



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

**RECEIVED**  
23 OCT 2012

**DIRECTORATE OF PROFESSIONALISM**

Ms J Jones MP  
London Assembly Member  
Green Party  
City Hall  
The Queen's Walk  
London  
SE1 2AA

Patricia F. GALLAN QPM  
Deputy Assistant Commissioner

Room 918  
New Scotland Yard  
Broadway  
London  
SW1H 0BG

Email: Patricia.Gallan@met.police.uk  
Tel: 020 7230 0813

Your ref:  
Our ref:

Date: 22nd October 2012

Dear Ms Jones,

Thank you for your further questions relating to the undercover deployment of police officers.

Whilst we strive to be as open and transparent as possible I'm afraid we are not in a position to answer many of your questions so I am writing to you to explain the MPS position.

Undercover policing is by definition a covert activity and it is imperative that we safeguard our working practices, and certain aspects of our decision making, to protect the men and women who sometimes literally risk their lives undertaking this dangerous work.

I fully appreciate your interest and concern about the past actions and behaviour of some officers who infiltrated protest movements that have been reported in the aftermath of the Mark Kennedy case.

Indeed, it is because we share this concern that we have taken the steps we have to minimise the likelihood of this sort of behaviour happening in the future.

We cannot, however, put information into the public domain that could adversely affect the position of the MPS in relation to the civil claims for damages that are pending from a number of women. This doesn't mean that any past inappropriate behaviour by officers is condoned but the MPS is publicly funded and we have a responsibility to be mindful of the cost to the public purse in the way we deal with such actions.

Likewise, many of the questions you pose about obligations to any child who may have been fathered by an officer on undercover deployment are not ones that we are in a position to answer hypothetically in advance of any specific complaint or civil action being made.

In response to your questions about the way this litigation is being dealt with by the MPS, I can say that I consider that the way in which our legal team is handling these matters is entirely proper, is sanctioned at a senior level and is overseen by the Deputy Commissioner.

The matters that will be aired through the civil claims involve unusual and complex areas of law. We have had unambiguous advice that in law the Investigatory Powers Tribunal is the proper authority to hear these cases because of their nature and the evidence involved but the decision on this will be made by a judge.

I would also like to take this opportunity to reassure you that policing methods - and the oversight of them - have changed considerably in recent decades.

The Regulation of Investigatory Powers Act (RIPA) now governs undercover work and the MPS has recently reviewed its own internal guidelines for these deployments. Following publication of the HMIC review earlier this year the MPS took the lead in updating a national code of conduct for undercover officers and this strongly reinforces the importance of effective supervision.

Operation Herne, the MPS review of the actions and deployments of the Special Demonstration Squad that I am overseeing, is also continuing and this is under the supervision of the Independent Police Complaints Commission.

Please let me know if I can be of further assistance.

Yours sincerely

A handwritten signature in black ink that reads "Patricia F. Gallan DAE". The signature is written in a cursive style with a large initial 'P'.

Patricia F. GALLAN  
Deputy Assistant Commissioner