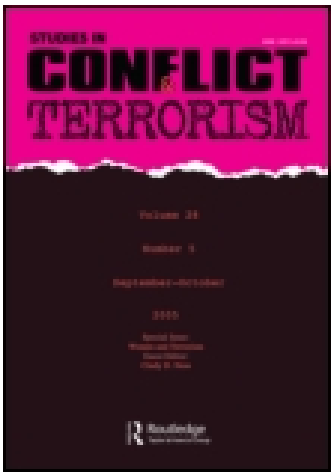

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Preventing Political Violence in Britain: An Evaluation of over Forty Years of Undercover Policing of Political Groups Involved in Protest

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Preventing Political Violence in Britain: An Evaluation of over Forty Years of Undercover Policing of Political Groups Involved in Protest

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This article offers a first academic evaluation of the Special Demonstration Squad and the National Public Order Intelligence Unit, two British undercover police units working for the Metropolitan Police Service at different times between 1968 and 2011. It provides a historical overview of their infiltration of political groups involved in protest for the purpose of gathering criminal and political intelligence aimed at preventing violence, public disorder, and subversion. It discusses the controversies surrounding these units, and the related institutional responses, and offers an attempt at understanding their operations within the remit of intelligence-led policing and against a political culture that prioritizes action over inaction in reducing risks and threats to the State and society.

Much has been written in the media about the infiltration of political groups involved in protest by British police units since 1968. Since March 2010, when *The Observer*[1] ran the first full story of a former undercover police officer ("Officer A," later identified as Peter Francis) working for the Special Demonstration Squad (SDS), *The Guardian*[2] has led an exposé of both the SDS and the National Public Order Intelligence Unit (NPOIU) and has unveiled the extent to which these two undercover units[3] gathered preemptive intelligence ranging from the clear prevention of political violence to the collection of information on more peaceful and less disorderly political groups.[4] A series of official investigations on, and reviews about, these two units have been carried out and are discussed in this article. The main aim of this article is to provide a first, exploratory academic study of the SDS and the NPOIU and to serve as a background study for future research on these two units and on the remits and limits of undercover policing within democratic societies. The first

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part will set the historical context and present a review of the best currently available information on the activities of these two units. The second part will offer a more analytical understanding of the British undercover policing experience by exploring intelligence-led policing, both as a concept and as a practice, in relation to the SDS and the NPOIU. Last, the article will reflect on the political culture that may have informed many of the ideas behind the infiltration of violent and less or nonviolent political groups.

A Brief History of the Special Demonstration Squad (1968–2008) and the National Public Order Intelligence Unit (1999–2011)

The Special Operations Squad (SOS, later renamed SDS) was born in 1968 as an undercover unit within Metropolitan Police Special Branch (MPSB) with support and funding from the Home Office. A letter dated 16 December 1968 contains the original authorization for the deployment of SDS undercover officers by the Home Office.[5] Up until 1989, the Home Office maintained authority over, provided direct annual funding[6] and authorization for, and received an annual summary[7] of the unit's operations, while Special Branch Commander Operations was authorizing individual deployments and receiving an annual report. In 1989 the Assistant Commissioner Specialist Operations (ACSO) was transferred the responsibility of the annual authorization of the unit's operations while Special Branch Commander Operations maintained its role to sign and authorize individual deployments.[8] Investigations found no evidence that the Home Office had knowledge of, or influence on, the SDS operational activities after the direct annual funding[9] and authorization stopped in 1989. However, a file for which there exists a consistent file reference (Queens Peace Series, that is a series of files on public order maintenance) but went missing due to either human error or purposeful concealment[10] might have revealed more about the Home Office's knowledge of, and links with, the SDS beyond 1989.

The unit was formed in the delicate sociopolitical context of the late 1960s, when the State was facing an increasing threat of public disorder and political violence,[11] a threat grown in a decade of "anti-Americanism, anti-imperialism, anti-sexism, anti-capitalism and anti-'oldism'"[12] among hardline radicals embracing a counterculture of "a new and more aggressive 'hippiedom' born of disillusion and marginality"[13] and characterized by anarchist tendencies. Notably, it was a threat that would escalate in the 1970s when Great Britain and, especially, London would be:

> Plagued by what appeared to be a breakdown in law and order, especially in immigrant areas and during strikes, a direct assault on the government and its agencies by groups such as the Angry Brigade and Tartan Army and the sustained mainland bombing by the IRA. Equally concerning was the growing interconnection between terrorist groups and foreign "rogue" nations who seemed to sponsor and direct terrorist cells within London, in undeclared war against foreign diplomats and embassies. Inter-racial strife seemed symptomatic of a growing helplessness in the face of organized anarchy.[14]

Notably, the SDS emerged out of Special Branch Chief Inspector Conrad Dixon's plan, possibly as part of a broader MPSB's enlarged "C" Squad and informant coverage and certainly supported by then Labour Prime Minister Harold Wilson,[15] to respond to the violent protests of anti–Vietnam War demonstrators who targeted the U.S. embassy in Grosvenor Square in London on 18 March 1968. Within this context, the unit "was to be

maintained with the strictest secrecy, so as not to compromise the Government or its sensitive operations."[16] A London-based unit, albeit with a national MPSB remit too, it soon aimed at gathering intelligence beyond the anti-Vietnam War demonstrators and infiltrated a range of political, activist, and protest groups across the ideological spectrum (from the far-right to the far-left) which were deemed to pose a security threat. Towards the end of 1972, the unit was renamed Special Demonstration Squad and, later in 1997, Special Duties Section when the unit's targets widened and the geographical remit extended. The SDS continued gathering intelligence and infiltrating groups until 2008, when it was officially disbanded. In its forty years of operations, it is estimated that a total of about 150 police officers served in this undercover unit,[17] which was known by officers within MPSB but worked in partial isolation from Metropolitan Police Service (MPS).[18]

The unit was placed within Special Branch (SO12) due to historical and procedural reasons. Special Irish Branch had been gathering intelligence since as far back as 1883, when it was set up to tackle bomb attacks by Irish republicans in London.[19] In 1888 it was renamed Special Branch and expanded its mandate to include other threats to the State,[20] especially anarchists within foreign immigrant groups, with a particular interest in the surveillance and infiltration of those on the left side of the political spectrum[21] and "no comparable interest in the activities of British fascists until the [Second World] War."[22] For more than one hundred years Special Branch, "a separate, specifically political, unit within the police in Britain,"[23] collected intelligence on terrorists and subversives in the United Kingdom who were posing a threat to the wellbeing of the State and who were attempting to overthrow parliamentary democracy through political, industrial, and/or violent means.[24] Special Branch was terminated and subsumed, along with the Anti-Terrorist Branch (SO13), into Counter Terrorism Command (CTC/SO15) in 2006,[25] although already in the 1990s some of its responsibilities (notably, intelligence gathering on Irish republicans) had been taken over by the Security Service which, after 9/11 and 7/7, expanded "its national intelligence management role, and policing, Special Branch included, became more focused on investigation and operational support activity."[26] As required by Home Office guidelines, core Special Branch's functions included the acquisition, assessment, and interpretation of intelligence, also with a focus on maintaining the "Queen's Peace," that is public order,[27] and with an increasing interest in animal rights extremists between the mid-1980s and mid-1990s, and a key duty to support the Security Service in its work on espionage, subversion, and sabotage aimed at protecting national security.[28] The SDS worked within MPSB's remit[29] and carried out a prime function of both collecting preemptive intelligence on political violence, public disorder, and the threat of subversion predominantly, albeit not only, at demonstrations and supporting the work of the Security Service. Intelligence was sanitized, by removing reference to the SDS and/or the operative, and sent as "Secret and Reliable Source" to the relevant Special Branch desks[30] within the "C" Squad (Desk for Animal Rights and Environmental Extremism and Desk for Extreme Left Wing and Extreme Right Wing)[31] on a weekly basis.[32] SDS officers also held regular meetings with the Security Service to pass on intelligence on groups of interest[33] at least from 1974.[34] A small number of Home Office officials were also made aware of some specific groups that were targeted and the type of intelligence that was gathered through infiltration at least between 1968 and 1989[35] and possibly also afterward, given that the SDS could have reasonably remained part of the Home Office's interest in all aspects of MPSB's work.

A similar unit, NPOIU, was set up within MPS in 1999 and funded by the Home Office. The NPOIU absorbed the Northern Intelligence Unit (NIU)[36] and the Southern

Intelligence Unit (SIU)[37] and replaced the Animal Rights National Index (ARNI),[38] which had all been set up in 1986.[39] Through its Confidential Intelligence Unit (CIU) the NPOIU gathered and coordinated intelligence as part of police's "response to campaigns and public protest which generate[d] violence and disruption (particularly those focused on animal rights, some environmental issues and extreme political activism)."[40] The NPOIU operated nationally, whereas the SDS was mostly London based, despite still maintaining a national MPSB's remit. There is evidence of a small number of staff and managers working for both the SDS and the NPOIU for the purposes of "training, providing guidance, recruiting staff and authorising undercover operations."[41] In 2006, the NPOIU was placed within, and was overseen by, the Association of Chief Police Officers (ACPO)[42] although it was still run by MPS. In 2011 it moved back to MPS (within CTC) when, together with the National Extremism Tactical Co-ordination Unit (NETCU)[43] and the National Domestic Extremism Team (NDET),[44] it was incorporated into the National Domestic Extremism Unit (NDEU).[45]

The groups[46] that were infiltrated by the SDS and the NPOIU vary in political and ideological connotations, ranging from the far right to the far left. Some groups were involved in politically motivated violent actions toward persons and properties and/or engaged in serious public and social disorder with a capacity to lead to subversion. These are groups[47] that could have been considered, in more orthodox terms, to have posed a threat to national security[48] and include, for example: Animal Liberation Front,[49] Angry Brigade, Free Wales Army,[50] Combat 18, Red Action, Troops Out Movement, Socialist Workers Party, Revolutionary Communist Party, Class War, National Front, and British National Party. Other groups did not necessarily engage in serious violence and/or plan to subvert the existing order; its activists[51] took the streets to protest and demonstrate posing a threat of less serious and/or less sustained public disorder.[52] These ranged from hard-left Marxist and anarchist groups to soft-left socialist groups expounding a series of intertwined sociopolitical causes such as environmentalism (e.g., London Greenpeace,[53] Rising Tide, Earth First, Climate Camp, and Common Place), animal rights (e.g., South London Animal Movement), antiracism (e.g., Youth Against Racism in Europe[54] and Anti-Nazi League[55]), antiwar (e.g., Clandestine Insurgent Rebel Clown Army and Stop the War Coalition), anti-globalization (e.g., Globalise Resistance and Reclaim the Streets), and anticapitalism/anarchism (e.g., Cardiff Anarchist Network, Militant Tendency, Direct Action Movement, International Marxist Group, and White Overalls Movement Building Libertarian Effective Struggles). According to some former undercover officers, the police's rationale for infiltrating some of these groups was that they could act as fronts for, or offer tacit support to, violent and subversive groups and/or were useful as platforms to establish credibility and gain access to clandestine violent and/or subversive groups.[56] The overarching feature defining several of these more peaceful and less disorderly groups appears to be a tendency to share anticapitalist ideologies, which is not surprising given that much infiltration happened during the Cold War[57] and that anticapitalism has also characterized modern protest groups, which are sustained by "a whole package of values, some anarchist, some libertarian, but just as often a rather old fashioned Trotskyist socialism" and which expound a plurality of causes including "anti-Americanism, ... anti-airport expansionism and anti-fat-cat-ism."[58] The targeting of anticapitalist groups also links to the findings of a study conducted by Eveline Lubbers showing the existence of collaborations between corporations and police in monitoring groups and people considered to pose a threat to business profit and capitalist ideology.[59] The risk that peaceful and legitimate protest and dissent remain

trapped within Special Branch's potentially political characterizations of subversive activities and governments' vague goals of protecting the security of the State was already noted by scholars in the late 1970s and early 1980s.[60] But to counterbalance this view, it is true that not all groups that claim to be peaceful are necessarily law abiding. This is the case of "peace activists" who would routinely commit criminal damage and seek to defend it on the basis that it was symbolic[61] and/or morally justified.

