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Which police officer will take responsibility for the crisis in undercover policing?

Sir Hugh Orde. Bernard Hogan-Howe. Some of the top candidates for the most senior job in British policing could still be tainted by the controversy over Mark Kennedy and undercover policing.



📷 Sir Hugh Orde, president of ACPO. Photograph: David Levene for the Guardian

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Thu 21 Jul 2011 16.44 BST

Who will ultimately be made to carry the can over the **Mark Kennedy** and undercover policing fiasco? With a vacancy at the top of the Metropolitan Police this could turn out to be an intriguing question.

We know that Kennedy and the other police spies were seconded to the National Public Order Intelligence Unit. This was the responsibility of the Association of Chief **Police** Officers (ACPO) which, as has been said a thousand times before, has massive accountability problem.

When the controversy broke in January, ACPO's president, Sir Hugh Orde, was quick to stand-up and **call for reform**. He has been doing that **for a while now**.

Orde was also instrumental in seeking to deflect attention from police, [using a speech](#) to point to the (considerable) amount of unregulated surveillance that goes on in the private sector.

But as the anarchist Tweeter [@piombo pointed out](#) today, Orde had not taken the ACPO job when the operation to spy on Ratcliffe protesters went so badly wrong – he was in charge of policing in Northern Ireland. Note who [retweeted](#) that message.

We're entering interesting waters in the world of senior cops, and a handful will be vying for the top job vacated by Met commissioner Sir Paul Stephenson.

When the damning [Court of Appeal judgment](#) into the Ratcliffe case was revealed on Wednesday, those close to Orde were quick to argue privately that this has little to do with him – or ACPO.

True, the NPOIU was moved over to the Met earlier this year in a bid to make this murky surveillance project more accountable. Ironical, then, that it was put under the command of none other than [Yates of the Yard](#).

But the intrigue gets deeper. Another contender for Met commissioner is [Bernard Hogan-Howe](#), who has been drafted in to bolster the Met in its moment of crisis.

As it turns out, Hogan-Howe, formerly a chief constable of Merseyside Police, is also conducting the [major review](#) into ACPO's surveillance operation, which we expect to be published over the summer.

Orde and Hogan-Howe would have to see off Sara Thornton, who has nothing to do with spying on protesters, and actually did a very good job ripping to shreds an attempt by West Midlands Police to [monitor Muslim areas of Birmingham](#).

It is often the case that senior officers adeptly use the "bad apple" excuse whenever anything goes wrong – cutting loose expendable rank and file officers rather than admit to systematic failings. Kennedy is surely expecting that treatment.

Another senior officer, [Jon Murphy](#), the ACPO lead for serious and organised crime, implied Kennedy's actions would never have been sanctioned.

If any of his bosses could arguably be fingered for responsibility for his deployment it is assistant chief constable Anton Setchell, formerly ACPO's national coordinator for "domestic extremism".

It's unlikely he will face the music either. Setchell [retired at the end of last year](#), just a few months after Kennedy was [outed on Inydmia](#).

It is Setchell's unfortunate successor, the (comparatively) lowly detective chief superintendent Adrian Tudway, who had to manage with the fallout from the scandal in undercover policing. He may be called on to explain the controversy in the future.

