

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

BETWEEN:

GORDON MILLS

- and -

GMB

Defendant



PARTICULARS OF CLAIM

1. The Claimant is a former police officer with the Cambridgeshire Police and Metropolitan Police Service ("MPS"). He retired from the MPS in June 2011 after 30 years' service as a police officer.
employed by:
2. The Defendant is a trade union and the publisher of the website www.gmb.org.uk, open to general access at all material times to any user of the World Wide Web.
3. From 2006 until retiring from the police, the Claimant served on secondment from the MPS as a senior officer in the National Extremism Tactical Co-Ordination Unit, a national police unit devoted to the reduction and removal of the threat to companies, organisations and individuals and to public order from criminal acts of violence, harassment and intimidation by domestic extremist groups and individuals.
4. On retiring, it was and has since remained the Claimant's intention to develop and pursue an academic, teaching career, exploiting his police experience and training and the academic and teaching qualifications acquired before and in the course of his police career: (BA (Hons) in Environmental Studies (1980); City and Guilds Adult Education Teachers' Certificate (1993); MA in Education and Teaching from the Open University (1998)). To that end, he

studied for and in 2013 was awarded a Professional Doctorate in Policing, Security and Community Safety by London Metropolitan University. In 2012 and 2013 the Claimant was a guest lecturer on domestic extremism on the MA course in Transnational Crime at Anglia Ruskin University. From October to December 2013 he was employed as a part-time lecturer at Anglia Ruskin University, teaching English Legal System and Management Theory.

5. In March 2015 the Defendant disseminated to the press and media and published on its website at www.gmb.org.uk, promoting and advertising the said publications on Twitter, a series of press statements ("the Press Statements") in support of and advertising its campaign in support of claims for compensation by trade union members against construction companies alleged to have been members of an organisation called The Consulting Association ("TCA") that operated a "blacklist", covertly gathering and exchanging information between its members about individuals considered to be trade union and health and safety activists so that they could exclude those individuals from being recruited and employed.
6. On 4 March 2015 the Defendant disseminated to the press and media and posted on its website, advertising the said posting on Twitter, a Press Statement (a copy of which is at Attachment 1) containing the following words defamatory of the Claimant. Except temporarily as described at paragraph 11.8 below, the Defendant has since then continued to maintain the said Press Statement on its website, available to users of the World Wide Web, thereby publishing and continuing to publish the said words:

Crocodile Tears Second Leg

Wednesday, March 4, 2015

GMB "Crocodile Tears" Protests In Bristol, Plymouth, Epsom, Cambridge, Derby And Bridgend To Shame Managers Who Blacklisted Workers

Managers shedding crocodile tears now for blacklisting of 3,213 workers won't wash, neither will the Nuremberg Defence of "just following superior orders" says GMB.

GMB will hold six further protest demonstrations in the second leg of a national "Crocodile Tears" Tour starting in Bristol on March 9th to shame 63 construction industry managers

named as blacklisters who have yet to come clean and apologise for their actions. A third leg is planned for later this spring.

The second leg of the tour visits Bristol, Plymouth, Epsom, Cambridge, Derby and Bridgend. There will be a person in a crocodile suit accompanied by union members with flags and banners and slogans "Nuremberg defence on blacklisting won't wash" and "Blacklisters come clean". The details for the six dates in the second leg and managers named are shown below. At some dates there will be a press briefing by authors of a new book to be published next week on Blacklisting. See notes to editors for the full list of these managers and where they worked.

Blacklisting came to light when in 2009 the ICO seized The Consulting Association (TCA) database of 3,213 construction workers and environmental activists used by 44 companies to vet new recruits and keep out of employment trade union and health and safety activists.

The dates for the second leg of the Crocodile Tears Tour are at 11 am each day as follows:

Cambridge Thursday 12th March, Gordon Mills the Detective Chief Inspector with the National Extremism Tactical Coordination Unit (NETCU) who spoke at Woodstock Meeting in November 2008 to a select group of blacklisting companies. Protest at Anglia Ruskin University, East Road, Cambridge CB1 1PT

Justin Bowden, GMB national officer said, "These HR managers might have thought they had got away scot-free, so shedding crocodile tears now for the systematic blacklisting of 3,213 building workers and environmentalists won't wash, neither will the Nuremberg Defence of "just following superior orders"

These so-called HR Professionals who ran the blacklists for the construction companies knew exactly what they were doing and they need to either apologise, come clean and say what they did, or get used to accounting in public for the damage they did to those they blacklisted and their families, especially with the Public Inquiry Labour has pledged after the next election.