To impersonate political activists, undercover police officers developed personal stories ("legends") that helped to bolster their credibility. They adopted new identities taken from the birth certificates of deceased children of a suitable age had they lived, they changed their appearance[62] to resemble that of their targets, they became well versed in politics, they lived with the infiltrated groups for five or six days a week for several years (often to the detriment of their psychological wellbeing),[63] and they committed minor crimes.[64] The fact that undercover police officers were tasked with "deep cover" assignments for such protracted periods of time (several years) was a departure from standard MPS's practice of setting a specific, time-limited (several months) infiltration of a criminal group, gather evidence and pass such evidence on to investigators.[65] From a tactical point of view, the deployment of undercover police officers infiltrating organized crime groups is naturally shorter due to its narrow aim to get in, get the result, facilitate an arrest, and get out. The cardinal reasons for extending infiltration to a much longer period of time rest on the structured nature of activist groups (or, in unstructured groups, the need to embrace a lifestyle; e.g., squatting), the closed environments within which criminality associated to protest is planned and the related necessity to build trust over time, and a longer timespan required to prove one's commitment to a political cause.[66]

The series of revelations concerning these secret police units[67] and made public by *The Observer*[68] in March 2010 and, subsequently, by *The Guardian*[69] have offered a good amount of information (some of which still needs to be properly assessed) on over forty years of police infiltration of political groups involved in protest. At the same time, they have spurred much public debate,[70] eventually leading to a number of investigations over several unethical and possibly illegal practices carried out by police officers in the course of their duties. The next section will explore such investigations.

Institutional Investigations into the SDS and the NPOIU

The outing of a number of SDS and NPOIU undercover police officers and the ongoing allegations that they had engaged in misconduct and possibly illegal activities has led to a number of reviews and investigations into the practices of the two units. After revelations made in 2010 about the undercover activities of former NPOIU officer Mark Kennedy, who would later prompt the collapse of a trial against six environmental activists who had planned to shut down a power station in Ratcliffe-on-Soar (Nottinghamshire) in 2009,[71] Her Majesty's Inspectorate for Constabulary launched a review[72] of the NPOIU, and to a much lesser extent of the SDS, with particular reference to the authorization and the control of undercover police officers tasked with preventing crime associated to domestic extremism and public disorder. In October 2011, a review of the SDS called "Operation Soisson" was also launched and placed under the direction of Deputy Assistant Commissioner Mark Simmons. Following new allegations, "Operation Soisson" was renamed "Operation Herne" in August 2012, when Deputy Assistant Commissioner Patricia Gallan from the ACPO took the lead. After new media allegations over the use of dead children's identities by SDS officers sparked public outrage, Chief Constable Mick

Creedon QPM from Derbyshire Constabulary was handed responsibility and oversight of "Operation Herne," for it to be an independent review, by the Commissioner of Police of the Metropolis, Sir Bernard Hogan-Howe.[73] At the same time, the Home Secretary Theresa May commissioned Mark Ellison QC to conduct a review on corruption associated with the initial investigation on the murder of Stephen Lawrence and on any corruption that the MPS (not the SDS) had had evidence of and had failed to disclose to the Macpherson Inquiry. With specific reference to undercover policing, Ellison was also tasked to investigate Peter Francis's allegations that he had been deployed as an SDS undercover police officer to find evidence that could be used to smear the family of Stephen Lawrence.[74] Following the Ellison Review, the Home Secretary Theresa May commissioned Stephen Taylor, a former Director at the Audit Commission,[75] to conduct an investigation into the links between the Home Office and the SDS and announced a statutory inquiry to be led by Lord Justice Pitchford.[76] Further investigations are still being conducted by the "Operation Herne" team and by the Independent Police Complains Commission (IPCC).

Published findings from the various investigations and reviews have so far confirmed that undercover officers used deceased children's identities, fostered sexual relationships with unsuspecting female activists (also fathering a child in at least two occasions), were involved in minor criminal activities, appeared in court under false names, and recorded information on at least eighteen justice campaigns. While the investigation conducted by Stephen Taylor could not find evidence, through documentary sources and interviews with senior civil servants[77] (but no former MPSB officers) working between 1975 and 1989, that the Home Office was ever aware of or authorized such practices, due to a lack of documents and lapse of time it cannot be ruled out that the Home Office had such knowledge.[78] Allegations[79] made by jailed Animal Liberation Front activist Geoff Sheppard and brought forward by Caroline Lucas MP that an SDS police officer planted a firebomb causing £340,000 worth of damage to a Debenhams factory in Harrow (London) in 1987 were denied by the accused Bob Lambert and are still being investigated. The Ellison Review found no evidence on the smearing of the Stephen Lawrence family but could not entirely reject Peter Francis's claims due to a lack of written records from the era and the fact that "if there had been such tasking, it would most likely have been oral."[80] "Operation Herne" also found no evidence that the SDS was tasked against and to smear the Stephen Lawrence family.[81] Such lack of evidence led the IPCC to feel unable to conduct an investigation into this matter.[82] Yet, the Ellison Review noted that SDS police officers had been deployed within groups that were attempting to influence the Lawrence family and that one such officer gathered personal information on the family and obtained tactical intelligence on the Macpherson Inquiry[83] (further investigations on this matter are being conducted by the IPCC).[84] But "Operation Herne" argued that a high-profile incident might be reported on if there is a violent protest group attached to it and that such a group, rather than the incident or the family, would be targeted and infiltrated. In this sense, "Operation Herne" maintains that "the fact that an undercover deployment made a reference to the Stephen Lawrence family does not [necessarily] mean there was undercover deployment against the Stephen Lawrence family."[85]

Following a High Court ruling in mid-2014, for the first time MPS was forced to reveal the names of two undercover police officers (Jim Boyling and Bob Lambert)[86] who had had sexual relationships with female activists under assumed identities.[87] Later that year, a woman who had a child with one such police officer won a £425,000 out-of-court settlement from MPS.[88] In what are very contested and unclear procedures, it is believed that the police never enforced any rule over sexual relationships and that agents

were free to choose how to conduct themselves.[89] Ongoing investigations have so far found no evidence that the practice was ever authorized or explicitly used as a tactic to aid infiltration.[90] Nevertheless, it may not be unreasonable to expect that developing an intimate relationship with a member of an infiltrated political group[91] (out of passion, genuine love, or operational necessity) positively helped to strengthen the officer's credibility and, as Gordon Turnbull argues, reduced the risk of being detected, harmed and possibly killed,[92] especially in a climate of opposition to, and violence against, the police at demonstrations (e.g., the Poll Tax Riots in 1990)[93] and during far-right/far-left clashes (e.g., the Welling riot in 1993).[94] Fostering intimate relations with members of target groups has not just characterized British undercover police units but finds evidence in the American experience too, when it either was used as a tactic or naturally resulted from protracted involvement in tight-knit, ideologically committed and socially progressive groups often encouraging promiscuous tendencies among its members. Federal Bureau of Investigation (FBI) agents infiltrating the radical left-wing organization Weather Underground[95] and Los Angeles Police Department (LAPD) agents infiltrating Maoist political groups[96] developed intimate relationships with female members who helped to collect information on, and garner credibility within, the groups. Notably, the late Daryl Gates, former chief of the LAPD, is attributed to have enthusiastically endorsed sexual relationships with targets[97] and to have mentored undercover police officers tasked with sleeping with women in order to gather political information.[98] While many American federal agencies in the 1980s could dismiss agents who had become sexually involved with targets to avoid compromising the agent himself/herself and/or tainting the evidence, different police units had different rules and guidelines,[99] demonstrating the morass of moral and institutional ambiguities[100] surrounding undercover policing across different jurisdictions. More broadly, intimate relationships are indicative of the changing loyalties and altered attitudes and beliefs that might affect undercover officers who "can feel torn between actual camaraderie that develops between them and their targets, and the larger purpose for which they have been assigned."[101]

Many of the controversial activities carried out by the SDS fell within what had always been low levels of regulation of police surveillance throughout British history.[102] The Regulation of Investigatory Powers Act 2000 (RIPA) took a step toward regulating undercover policing and mandated that undercover police officers be dealt with by laws for Covert Human Intelligence Sources (CHIS). Nowadays, authorizations to deploy officers under RIPA need to consider the risks involved against the CHIS, with responsibilities for the authorizing officer to protect the CHIS extending beyond the end of his/her duties.[103] They also need to set clear goals for the deployments and specify the appropriate intelligence to be collected. In this sense, specific objectives and "use and conduct" guidelines set out in RIPA would have ensured that, in the case of the recording of information on justice campaigns, undercover officers "would not themselves filter the information that they had become aware of. [... Instead, they] would gather and report all of the detail relevant to the groups that they infiltrated."[104] On this same issue, police managers failed to properly apply the Management of Police Information (MOPI), "which would have [otherwise] led to a proper assessment of relevance and the weeding of unnecessarily retained irrelevant personal information."[105] The fact that SDS officers did not undergo the national undercover training, the absence of RIPA throughout much of the SDS history and, when RIPA was introduced, the apparent failure of management and authorizing officers to comply with the law created a fertile ground for collateral intrusion and for the gathering of sensitive information.[106] However, the introduction of RIPA alone has not acted as a panacea. It is true that it provides a legal framework compliant

with the European Convention of Human Rights (although some experts disagree)[107] for special investigation techniques, such as interception of communications, covert surveillance, use of informants[108] and undercover officers, and bugging.[109] However, it is debatable whether its principle of using human intelligence in proportion to what it aims to achieve and to minimize any loss in public confidence was upheld at all times in the later years of the SDS and throughout the NPOIU's existence. In this sense, it did not prevent NPOIU officers from engaging in contested activities, such as sexual relationships with targets, which would later prompt the House of Commons[110] to call for a fundamental review of the existing legislative and regulatory framework.

Today there are several further safeguards in place and there are several protocols requiring to produce identities and documentation that vastly differ from the times when the SDS operated and from the initial years of the NPOIU. These safeguards and protocols include:

1. The College of Policing (COP) "Authorised Professional Practice" (APP) Oversight.
2. A national training course for UCOs [Undercover Officers].
3. Authority levels of UCO deployments being at the Assistant Chief Constable level—although the RIPA legislation places this at superintendent level.
4. The need for detailed reviews and renewal of any such authorized deployments, always considering necessity and proportionality.
5. Clear "use and conduct" being stipulated in any such deployment that definitively articulate in any activity that a UCO may engage.[111]

Despite these efforts, evidence suggests that these safeguards and protocols are yet to be fully and effectively implemented. Following recommendations set out in the 2012 review of the NPOIU and SDS and a request that further inspection be conducted to examine all undercover policing in England and Wales,[112] in June 2013 the Home Secretary Theresa May commissioned Her Majesty's Inspectorate for Constabulary to carry out such work. The findings are set out in a review of the broader practice of undercover policing across 43 police forces and law enforcement agencies (e.g., the National Crime Agency) deploying undercover officers in England and Wales.[113] The report found ongoing deficiencies in undercover policing procedures. Such deficiencies include lack of expertise among senior leaders and procedural inconsistencies across police forces (e.g., selection, training, and day-to-day work) also attributable to little coordinated direction by the National Undercover Working Group.[114] The report further highlighted a great level of variation in the quality of written authorizations for deployment by assistant chief constables.[115] It blamed the Authorized Professional Practice Covert Undercover Operations document for providing inadequate guidance to undercover police officers. Notably, the report blamed the "culture of secrecy amongst the undercover community"[116] for acting as a barrier to scrutiny, in particular failing to share such a document to lawyers of the Crown Prosecution Service (CPS) and to psychologists responsible for the welfare of undercover police officers. In October 2014, the National Policing Lead for Undercover Policing, Deputy Chief Constable Jon Boutcher, released a statement arguing that changes had been made and that undercover operations are currently rigorously overseen and subject to scrupulous authorizations.[117] Overall, that undercover policing "be necessary and proportionate to the intelligence dividend that it seeks to achieve and ... be fully compliant with the European Convention on Human Rights"[118] is a goal that institutional

reviews seem to suggest will be achieved only through strong oversight over, and clear procedures regulating, undercover policing activities. In this sense, the National Undercover Scrutiny Panel set up by the College of Policing in March 2015 could be a further step to both improve best practices and standards and provide additional scrutiny on undercover policing arrangements.[119] But beyond oversight and regulation, there remains to understand how the SDS and the NPOIU fit within the wider remits and limits of intelligence gathering. The next section will attempt to give an answer to it.

