17. Infiltrated, Intimidated and Undermined: How Police Infiltration Can Mute Political Dissent

An Interview with Verity Smith, from Cardiff Anarchist Network By Tom Anderson

In 2010 a long-term environmental activist using the alias 'Mark Stone' was confronted and revealed to be an undercover police officer called Mark Kennedy. Since then, the tactic of police infiltration has received increased public and media attention. However, much of the debate has focused on the rights and wrongs of this tactic in terms of what 'intelligence' was gleaned, whether it forms a cost-effective way of safeguarding law and order, and of whether these groups 'deserved' infiltration. What has been absent from the mainstream debate is an analysis of how police infiltration serves as a tool to undermine and even destroy activist networks, and to channel their actions away from forms of political activity which threaten capitalist interests. This article will examine the use of police infiltration to contain political dissent, and explore, through an interview with Verity Smith, an activist from Cardiff Anarchist Network (CAN), which was infiltrated by an undercover officer calling himself 'Marco Jacobs', how undercover police officers achieve these aims in practice.

Before we look at the particular tactics used by 'Marco Jacobs' it is useful to set the context by exploring what has come to be known about the role of police officers in infiltrating activist groups. Although for obvious reasons exact figures are not available, it is fair to say that police infiltration of activist groups in the UK is more common than has previously been presumed and is certainly not limited to groups which engage in illegal activity. Indeed, when Mark Kennedy was outed he claimed that he knew of fifteen other undercover operatives, four of

whom were still in service. A 2012 report by the HM Inspectorate of Constabularies (HMIC), produced following the public outrage surrounding the 2010 revelations about undercover policing, indicates that undercover officers have been deployed by both the Special Demonstration Squad (SDS), and the National Public Order Intelligence Unit (NPOIU). The SDS was set up in 1968, in the wake of the militant protests against the Vietnam war with the aim of "preventing serious crimes associated with protest" while the NPOIU was set up by the Association of Chief Police Officers (ACPO) in 19993 to gather and coordinate intelligence about the animal rights and ecological direct action movements.4 The SDS and NPOIU operated independently of each other although some staff worked for both organisations. 5 HMIC claims that the NPOIU deploys officers to "develop general intelligence for the purpose of preventing crime and disorder or directing subsequent criminal investigations, rather than gathering material for the purpose of criminal prosecutions" and that it "gathered both intelligence on serious criminality, and intelligence that enabled forces to police protests effectively." These stated aims granted it considerable powers to police political movements.

The groups that were infiltrated were many and varied. Mark Kennedy was reportedly originally approached by the Animal Rights National Index (ARNI) and then recruited by the NPOIU in 2002.8 (See Anderson, Chapter, 16.) He infiltrated a wide variety of groups, including Earth First, Saving Iceland Climate Camp and Dissent. He played a pivotal role in providing intelligence concerning the anti-G8 mobilisation in Scotland.¹³ Meanwhile, 'Mark "Marco" Jacobs', the subject of this interview, infiltrated Smash EDO, 14 Dissent 15 CAN (see below) and Rising Tide,16 had attended several anti-G8 mobilisations,17 the Heathrow Camp for Climate Action (see below) and the Crawley No Borders Camp. 18 He had also been involved in environmental and antimilitarist campaigns in Wales (see below). 'Lyn Watson', who was also exposed in the wake of the 'Mark Kennedy' outcry, had been posing as an activist in the campaign against Aldermaston Atomic Weapons Establishment, the Save Titnore Woods campaign, 19 the Common Place social centre in Leeds, the Action Medics collective and the Heathrow Camp for Climate Action.²⁰ Jim Boyling ('Jim Sutton') was discovered to have had infiltrated 'environmental movements' and Reclaim the Streets from 1995-2000.21