7. On 11 March 2015 the Defendant disseminated to the press and media and posted on its website, advertising the said posting on Twitter, a Press Statement a copy of which is at Attachment 2, containing the following words defamatory of the Claimant. Except to the extent described at paragraph 11.8 below, the Defendant has since continued to maintain the said Press Statement on its website and in a pdf format on that website at www.gmbunion.org/news/1776.pdf, available to users of the World Wide Web, thereby publishing and continuing to publish the said words:

"Cambridge Blacklist Protest March 12 March

GMB Cambridge Protest On Thurs 12th March To Shame Gordon Mills Ex-Cambridgeshire Police Linked To Blacklisting Construction Workers

Manager and police shedding crocodile tears now for blacklisting of 3,213 workers won't wash, neither will the Nuremberg Defence of "just following superior orders" says GMB.

GMB is holding a protest demonstration in Cambridge on 12th March to shame Gordon Mills an ex Cambridgeshire policeman linked to blacklisting of 3,213 construction workers. 12 of the workers blacklisted are from Cambridgeshire.

Blacklisting came to light when in 2009 the ICO seized The Consulting Association (TCA) database of 3,213 construction workers and environmental activists used by 44 companies to vet new recruits and keep out of employment trade union and health and safety activists.

Gordon Mills, ex of Cambridgeshire Police, was the Detective Chief Inspector with the National Extremism Tactical Coordination Unit (NETCU) who spoke at the secretive Woodstock Meeting in November 2008 to a select group of blacklisting companies who were invited to attend security group meetings held there twice yearly. The 'select group' of

companies at the meeting Gordon Mills spoke at were Vinci (Mike Harrison), Amec (Tony Crowther), SIAS Building Services, Vinci (Alan Audley), Skanska (Bob Chapman), Sir Robert McAlpine (David Hillman) and a representative from Emcor. See below for more details.

This is the fourth date in the second leg of a national "Crocodile Tears" protest tour to shame 63 construction industry managers named as blacklisters who have yet to come clean and apologise for their actions. The second leg of the tour visits Bristol, Plymouth, Epsom, Cambridge, Derby and Bridgend. See notes to editors for the list the 64 managers and where they worked.

There will be a person in a crocodile suit accompanied by union members with flags and banners and slogans "Nuremberg defence on blacklisting won't wash" and "Blacklisters come clean". They will have a placard reading "Crocodile tears from Gordon Mills linked to blacklisting 3,213 workers won't wash"

The protest was moved from Anglia Ruskin University, East Road, Cambridge after GMB received written assurances from the university on the future employment of Mr Mills at the college. Mr Mills worked at the University as a part time lecturer on the English legal system.

This is some of what GMB know of Gordon Mills and NETCU:

Gordon Mills was the Detective Chief Inspector with the National Extremism Tactical Coordination Unit (NETCU) who spoke at the secretive Woodstock Meeting in November 2008, a select group of blacklisting companies who were invited to attend security group meetings held there twice yearly. The 'select group' of companies at the meeting Gordon Mills spoke at were Vinci (Mike Harrison), Amec (Tony Crowther), SIAS Building Services, Vinci (Alan Audley), Skanska (Bob Chapman), Sir Robert McAlpine (David Hillman) and a representative from Emcor.

NETCU was a Huntingdon based police organisation, with established links to The Consulting Association, set up by the Association of Chief Police Officers (ACPO) to counter extremist protest groups. It was setup in 2004, funded by the Home Office and staffed by officers from Cambridge Constabulary and the Metropolitan Police. NETCU was based in Huntingdon using the postcode PE29 9AL, a PO Box code. NETCU lasted until 2010 following a reorganisation into the National Domestic Extremism Unit which in turn was merged into the Metropolitan Police's Counter Terrorism Command (SO15).