SDS, NPOIU, and the Remits and Limits of Intelligence Gathering

Enshrined in the rationale driving the establishment of the SDS and the NPOIU resided the principle of gathering preemptive intelligence to intercept criminal plans (political violence and public disorder) and to stop them before they are executed. In many ways the collection of this type of information would later be conceptualized as an intelligence-led model of policing. Originally articulated by the Audit Commission in 1993 and by the Home Office in 1997, first operationalized by the Chief Constable of Kent Police David Phillips[120] and more recently encapsulated in the National Intelligence Model,[121] the concept of intelligence-led policing remains elusive.[122] Tentative definitions have proliferated. On the one hand, there is convergence in recognizing that collecting and analyzing information plays a pivotal role in producing "an intelligence end product designed to inform law enforcement decision making at both the tactical and strategic levels."[123] According to this way of thinking, intelligence-led policing "manage[s] information about threats and risks to strategically manage the policing mission."[124] In this approach, which is becoming more and more centered on the tools offered by new technologies, "information work" represents the most important aspect of policing.[125] Information inflow originates from either visible or invisible methods of policing. The latter is central to traditional intelligence and rests on a *modus operandi* that removes the information gathering process from the eyes of the public[126] by utilizing surveillance, informants, and internal and external databases.[127] A form of social control strategy founded on the operational and symbolic power of information, intelligence can therefore be considered "a mode of information . . . that has been interpreted and analysed in order to inform future actions of social control against an identified target."[128] On the other hand, there remain large areas of uncertainty as to the real, rather than ideal, remits of intelligence-led policing activities. It is true that there exists a clear focus on crime reduction and prevention,[129] particularly through "both strategic management and effective enforcement strategies that target prolific and serious offenders."[130] It is within the context of targeting prolific offenders and their loose networks that the Audit Commission originally suggested the police use more proactive policing tactics centered around intelligence gathering.[131] In other words, it is believed that greater use of surveillance and human intelligence sources underlines a model of policing which places intelligence at the center of the decision-making process[132] to specifically target prolific and serious criminals and triage out most crimes from further investigation (also reducing duplication).[133] Procedural inconsistencies in some of the operations of the SDS and the NPOIU, and in particular the targeting of some groups that did not pose an obvious criminal threat, make it problematic to justify their full mandate under an intelligence-led policing approach.

In part this situation can be explained by the fact that the conceptual and practical articulations of intelligence-led policing were made only toward the later stages of the SDS, and that the NPOIU may have followed on from its "tried and tested" methods. Importantly, it also springs from the peculiar approach that the two units took in

collecting a blend of criminal intelligence and political intelligence (the latter potentially informing the former). The collection of intelligence springing from politically active groups involved in protest, unlike the gathering of evidence typical of undercover police units infiltrating criminal gangs, is focused on future-oriented risk reduction. In other words, while undercover units infiltrating criminal gangs collect evidence to bring about immediate prosecutions, undercover units infiltrating political groups collect information that assist in the prevention of violence and public disorder potentially happening at various times in the future. Cardinal to such preventative work are the uncertainties as to whether some groups will or will not resort to political violence, public disorder, and/or other crimes in pursuance of their objectives. There is no doubt that the SDS and the NPOIU gathered criminal intelligence on groups posing a threat to national security (see earlier in this article), if such intelligence is to be understood as "information compiled, analyzed, and/or disseminated in an effort to anticipate, prevent, or monitor criminal activity."[134] However, the two units also gathered political intelligence on less or nonviolent groups (see earlier in this article), which might or might not have subsequently informed criminal intelligence. While it cannot so obviously be ruled out that the State, working through the MPS, sought to neutralize political opposition, a more cautious explanation for the collection of political intelligence is underpinned by an understanding of how politically active groups work: even when remaining within the boundaries of legally protected activity, they work through the intangibles of politics (alliances, plans, discussions, speeches, etc.). It is often hard to implement a binary system of assessment ("risk of serious crime"/"no risk of serious crime") of such intangibles, and the actual (rather than perceived) risk of violence, public disorder, and subversion cannot always be gauged with infallible accuracy. Further confusion and complexity emerge when peaceful and well-meaning activists consciously or unconsciously mingle with violent and dangerous ones. This is particularly problematic when groups that claim to be peaceful provide safe havens for activists prepared to carry out more serious acts of criminal damage.

There also exists an element of competition across and within police forces in a battle for financial resources and operational priorities. While at the moment there is no sufficient information to state whether the SDS and the NPOIU operated within such a framework, it is nevertheless worth mentioning the ongoing trend in "specialist units focusing on individual crime phenomena [. . .which continue] to advertise (often limited) success in a continued battle for scarce resources."[135] Besides exploring the legitimacy of preventing strictly political (rather than strictly criminal) threats to society and the established order, future research should also consider whether some of the more peaceful and less disorderly groups were deemed to merit deep and sustained infiltration within the confines of "strategic intelligence analysis" in order to identify "new types of criminality" so as to prioritize "the allocation of scarce resources."[136] This issue will be particularly important for scholars of policing and organizational studies. Proactive methods of policing, such as intelligence gathering and the disruption of criminal syndicates, have historically been the domain of specialist teams and squads within the police, for example Criminal Investigation Departments (CIDs) and Regional Crime Squads (RCSs).[137] There is a crucial question as to whether plainclothes officers of CIDs, RCSs and Special Branch, responsible for crime investigation and prevention, could develop distinct occupational cultures to uniformed policemen and could also compete for scarce resources and funding, being in a constant search for targets to gather intelligence on in order to justify their existence.

Beyond these more speculative suggestions, there exist the realities of the impact that undercover policing work has on broader society, notably unintended and dire

consequences and "damage [spreading] like a virus—contaminating all it touches [and] lead[ing] to a deep pile of hurt."[138] Moreover, gathering intelligence for the prevention of serious crime and disorder, as opposed to gathering evidence to be used in court, tends to disincentivize police officers from following correct procedures and from ensuring that undercover activities are necessary and proportionate to the threat posed by the targeted groups.[139] When coupled with the high level of intrusion in the lives of activists, particularly those of a more peaceful and less disorderly nature, and the potential disregard for civil liberties, the SDS and the NPOIU positioned themselves within a grey procedural area. Notably, the secrecy and deception that are axiomatic to undercover policing naturally threatened the Peelian philosophy of "policing by consent." Beyond raising questions about the criteria by which particular groups were to be targeted and infiltrated, especially with regard to the myriads of ways in which the threat of political violence and public disorder can manifest and be assessed, the operations of the two undercover police units speak to the heart of public expectations of what police are mandated to do. Naturally, the removal of policing work from the scrutiny of the public can sustain perceptions that institutions operating in the name of the *res publica* are not fully accountable; it is well known that direct police communication can enhance trust and confidence in the police.[140] The public outrage at some of the activities of the SDS and the NPOIU is all too problematic in a context in which the Stephen Lawrence Inquiry[141] still hounds public confidence in the MPS, even more so in recent times with the high profile deaths of Jean Charles de Menezes,[142] Ian Tomlinson,[143] and Mark Duggan[144] during or following police contact, and in which the British State has incurred severe criticism for deploying counterterrorist legislation, policy, and measures aimed at widespread intelligence gathering (rather than the surgical identification and apprehension of terrorists) with regard to both Northern Ireland–related terrorism since the mid-1970s[145] and Al Qaeda-related terrorism since 2001.[146]

Undercover policing naturally encounters further hostility and criticisms insofar as it is "inherently different from normal policing because the safeguards that usually accompany overt justice processes are entirely absent."[147] It cannot be stressed enough that the pursuance of intelligence (especially that of a political, and not always criminal, nature) rather than evidence casts undercover police units as *quasi* extra-legal organizations, abiding to rules of pragmatism and necessity rather than procedure and ethics. It follows that:

> Because such investigations may not be predicated on concrete suspicion of wrongdoing, they may cast a wider net, yielding information whose validity may never be tested in court ... may burden the exercise of freedom of speech, assembly, and religion and may compromise the privacy of confidential communications between members of targeted organizations.[148]

This description fits squarely with the experience of the SDS and the NPOIU. Especially with regard to the former, investigations have uncovered that a culture of absolute secrecy[149] was so deeply entrenched within the organization, valued by the Home Office,[150] and unregulated by MPS, that it "operated as if it was exempt from the developing duty of proper disclosure required of the MPS in legal proceedings, and particularly in criminal prosecutions,"[151] potentially leading to miscarriages of justice (these being currently investigated with regard to both the SDS and the NPOIU by Mark Ellison QC).[152] But a cardinal issue that future studies on the British infiltration of political groups involved in protest will need to address is whether the failures emerging from the ongoing investigations and institutional reviews: (a) reflect a pathology of the SDS,[153] the NPOIU,

and/or MPS/ACPO more broadly: (b) are the result of either rogue officers or institutional (ir)responsibility; (c) are a consequence of the very essence of undercover policing combined with a lack of proper legislative regulation, procedural clarity, and supervisory effectiveness.

Lastly, it is important to remember that historically police spies, stool pigeons, agent provocateurs, and informers "have been generally regarded with aversion and nauseous disdain."[154] Fears and anxiety of police powers go far back in time, and the 1928 newspaper story warning promenaders in Hyde Park of the dangers of plainclothes officers[155] is a telling example. Unlike the deception naturally part of conventional policing, undercover policing presents unique peculiarities insofar as "suspects are unaware of both the purpose *and* the identity of the police."[156] It is true that deploying undercover operatives maintains a prime function and operational necessity of collecting information on, for example, (a) clandestine, political groups that pose a serious security threat and that cannot be reached through means other than infiltration and (b) potentially risky groups which might not co-operate to more transparent, empowering, participatory and inclusionary methods of "soft policing."[157] However, it is equally true that some police tasks, notably the monitoring of subversives by Special Branch and order maintenance at demonstrations, "are avowedly concerned with the control of behavior which is explicitly political in motivation and intended impact."[158] Within this context, undercover policing, especially when dealing with both crimes and political dissent, becomes the hallmark of a State-centered "high-policing,"[159] in which secrecy, deceit, and extra-legality spring naturally from its "ideological underpinnings of preserving the dominant political regime rather than protecting individual citizens."[160] With expectations that the police, as opposed to the Security Services, are mandated to do visible work, it is not surprising that revelations on the SDS and the NPOIU have incurred public outrage. In the end, the two units have found themselves in a paradoxical situation: while winning over the confidence and the trust of the public is key to achieving legitimacy, the invisible work of undercover units, and especially the collection of political intelligence, has the potential for such serious threats to civil liberties to often meet *a priori* rejection from the same public that should give the democratic mandate to State and police action. The question of legitimacy therefore becomes a question of both the limits of State autonomy in fulfilling the social contract and the different interests that law enforcement agencies are expected to serve. Yet, it is within a political culture that rewards action over inaction and stability over uncertainty that the next section will argue that the experiences of SDS and the NPOIU should be contextualized.