The role of Bob Lambert ('Bob Robinson'), 'Simon Welling' and 'Peter Black' as undercover officers was also explored in the media after the revelations about Mark Kennedy. Lambert, who is now an academic at Exeter and St Andrews Universities, ²² worked as a Special Branch

detective between 1980 and 2006 and was involved in the SDS. Lambert reportedly infiltrated London Greenpeace,²³ the Animal Liberation Front (ALF)²⁴ and anti-racist groups.²⁵ Black had infiltrated the No M11 campaign in the 1990s.²⁶ Welling had infiltrated Globalise Resistance from 2001-5 and traveled to many international anti-capitalist mobilisations including those in New York and Seville.²⁷ Two undercover officers who apparently used the pseudonyms 'John Barker' and 'Mark Cassidy' have also been mentioned in the press.²⁸

Most of these undercover police officers are accused of forming sexual relationships with activists while in their undercover personae. The activists concerned were under the impression that the men were committed activists and had no idea they were, in fact, paid police officers. The police have justified this behaviour in response to the public outcry over these relationships with reference to their utility in terms of gaining intelligence: one undercover officer explains that officers used sex as a "tool" to maintain cover and "glean information".²⁹ The 2012 HMIC report called these relationships "collateral intrusion" ³⁰ and suggested that officers should weigh up whether the "intrusion" is proportionate to the intelligence uncovered. 31 A case is being considered by lawyers for eight women who claim they suffered emotional and psychological trauma after having intimate relationships with undercover officers.³² Scotland Yard have attempted to argue that the case should be moved to the Investigatory Powers Tribunal (IPT), a body set up in 2000 by the Regulation of Investigatory Powers Act (RIPA) to handle complaints over surveillance³³ which, according to its website, "operates within a necessary ring of secrecy". 34 Cases held at the tribunal cannot be appealed in the UK and the tribunal is under no obligation to hold oral hearings.35

One major public controversy concerns the withholding of intelligence obtained by undercover officers during court cases, including information that may benefit the defence case or undermine the prosecution case. Mark Kennedy was one of over a hundred people arrested at the Iona School in Nottingham in 2009.³⁶ He had been involved in the plan to shut down a coal-fired power station at Ratcliffeon-Soar from an early stage. The arrests resulted in two trials for conspiracy to commit aggravated trespass, one where defendants argued that there was a 'necessity' to take action (in order to prevent deaths from the effects of climate change) and one where defendants claimed they had not agreed to any conspiracy.

The first trial of the defendants who attempted to give a legal justification for their actions ended with their conviction.³⁷ However, prior to the second trial, after the revelations that Mark Kennedy was an

undercover officer, it came to light that evidence gathered by Kennedy had been withheld from the defence in both cases. The evidence, a recording of the meetings held prior to the mass arrest,³⁸ had not been disclosed to the defence by the CPS.³⁹ This resulted in the collapse of the second trial and the Director of Public Prosecutions (DPP) inviting the first set of defendants to appeal. In July 2011 their convictions were quashed on the basis that evidence had been withheld from the CPS which could have benefited the defence case. The DPP has also invited twenty-nine people who were convicted of disrupting the transport of coal to the Drax power station to appeal on the basis that vital evidence gathered by Kennedy may have been withheld.⁴⁰

A crucial factor to consider in relation to undercover police officers is to the extent to which they are cleared by their superiors in the police force to break the law while undercover. This lawbreaking may be used as a strategy in discrediting movements and/or securing the arrest and possible convictions of activists, as well as a way to gain the trust of those groups they are infiltrating. Bob Lambert, during his time as an undercover officer infiltrating the ALF, is alleged to have successfully planted an incendiary device as part of a coordinated arson attack which caused fires at two Debenhams stores in July 1987, as part of a campaign against the sale of fur.41 Kennedy claims that he was cleared by his handlers to commit crimes such as trespass and criminal damage. 42 There have been many claims that Mark Kennedy acted as an agent provocateur, pushing for more and more extreme actions.⁴³ In their judgment in the appeal of the Ratcliffe defendants the Lord Chief Justice of England and Wales, Mr Justice Treacy and Mr Justice Calvert-Smith commented that Kennedy arguably acted as an "agent provocateur" in regard to of the action at Ratcliffe-on-Soar.

