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"Complete silence from politicians over conduct of undercover police officers"

Olly Knowles, an activist who was spied on by Mark Kennedy, argues that there must be a full public inquiry into the undercover policing of protest groups

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A year ago this week Mark Kennedy was named as an undercover police officer. This was a watershed moment: for the first time since 1968, when a secret police unit was set up to send undercover police officers into campaigning groups, this murky world moved into public view.

Through the unmasking of eight officers over the last year we have learnt a lot. We now know that operations are usually long term: Kennedy's operation ran for seven years and cost £2 million.

We know that officers routinely engaged in sexual relationships with the people they spied on. Eight women are suing the police relating to the behaviour of five different officers.

We know that these police units have a very murky relationship with the courts and Crown Prosecution Service. Officers have been accused of lying under oath about who they are and critical evidence has been kept from defence, judge and jury. Yet, nobody knows how many miscarriages of justice there have been over the past 44 years.

And the response? From politicians there has been complete silence. No front bench spokesperson from either the government or opposition has said anything about undercover units infiltrating political groups. From those most directly implicated, the police and Crown Prosecution Service, the response is the same: announce an inquiry, choose the narrowest possible remit, and find someone friendly to write it. So far, this has happened 12 times.

Then sit back and hope that the news agenda has moves on. To date only one report has been published.

This report, by the Crown Prosecution Service, is a perfect guide to the anatomy of a whitewash.

The trial of environmentalists accused of planning to shut down Ratcliffe-on-Soar power station, myself included, turned on the withholding of secret

recordings made by Kennedy that fatally undermined the case against me.

Were the police at fault, the CPS, or both? When Newsnight and the Guardian published leaked emails appearing to show that senior prosecutors had possession of Kennedy's evidence but failed to disclose it, the Director of Public Prosecutions, Kier Starmer, swiftly announced an 'independent' inquiry.

He chose ex-judge Sir Christopher Rose and tasked him to discover if the CPS or the police had withheld the evidence and whether there might be a systemic problem relating to undercover police officer cases.

Sir Christopher did a seemingly thorough job. The report is extremely detailed and complex.

The headline conclusion was that a local Nottingham CPS prosecutor, Ian Cunningham, was primarily to blame for the non-disclosure of evidence in the Ratcliffe case. Starmer announced that Cunningham faces disciplinary proceedings. Bingo, headlines written, and the establishment is in the clear: there is no systemic problem relating to undercover policing.

Yet, a close reading of the report makes clear that while Cunningham and the police were interviewed for the report, one senior prosecutor, for instance, never was. When Rose concludes that there were CPS failures, "over many months at more than one level," the person above Cunningham at the CPS is neither named nor reprimanded.

The disappearance of senior prosecutors from possible criticism is troubling, as police documents from the beginning of the Ratcliffe case state, "a high level CPS/police strategy needs to be agreed to shape the future of the investigation." Mr Cunningham, it appears, is a scapegoat for failures elsewhere within the CPS and the police.

But why did Sir Christopher Rose give the most benign interpretation of events? Again, shielded from public view it turns out that Sir Christopher is the UK's Surveillance Commissioner. This means he signed off Kennedy's authorisations to spy on me and others. His reports are secret, so we don't know whether he criticised the way Kennedy was being used, or he gave the Kennedy operation a clean bill of health. Either way, nobody could regard Rose as suitably independent from what he is investigating.

Indeed, he should be being investigated over the failure of the regulatory framework relating to undercover police.

Given that the CPS and police are unable to investigate themselves, we need a public inquiry. This cannot happen until all other non-independent inquiries are complete. But in the short term we could get to the bottom of what really happened in the Ratcliffe case by inviting Starmer and his prosecutors and Rose to appear before the home affairs select committee.

Under the safety of the public gaze Cunningham would be free, for the first time, to speak out. Politicians need to hold public institutions to account.



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