The Political Climate Surrounding Undercover Policing

The experiences of the SDS and the NPOIU are not a British exception but represent a historical continuum in Western political responses to real and perceived threats to the sociopolitical order. Although providing a full comparative historical account of State infiltration of political groups is well beyond the scope of this article, the FBI's COunter INTELligence PROgram (COINTELPRO) deserves to be mentioned as the prime example of Anglo-Saxon State-orchestrated monitoring and disruption of political groups posing a threat to the State. Running between 1956 and 1971, COINTELPRO targeted five perceived domestic threats through as many programs: (1) the "Communist Party, USA" program (1956–1971); (2) the "Socialist Workers Party" program (1961–1969); (3) the "White Hate Group" program (1964–1971); (4) the "Black Nationalist Hate Group" program (1967–1971); and (5) the "New Left"

program (1968–1971).[161] With an expressed aim of using covert means to protect national security, prevent violence, and maintain the existing social and political order,[162] COINTELPRO went much farther than the SDS and the NPOIU. It did not refrain from engaging in snitch-jacketing,[163] encouraging gang warfare,[164] fabricating evidence,[165] stealing membership lists[166] and, more broadly, employing improper and illegal means.[167] Staunch critics consider COINTELPRO to have been an utterly ineffective counterintelligence program.[168] Although investigations and reviews of the SDS and the NPOIU in the past few years have started to unveil their rationale and operations, there are still gaps that need to be filled before we reach a full appraisal. Existing institutional reviews have offered mixed judgments of the SDS and the NPOIU. Despite openly criticizing many of their activities (see earlier in this article), there has also been recognition that the two police units served an important role in preventing and contrasting serious political violence and public disorder, rather than merely collecting political intelligence on peaceful groups. Her Majesty's Inspectorate for Constabulary notes that:

> The NPOIU was involved in the successful collection of intelligence on violent individuals [. . .who] were not individuals engaging in peaceful protest, or even people who were found to be guilty of lesser public order offences [. . .but] were individuals intent on perpetrating acts of a serious and violent nature against citizens going about their everyday lives.[169]

Similarly, Derbyshire Constabulary's independent investigation on the SDS speaks of undercover officers who "undertook difficult and dangerous work in challenging circumstances which undoubtedly included saving lives, protecting properties, disrupting extremist groups and preventing disorder."[170] Stephen Taylor also mentions "a valuable role played by the SDS and brave and committed officers who gathered intelligence which was used to the benefit of the Metropolitan Police and wider society for a long period."[171] While there can be all sorts of interests hiding behind these statements, such positive assessments are certainly helpful in contrasting powerful media narratives geared toward the rejection of any police and State action that touches on civil liberties. More importantly, they hint at the complexities of the work carried out by the SDS and the NPOIU. While it is well established that undercover policing, whether involving political violence or organized crime, can prevent serious harm[172] and that police officers can maintain high ethical and legal standards without necessarily losing sight of pragmatic and operational necessities,[173] it is important that controversial units, such as the SDS and the NPOIU, receive a full, evidence-based appraisal that does not shy away from criticisms but, equally, recognizes successes.

There is no doubt that the SDS and the NPOIU are set to leave a mark in British policing history as an example of mass surveillance and State disruption of political dissent. Approached from a critical point of view, the SDS and the NPOIU will be remembered as the feared long hands of the political elite and the State to subvert and neutralize their opposition. The geographical mandate of these police units will also excite debates on the "creeping nationalization" of British policing,[174] a trend that has intensified since 1967 and that threatens the tradition and principle of decentralized policing in England and Wales.[175] The simultaneous surveillance of the leadership of the miners striking in 1984–85 by Special Branch undercover officers and by MI5 officers,[176] linking "the control of industrial action . . . to the new public order anti-terrorist roles that the police were

increasingly required to fulfill,"[177] serves as a prime example of the coordinated action of the law enforcement's wing of the State in nationwide repression of political dissent.

But there exists a less conspiratorial and more politically aware side of the story. In an age characterized by growing concerns over the hollowing out of civil liberties,[178] and their problematic relationship with certain forms surveillance,[179] more recently the technological types as carried out by the National Security Agency (NSA) and the Government Communications Headquarters (GCHQ), the infiltration of political groups involved in protest by the British police fits squarely within a wider political climate that has historically turned to action and stability over inaction and uncertainty. In his analysis of Western, and particularly American, governmental response to the threat of terrorism, Michael Ignatieff alludes to a deeply entrenched "muscular" political culture that tends to prioritize national security during those times in which assessing risks rests on fragile grounds. Although he does not go as far as to justify historical overreactions to emergency threats, such as the Red Scare of 1919, Ignatieff recognizes that net-widening preventative approaches function as a political reassurance that suspects are apprehended and both real *and* perceived risks are minimized. Specifically, Ignatieff talks of:

> [. . .A] political system [which] rewards overreaction because any politicians want to go to the country saying better safe than sorry. And so overreaction is rewarded rather than underreaction. No politician, regardless of party, would be able to survive a second attack and the charge that he hadn't done enough to protect the country. That's why everybody's bound to overreact.[180]

This political thinking is all too prevalent with respect to terrorism and political violence, as they entail actions intent to destabilize the State and public perceptions of security. What distinguishes ordinary crimes from terrorism and political violence is their social costs. With reference to undercover policing, such a difference is crucial to comprehend the different priorities of units that infiltrate criminal gangs as opposed to units that infiltrate political groups involved in protest. If the police fail to seize a drug shipment, the cost associated with media and public condemnation, and related growing social insecurities, will be minimal. However, if a single bomb goes off, not only will political violence and/or terrorism have scored a goal, but public confidence in the State and law enforcement agencies, and their capacity to protect the security of its citizens, will be undermined. This is otherwise known as the double-infinite risk of terrorism, insofar as it features both uncertainty and potential catastrophe; in turn, it promotes policies and measures that "seek to prevent situations from becoming catastrophic at some indefinite point in the future."[181] The political emergence of a penal State[182] grounded on a pervasive culture of control[183] elevating crime to everyday fear, promoting ontological insecurity[184] and eroding social trust[185] is a well-established fact, especially within Anglo-Saxon circles of criminologists. Especially after 9/11, this has led more radically critical Western voices to talk about the juridical void of a "'state of exception' [. . .which] appears as a threshold of indeterminacy between democracy and absolutism"[186] and suspends legal determinations, for example by blurring the distinction between the public and the private spheres. Equally, even scholars with a much more optimistic attitude toward the State, who believe the latter to be an actor able to "civilize" security, have noticed "a certain clawing back by the state of pluralized security authority in favour of a reassertion of the importance of 'old' state agencies (the police, intelligence services, military)."[187]

This article contends that the British experience of the SDS and the American experience of COINTELPRO are solid evidence that old State agencies have always held a

strong "rowing" function of delivering security,[188] especially when confronting the real and perceived threat of violence, public disorder and subversion springing from political groups, and particularly in periods of geopolitical tension. While it is true that, as Eveline Lubbers's study demonstrates, both the SDS and the NPOIU capitalized on increasing collaborations with corporations and extended their remit far and beyond obvious criminal threats, blaming capitalism or neoliberalism for police shortcomings is rather hasty. In particular, it does not consider the historical continuum of State-driven "political policing" and its legitimacy from the point of view of the State as a largely conservative entity and a *realpolitik* actor that "pursues self-interest [often] in violation of laws and norms [which it itself establishes through its political institutions]."[189] Notably, it fails to understand the activities of the SDS and the NPOIU as emanating from a cultural and political tradition that, as explained above, rewards action over inaction and stability over uncertainty in both preventing threats to the State and society and preserving the sociopolitical order. Lastly, it unhelpfully approaches the undercover policing of political groups in a Manichean fashion in which national security, surveillance and the limitation of freedoms are *invariably* bad, while political dissent, anti-authoritarianism and civil liberties are *uniquely* good. It is only through a more sophisticated approach, which this article aims to have set out, that one can fully comprehend the historical and political forces operating behind the establishment and the activities of the SDS and the NPOIU and, by inference, any other similar undercover police unit.

Conclusions

Studying over forty years of British experience in policing political groups involved in protest presents several challenges. First, the relatively recent exposé of the SDS and the NPOIU and the continuing investigations into their activities mean that much information is yet to become public. Given the sensitivity of the topic and the fact that the voices of former undercover police officers are constrained by the Official Secret Acts, it is likely that the full story will never be made public. While this should not refrain scholars from studying these two units, it certainly alerts them of the limitations of research into such a highly sensitive political topic.

Second, the policing of political groups lends itself to different angles of analysis. Whether the intersections between national security and civil liberties, the legal limits to State action in preserving the existing order, the often difficult coexistence of procedures and pragmatism in undercover operations, the blurred boundaries between criminal intelligence and political intelligence or ethics *vis-à-vis* operational necessity, it is impossible to study this topic without prioritizing some elements over others. This article has chosen to present a value-free, evidence-based account of the available information on the SDS and the NPOIU and a tentative analysis of the most crucial factors driving the operations of these two units, notably the aim to gather criminal and political intelligence as part of both a goal to minimize security risks to society and the State (this at times going as far as stifling legitimate political protest) and a natural outcome of a political culture that rewards action over inaction in preventing real and perceived security threats.

Third and last, public discussions on these two police units have been monopolized by the media to the point that they own the social, political, and moral market as the prime source on undercover policing in Britain. The lack of any dispassionate academic study on the SDS and the NPOIU[190] creates obvious difficulties in approaching the topic in absence of scholarly literature. However, this void opens up possibilities for academics in terrorism studies, criminology and policing to conduct research on what is probably the most debated issue in recent British policing history. A primary aim of this article is therefore to provide a

first evaluation of the SDS and the NPOIU in the hope that it can both spur healthy academic debate on the remits and limits of undercover policing within a democratic society and, importantly, offer some help to ensure that "an important tool in the fight against crime" is utilized in a context in which "there is not repeat of [past] failings in the future."[191]

Authors' Note

This article is limited to an evaluation of the evidence that was publicly disclosed up to 31 May 2015. Readers should be aware that yet to be disclosed findings of ongoing investigations and future revelations might change the scenario and affect some aspects of this evaluation.

Acknowledgments

Special thanks go to Richard English and the two anonymous reviewers for their comments. The authors are also very grateful to Bruce Hoffman and Tess deBlanc-Knowles for their help as, respectively, editor-in-chief and editorial assistant of the journal.

Notes

1. Tony Thompson, "Inside the Lonely and Violent World of the Yard's Elite Undercover Unit," *The Observer* (14 March 2010). Available at http://www.theguardian.com/uk/2010/mar/14/undercover-police-far-left-secret (accessed 25 February 2015).

2. All articles on the topic can be found through *The Guardian*'s news aggregator "Undercover Police and Policing." Available at http://www.theguardian.com/uk/undercover-police-and-policing (accessed 10 February 2015).

3. More recently, activists and investigative researchers have set up an online resource bringing together publicly available material on these two units. It is available for consultation at http://undercoverresearch.net (accessed 3 March 2015).

4. The SDS, along with its remit and broader activities, had already been made public in the 2002 BBC documentary *True Spies* although it did not spark any notable public reaction at that time. See Peter Taylor, "Trues Spies, Episode 1: Subversive my Ass!," *BBC Two* (27 October 2002). Available at http://www.youtube.com/watch?v=W2jcRSPulc0 (accessed 20 March 2015); Peter Taylor, "Trues Spies, Episode 2: Something Better Change," *BBC Two* (3 November 2002). Available at http://www.youtube.com/watch?v=l437HHbwmB8 (accessed 20 March 2015); Peter Taylor, "Trues Spies, Episode 3: It Could Happen to You," *BBC Two* (10 November 2002). Available at http://www.youtube.com/watch?v=agBAcME_SI8 (accessed 20 March 2015).