In January 2013, The Times published a posthumous interview with Mr Kerr which mentioned his dealings with NETCU: Gordon Mills was the "key officer" mentioned in that article.

"Mr Kerr told The Times that the association had established links with the police and security services. He recounted a meeting organised by the association in 2008 when eight construction industry directors were addressed by a "key officer" from the National Extremism Tactical Co-ordination Unit (NETCU), which was a Huntingdon-based police organisation set up to counter "extremist" protest groups.

"They were seeking a channel to inform construction companies [of the information] they were collecting [and] they were wanting to be able to feed it out to the companies," Mr Kerr said.

In return, the NETCU officer purportedly asked the companies to pass on their own information about potential troublemakers and Mr Kerr said that a "two-way information exchange" opened up. A police spokeswoman declined to comment".

There was hearing in the High Court in London on 13th February 2015 seeking compensation for 122 GMB members blacklisted by Carillion and other construction employers. The claims were served on 27th November 2013. GMB's claims were joined with a further 449 claims by other unions and parties at a High Court Hearing in July 2014.

Talks between GMB and lawyers representing construction employers (Balfour Beatty, Carillion, Costain, Kier, Laing O'Rourke, Sir Robert McAlpine, Skanska UK and VINCI PLC) on a

compensation scheme for 3,213 blacklisted workers broke down in June 2014 over the amount of money being put into the scheme by the employers. Employers have unilaterally launched a cut price scheme GMB estimates will cost less than 2% of the combined profits of the eight construction firms.

So far 1,724 out of the 3,213 on the list know they are on blacklist. 467 were identified by themselves or by their unions. 570 cases are covered by claims in the High Court. ICO contacted direct a further 1,257 and of these 776 has now been sent a copy of their files. That leaves 1,489 still to trace. See notes to editors for details of where those blacklisted come from.

Justin Bowden, GMB national officer, said "Gordon Mills, the ex-Cambridgeshire policeman, might have thought he had got away scot-free with his links to the blacklisters. The police had no rights whatsoever to get involved in industrial relations and health and safety issues in the construction sector so Mr Mills was way out of order on this.

Shedding crocodile tears now for the systematic blacklisting of 3,213 building workers and environmentalists won't wash, neither will the Nuremberg Defence of "just following superior orders".

These so-called HR Professionals and police who helped them run the blacklists for the construction companies knew exactly what they were doing. They need to either apologise, come clean and say what they did, or get used to accounting in public for the damage they did to those they blacklisted and their families, especially with the Public Inquiry Labour has pledged after the next election.

Just as the construction companies who paid their wages are being called to account in Parliament, the courts and the media, every single one of these secret blacklisters will have their role dissected in public."

8. On 12 March 2015 the Defendant disseminated to the press and media and posted on its website, advertising the said posting on Twitter, a Press Statement a copy of which is at Attachment 3 containing the following words defamatory of the Claimant. Except temporarily as described at paragraph 11.8 below, the Defendant has since continued to

maintain the said Press Statement on its website, available to users of the world wide web, thereby publishing and continuing to publish the said words:

"Include Blacklisting In Undercover Police Inquiry

Thursday, March 12, 2015

GMB Call For Undercover Police Inquiry To Include Blacklisting As Union Holds Protest In Cambridge To Shame Gordon Mills Ex-Cambridgeshire Police Linked To Blacklisting Construction Workers

Manager and police shedding crocodile tears now for blacklisting of 3,213 workers won't wash, neither will the Nuremberg Defence of "just following superior orders" says GMB.

GMB is calling on the Appeal Court judge Lord Justice Pitchford, appointed by Home Secretary Theresa May to head an inquiry into undercover policing and the operation of the Metropolitan Police's controversial Special Demonstration Squad, to include blacklisting in the scope of the inquiry. See notes to editors for copy of Home Office Statement.

The announcement coincided with a GMB protest demonstration in Cambridge on 12th March to shame Gordon Mills an ex Cambridgeshire policeman linked to blacklisting of 3,213 construction workers.

