

# BRITISH ASBESTOS NEWSLETTER

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## Corporate Deceit: Asbestos Espionage at Home and Abroad

by Laurie Kazan-Allen

The second major asbestos spying scandal of the 21st century was a very British affair.<sup>1</sup> A public school educated spy from Hertfordshire was tasked by a Mayfair-based intelligence agency to target a ban asbestos activist in a leafy London suburb. A legal action for breach of confidence, misuse of private information and breach of the Data Protection Act was launched, upon discovery of the covert operation, in the London High Court;<sup>2</sup> the claimants – Laurie Kazan-Allen (UK), Leigh Day Partner Harminder Bains (UK), Barrister Krishnendu Mukherjee (UK), Professor Rory O’Neill (UK)<sup>3</sup> and Coordinator of the Asian Ban Asbestos Network Sugio Furuya (Japan)<sup>4</sup> – and defendants – Robert Moore, K2 Intelligence Ltd. and K2 Executive Managing Director Matteo Bigazzi – were represented by British legal teams, as were foreign non-parties to the case.<sup>5</sup> In this brief account of the espionage operation and the subsequent court case I make no attempt to deal with the distress of the other claimants or how they came to be involved; the experience of being falsely befriended and spied upon is a very private humiliation. However, I feel compelled to put something on record about this episode and I do so below as dispassionately as possible.

### The Facts

In September 2016, Kazan-Allen, editor of the British Asbestos Newsletter and Coordinator of the International Ban Asbestos Secretariat (IBAS), was informed by an early morning phone call that Robert Moore (Moore), a “documentary film-maker” and purported administrator of the website [BritishSpring.org](http://BritishSpring.org) and would-be founder of three asbestos charities which never materialized – “Asbus,”<sup>6</sup> “NAM” and “Stop Asbestos”<sup>7</sup> – was not who he had represented himself to be over the previous four years. He was, in fact, an operative in the pay of the private security firm K2 Intelligence Ltd.<sup>8</sup> Between July 2012 and September 2016, Moore spied on Kazan-Allen and her fellow ban asbestos colleagues in Britain and abroad and pocketed £336,000 in fees and £130,400 in expenses. His efforts and the “highly confidential information” he obtained<sup>9</sup> were documented in thousands of files,<sup>10</sup> reports, photographs and recordings of private conversations and presentations which he had collected pursuant to instructions received from Matteo Bigazzi of K2,<sup>11</sup> who had, according to the Particulars of Claim (POC) lodged by the claimants, “jointly decided”<sup>12</sup> that Moore would: “‘allow’ himself to be ‘introduced’ to Ms Kazan-Allen” by one of her trusted colleagues;<sup>13</sup> “become close to Ms Kazan-Allen<sup>14</sup> in order to infiltrate IBAS<sup>15</sup>; and would use a “fake ‘documentary’ cover ... [to] provide a legitimate reason for Mr Moore to ask deeper questions about IBAS.”<sup>16</sup>

The strategy implemented by Moore “to obtain information concerning the claimants and other ban asbestos campaigners pursuant to requests made by the client and conveyed to him by Mr. Bigazzi,”<sup>17</sup> was initially delineated in a 2012 document entitled “IBAS Phase One report,”<sup>18</sup> which named the primary target as Laurie Kazan-Allen (LKA). The calculated nature of the approach as articulated in this eleven-page document was chilling. Having set out the objectives of the undercover operation codenamed “Project Spring,” which included a forensic examination of IBAS operations and contacts, the text specified measures to exploit to the full extent access to the primary target. Moore wrote:

- “I would like to engage with IBAS and LKA in the most genuine and heartfelt way possible so that I can establish both an intellectual and emotional connection with LKA.”

- “I don’t believe she will be willing to share the extremely sensitive information I’m being tasked with finding out in this Project, if I present myself as a journalist who accepts the industry PR line about asbestos and cannot see the ‘truth’ as she sees it. The odds are always stacked against a documentary getting commissioned but if I am allowed to genuinely pursue a story and endeavour to get it commissioned I believe this will add to both my credibility with LKA and – more importantly – the veracity of my cover.”
- “The longer I have to develop my relationship with LKA, the deeper and more personal my questions can be and the more likely I am to get the most truthful answers.”

In the Phase One report there are multiple references to the Risc [RISC] report:

“Re-reading the notes I made from the Risc report you showed me...I don’t remember if this was noted in the Risc report...it would be helpful if I could have more time to study the Risc report again because it seemed to contain several interesting leads that might be worth further investigation...Here’s where Risc got that fascinating quote about ‘Plaintiff Activism’...”