5. Mick Creedon, *Operation Herne: Special Demonstration Squad Reporting—Mentions of Sensitive Campaigns* (London: Metropolitan Police, 2014).

6. This was separate and secret funding provided by the Home Office to the Metropolitan Police Service (MPS) to cover for costs related to accommodation and transportation of undercover officers. The annual budget ranged between £3,000 in 1968 and £48,996 in 1988/1989. See Stephen Taylor, *Investigation into Links between Special Demonstration Squad and Home Office* (London: Home Office, 2015).

7. Ibid.

8. Creedon, *Operation Herne.*

9. From 1990 the unit was funded by the MPS within overall budget allocation. See Stephen Taylor, *Investigation into Links between Special Demonstration Squad and Home Office*.

10. Ibid.

11. Outside of Britain, riots marked the famous Montreal Police strike in 1969. On 7 October that year, a union of taxi drivers gathered in Griffintown, around the Murray-Hill garage, where a violent protest took place against the monopoly of Murray-Hill to airport pickups. The rioters took advantage of the absence of police officers on streets and, joined in forces by students and left-wing separatists, brought the riots downtown targeting shops, restaurants and hotels. An emergency law

forced the police to return to their duties and tame what are now known as the "Murray-Hill riots." The event ended with a police officer killed, 108 people arrested and 2 million dollars worth of damages. For a video source, see CBC Digital Archives, "1969: Montreal's 'Night of Terror,'" *CBC Digital Archives*. Available at http://www.cbc.ca/archives/categories/politics/civil-unrest/general-27/montreals-night-of-terror.html (accessed 10 February 2015). In 1970 the United States also experienced serious political violence from left-wing groups which had moved from more peaceful protest (e.g., against the Vietnam War) to "planting bombs as a symbolic protest or as actual assaults against the power structure" and to property damage during street demonstrations ("trashing"). See Aaron Leonard and Conor Gallagher, *Heavy Radicals: The FBI's Secret War on America's Maoists* (Alresford: Zero Books, 2014), p. 86.

12. Clive Bloom, *Violent London: 2000 Years of Riots, Rebels and Revolts* (Basingstoke: Palgrave Macmillan, 2010), p. 425.

13. Ibid., pp. 425–426.

14. Ibid., p. 376.

15. Paul Lewis and Rob Evans, *Undercover: The True Story of Britain's Secret Police* (London: Faber and Faber, 2013).

16. Mick Creedon, *Operation Herne: Report 1—Use of Covert Identities* (London: Metropolitan Police, 2013), p. 5.

17. Targeted animal rights groups and activists have recently sought to build profiles of suspected SDS officers and tactics. See: AR Spycatcher, "How Special Branch Spied on Animal Rights Movement," *Buro Jansen & Janssen* (26 February 2014). Available at http://www.burojansen.nl/artikelen_item.php?id=517 (accessed 10 April 2015).

18. Mick Creedon, *Operation Herne: Report 2—Allegations of Peter Francis* (London: Metropolitan Police, 2014); Creedon, *Operation Herne: Report 1*; Creedon, *Operation Herne.*

19. Lindsay Clutterbuck, "Countering Irish Republican Terrorism in Britain: Its Origin as a Police Function," *Terrorism and Political Violence* 18(1) (2006), pp. 95–118.

20. Steve Hewitt, *Snitch! A History of the Modern Intelligence Informer* (London: Continuum, 2010).

21. Tony Bunyan, *The History and Practice of the Political Police in Britain* (London: Quartet Books, 1977).

22. Robert Reiner, "Review: Tony Bunyan 'The History and Practice of the Political Police in Britain,'" *Crime and Social Justice* 13 (Summer 1980), pp. 55–58.

23. Robert Reiner, *The Politics of the Police*, Third Edition (Oxford: Oxford University Press, 2000), p. 8.

24. Ibid.

25. Richard Jackson, "Counter-Terrorism and Communities: An Interview with Robert Lambert," *Critical Studies on Terrorism* 1(2) (2008), pp. 293–308; Robert Lambert, *Countering al-Qaeda in London: Police and Muslims in Partnership* (London: Hurst, 2011).

26. Jackson, "Counter-Terrorism and Communities," p. 293.

27. According to the *1995 Guidelines on Special Branch Work in Great Britain*, work in the area of public order, which was carried out by Special Branch, involved: "accurate assessments of the public order implications of events such as marches and demonstrations. They need such an assessment in order to ensure: the physical safety of participants and the wider public; that the rights of the participants to participate and of members of the wider public to go about their lawful occasions are upheld; and that proportionate and cost-effective policing arrangements are made to deal with any likely disorder or violence." See Statewatch, "UK: Special Branch Guidelines 1995," *Statewatch* 4(6) (1994). Available at http://www.statewatch.org/news/2004/mar/special-branch-1995.htm (accessed 12 April 2015) quoting Home Office and Scottish Office, *Guidelines on Special Branch Work in Great Britain* (London, 1994), paragraph 14.

28. Ibid.

29. Upon joining Special Branch police officers had to undergo a developed vetting clearance and abide by the restrictions of the Official Secrets Act, therefore these rules also applied to SDS officers, who were (often full career) officers drawn from MPSB.

30. Mark Ellison, *The Stephen Lawrence Independent Review: Possible Corruption and the Role of Undercover Policing in the Stephen Lawrence Case. Volume One* (London: Home Office, 2014).

31. For example, at meetings with the "C" Squad SDS managers would bring images for identification. See Creedon, *Operation Herne.*

32. Creedon, *Operation Herne: Report 2.*

33. Ibid. A former undercover police officer interviewed by Paul Lewis and Rob Evans (*Undercover*) described very good relationships between SDS officers and MI5 desk officers but also recounted existing conflicts, for example between an SDS officer impersonating a coarse anarchist and David Shayler (former MI5 officer) who was described by the former as a "desk wanker." See also Annie Machon, *Spies, Lies and Whistleblowers: MI5, MI6 and the Shayler Affair* (Sussex: The Book Guild, 2005).

34. Taylor, *Investigation into Links between Special Demonstration Squad and Home Office.*

35. Ibid.

36. According to activist Merrick Badger, the NIU was a non-MPS unit based in Wiltshire and running "a database of eco protesters, ravers, travellers and free party types." See: Merrick Badger, "Political Secret Police Units," *Bristling Badger* (5 February 2015). Available at http://bristling-badger.blogspot.co.uk/2015/02/political-secret-police-units.html (accessed 5 March 2015).

37. According to activist Merrick Badger, the SIU was the Cumbria based sister unit of the NIU. See Badger, "Political Secret Police Units."

38. ARNI developed from a unit set up within MPS in 1984 which subsequently, in 1986, "became an autonomous unit liaising with animal rights officers in every force outside of London." It was in charge of both maintaining an intelligence database on illegal activities related to animal rights and providing Special Branches across different police forces with assessments and information that could help protect potential targets. See Rachel Monaghan, "Terrorism in the Name of Animal Rights," in Max Taylor and John Horgan, eds., *The Future of Terrorism* (Abingdon: Frank Cass Publishers, 2000), p. 165.

39. Badger, "Political Secret Police Units."

40. Her Majesty's Inspectorate for Constabulary, *A Review of National Police Units Which Provide Intelligence on Criminality Associated with Protest* (London: Her Majesty's Inspectorate for Constabulary, 2012), p. 18.

41. Ibid., p. 14.

42. ACPO was a private company established in 1948 and was replaced by the National Police Chiefs' Council (NPCC) in April 2015. It "provide[d] operational coordination, national policing services and act[ed] as the professional voice of the service." See Nick Parker, *Independent Review of ACPO* (London Association of Police and Crime Commissioners, 2013), p. 4.

43. NETCU was a police unit set up in 2004 and tasked to provide "tactical advice and guidance on policing single-issue domestic extremism." It also supported "companies and other organisations that are the targets of domestic extremism campaigns [. . .and reported] through the National Coordinator for Domestic Extremism (NCDE) to the Association of Chief Police Officers Terrorism and Allied Matters—ACPO(TAM) committee." See National Extremism Tactical Coordination Unit, *Policing Protest: Pocket Legislation Guide* (London: Association of Chief Police Officers, 2007), p. 2. In Wales this role was, and still is, taken up by the Welsh Extremism and Counter-Terrorism Unit (WECTU), which also deals with terrorism.

44. NDET was a police unit "formed in 2005 to co-ordinate investigations conducted by forces across the country" and placed within ACPO. See Lewis and Evans, *Undercover*, p. 173.

45. Today known as the National Domestic Extremism and Disorder Intelligence Unit (NDEDIU), NDEU was a national police unit located within MPS and tasked to "support all police forces to help reduce the criminal threat from domestic extremism across the UK [. . . as well as to] promote a single and co-ordinated police response by providing tactical advice to the police service alongside information and guidance to industry and government." See Association of Chief Police Officers, *National Domestic Extremism and Disorder Intelligence Unit*. Available at http://www.acpo.police.uk/NationalPolicing/NDEDIU/AboutNDEDIU.aspx (accessed 18 February 2015).

46. Evidence of these groups being infiltrated can be found in Paul Lewis and Rob Evans (*Undercover*) and in the numerous articles on British undercover policing stored in *The Guardian*'s news aggregator "Undercover Police and Policing" and available at http://www.theguardian.com/uk/undercover-police-and-policing (accessed 10 February 2015).

47. The criminal threat posed by some of these groups is highlighted by former Special Branch and MI5 chiefs and operatives in the 2002 BBC documentary *True Spies*. See also Bloom, *Violent London.* Needless to say, the "threat" and "risk" posed by such groups is by definition problematic as different groups posed different threats in different ways and at different levels of seriousness.

48. Within a context characterized by changing notions and definitions about what constitutes "national security" and "terrorism," some of these groups could now be called terrorist groups.

However, one should not be naïve to the fact that politics and political rhetoric about national security and terrorism would factor into the analysis and characterization of such groups. While there exist several conceptualizations of both terms, Jackson and Sørensen provide a very compelling explanation of the contemporary meanings of "national security" as a responsibility to provide security that was once provided by family, clans, warlords, and other local bodies and that, with the emergence of the State system, has gradually been taken up by the State. In this sense, the authors define national security as "the policies employed and the actions undertaken by a state to counter real or potential internal and external threats and to ensure the safety of its citizens. This is one of the fundamental responsibilities of the state to its people, and *the* fundamental state responsibility according to the realist view of IR." See Robert Jackson and Georg Sørensen, *Introduction to International Relations: Theories and Approaches*, Third Edition (Oxford: Oxford University Press, 2007), p. 310 (emphasis in the original). Similarly, while an international legal consensus on what constitutes terrorism is yet to be reached, Schmid's "revised academic consensus definition of terrorism" is a very useful scholarly and conceptual reference. An extract of such definition explains terrorism as "[predominantly politically motivated,] calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties. ... Sources of terrorist violence can be individual perpetrators, small groups, diffuse transnational networks as well as state actors or state-sponsored clandestine agents (such as death squads and hit teams)." See Alex Schmid, "The Definition of Terrorism," in Alex Schmid, ed., *The Routledge Handbook of Terrorism Research* (London: Routledge, 2011), pp. 86–87.