Blacklisting came to light when in 2009 the ICO seized The Consulting Association (TCA) database of 3,213 construction workers and environmental activists used by 44 companies to vet new recruits and keep out of employment trade union and health and safety activists.

Gordon Mills, ex of Cambridgeshire Police, was the Detective Chief Inspector with the National Extremism Tactical Coordination Unit (NETCU) who spoke at the secretive Woodstock Meeting in November 2008 to a select group of blacklisting companies who were invited to attend security group meetings held there twice yearly. The 'select group' of companies at the meeting Gordon Mills spoke at were Vinci (Mike Harrison), Amec (Tony Crowther), SIAS Building Services, Vinci (Alan Audley), Skanska (Bob Chapman), Sir Robert McAlpine (David Hillman) and a representative from Emcor. See below for more details.

This was the fourth date in the second leg of a national "Crocodile Tears" protest tour to shame 63 construction industry managers named as blacklisters who have yet to come clean and apologise for their actions. The second leg of the tour visits Bristol, Plymouth, Epsom, Cambridge, Derby and Bridgend. See notes to editors for the list the 64 managers and where they worked.

The protest was held from 11am Thursday 12th March, Outside Parkside Police Station, Parkside, Cambridge CB1 1JG. Pictures are available from GMB.

There will be a person in a crocodile suit accompanied by union members with flags and banners and slogans "Nuremberg defence on blacklisting won't wash" and "Blacklisters come clean". They will have a placard reading "Crocodile tears from Gordon Mills linked to blacklisting 3,213 workers won't wash"

The protest was moved from Anglia Ruskin University, East Road, Cambridge after GMB received written assurances from the university on the future employment of Mr Mills at the college. Mr Mills worked at the University as a part time lecturer on the English legal system.

This is some of what GMB know of Gordon Mills and NETCU:

Gordon Mills was the Detective Chief Inspector with the National Extremism Tactical Coordination Unit (NETCU) who spoke at the secretive Woodstock Meeting in November 2008, a select group of blacklisting companies who were invited to attend security group meetings held there twice yearly. The 'select group' of companies at the meeting Gordon Mills spoke at were Vinci (Mike Harrison), Amec (Tony Crowther), SIAS Building Services, Vinci (Alan Audley), Skanska (Bob Chapman), Sir Robert McAlpine (David Hillman) and a representative from Emcor.

NETCU was a Huntingdon based police organisation, with established links to The Consulting Association, set up by the Association of Chief Police Officers (ACPO) to counter extremist protest groups. It was setup in 2004, funded by the Home Office and staffed by officers from Cambridge Constabulary and the Metropolitan Police. NETCU was based in Huntingdon using

the postcode PE29 9AL, a PO Box code. NETCU lasted until 2010 following a reorganisation into the National Domestic Extremism Unit which in turn was merged into the Metropolitan Police's Counter Terrorism Command (SO15).

In January 2013, The Times published a posthumous interview with Mr Kerr which mentioned his dealings with NETCU: Gordon Mills was the "key officer" mentioned in that article.

"Mr Kerr told The Times that the association had established links with the police and security services. He recounted a meeting organised by the association in 2008 when eight construction industry directors were addressed by a "key officer" from the National Extremism Tactical Co-ordination Unit (NETCU), which was a Huntingdon-based police organisation set up to counter "extremist" protest groups.

"They were seeking a channel to inform construction companies [of the information] they were collecting [and] they were wanting to be able to feed it out to the companies," Mr Kerr said.

In return, the NETCU officer purportedly asked the companies to pass on their own information about potential troublemakers and Mr Kerr said that a "two-way information exchange" opened up. A police spokeswoman declined to comment"

...

Justin Bowden, GMB national officer, said "It is essential that Lord Justice Pitchford heading the inquiry into undercover policing and the operation of the Metropolitan Police's controversial Special Demonstration Squad includes blacklisting in the scope of the inquiry.

Gordon Mills, the ex-Cambridgeshire policeman, might have thought he had got away scot-free with his links to the blacklists.

The police had no rights whatsoever to get involved in industrial relations and health and safety issues in the construction sector so Mr Mills was way out of order on this.