There is evidence that undercover officers have made false claims about the activities of radical groups. Such claims may be motivated by a desire to heighten the perception of a threat to society posed by them in order to discredit them or to influence court proceedings For example, Mark Kennedy is accused of fabricating allegations that French activists practiced constructing Improvised Explosive Devices (IEDs). Some of these activists were later arrested in the village of Tarnac and put under formal investigation for allegedly sabotaging high speed rail lines in 2008.⁴⁵

The role of undercover officers in both undermining resistance and channeling the routes that it takes has been little explored in independent as well as mainstream media. However, it can be clearly seen as one of the ways in which the state attempts to avoid situations where resistance grows to levels it cannot easily control, at least not

without resorting to coercive means. The presence of undercover police officers can help the police to shape and mould the activities of the groups that they have infiltrated. Undercover officers can also, as Jacobs did while infiltrating Cardiff Anarchist Network, undermine and disrupt political activity which challenges the system, and thus encourage other activists to refrain from doing the same.

This interview explores the various uses of infiltrating protest groups. Clearly, one of the prime reasons is to gain intelligence to inform their overall strategy with regard to day-to-day events like protest campaigns. This information can be used to target particular activists for arrest and or harassment by, for example, Forward Intelligence Teams. (See Anderson, Chapter 16.) Undercover officers are also invaluable assets in gaining insider access to and intelligence about new activist networks. Infiltration thus allows the police to pinpoint those activists who pose a potential threat and to undermine them. The amount of police attention that these activists receive serves as a warning sign to potential supporters.

'Jacobs' appears to have been primarily engaged in an additional strategy to undermine the effectiveness of activist networks. This behaviour shows that sometimes, where groups pose a perceived threat, undercover officers will act to neutralise that threat, and actively destabilise and undermine the group to the point of making it unable to operate.

Tom Anderson: Can you tell me about Marco and what kind of involvement you had with him and when and what you think he was aiming to do in the various engagements you had with him?

Verity Smith: I became aware of him just after we returned from the G8 in Scotland in 2005, apparently he had been to Cardiff before that but I only remember him starting to appear at meetings of what was then the Cardiff Anarchist Network (CAN) after the G8. I believe he was at the G8 but I don't remember meeting him there, but my memory's not the best.

He moved to Cardiff claiming that he'd come from Brighton but that (activists in) Brighton had been hostile to him, had not accepted him and that he'd felt excluded. He said he'd come to Cardiff because we were more open and more tolerant of new people becoming involved and that there was a lot going on in Cardiff in terms of activism and that he wanted to be where things were happening.

Largely that was true, it may have been naïve but we were committed to being open and welcoming to people, we wanted to be a group that was accessible and in a place like Cardiff where there isn't a huge

tradition of activism there was a need to be as welcoming as possible. We took people at face-value.

We were also very active. We were, as a group, very much involved in mobilising for the G8 within the Dissent network, we had been active against the Iraq war and we had taken a number of direct actions in relation to that. After the G8 in 2005 the group became active in environmental activism through Climate Camp and other actions that took place. We were, I think a fairly active group.

TA: And how did Marco introduce himself to you?

VS: The first time I remember meeting him was him turning up at a meeting of CAN which was held in a pub in the centre of town and saying "Hi I'm Marco I wanna be involved". He'd already, by then, become friendly with a couple of people in the group. He'd made contacts and got to know a few people so that when he came to the first meeting he wasn't walking in out of the blue, he'd got some contacts established so from that point on it was very easy for him.

TA: And what did he say about his backstory?