49. In the only academic article published on this topic, former SDS officer Bob Lambert recounts how, throughout the 1980s and the 1990s, the Animal Liberation Front and other animal rights extremists engaged in violence, criminal damage, and intimidation against a wide range of targets, including politicians (e.g., then Prime Minister Margaret Thatcher and then Home Secretary William Whitelaw), academics (e.g., Professor Colin Blakemore), meat traders, vivisectionists, furriers, huntsmen, and huntswomen. Moreover, the animal research industry, the hunting community, the meat trade, and the fur trade often suffered damage, contamination, or theft of property. See Robert Lambert, "Researching Counterterrorism: A Personal Perspective From a Former Undercover Police Officer," *Critical Studies on Terrorism* 7(1) (2014), pp. 165–181. For a broader overview of the anarchist goals and the violent means of the Animal Liberation Front, see Kim Stallwood, "A Personal Overview of Direct Action," in Anthony Nocella and Steven Best, eds., *Terrorists or Freedom Fighters? Reflections on the Liberation of Animals* (Herndon, VA: Lantern Books, 2004), pp. 81–90. Professor Colin Blakemore discussed his experience as a victim of a violent and intimidating campaign by the Animal Liberation Front lasting over ten years in Melanie Abbott, "The Report: Undercover Police," *BBC Radio 4* (11 July 2013), 17:40–19:13. Available at http://www.bbc.co.uk/programmes/b036ky00 (accessed 24 February 2015).

50. The recent disclosure of confidential documents allegedly reveals that the Free Wales Army and the Movement for the Defence of Wales were deemed to pose a security threat to the investiture of Prince Charles in Caernarfon Castle in 1969. See David Deans, "A Prime Minister's Fear of Welsh Nationalist Attacks on Prince Charles Revealed," *Wales Online* (19 April 2015). Available at http://www.walesonline.co.uk/news/wales-news/prime-ministers-fears-welsh-nationalist-9075854 (accessed 20 April 2015).

51. According to allegations of a former SDS officer, between 1990 and 2001 intelligence was also gathered on at least ten Labour Members of Parliament (MPs) who took part in demonstrations organized by some of these groups. See Rob Evans and Rowena Mason, "Police Continued Spying on Labour Activists after their Election as MPs," *The Guardian* (25 March 2015). Available at http://www.theguardian.com/uk-news/2015/mar/25/police-spied-on-labour-mps-whistleblower (accessed 26 March 2015).

52. The characterization of "less serious" and/or "less sustained" threat of public disorder is well exemplified by Reclaim the Streets (RTS). An antiglobalization, anticapitalist, and anarchist movement that generally tends to engage in actions that cause minor public disorder, notably blocking streets during road protest, at times RTS has been involved in more serious violent activities, for example when the final street party of a "Festival of Resistance" in Trafalgar Square turned into a riot in 1997 or when members of the group created havoc in London by damaging the London International Financial Futures and Options Exchange (LIFFE), a Rabobank building and other offices, a Mercedes showroom and expensive cars in the street during the Global Carnival Against Capitalism on 18 June 1999, eventually leading to "a toll of injuries and arrests that left the day's events

comparable to the poll tax riots nine years earlier [, when on 31 March 1990 a demonstration organized by the All Britain Anti-Poll Tax Federation, a national organization set up and controlled by Militant Tendency, coordinating many Anti-Poll Tax Unions and campaigning against the Poll Tax introduced in England and Wales in 1990 and in Scotland in 1989, turned into violent confrontation between demonstrators and the police and ended up with almost two thousand reported criminal acts and hundreds of injuries, arrests, cars set on fire, shops looted, and police vans and equipment vandalized.]" See Clive Bloom, *Violent London*, p. 442.

53. London Greenpeace was not connected to the better known Greenpeace International. Instead it was a green anarchist, anticapitalist, pacifist movement opposed to multinationals and governments and running between 1971 and the 2001. Among other things, London Greenpeace organized Stop the City ("Protest and Carnival Against War, Oppression and Exploitation") in 1983 and 1984, that was direct action attempting to disrupt London's financial center involving three thousand activists, one thousand arrests over eighteen months, and also "graffiti, street theatre, noise free food, bank locks glued, patriot flags burned, leafleting, [and] anti-apartheid actions against Barclays Bank." See George Berger, *The Story of Crass* (Oakland, CA: PM Press, 2009), p. 247; Derek Wall, *Earth First! and the Anti-Roads Movement* (Abingdon: Routledge, 1999); Peter Joyce and Neil Wain, *Palgrave Dictionary of Public Order Policing, Protest and Political Violence* (Basingstoke: Palgrave Macmillan, 2014), pp. 9–12; McSpotlight, *London Greenpeace: A History of Peace, Protest and Campaigning*. Available at http://www.mcspotlight.org/people/biogs/london_grnpeace.html (accessed 6 April 2015).

54. Youth Against Racism in Europe operated as a front for, and was led by members of, the revolutionary group Militant Tendency. See Lewis and Evans, *Undercover*; The Socialist Newspaper, "Police Spies and the Workers' Movement," *The Socialist Newspaper* (4 September 2013). Available at http://www.socialistparty.org.uk/articles/17340/04-09-2013/police-spies-and-the-workers-movement (accessed 6 April 2015).

55. The Anti-Nazi League was set up by, and operated as a front for, the Socialist Workers Party. See David Boothroyd, *The History of British Political Parties* (London: Politico's Publishing, 2001).

56. Lewis and Evans, *Undercover*; House of Commons, *Undercover Policing: Interim Report* (London: The Stationery Office, 2013).

57. With the fall of the Berlin Wall in 1989 and the end of the Cold War in 1991 the threat posed by domestic communist parties acting in concert with the Soviet Union eclipsed as both the Soviet Union and worldwide communism crumbled. From then onward, the Security Service would start focusing more specifically on countering Northern Ireland–related terrorism, leaving any remaining subversive groups to be dealt with by Special Branch. See Taylor, "True Spies, Episode 3: It Could Happen to You."

58. Clive Bloom, *Riot City: Protest and Rebellion in the Capital* (Basingstoke: Palgrave Macmillan, 2012), p. 3.

59. Eveline Lubbers, *Secret Manoeuvres in the Dark: Corporate and Police Spying on Activists* (London: Pluto Press, 2012). Particularly relevant is the fact that the SDS was involved in the "McLibel case" (*McDonald's Corporation v. Steel & Morris* [1997] EWHC QB 366) through the activities of one of its undercover police officers, Bob Lambert, who had infiltrated London Greenpeace under the false name of Bob Robinson and who had helped environmental activists Helen Steel and David Morris co-author a pamphlet critical of McDonald's that led to a libel lawsuit filed by the American burger chain against the two. The accuracy of this account and the exact extent of Bob Lambert's involvement are being investigated by "Operation Herne." Lubbers also shows that information was passed by NPOIU officers to multinational companies such as E. ON. As for Special Branch officers, including SDS and NETCU members, supplying information on trade unionists and health and safety activists, often with links to the Communist Party and considered to be suspected subversive, to blacklisting and multinational companies, see Dave Smith and Phil Chamberlain, *Blacklisted: The Secret War between Big Business and Union Activists* (Northampton: New Internationalist, 2015); Dave Smith, "Focus: The UK Blacklisting Scandal," *International Union Rights* 21(1) (2014), pp. 3–4; Phil Chamberlain, "Building the Blacklist: Police Spies and Trade Unionists," *Open Security* (22 May 2014). Available at http://www.opendemocracy.net/opensecurity/phil-chamberlain/building-blacklist-police-spies-and-trade-unionists (accessed 9 March 2015).

60. Bunyan, *The History and Practice of the Political Police in Britain*; Reiner, "Review: Tony Bunyan."

61. For a recent case of activists cutting fences of a Royal Air Force base, see BBC News, "RAF Waddington Drone Protest: Four Arrested," *BBC News* (5 January 2015). Available at http://www.bbc.co.uk/news/uk-england-lincolnshire-30679979 (accessed 6 April 2015).

62. Besides being a tactical and strategic necessity, a drastic change of appearance to blend within target groups is not only a British peculiarity but was routinely used by FBI agents infiltrating subversive and violent extremist groups in the United States, such as the Weather Underground Organization. See Cril Payne, *Deep Cover: An FBI Agent Infiltrates the Radical Underground* (New York, NY: Newsweek Books, 1979).

63. Lewis and Evans, *Undercover.* Lewis and Evans also reported cases of undercover police officers suffering from a series of mental breakdowns and crises, including deserting police service to join the infiltrated groups and serious problems in returning to normalcy after deployment. The psychological stressors and the post-operational syndromes involved in developing relationships that undercover police officers will knowingly and purposefully betray are described in Laurence Miller, "Undercover Policing: A Psychological and Operational Guide," *Journal of Police and Criminal Psychology* 21(2) (2006), pp. 1–24. Gordon Turnbull, who has treated several undercover police officers, described the psychological stressors and the post-operational syndromes of the job in Abbott, "The Report: Undercover Police," 20:35–21:25. Long-term undercover work has also been correlated with a higher risk of developing personal problems ranging from corruption and disciplinary problems to alcohol and drug abuse to interpersonal issues and paranoia. See: Elizabeth Joh, "Breaking the Law to Enforce It: Undercover Police Participation in Crime," *Stanford Law Review* 62(1) (2009), pp. 155–199.

64. For a comprehensive discussion of authorized criminality in the course of undercover policing duties (although with a particular emphasis on the American legal system) see Joh, "Breaking the Law to Enforce It."

65. Her Majesty's Inspectorate for Constabulary, *A Review of National Police Units Which Provide Intelligence on Criminality Associated with Protest*.

66. Ibid.

67. While the existence of undercover police units infiltrating political groups involved in protest had already been made public in the 2002 BBC documentary *True Spies*, it took until January 2011 before the first undercover officer (Mark Kennedy, who had worked undercover as a NPOIU officer under the false name Mark Stone) was exposed.

68. Thompson, "Inside the Lonely and Violent World of the Yard's Elite Undercover Unit."

69. See Lewis and Evans, *Undercover.* All articles on the topic can be found through *The Guardian*'s news aggregator "Undercover Police and Policing." Available at http://www.theguardian.com/uk/undercover-police-and-policing (accessed 10 February 2015).

70. The infiltration of less or nonviolent groups engaged in less serious and/or less sustained public disorder has incurred the outrage of many activists. As for those groups engaged in violence and serious public disorder, a former SDS undercover police officer questions whether the lack of consistent responses to the policing of terrorism and political violence among commentators and politicians could depend on the political causes that such groups seek to promote. In other words, he argues that proactive policing targeting widely disliked violent political groups (e.g., far-right street groups) could be more politically palatable than the targeting of violent groups supporting progressive (e.g., environmental and animal rights) causes. See Lambert, "Researching Counterterrorism."

71. Meirion Jones, "Trial Collapses after Undercover Officer Changes Sides," *BBC News* (10 January 2011). Available at http://www.bbc.co.uk/news/uk-12148753 (accessed 30 May 2015). Twenty activists involved in the same incident and later convicted had their convictions quashed in 2011. Judges found that evidence that would have helped the defense lawyers was withheld during trial and that Mark Kennedy had allegedly acted as an agent provocateur during the incident. See Rob Evans and Paul Lewis, "Undercover Police Officer Unlawfully Spied on Climate Activists, Judges Rule," *The Guardian* (20 July 2011). Available at http://www.theguardian.com/environment/2011/jul/20/police-spy-on-climate-activists-unlawful (accessed 17 March 2015).

72. Her Majesty's Inspectorate for Constabulary, *A Review of National Police Units Which Provide Intelligence on Criminality Associated with Protest.*

73. Creedon, *Operation Herne: Report 1*; Creedon, *Operation Herne: Report 2*; Creedon, *Operation Herne.*

74. Ellison, *The Stephen Lawrence Independent Review.*

75. Taylor, *Investigation into Links between Special Demonstration Squad and Home Office.*

76. Rob Evans and Vikram Dodd, "Senior Judge to Lead Inquiry into Police Spying on Political Campaigns," *The Guardian* (12 March 2015). Available at http://www.theguardian.com/uk-news/2015/mar/12/senior-judge-to-lead-inquiry-into-police-spying-on-political-campaigns (accessed 12 March 2015).

77. Two former Permanent Secretaries, three former Deputy Under Secretaries, one former Assistant Under Secretary and one former Head of Division.

