to make statements to assist a DPS investigation into misconduct by officers in the SDS, which is now called Operation Herne. In a recent meeting with Detective Superintendent Chris Robson, who is now in charge of Operation Herne, we were informed that the IPCC are supervising the investigation and that you are Commissioner responsible for the supervision.

My clients had decided that it might be beneficial to co-operate with this investigation and some of them have met with DSU Robson and DS Kirstie Masters from the DPS. However, at a recent meeting my clients were informed that the police, having taking legal advice, are required to exercise a policy of NCND (neither confirm nor deny) in respect of the officers about whom my clients were making allegations. He also informed us that he would need to take legal advice as to whether he could share the terms of reference of the enquiry. He has since contacted me to say that he is not permitted to share the terms of reference.

The approach of the Metropolitan Police in relation to the NCND policy is deeply distressing for my clients. Imagine if you had been in a relationships with a man for five years.

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**Letter to Rosemary Fernandes, Crown Advocate, Special Crime and Counter Terrorism Division,  
Crown Prosecution Service, 21 January 2013**

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The approach of the Metropolitan Police in relation to the NCND policy is deeply distressing for my clients. Imagine if you had been in a relationships with a man for five years, who lived with you and who you saw potentially as a life partner, who then suddenly disappeared without trace? Imagine, when trying to search for him you discover evidence that he was an undercover police officer and yet the police ask you to provide a detailed statement concerning the relationship, but will not offer you the simple courtesy of confirming whether that man was, and perhaps is still, in fact a police officer. For women whose trust in relationships generally and in the police in particular has already been deeply undermined, to be asked to co-operate with an investigation on these terms is a step too far. Further, to be denied information concerning the terms of reference of the investigation, is a further insult to extremely important witnesses whose cooperation the police are seeking. My clients are keen that these very serious abuses by the police should be exposed and subject to full public accountability. They understand that whilst an investigation is ongoing certain aspects may need to be confidential, they don't accept that they should be required to provide accounts about the most intimate aspects of their private lives without even knowing from the police whether the man they allege is a police officer is in fact one.

My clients can provide statements in respect of their relationships with the undercover officers, but some of them may also have information in relation to other aspects of the police enquiry, including allegations that Bob Lambert planted incendiary devices in Debenhams, and that there was collusion between the police and McDonalds in relation to the libel action which resulted in the McLibel case.

It would be helpful, before our clients decide whether to co-operate, if they could have an idea of the sort of criminal charges that might arise particularly in respect of the deception they were subjected to, as this will assist them in any decision as to whether to cooperate.

I enclose a letter to Deborah Glass at the IPCC, set out in similar terms. You will see we have requested a meeting with her and believe it may be helpful to have a joint meeting with the CPS.

*Harriet Wistrich*, Solicitor, Birnberg Peirce & Partners

*July 2013*

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