Shedding crocodile tears now for the systematic blacklisting of 3,213 building workers and environmentalists won't wash, neither will the Nuremberg Defence of "just following superior orders".

These so-called HR Professionals and police who helped them run the blacklists for the construction companies knew exactly what they were doing. They need to either apologise, come clean and say what they did, or get used to accounting in public for the damage they did to those they blacklisted and their families, especially with the Public Inquiry Labour has pledged after the next election.

Just as the construction companies who paid their wages are being called to account in Parliament, the courts and the media, every single one of these secret blacklisters will have their role dissected in public."

9. On 26 March 2015 the Defendant disseminated to the press and media and posted on its website, advertising the said posting on Twitter, a Press Statement a copy of which is at Attachment 4 containing the following words defamatory of the Claimant. Except temporarily as described at paragraph 11.8 below, the Defendant has since continued to maintain the said Press Statement on its website, available to users of the World Wide Web, thereby publishing and continuing to publish the said words:

"Bridgend Skanska Blacklist Protest

Thursday, March 26, 2015

GMB Protest In Bridgend On 26th March To Shame Stephen Quant And John Dickinson Of Skanska Named As Blacklisters Of Construction Workers

Managers shedding crocodile tears now for blacklisting of 3,213 workers won't wash, neither will the Nuremberg Defence of "just following superior orders" says GMB.

GMB held a protest demonstration in Bridgend on Thursday 26th March to shame Stephen Quant and John Dickinson of Skanska named for their part in blacklisting at least 144 construction workers. 111 workers blacklisted are from 46 areas in Wales.

Blacklisting came to light when in 2009 the ICO seized The Consulting Association (TCA) database of 3,213 construction workers and environmental activists used by 44 companies to vet new recruits and keep out of employment trade union and health and safety activists.

..

The protest, outside Skanska office 31 at Old Field Road in Bridgend, consisted of a person in a crocodile suit with union members with flags and banners and slogans "Nuremberg defence on blacklisting won't wash" and "Blacklisters come clean". They had a placard reading "Crocodile tears from Stephen Quant and John Dickinson linked to blacklisting 144 workers won't wash".

It was part of a national "Crocodile Tears" protest tour to shame 64 construction industry managers named as blacklisters who have yet to come clean and apologise for their actions. The next leg is planned for after the general election.

GMB has organized 15 protests to shame 18 of the blacklisters as follows: Lynne Day, Darlington; Valerie Bennison, Leeds; Liz Keates, Wolverhampton; Paul McCreath and Kathy Almansoor, Sandy Bedfordshire; Gerry Harvey, Glasgow; Kevin Gorman, Aberdeen; Shelia Knight, Reading; Paul Raby, London; Sandy Palmer, Shropshire; David Cochrane and Cullum McAlpine, Sir Robert McAlpine, Bristol; Danny O'Sullivan, Plymouth; Gayle Burton, Epsom; Detective Chief Inspector Gordon Mills, Cambridge; Ron Barron, Derby; and Stephen Quant and John Dickinson, Bridgend. See notes to editors for the list the 64 managers and where they worked.

...

Justin Bowden, GMB national officer said, "Stephen Quant and John Dickinson of Skanska might have thought they had got away scot-free, so shedding crocodile tears now for the systematic blacklisting of 3,213 building workers and environmentalists won't wash, neither will the Nuremberg Defence of "just following superior orders".

These so-called HR Professionals who ran the blacklists for the construction companies knew exactly what they were doing. They need to either apologise, come clean and say

what they did, or get used to accounting in public for the damage they did to those they blacklisted and their families, especially with the Public Inquiry Labour has pledged after the next election.

Just as the construction companies who paid their wages are being called to account in Parliament, the courts and the media, every single one of these secret blacklisters will have their role dissected in public."

10. In their natural and ordinary and inferential meaning the said words bore and were understood to bear the following meanings defamatory of the Claimant:

- 10.1 that he was a former senior police officer who had been involved in the unlawful and disgraceful practice of blacklisting, colluding with construction firms covertly to blacklist construction workers for being union or health and safety activists; and
- 10.2 that he had refused to apologise and come clean about his involvement in the systematic, covert blacklisting of 3,213 workers and, as a result, he deserved to be publicly shamed and humiliated.

