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Pensioner sues police who branded him a 'domestic extremist'

Eighty-seven-year-old launches landmark lawsuit against police chiefs who kept secret files on his political activities

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An 87-year-old man has launched a landmark lawsuit against police chiefs who placed him on a "domestic extremist" database and secretly recorded his political activities in minute detail.

Lawyers for John Catt told the high court on Thursday that a clandestine police unit that has been at the centre of controversy over its undercover infiltration of political groups had no justification for keeping secret files on the pensioner.

The covert unit kept a detailed record of his presence at more than 55 demonstrations over a four-year period.

The police detailed how the Brighton pensioner, who has no criminal record, took out his sketchpad and made drawings of demonstrations he attended. Also logged were slogans on his clothes and details of his appearance, such as "clean-shaven".

Catt's QC, Tim Owen, told the court police chiefs had no right to "record his activities when he had not committed any offences".

The legal action threatens to deal another blow to the secretive National Public Order Intelligence Unit, which has been covertly monitoring protesters since 1999.

Over that period, the unit has recorded the activities of thousands of campaigners on a nationwide database. Defeat in the case would force it to delete details of activists from the database. A similar case in 2009 compelled the Metropolitan police to remove 40% of the photographs it held on a database of protesters after the court of appeal ruled that the force had unlawfully retained an image of an anti-war campaigner, Andrew Wood.

Over the past year the unit has been engulfed in criticism after the unmasking of Mark Kennedy, the undercover police officer who infiltrated the environmental movement for seven years. Last week, an official police watchdog criticised the conduct of Kennedy and his superiors.

Kennedy and other undercover police officers gathered secret intelligence that was fed into the database used by police to monitor individuals they believe are "domestic extremists". The unit has also drawn on [information from uniformed surveillance teams](#) and telephone taps, informants in political groups, and companies to amass the secret files.

Jeremy Johnson, the police's QC, urged Lord Justice Gross and Mr Justice Irwin to dismiss Catt's application to force police to delete their secret files on him.

Catt told the court he was "committed to protesting through entirely peaceful means". But Johnson argued that the pensioner "associated" with a campaign group, known as Smash EDO, which seeks to close down an arms factory in Brighton through protests "involving criminal conduct". The pensioner has taken part in protests outside the factory owned by the US firm EDO MBM Technology.

Johnson said if Catt won the case, "police would be largely disabled from recording what they openly see in a public place at public demonstrations which involve criminality, thereby obtaining and retaining important intelligence information".

"They would be required to comb through countless intelligence reports to delete any reference to any person who could not be shown to be involved in criminality", Johnson said.

Among the police files held on Catt are entries noting how he turned up at one demonstration and "sat on a folding chair and appeared to be sketching" the protest.

At another demonstration, in March 2006, police recorded that "John CATT arrived in his white Citroen Berlingo van. He removed several banners for the protesters to use and at the completion of the demo returned the same to the van. He was using his drawing pad to sketch a picture of the protest and the police presence."

Owen told the court 15% of the police files related to human rights and peace protests Catt had attended but had nothing to do with the campaign to close down EDO's Brighton factory. The QC asked if it was right the pensioner was "logged wherever he goes".

On one of the files, police wrote that Catt was on a demonstration against Guantánamo Bay in September 2005, adding: "John CATT was seen wearing a Free Omar T-shirt, he was clean-shaven ... John CATT was very quiet and was holding a board with orange people on it."

The judges are expected to hand down their judgment in the next few weeks.

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