A great uncovering

JUNE’S London Freelance Branch heard from Mike Schwarz, a lawyer with Bindmans partners, who’s representing people who were the victims of police undercover surveillance, some of those affected being journalists.

In particular, Mike is representing some passengers who were on the “Fairford coaches” taking protesters to the bomber base at Fairford in Gloucestershire back in the 2003 Gulf War. The coaches were forcibly turned back by police — protesters, drivers and journalists were all imprisoned on board all the way back to London. This, it later emerged, was despite possible evidence from “undercovers” that they need not be detained.

The Pitchford Inquiry into Undercover Policing has been going on since last year, says Mike. The business of hearing evidence might start as early as this autumn.

It’s an inquiry that “the Home Secretary didn’t want,” until the public admission that Baroness (Doreen) Lawrence was spied on by the state meant “something had to happen”. Before that, says Mike, most of what we knew about undercovers came from the detective work of victims of undercover policing — activists and journalists — especially Rob Evans and Paul Lewis in the Guardian.

Women activists uncovered relationships with men they thought were their boyfriends, who turned out to have been undercover cops all along. These “endeavours of activists” have uncovered about “16 out of 150” undercovers so far. The police have still refused to confirm or deny the identity of undercover police.

In 2010, the trial of six environmental activists for aggravated trespass at a power station collapsed when undercover police officer Mark Kennedy’s involvement emerged. There followed a “domino effect”. Undercovers were found to have been active in “family justice campaigns… (Stephen) Lawrence, (Jean Charles de) Menezes.” As a result, to date there have been “50 convictions overturned”.

The Inquiry covers a period going back all the way to 1968, when during Vietnam War protests “a covert police unit was set up that became the Special Demonstration Squad” (SDS) with a mission to infiltrate protest movements. Mike related how over 40 years, from “1968 to about 2008, hundreds of individuals and organisations” were targeted by the SDS. This was closed down and replaced by the National Public Order Intelligence Unit (NPIOU). An estimated “150-odd undercover police” have been deployed with these units over that period.

Current is the Inquiry’s dealing with legal arguments about “how much anonymity and restrictions” will be allowed, as well as “who is going to be a Core Participant” (CP). Being a CP “means you get… evidence in advance, a certain amount of leverage.” There are about 200 CPs, of which about 20 are “state”, mostly as-yet-unidentified individual police officers. Then there are “a whole load of other CPs, people affected” by undercover policing. These include “people affected by blacklisting” of trade unionists, with undercover police playing “some sort of role” we’re not sure of yet. The National Union of Mineworkers (NUM) and construction union UCATT are thought to have been targets of blacklisting operations and undercovers.

The NUJ applied for CP status, arguing that as other unions were tar-

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Referendum fallout for freelances

WHAT WILL be the effects of the UK’s referendum vote on freelance journalists? Of course, there is always the likelihood of something happening while this ink is drying that changes everything: this is the normal condition of journalism, but more so.

What will be the result of legal challenges to the process, or the utter absence of process? Or might the government — a government — fall back in desperation on the sarcastically logical suggestion by Professor Ross Anderson (who spoke at our May meeting) that England and Wales should simply withdraw from the United Kingdom? For a while it seemed likely an actual Lewis Carroll character would be Prime Minister… But we reckon it’s still worth thinking about what may happen.

First, there are the effects that everyone in these islands faces — but freelance journalists possibly more so. “Business confidence” seems a nebulous abstraction: but its collapse in the face of uncertainty has the real-world effect that investment is unlikely. A collapse of the remaining print advertising market is not impossible. And so on.

Second, the whole process provides a focus for distrust in journalists and journalism. Few are in a mood to make subtle distinctions between the output of certain newspapers and the mass of ethical journalism that continues. Indeed, it’s possible that the referendum result was caused by a large segment of voters getting fed up with subtle distinctions.

Third, there are the direct legal effects of any move to disengage the UK from the EU. Removing obstacles to weakening labour and social rights seems, after all, to have been the entire point for at least some of those funding the Leave campaign.

The UK remains a member of the EU for at least two years. That gives us time to watch for moves by the