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Acpo chief calls for judicial oversight of undercover police operations

Sir Hugh Orde, president of Association of Chief Police Officers, says benefits of judicial oversight of future operations would 'far outweigh additional administrative burden'



• The call for change comes amid concerns about the role played by ex-Metropolitan police constable Mark Kennedy, who spent seven years posing as an environmental activist. Photograph: Guardian

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Undercover policing operations should be authorised in advance by a judge, the head of the Association of Chief **Police** Officers (Acpo) said today.

Sir Hugh Orde, the Acpo president, said the change was needed to restore public confidence in the system after concerns about the role played by the ex-Metropolitan police constable **Mark Kennedy**, who spent seven years posing as an environmental activist.

Orde said the benefits of judicial oversight of future operations would "far outweigh the additional administrative burden".

Speaking at a policing seminar held by the human rights group Liberty in central London, he said: "The current system of retrospective inspection is,

in my judgment, no longer sufficient to secure the confidence of right thinking people that such interference with citizens' rights - with its foreseeable collateral intrusion on many - is appropriate.

"Therefore, the solution must take the form of some independent pre-authority that is already a common feature in other areas of policing in this country.

"It is not for me to suggest the level or form, but I do believe that an additional element of judicial oversight, in keeping with our traditions of accountability to the rule of law, need not be over-bureaucratic and the benefit would far outweigh the additional administrative burden."

Control of the National Public Order Intelligence Unit (NPOIU), to which undercover officer Kennedy belonged, was transferred from Acpo to Scotland Yard last Monday.

Kennedy spent seven years under cover posing as an environmental activist called Mark "Flash" Stone.

Six protesters accused of planning to invade the Ratcliffe-on-Soar power station, in Nottinghamshire, claimed prosecutors dropped charges against them after Kennedy offered to give evidence on their behalf.

Several inquiries - by Her Majesty's Inspectorate of Constabulary (HMIC), the Independent Police Complaints Commission (IPCC), the Serious and Organised Crime Agency (Soca) and Scotland Yard - are investigating aspects of undercover policing in the wake of the controversy.

The policing minister, Nick Herbert, said it was clear "that something operationally has gone very wrong" and that in future Acpo should act as a professional body and not run undercover units itself.

The director of Liberty, Shami Chakrabarti, said: "Recent revelations of abusive infiltration into non-violent protest movements should shame every democrat in Britain. In past years, some senior officers accepted politicians' promises of ever-more unchecked power.

"At last, one of the most important voices in British policing calls for greater legal restraint on intrusive surveillance. We agree with Sir Hugh that such an important service should be accountable not to politics but to the law."

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