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Mark Kennedy's secret tapes: CPS launches wide-ranging inquiry

Judge to look into arrests of Ratcliffe-on-Soar environmental campaigners and undercover policeman's surveillance tapes



Secret policeman Mark Kennedy. Sir Christopher Rose's inquiry will look into claims that surveillance tapes he recorded were suppressed. Photograph: Philipp Ebeling for the Guardian

Rob Evans and Paul Lewis

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A retired high court judge has been appointed to lead an expanded inquiry into claims that prosecutors suppressed secret surveillance tapes recorded by the undercover police officer [Mark Kennedy](#) in the trial of six environmental activists.

Sir Christopher Rose, who sat in the court of appeal until 2006, will head the independent inquiry set up by the director of public prosecutions, Keir Starmer QC, who acknowledged "growing concerns" over the claims.

Rose, as Chief [Surveillance](#) Commissioner, has been responsible for scrutinising the surveillance activities of the police and other official bodies for five years.

He will examine allegations that the Crown Prosecution Service (CPS), the agency headed by Starmer, misled the courts when it decided to abandon the prosecution of six activists accused of conspiring to invade one of Britain's biggest power stations.

The CPS had told a court in January that it was dropping the prosecution because "previously unavailable information" - the tapes recorded by Kennedy - which undermined its case had come to light.

However, documents obtained by the Guardian indicated the tapes had been with the CPS for more than a year.

When Starmer announced Rose's appointment on Wednesday, it became clear that the DPP had widened the inquiry since he first said last month that he was going to commission it.

Now it will also delve into why only 26 of the 114 activists who were initially arrested over the alleged plot to break into the power station were charged.

The activists have raised suspicions that the small number charged were picked out unfairly or for political reasons. Two years ago, the activists had been arrested in a school by Nottinghamshire police to prevent the occupation of the Ratcliffe-on-Soar power station a few hours later.

Kennedy, who infiltrated environmental groups for seven years, recorded the activists' meetings on a Casio watch. The former spy, who offered to help the activists in their defence, has said the tapes would have cleared them. The expansion of Rose's inquiry comes after Kennedy offered to pass on information about the "important" question of why only some of the activists were charged.

Rose's inquiry will run in tandem with another investigation. The Independent Police Complaints Commission has been examining the "alleged failure of Nottinghamshire police" to disclose evidence to the CPS in the same case.

In all, eight official inquiries have been established this year in the wake of revelations about the infiltration of protest groups by Kennedy and other undercover police officers.

Starmer said: "Sir Christopher will have full access to all the available evidence and will examine the issues with the utmost thoroughness. Inevitably this will take time but will be completed as soon as is practicable." His report will be made public.

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