78. Taylor, *Investigation into Links between Special Demonstration Squad and Home Office.*

79. BBC News, "Undercover Policeman 'Fire-Bombed Shop,' MPs Told," *BBC News* (13 June 2012). Available at http://www.bbc.com/news/uk-politics-18423441 (accessed 17 February 2015).

80. Ellison, *The Stephen Lawrence Independent Review*, p. 268.

81. Home Affairs Committee, *Undercover Policing: Follow-Up*. House of Commons Oral Evidence Taken Before the Home Affairs Committee. Uncorrected Transcript of Oral Evidence: Mick Creedon. Questions 94–114 (12 July 2013). Available at http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/uc557-ii/uc557ii.pdf (accessed 7 April 2015).

82. BBC News, "Lawrence Smear Claims 'Lack Evidence,' IPCC Says," *BBC News* (26 July 2013). Available at http://www.bbc.co.uk/news/uk-23466468 (accessed 7 April 2015).

83. Ellison, *The Stephen Lawrence Independent Review.*

84. Independent Police Complaints Commission (IPCC), "IPCC Investigating Metropolitan Police Service Commander and Two Others Following Mark Ellison QC Review," *IPCC* (2 June 2014). Available at http://www.ipcc.gov.uk/news/ipcc-investigating-metropolitan-police-service-commander-and-two-others-following-mark-ellison (accessed 20 May 2015); Independent Police Complaints Commission (IPCC), "Update on Investigation Involving MPS Commander and Others Following Mark Ellison QC Review," *IPCC* (27 May 2015). Available at http://www.ipcc.gov.uk/news/update-investigation-involving-mps-commander-and-others-following-mark-ellison-qc-review (accessed 27 May 2015).

85. Home Affairs Committee, *Undercover Policing: Follow-Up*, p. 9.

86. Jim Boyling worked undercover as Jim Sutton from the mid-1990s to the early 2000s, while Bob Lambert posed as Bob Robinson throughout the 1980s.

87. Rob Evans, "Police Forced to Name Undercover Officers Who Duped Women," *The Guardian* (15 August 2014). Available at http://www.theguardian.com/uk-news/2014/aug/15/metropolitan-police-forced-to-name-undercover-officers (accessed 10 February 2015).

88. June Kelly and Dominic Casciani, "Met Pays £425,000 to Mother of Undercover Policeman's Child," *BBC News* (24 October 2014). Available at http://www.bbc.co.uk/news/uk-29743646 (accessed 30 October 2014).

89. BBC News, "Police Use of Dead Children's Identities 'Justified,'" *BBC News* (11 July 2013). Available at http://www.bbc.co.uk/news/uk-23256799 (accessed 10 February 2015).

90. Creedon, *Operation Herne: Report 2.*

91. It is beyond the scope of this article to offer any value judgment on the practice of fostering sexual relationships with targeted activists. Readers wishing to consult more critical considerations of this practice can refer to Michael Loadenthal, "When Cops 'Go Native': Policing Revolution Through Sexual Infiltration and Panopticonism," *Critical Studies on Terrorism* 7(1) (2014), pp. 24–42; Basia Spalek and Mary O'Rawe, "Researching Counterterrorism: A Critical Perspective From the Field in the Light of Allegations and Findings of Covert Activities by Undercover Police Officers," *Critical Studies on Terrorism* 7(1) (2014), pp. 150–164.

92. Abbott, "The Report: Undercover Police," 14:05–14:55.

93. BBC News, "1990: Violence Flares in Poll Tax Demonstration," *BBC News* (31 March 1990). http://news.bbc.co.uk/onthisday/hi/dates/stories/march/31/newsid_2530000/2530763.stm (accessed 7 April 2015).

94. Thompson, "Inside the Lonely and Violent World of the Yard's Elite Undercover Unit."

95. Payne, *Deep Cover.*

96. Gary T. Marx, *Undercover: Police Surveillance in America* (Berkeley: University of California Press, 1988); Leonard and Gallagher, *Heavy Radicals.*

97. Gary T. Marx, "Under-The-Covers Undercover Investigations: Some Reflections on the State's Use of Sex and Deception in Law Enforcement," *Criminal Justice Ethics* 11(1) (1992), pp. 13–24.

98. David C. Johnston, "Daryl Gates' Real Legacy," *LA Observed* (16 April 2010).

99. Marx, "Under-The-Covers Undercover Investigations."

100. A serious discussion on these issues as they relate to the SDS and the NPOIU would deserve a separate article. Readers wishing to explore the moral ambiguities underpinning undercover policing can refer to Marx, "Under-The-Covers Undercover Investigations"; Julius Watchel, "From Morals to Practice: Dilemmas of Control in Undercover Policing," *Crime, Law and Social Change* 18(1–2) (1992), pp. 137–158. The personal accounts of former FBI agents Mike German and Cril Payne also provide an insight into the ambivalent feelings of infiltrating violent political groups. See Mike German, *Thinking Like a Terrorist: Insights of a Former FBI Undercover Agent* (Dulles, VI: Potomac Books, 2007); Payne, *Deep Cover.*

101. Joh, "Breaking the Law to Enforce It," p. 190.

102. Mike Maguire, "Policing by Risks and Targets: Some Dimensions and Implications of Intelligence-Led Crime Control," *Policing and Society* 9(4) (2000), pp. 315–336.

103. Creedon, *Operation Herne: Report 1.*

104. Creedon, *Operation Herne: Report 2*, p. 5.

105. Ibid., p. 25.

106. Ibid.

107. Sybil Sharpe, "Covert Surveillance and the Use of Informants," in Mike McConville and Geoffrey Wilson, eds., *The Handbook of the Criminal Justice Process* (Oxford: Oxford University Press, 2002), pp. 59–74; Keir Starmer, Michelle Strange, and Quincy Whitaker, *Criminal Justice, Police Powers and Human Rights* (Oxford: Oxford University Press, 2001).

108. The word informant tends to be a misnomer as it includes various human intelligence sources. For example, the McDonald Commission investigating the Royal Canadian Mounted Police classified police sources as (1) volunteer sources, (2) underdeveloped sources, (3) developed casual sources, and (4) long-term deep cover operative. These are all people assisting law enforcement agencies to a different extent, for different periods of time and for different reasons. Long-term deep cover operatives can also include officers working for law enforcement agencies who take up a false identity and infiltrate a targeted group. See McDonald Commission, *Second Report: Freedom and Security Under the Law*. Volume 1 (Ottawa: Minister of Supply and Services, 1981).

109. Philippe de Koster, *Terrorism: Special Investigation Techniques* (Strasbourg: Council of Europe Publishing, 2005).

110. House of Commons, *Undercover Policing.*

111. Creedon, *Operation Herne: Report 1*, p. 20.

112. Her Majesty's Inspectorate for Constabulary, *A Review of National Police Units Which Provide Intelligence on Criminality Associated with Protest.*

113. Her Majesty's Inspectorate for Constabulary, *An Inspection of Undercover Policing in England and Wales* (London: Her Majesty's Inspectorate for Constabulary, 2014).

114. This is the body of senior leaders responsible for undercover policing's policies and strategies.

115. The House of Commons further noted "an alarming degree of inconsistency in the views of Ministers and senior police officers about the limits of what may and may not be lawfully authorized." See House of Commons, *Undercover Policing*, p. 5.

116. Her Majesty's Inspectorate for Constabulary, *An Inspection of Undercover Policing in England and Wales*, p. 165.

117. Association of Chief Police Officers, "Reforms of Undercover Policing Already Underway," *Association of Chief Police Officers* (14 October 2014). Available at http://news.acpo.police.uk/releases/reforms-of-undercover-policing-already-underway (accessed 25 February 2015).

118. House of Commons, *Undercover Policing*, p. 5.

119. College of Policing, "National Undercover Scrutiny Panel Set Up." *College of Policing News* (12 March 2015). Available at http://www.college.police.uk/News/College-news/Pages/National-undercover-scrutiny-.aspx (accessed 30 May 2015).

120. Jerry Ratcliffe, *Intelligence-Led Policing* (Cullompton: Willan Publishing, 2008), p. 83.

121. The National Intelligence Model (NIM) was "developed by the National Criminal Intelligence Service (NCIS) and endorsed by ACPO. . . . NIM was adopted as ACPO policy and was later granted a statutory basis, under the Police Reform Act, with requirement for all forces to implement it by April 2004." See Creedon, *Operation Herne: Report 2*, p. 24. It is divided in three areas: (1) local area policing; (2) regional issues; and (3) national and international threats. Essentially, it works as a business model to organize resources and knowledge and to ensure coordination at different levels of delivery (local, regional, and national). Its forward-looking approach is directed at threats posed to community safety. See National Crime Intelligence Service, *The National*

Intelligence Model (London: National Crime Intelligence Service, 2000); Tim John and Mike Maguire, "Rolling Out the National Intelligence Model: Key Challenges," in Karen Bullock and Nick Tilley, eds., *Crime Reduction and Problem Oriented Policing* (Cullumpton: Willan Publishing, 2003), pp. 38–68; Mike Maguire and Tim John, "Intelligence Led Policing, Managerialism and Community Engagement: Competing Priorities and the Role of the National Intelligence Model in the UK," *Policing and Society* 16(1) (2006), pp. 67–85.

122. Jerry Ratcliffe, "Intelligence-Led Policing," *Trends and Issues in Crime and Criminal Justice* 248 (2003), pp. 1–6.

123. United States Department of Justice, *The National Criminal Intelligence Sharing Plan* (Washington, DC: United States Department of Justice, 2003), p. 4.

124. James Sheptycki, "Transnational Policing," *Canadian Review of Policing Research* 1 (2005).

125. Detlef Nogala, "The Future Role of Technology in Policing," in Jean-Paul Brodeur, ed., *Comparisons in Policing: An International Perspective* (Aldershot: Avebury, 1995), pp. 191–210.

126. Martin Innes, "Reinventing Tradition? Reassurance, Neighbourhood Security and Policing," *Criminal Justice* 4(2) (2004), p. 156.

127. Peter Gill, *Rounding Up the Usual Suspects? Developments in Contemporary Law Enforcement Intelligence* (Aldershot: Ashgate, 2000); Mike Maguire, "Policing by Risks and Targets: Some Dimensions and Implications of Intelligence-Led Crime Control," *Policing and Society* 9(4) (2000), pp. 315–336; Martin Innes, "Professionalizing the Role of the Police Informant: The British Experience," *Policing and Society* 9(1) (2000), pp. 357–383.

128. Martin Innes, Nigel Fielding, and Nina Cope, "The Appliance of Science? The Theory and Practice of Crime Intelligence Analysis," *British Journal of Criminology* 45(1) (2005), p. 42.

129. Ratcliffe, "Intelligence-Led Policing."

130. Ratcliffe, *Intelligence-Led Policing*, p. 89.

131. Mike Maguire and Tim John, *Intelligence, Surveillance and Informants: Integrated Approaches*. Police Research Group: Crime Detection and Prevention Series, Paper 64 (London: Home Office, 1995).

132. Ratcliffe, *Intelligence-Led Policing*.

133. Ibid.

134. United States Department of Justice, *Intelligence-Led Policing: The New Intelligence Architecture* (Washington, DC: United States Department of Justice, 2003), p. 39. More broadly, criminal intelligence includes the analysis of information springing not only from covert human intelligence sources, but also from police and non-police data, crime patterns, and socio-demographic analyses. See Ratcliffe, *Intelligence-Led Policing.*

135. Jerry Ratcliffe and John Sheptycki, "Setting the Strategic Agenda," in Jerry Ratcliffe, ed., *Strategic Thinking in Criminal Intelligence* (Annadale, NSW: The Federation Press, 2004), p. 207.

136. Ibid., p. 204.

137. Maguire and John, *Intelligence, Surveillance and Informants*.

138. Marx, *Undercover*, p. 129.

139. House of Commons, *Undercover Policing*.

140. Katrine Hohl, Ben Bradford and Elizabeth Stanko, "Influencing Trust and Confidence in the London Metropolitan Police: Results from an Experiment Testing the Effect of Leaflet Drops on Public Opinion," *British Journal of Criminology* 50 (2010), pp. 491–513.