In the Defence of the First Defendant (Moore), paragraphs 43 and 46 reference the “RISC Management Ltd” report which was given by Bigazzi to Moore at the start of his assignment; the report contained “the information relating to Ms Kazan-Allen’s home address” and “information relating to Kazan-Allen’s children.” This report was never handed over to the claimants. Other documents not seen by the claimants included invoices issued by K2 for its work on the espionage operation, the totality of K2’s correspondence with the clients and seven “Asset Trace research” reports which Moore invoiced K2 for as follows:

<b>Date</b>	<b>Time Period</b>	<b>Amount</b>
23/03/16	March asset trace research	£12,000
20/05/16	April asset trace research	£12,000
31/05/16	May asset trace research	£12,000
30/06/16	June asset trace research	£ 6,000
12/8/16	July asset trace research	£12,000
16/9/16	August asset trace research	£ 6,000
1/10/16	September asset trace research	£ 6,000
<b>Total</b>		<b>£66,000</b> <sup>19</sup>

#### **“Mr. Moore’s Execution of the Plan”<sup>20</sup>**

After weeks of preparation, Moore emailed Kazan-Allen on July 26, 2012<sup>21</sup>; their first phone conversation was on July 27 and their first meeting, which took place at a Starbucks, was on August 13:

“Following his meeting, Mr Moore prepared a report to Mr Bigazzi entitled ‘Interview with LKA on 13<sup>th</sup> August and subsequent research’. This report contains detailed information about Ms. Kazan-Allen’s perceptions of the asbestos industry’s view of her. In his report, Mr. Moore acknowledged that Ms Kazan-Allen had requested that the discussion of at least some of these matters would be off-the-record and therefore confidential...”

The report demonstrates that Mr Moore gathered and reported on information concerning not only her professional activities and information about the Campaign but also her private and family life. In particular, this report includes references to her son’s profession, location and family; her appearance; her home; and her finances.”<sup>22</sup>

K2 denied that it had instructed Moore to obtain personal or private information about the claimants asserting that the purpose of the investigation was to understand the workings of the ban asbestos lobby including how the protestors were funded and the extent to which they were able to influence national governments and international organizations. In his First Witness Statement, Daniel Morrison, representing K2 and Bigazzi, wrote:

“27. I am told that at no time was the investigation focused on obtaining any personal, private or scandalous information about the Second Claimant or anyone else or to use any information in some unacceptable way, as a tabloid newspaper or blackmailer might do...

28. There was, as I explain above, a genuine and legitimate interest on the part of the Second Defendant’s Client to investigate what it strongly suspected was a corrupt association between the commercial interest of tort lawyers, the abatement industries, substitute manufacturers and activists to destroy the chrysotile industry employing hundreds of thousands of people worldwide.

29. The focus of the investigation was directed, not towards the Claimants but towards understanding how to frame policy and gain a fair hearing for chrysotile at a national and international level.”<sup>23</sup>

Within weeks of Moore’s first contacts with Kazan-Allen, he attended a conference entitled *The European Asbestos Catastrophe: Supporting Victims, Preventing Future Tragedies* and an Asbestos Hearing at the European Parliament in Brussels on September 17 and 18<sup>24</sup>: “He later reported on these matters to Mr Bigazzi in a report entitled: ‘Update following Liverpool and Brussels Conference 27.09.12’.”<sup>25</sup> In November 2012, he secured via Kazan-Allen an invitation to the annual meeting of the Asian Ban Asbestos Network (ABAN) in Bangkok, Thailand.<sup>26</sup>

“Mr Moore recorded, without prior authorisation, the proceedings of the ABAN Conference and the ABAN strategy meeting on 19 November. Speeches given at this event were not transcribed or made public. The recordings, including a speech given by Mr Furuya, were subsequently transcribed and uploaded to the Zone.<sup>27</sup> Further, while present in Bangkok for the ABAN conference, Mr Moore dined with Mr Furuya, Ms Kazan-Allen and others, and covertly recorded their dinner table discussions.”<sup>28</sup>

Moore also secretly taped conversations at Kazan-Allen’s home on February 28 and May 28, 2014;<sup>29</sup> he also “covertly recorded” his meeting with Rory O’Neill at his home in April 2014.<sup>30</sup> In the Defence of the First Defendant, Moore admitted that: “had the Claimants known that he was being paid by K2 to seek “*intelligence*”, they would not or may not have engaged with him... Nor (in the case of Ms Kazan-Allen and Professor O’Neill), would they have permitted him to enter their homes as they did or at all.”<sup>31</sup>

Throughout this period and up until September 2016, Moore was phoning and emailing Kazan-Allen on a regular basis asking for assistance on multiple issues pursuant to requests from the client sent via Bigazzi regarding: asbestos strategies of the World Health Organization; “information as to the perceptions and intentions of Rotterdam Convention and WHO staff”; country updates from ban asbestos conferences; “information as to the strategy, contacts and knowledge of national anti-asbestos campaigners”; news about progress of ban asbestos campaigns in specific Asian countries including Sri Lanka, Cambodia, Thailand, etc.<sup>32</sup>