VS: There was a large absence in backstory, which looking back we should have questioned further. He claimed to hail from Northampton and to be a Northampton Town supporter. He had a story which I can't remember the details of because I wasn't particularly interested at the time about his personal relationships and his family. He claimed that he was in the process of a messy break-up with a woman in Northampton and that was the reason he'd wanted to leave Northampton to create some distance between him and her.

TA: And after that, over the years, what kind of thing was he involved in that you know of?

VS: He was very involved in organising around the G8 in Heiligendamm in 2007. He had shown interest in going to the G8 in St Petersburg in Russia in 2006 and said that he'd go but, at the last minute, he pulled out. He also pulled out of attending planning meetings in Ukraine. I now think this was because the police tried but failed to get the Russians and Ukrainians to agree to undercover police working in their territory. But he did go to planning meetings prior to the German G8 in 2007 and travelled to a planning meeting in Poland with other members of the group. He traveled with us to the G8 protests in Germany. He was very

keen on being involved in that level of international organising.

After that he became very enthusiastic about Climate Camp and environmental actions. But after a while, I think partly due to his interventions and influences, the level of action in Cardiff significantly tailed off and at that point he got involved in all sorts of things such as actions against an MOD establishment in South Wales and with the No Borders group. He simply got involved with whatever was going on. The anti-militarist group he got involved with, for instance, involved people who were non-violent and largely law abiding, so was hardly the sort of thing that would justify undercover cops. But he still got involved, still went to meetings.

TA: You mentioned that the level of activism in Cardiff dropped because of his interventions. Can you expand on that.

VS: What I think, looking back, that he did was to almost immediately create divisions and to isolate people who were particularly active within the group. His first actions seemed to be to launch into a getting to know you phase. He would be down the pub all the time, he would always have money for drinks, he would be very keen to encourage people to go out drinking with him and used that time to really probe people on what they thought and what their attitudes were and what their opinions were, what their vulnerabilities were. I also think he wanted to instil a drinking culture that automatically excluded those people who were not part of that party scene - because they were working or because they had children or because they were not of that age group or whatever. So immediately after he turned up there was a level of division there that hadn't been there before.

I believe he also used the information that he got from this phase to develop strategies to isolate particular individuals by bad-mouthing them, by disparaging them, or making lots of little humorous comments about them which put them down. He would play on and exacerbate any arguments or differences, the things that are said in any group. And he would say some downright unpleasant things about people. In the end a number of people were simply pushed out by feelings within the group, including myself. A group in a small city like Cardiff is inevitably made up of people who have various different outlooks on life. Some of us were working, some professionals, some students, some on the dole. Some of us were anarchists, some not. We were vulnerable to someone winding up political differences.

Up until he arrived we had been very business-like. We weren't just there because all our mates were there, we were there because we wanted to do something. There was a business approach to what we did: we met, we talked about what we were going to do and then we went and did it. Marco created a much greater role for people's personalities and exacerbated people's personal differences as well. He'd say all sorts of things; I know he'd say about me that I just was 'not a nice person', that I was disposed to confrontation and violence and that I was likely to get other people in trouble. He would use all sorts of things, whatever ammunition came his way he would ratchet it up and fire it out and try to stop the group functioning as a cohesive whole.

A number of people began feeling very isolated, feeling that instead of being involved in an active and important group they were under attack, that they were not wanted. It became an unpleasant environment so people left and walked away. I think that was one of the key ways in which he disrupted the workings of the group but it wasn't the only way.

He was very good at keeping hold of useful information. He would say "I'll go, I'll feed back to you". I believe now that the information that was fed back was filtered and not all of the information that we should have received we actually did receive. He frequently put himself in positions where he was able to disrupt communications between groups, particularly in national and international networks.

Of course, he did foster very personal relationships with people which I believe he used as another way to cause separation and to disrupt the workings. Nothing seemed out of bounds, he could lie, he could sleep with women, he could abuse the trust that he was given. He would exploit vulnerabilities. Nothing seemed out of bounds in attempting to undermine the group.

TA: And do you think that his main aim was to destroy the group or did he have other objectives too?