141. Lord Macpherson, *The Stephen Lawrence Inquiry* (London: The Stationary Office, 1999); Janet Foster, Tim Newburn, and Anna Souhami, *Assessing the Impact of the Lawrence Inquiry*. Home Office Research Study 294 (London: Home Office, 2005).

142. Jean Charles de Menezes was a Brazilian man shot dead by Metropolitan Police Service officers in London on 22 July 2005. The police mistakenly thought that he was one of the suspects who had carried out four failed bomb attacks on the public transport system in London on the previous day (two weeks after the 7 July terrorist attack). See BBC News, "Timeline: Tube Shooting," *BBC News* (19 August 2005). Available at http://news.bbc.co.uk/1/hi/uk/4159902.stm (accessed 28 March 2015).

143. Ian Tomlinson died of a heart attack in controversial circumstances while returning back home from work, shortly after being hit with a baton and pushed to the ground by a Metropolitan Police Service police officer on 1 April 2009, at the time of the G-20 London summit protests. See BBC News, "Timeline: Ian Tomlinson's Death," *BBC News* (5 August 2013). Available at http://www.bbc.co.uk/news/uk-10728685 (accessed 28 March 2015).

144. Mark Duggan was shot dead by Metropolitan Police Service officers in Tottenham (London) on 4 August 2011 during an attempted arrest. His death unleashed riots and violence in various London areas and across major English cities, such as Birmingham, Bristol, Liverpool, and Nottingham. In January 2014 an inquest jury returned a verdict that Duggan was lawfully killed by the police. See BBC News, "Mark Duggan Death: Timeline of Events," *BBC News* (8 January 2014). Available at http://www.bbc.co.uk/news/uk-england-london-14842416 (accessed 28 March 2015).

145. Paddy Hillyard, *Suspect Community: People's Experience of the Prevention of Terrorism Acts in Britain* (London: Pluto Press, 1993); Bunyan, *The History and Practice of the Political Police in Britain.*

146. Steve Hewitt, *The British War on Terror: Terrorism and Counter-Terrorism on the Home Front Since 9/11* (London: Continuum, 2008); Paul Thomas, *Responding to the Threat of Violent Extremism: Failing to Prevent* (London: Bloomsbury Academic, 2012); Stefano Bonino, "Policing Strategies against Islamic Terrorism in the UK after 9/11: The Socio-Political Realities for British Muslims," *Journal of Muslim Minority Affairs* 32(1) (2012), pp. 5–31; Stefano Bonino, "Preventing Muslimness in Britain: The Normalisation of Exceptional Measures to Combat Terrorism," *Journal of Muslim Minority Affairs* 33(3) (2013), pp. 385–400. For a very balanced analysis of the failures of the "War on Terror" and for some extremely convincing policy recommendations on how to effectively and credibly respond to terrorism, see Richard English, *Terrorism: How to Respond* (Oxford: Oxford University Press, 2009).

147. Bethan Loftus and Benjamin Gold, "Covert Surveillance and the Invisibilities of Policing," *Criminology and Criminal Justice* 12(3) (2011), p. 286.

148. Jacqueline Ross, "Undercover Policing and the Varieties of Regulatory Approaches in the United States," *American Journal of Comparative Law* 62(1) (2014), pp. 673–683.

149. A former SDS officer commented that "we were part of a 'black operation,' that absolutely no one knew about and only the police had actually agreed this was okay." See Ellison, *The Stephen Lawrence Independent Review*, p. 199.

150. Taylor, *Investigation into Links between Special Demonstration Squad and Home Office.*

151. Ellison, *The Stephen Lawrence Independent Review*, p. 274.

152. Home Office and The Rt Hon Theresa May MP, *Review of Potential Miscarriages of Justice*. Written statement to Parliament (26 June 2014). Available at http://www.gov.uk/government/speeches/review-of-potential-miscarriages-of-justice (accessed 30 May 2015).

153. The fact that this unit operated in the context of MPSB's intelligence gathering, often in support of the Security Service, makes it even more difficult to trace the exact contours of responsibility.

154. Richard Donnelly, "Judicial Control of Informants, Spies, Stool Pigeons, and Agent Provocateurs," *Yale Law Journal* 60 (1951), pp. 1091–1131, at page 1093 (emphasis in original).

155. John C. Wood, "Watching the Detectives (and the Constables): Fearing the Police in 1920s Britain," in Sian Nicholas and Thomas O'Malley, eds., *Moral Panics, Social Fears, and the Media: Historical Perspectives* (London: Routledge, 2013), pp. 147–161.

156. Joh, "Breaking the Law to Enforce It," p. 161 (emphasis in original).

157. A prime example of "soft policing" within the counterterrorism arena are the tactics employed by the Muslim Contact Unit (MCU), a police unit within MPSB headed by former SDS officer Bob Lambert and tasked with the job of empowering nonviolent radical Salafis with street and community credibility to be able to both divert fellow companions away from violence and thwart attempts to recruit young Muslims to *jihad.* A notable success of the MCU was the ousting of violent supporters of Abu Hamza al-Masri from Finsbury Park Mosque in London in 2005. See Lambert, *Countering al-Qaeda in London.* Abu Hamza al-Masri was later extradited to the United States in 2012, convicted of terrorism charges in 2014 and sentenced to life imprisonment in 2015. See Gina Chon, "Abu Hamza Sentenced to Life in Prison," *Financial Times* (9 January 2015). Available at http://www.ft.com/cms/s/0/e75c7166-9833-11e4-a495-00144feabdc0.html#axzz3RvdgHexJ (accessed 16 February 2015). Positive endorsements of the key role played by the MCU in turning around Finsbury Park Mosque have come from Muslim leaders involved in the events at the time. See Daud Abdullah, "Can Those Who Smear Bob Lambert Claim Such Anti-terrorist Success?," *The Guardian* (18 October 2011). Available at http://www.theguardian.com/commentisfree/2011/oct/18/bob-lambert-police-muslims (accessed 8 March 2015); Koos Couvée, "University's Former Spy Cop Had Role Forcing Extremists from Finsbury Park Mosque," *Islington Tribune* (6 March 2015). Available at http://www.islingtontribune.com/news/2015/mar/university's-former-spy-cop-had-role-forcing-extremists-finsbury-park-mosque (accessed 8 March 2015).

158. Reiner, *The Politics of the Police*, p. 8.

159. Jean-Paul Brodeur, "High Policing and Low Policing: Remarks about the Policing of Political Activities," *Social Problems* 30(5) (1983), pp. 507–520; Jean-Paul Brodeur, *The Policing Web* (Oxford: Oxford University Press, 2010).

160. Jean-Paul Brodeur, "High and Low Policing in Post-9/11 Times," *Policing* 1(1) (2007), p. 31.

161. United States Senate, Select Committee to Study Governmental Operations with Respect to Intelligence Activities*, Final Report—Book III: Supplementary Detailed Staff Reports of Intelligence Activities and the Rights of Americans*. 94th Congress, 2nd Session, Senate Report 94–775 (Washington, DC: United States Government Printing Office, 1976).

162. Ibid.

163. James Kirkpatrick Davis, *Spying on America: The FBI's Domestic Counterintelligence Program* (Westport, CT: Praeger, 1992).

164. United States Senate, Select Committee to Study Governmental Operations with Respect to Intelligence Activities*, Final Report—Book III.*

165. Sherry Wolf, "Spies, Lies and War: The Lessons of COINTELPRO," *International Socialist Review* 49 (September–October 2006). Available at http://www.isreview.org/issues/49/cointelpro.shtml (accessed 10 February 2015).

166. Leonard and Gallagher, *Heavy Radicals.*

167. United States Senate, Select Committee to Study Governmental Operations with Respect to Intelligence Activities, *Final Report—Book II: Intelligence Activities and the Rights of Americans*. 94th Congress, 2nd Session, Senate Report 94–775 (Washington, DC: United States Government Printing Office, 1976).

168. German, *Thinking Like a Terrorist.*

169. Her Majesty's Inspectorate for Constabulary, *A Review of National Police Units Which Provide Intelligence on Criminality Associated with Protest,* p. 18.

170. Creedon, *Operation Herne: Report 2*, p. 69.

171. Taylor, *Investigation into Links between Special Demonstration Squad and Home Office*, p. 6.

172. Marx, *Undercover.*

173. German, *Thinking Like a Terrorist.*

174. Les Johnston, *Policing Britain: Risk, Security and Governance* (London: Longman, 2000).

175. Richard Terrill, *World Criminal Justice Systems: A Survey*, Seventh Edition (New Providence, NJ: LexisNexis, 2009).

176. Seumas Milne, *The Enemy Within: The Secret War Against the Miners* (London: Verso, 1994).

177. Bloom, *Violent London*, p. 379.

178. Simon Hallsworth and John Lea, "Reconstructing Leviathan: Emerging Contours of the Security State," *Theoretical Criminology* 15(2) (2011), pp. 141–157.

179. Maguire and John, *Intelligence, Surveillance and Informants.*

180. Michael Ignatieff, "Interview: Michael Ignatieff Discusses His Book 'The Lesser Evil: Political Ethics in the Age of Terror,'" *Talk of the Nation* (7 June 2004). Available at http://www.npr.org/programs/totn/transcripts/2004/jun/040607.ignatieff.html (accessed 10 February 2015). See also Michael Ignatieff, *The Lesser Evil: Political Ethics in the Age of Terror* (Princeton, NJ: Princeton University Press, 2004).

181. Claudia Aradau and Rens Van Munster, "Governing Terrorism Through Risk: Taking Precautions, (un)Knowing the Future," *European Journal of International Relations* 13(1) (2007), p. 105.

182. Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham, NC: Duke University Press, 2009).

183. David Garland, *The Culture of Control* (Oxford: Oxford University Press, 2001).

184. Anthony Giddens, *Modernity and Self-Identity: Self and Society in Late Modern Age* (Stanford, CA: Stanford University Press, 1991).

185. Jonathan Simon, *Governing through Crime: How the War of Crime Transformed American Democracy and Created a Culture of Fear* (New York, NY: Oxford University Press, 2007), p. 3.

186. Giorgio Agamben, *State of Exception*. Translated by Kevin Attell (Chicago: University of Chicago Press, 2005), p. 3.

187. Ian Loader and Neil Walker, *Civilizing Security* (Cambridge: Cambridge University Press, 2007), p. 199.

188. The "rowing" functions of the State entail delivering the service of policing and security, while its "steering" functions, which Osborne and Gaebler believe have taken over, include legitimizing, regulating, and distributing the services of policing and security in a changing world characterized by a move away from the centrality of the State toward multi-actor governance and provision of security. See David Osborne and Ted Gaebler, *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector* (Reading, MA: Addison Wesley, 1992).

189. Nathalie Tocci, "When and Why Does the EU Act as a Normative Power in its Neighbourhood?," in Michael Emerson, ed., *Readings in European Security: Volume 5* (Brussels: Centre for European Policy Studies, 2009), p. 126.

190. There exists of course Eveline Lubbers's book although it more narrowly focuses on joint corporate and police activities of intelligence gathering. Also, while constituting an extremely useful resource, it does not necessarily strive for neutrality. This can probably be attributed to the author's parallel involvement as an activist journalist and founder of Jansen and Janssen Bureau, a "spin-off from the powerful squatters movement of the eighties . . . monitoring police and secret services [and] supporting social activist groups against oppressive surveillance tactics of authorities." Available at http://www.evel.nl (accessed 19 March 2015).

191. Dominic Casciani, "MPs 'Monitored by Scotland Yard During 1990s,"' *BBC News* (25 March 2015). Available at http://www.bbc.co.uk/news/uk-32044580 (accessed 7 April 2015).