

Police watchdog to investigate undercover officer claims

Scotland Yard contacts IPCC over claims that officer took part in criminal trial under false name



The Met police commissioner, Bernard Hogan-Howe, compiled a report into undercover policing which has been postponed after new claims. Photograph: Andrew Winning/Reuters

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Scotland Yard will call in the police watchdog over allegations that an undercover officer took part in a criminal trial under a false name.

Jim Boyling, a specialist operations detective constable with the [Metropolitan police](#), is accused of maintaining an alias throughout court proceedings after being arrested following a demonstration in 1996.

Scotland Yard contacted the Independent [Police](#) Complaints Commission (IPCC) on Thursday with a view to making a formal referral to them on Friday, a Metropolitan police spokesman said.

The spokesman said the decision to contact the IPCC "follows consideration of allegations relating to historic covert police deployments".

The allegations forced the postponement of the publication of a review of the future of undercover policing. The review was scheduled for Thursday and was compiled by the new Scotland Yard commissioner, Bernard Hogan-Howe, before he took the force's top job last month.

The defence solicitor Mike Schwarz, of the law firm Bindmans, said he had discovered that he represented Boyling, under the name Jim Sutton, along with other protesters.

The undercover officer went on trial for public order offences with other activists from the pro-cycling campaign group Reclaim the Streets following a demonstration at the headquarters of [London](#) Underground in 1996.

The lawyer said the revelation raised concerns about the "confidentiality" of discussions between the officer's co-defendants and their legal representatives.

He told the Guardian: "This case raises the most fundamental constitutional issues about the limits of acceptable policing, the sanctity of lawyer-client confidentiality, and the integrity of the criminal justice system.

"At first sight, it seems that the police have wildly overstepped all recognised boundaries."

John Jordan, an activist who was convicted of assaulting a police officer and given a conditional discharge after being arrested with "Jim Sutton", is appealing against the verdict following the allegations.

He told the BBC's Newsnight: "It was totally outrageous what happened. I'm a lecturer, I have a job where I'm working with students, and to have assault of a police officer on your record was pretty difficult."

On Thursday, Scotland Yard admitted the allegations were "serious matters" but added: "We are confident that the current legislative and regulatory framework governing the deployment of undercover officers ensures that all such deployments conducted now are lawful and appropriately managed."

In January, Boyling was placed on restricted duties and an investigation was launched by the Directorate of Professional Standards following allegations that he married an activist he was supposed to be spying on. Police said the inquiry was ongoing.

The latest allegations led to the delay of the findings of a review into what went wrong after the case against six protesters accused of planning to invade the second largest power station in the UK collapsed in January.

They claimed an undercover officer offered to give evidence on their behalf.

Mark Kennedy, who spent seven years posing as Mark "Flash" Stone, a long-haired drop-out climber, also had sexual relationships with at least two women during the operation.

He has since said he fears for his life, describing the world of undercover policing as "grey and murky" and adding: "There is some bad stuff going on. Really bad stuff."

The review, launched by Her Majesty's Inspectorate of Constabulary in January, was reportedly set to rule out tough judicial oversight of the deployment of undercover officers - a measure wanted by some police chiefs.

It was also expected to find that a failure of supervision contributed to the problems and that police chiefs should ensure undercover officers are not left on covert assignments for too long in future.

Questions were raised about the proportionality of covert tactics and of such a lengthy and costly operation targeting green campaigners planning to invade Ratcliffe-on-Soar power station near Nottingham.

The policing minister, Nick Herbert, told MPs in January it was clear something had "gone very wrong" with Kennedy's operation.

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