11. The said publication of the statements complained of and each of them has caused and/or is likely to cause serious harm to the reputation of the Claimant. The Claimant will rely on the following facts and matters in support of this contention:

- 11.1 The gravity of the defamatory imputation conveyed concerning him and its seriously damaging impact on his personal and professional reputation for honesty, integrity and trustworthiness, compounded by the apparent integrity and authority of the publisher.
- 11.2 In addition to being made publicly accessible at the Defendant's website, the said statements were disseminated and published to the press and media, informing, influencing and prejudicing their recipients in the press and media against the Claimant, inviting their repetition and further dissemination by those recipients in the course of their journalistic activity and influencing to the Claimant's detriment any subsequent reports in the press and media concerning the Claimant.

- 11.3 Without prejudice to the generality of the contention at paragraph 11.2 above, the defamatory content of the Press Statements at paragraphs 7 and 8 above were adopted and further published by the websites operated by Union Solidarity International at www.usilive.org, by the Morning Star at www.morningstaronline.co.uk and by the Workers Revolutionary Party at www.wrp.org.uk. The website Powerbase operated by Public Interest Investigations at www.powerbase.info has carried and continues to carry links to the said Press Statements from its webpage devoted to the Claimant at www.powerbase.info/index.php/Gordon_Mills.
- 11.4 The said Press Statements have been since first publication and except as described at paragraph 11.8 below continue to be accessible to Google, Bing and other search engines and so recoverable by any person making an Internet search about the Claimant or about the events and matters referred to in the said Press Statements. The Press Statements at paragraphs 7 and 8 above have been since first publication and continue to be among the top ten or fewer returns produced by making a Google search for the term "Gordon Mills" in conjunction with one or more of the terms "police" or "police officer" or "Anglia Ruskin", or "Anglia", or "Cambridge" or "lecturer" or "netcu".
- 11.5 It is extremely common practice by persons encountering and having dealings with a person for the first time or having reason to find out any information about a person, to make a search of the internet using a search engine and search terms comprising the person's name and known occupations or other identifying information, most commonly using the Google search engine ("to google them"). The Claimant will contend that it is a well-nigh universal practice among persons and organisations contemplating professional or business involvement with an individual, for example selecting them for employment or joining in some venture or project with them, to google that individual.
- 11.6 The Claimant repeats paragraph 4 above.
- 11.7 In the premises, until the Defendant permanently removes the said Press Statements and each of them from its said website or redacts them to remove the Claimant's name and or the words complained of, publication of those Press Statements is likely to cause further and serious harm to the Claimant's reputation,

including serious harm prejudicial to his prospects of employment generally and particularly to his prospects of employment or otherwise advancing a career as an academic and teacher.

11.8 The Defendant has refused to remove from its said website or redact any of the Press Statements. On or about 3 June 2016 the Defendant purported temporarily to remove the Press Statements from its website. However, the Defendant did not remove, even temporarily, the Press Statement dated 11 March 2015 in pdf format referred to at paragraph 7 above, which has remained at all times accessible to users of the World Wide Web, including being recovered by internet search as described at paragraph 11.4 above.

12. The said publications and likely future publications of the Press Statements and the words complained of have caused and continue to cause the Claimant serious distress and injury to his feelings.

13. Unless restrained by this Honourable Court the Defendant will continue to cause the said Press Statements and words defamatory of the Claimant to be published by means of its said website.

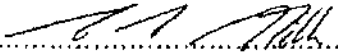
AND the Claimant claims:

1. Damages for libel in respect of the publications at paragraphs 6, 7, 8 and 9 above.
2. An injunction restraining the Defendant, whether by its officers, servants or agents or otherwise howsoever from further publishing or causing to be published the said or similar words defamatory of the Claimant.

HARVEY STARTE

STATEMENT OF TRUTH

I/the Claimant believe(s) that the facts stated in these Particulars of Claim are true.


.....
Gordon Mills

..... 11th JULY 2016
Dated

Served this 11th day of July 2016