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# Met chief says officers' use of fake identities in court was not illegal

Scotland Yard launches two more inquiries, but defence of tactic used to infiltrate activist groups 'worries' ex-DPP



📷 Met commissioner Bernard Hogan-Howe has set up an inquiry to establish how many times undercover officers have been prosecuted under their fake identities. Photograph: Facundo Arrizabalaga/AFP

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**Rob Evans and Paul Lewis**

Thu 27 Oct 2011 20.31 BST

Britain's most senior police officer has defended the practice of undercover officers using fake identities in court, claiming there is no specific law forbidding it.

Bernard Hogan-Howe, the **Metropolitan police** commissioner, made the comments as he announced that Scotland Yard has begun two new inquiries.

It brings the number of inquiries into infiltration of political groups to 11, prompting a call from Lord Macdonald, the former director of public prosecutions, for one overarching public inquiry. Macdonald said Hogan-Howe's defence was "stunning and worrying".

Hogan-Howe appeared before the Metropolitan **Police** Authority on Thursday facing increasing pressure over allegations that two police spies

used their false identities as political activists when they were prosecuted in court.

He told the authority: "There's no law that says it can't happen. The fact that someone has concealed their identity doesn't mean the crime didn't happen. In absolute terms, the criminal law does not make a crime of it. If you are dealing with more serious crimes, we have to seek all options."

He added that the Met was seeking legal advice on the issue. He said that fake identities had not been used in court in current operations. "If it was happening in the past, it won't be happening now."

Dee Doocey, a Lib Dem member of the authority, said that while the use of fake identities may not be technically perjury, 90% of the public would see it as dishonest.

Bowing to pressure from Jenny Jones, a Green member of the authority and the party's [London](#) mayoral candidate, the commissioner has set up an inquiry into past deployments to establish how many times undercover police officers have been prosecuted under their fake identities.

Senior police officers have been accused of authorising the practice so police spies could build credibility with other activists and fortify their cover as a committed campaigners.

The Independent Police Complaints Commission (IPCC) is investigating claims that Jim Boyling, an officer who infiltrated the environment movement, lied about his identity in court. Documents suggest he concealed his true role when prosecuted alongside activists.

Scotland Yard is reviewing similar allegations involving a second undercover officer, Bob Lambert, to see if they should also be investigated by the IPCC.

Macdonald said: "If the commissioner is saying that there is no law against undercover officers giving evidence under their false identities without revealing that to the court, I think that's a pretty stunning assertion. It's certainly a brave assertion.

"It seems to me that there are potentially all sorts of offences which could be committed. The very fact of saying 'I am John Smith' when my name is really PC Simon Brown may not be perjury, but when you go on to recount your role in the offence, and your relationships with other people in the case, you could very easily stray into perjury. And at the very least, the senior officers who are sending these undercover PCs into court to give evidence in this way are putting them at serious risk of straying into perjury."

It was time to set up one proper public inquiry, the peer said. "This is a single issue: how should we control undercover police operations? The fact that we have got 11 separate inquiries into that leads me to conclude that the situation has become absolutely chaotic."

Hogan-Howe said he had asked deputy assistant commissioner Mark Simmons to examine undercover operations between 1968 and 2008. "That review is considering a range of issues," he said, and gave no further details.

It will scrutinise a covert unit known as the Special Demonstration Squad, which monitored and disrupted political groups deemed to be a threat to public order.

More recently, another unit, known as the National Public Order Intelligence Unit, has carried out the same mission under the command of the Association of Chief Police Officers and, this year, Scotland Yard.

Both units used the same tactics of giving a police officer a false identity as an activist and then sending them to penetrate campaigning groups. A series of disclosures about the secret operations have led this year to the setting up of 11 inquiries by police watchdogs, a judge, internal disciplinary units and others.

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