VS: Well CAN was useful to Marco as a means of tapping in to national and international activist networks. He was introduced to activists around the world on the back of his involvement with us. We were a reasonably respected group and that gave him access to other networks, which certainly was an advantage to him.

At the time we were one of the more radical local networks and had played a very strong part in the Gleneagles G8 mobilisation and that, I believe, made us a key target. The police made huge resources available to undermine the organization of protests at international summits. That extended to local, national and international groups and I think, initially at least, we were targeted as part of that agenda.

But after the G8 he shifted his focus to environmental activities and

tried to tap into the local animal rights networks. Clearly his role was to undermine us as a group, not just use us to tap into international networks, although that would have clearly been useful.

He stayed in Cardiff even long after there was any real activity in terms of direct action. When he left there was no group left really, it was in tatters. He'd undermined a fairly decent group.

TA: Do you think he was trying to channel the group one way or another, was there a particular direction that he wanted the group to take?

VS: It was most noticeable when people suggested making any stand of resistance against the state or being involved in civil disobedience or direct action. He would say thing like "oh god look at them, they're not going to do that are they." It made people feel uncomfortable about suggesting things of that nature because they would put themselves in a position where they could be put down and ridiculed. It was very subtle, it wasn't particularly overt. It was a general laughing at people who were active or who took part in direct action or civil disobedience or stood up to the state or didn't comply with police directions. Those were the sort of people who he'd say "aren't they being ridiculous" and having formed strong relationships with other people in the group he had some support. It could make you take a little step back and question what you were doing because he undermined the sort of strength it took to be active. That's the best way I can put it I think.

TA: Do you think that was his purpose, to discourage direct action?

VS: Definitely, there was a very clear disruptive element to what he was doing. Clearly there was an information and evidence gathering element to what he was doing as well. He clearly did liaise with the police and we believe he was instrumental in the police making arrests at at least one environmental action. But the information gathering was definitely not the only aspect of what he did, there was a very clear agenda to disrupt.

TA: And were there any actions that he promoted?

VS: Well yes, he promoted everything in theory. He was prepared to drive the car, he was prepared to be supportive of various actions. Thinking back, I can't actually remember a time when he proposed anything or clearly supported anything. He hid behind this sort of amiable clown thing, he made a joke of everything, deflected everything and was part of everything without promoting anything. That's how I remember it, others

may have different opinions.

TA: Are there any other tactics that Marco used that you want to flag up?

VS: I don't have evidence but I believe he liaised with the Public Order Unit in order to target people. I believe I was targeted for arrest as a result of information that he would have passed on. Marco also took every possible oppurtunity to make life as difficult as possible without us knowing that it all came back to him, it was all very subtle and all very carefully done.

TA: And when did Marco leave the group?

VS: Marco had been in a relationship with somebody but he had, I believe, broken that off. He invited us all for a goodbye meal, about fourteen of us turned up and I don't know if he was expecting that, perhaps he was expecting a smaller number. By that time a number of us had quite deep suspicions about him but there were such divisions within the group that we hadn't told each other about them. I didn't know, for instance, that a number of others in the group shared my suspicions.

I turned up at the goodbye dinner out of a sense of curiosity really. He said he was going off to Cyprus, that he'd got a job, that he was going off there and of course we could all come to stay and it would be lovely to see us all and here was his number in Cyprus.

And then he went, a couple of people who were close to him got texts saying bland things like "the weather's nice" and then - nothing. His MySpace sites stopped being updated, he didn't answer his phone or email, he just dropped off the edge of the universe and at that point people's suspicions consolidated and people started to talk to each other and ask whether he was a cop. The group got together and talked about it, there was broad agreement that we thought he probably was but we didn't know what to do about it. People outside the group were quite dismissive and often we weren't believed and it was only after the Guardian ran the story, after the Mark Kennedy disclosure, that it was confirmed and people finally believed us.

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