As was her practice, Kazan-Allen replied promptly to Moore’s enquiries and her assistance was fulsomely acknowledged:

- “Thank you for making it possible for me to attend the Brussels conference and for introducing me to everyone...Thank you very much for all your help Laurie and for everything you’re doing for so many people.”<sup>33</sup>
- “Great news that Sugio says it’s all ok for Bangkok. Thank you for helping make this happen.”<sup>34</sup>

- “Laurie you are amazing. Thank you for all these introductions. I will do my best to produce the best video I can.”<sup>35</sup>
- Thank you so much for your help and advice yesterday. Invaluable.”<sup>36</sup>
- “Laurie, thank you very much for proposing this to Barry. This is very exciting.”<sup>37</sup>

The best laid plans of Moore and Bigazzi were nearly scuppered when Kazan-Allen had a heart attack in September 2013 and was hospitalized for nearly a fortnight after serious complications. Fortunately for her, and ironically of benefit for the spy and his paymasters, she returned to work in early 2014. While she was in hospital, her husband emailed news of her condition to a select number of close friends, including Moore. On September 30, 2013, Moore responded:

“Dear Dave,

I am shocked to hear this and I am praying very hard for Laurie’s full and quick recovery. If there is anything I can do to help in any way please just let me know – including doing a weekly shop because it might not be easy for you to find the time and I have friends in Borehamwood and also Bushey Heath who I often visit so XXXX is not out of my way. I really mean this.

Having recently gone through convalescence I am sure Laurie will be feeling exhausted and dazed and will continue for some time. Please send her my very best wishes and let her know we are thinking of her. I know the next few weeks will be exhausting for the people doing the looking after so please take care of yourself as well Dave.

Please do let me know if I can help in any way.”<sup>38</sup>

According to an article in The Guardian newspaper, time sheets Moore “submitted to K2 show that when Allen was being treated in hospital after a heart attack, he made a claim for the time spent writing to her husband.”<sup>39</sup>

### **Paradox: Confidentiality vs. Transparency**

The defendants in this case did not include the company or the individuals who had commissioned K2 to spy on the ban asbestos campaigners as their identity was not known to the claimants. At a hearing in December 2016, an order was issued by Mrs. Justice Laing for the client/clients to be named despite assertions by K2 that “their clients were entitled to anonymity on the basis that they were at risk of being harassed by the Claimants in this litigation.”<sup>40</sup> The clients’ case for confidentiality was set out in the First (30 November, 2016) and Second Witness Statements of Daniel Morrison (5 December 2016):

#### **Extracts from First Witness Statement of Daniel Morrison**

“From the outset of its relationship with the Second Defendant (K2) the Client made it clear, and it was understood by the Second Defendant, that the Client’s name was to remain confidential in relation to the work he had asked the Second Defendant to undertake on his behalf...”<sup>41</sup>

I have spoken to the Client and there are further important reasons why he seeks to keep his identity confidential and opposes any order for disclosure. He is concerned about a pattern of aggressive and questionable behaviour towards anyone who seeks to challenge the view of the [ban asbestos] lobby.”<sup>42</sup>

Other businesses related to the Client and un-connected with chrysotile could be effected if the anti-chrysotile lobby choses to target them. The negative publicity that the lobby creates, leads the Client to be concerned about the potential effect of [sic] other businesses in respect of which it is related.”<sup>43</sup>

He is concerned that he will be the target of the lobby... the Second Claimant [Kazan-Allen], for instance, speaks of those who may speak against the [ban asbestos] lobby in intemperate terms ...”<sup>44</sup>

In contrast, disclosure of the Client's name is likely to have a very significant and irreparable effect on the Client's business reputation. The Client would never have chosen to engage the Second Defendant's services had it not been assured that its name would remain confidential at all times. On this basis I believe that it is not necessary to order the disclosure of the Client's name in the circumstances nor would it be proportionate."<sup>45</sup>

#### **Extracts from Second Witness Statement of Daniel Morrison**

"I make this second statement to address three points... and to supplement material on the threats to those in the chrysotile industry from the [ban asbestos] Lobby<sup>46</sup> ... individuals (including scientists, manufacturers and medical professional [sic]) who express any view that is contrary to the [ban asbestos] Lobby's agenda, are routinely the subject of highly unpleasant verbal, and sometimes, physical attacks<sup>47</sup> ... the Lobby (including the Second Claimant personally) have a track record of labelling those who do not subscribe to their agenda as 'criminals,' members of the 'mafia' or 'refusniks'..."<sup>48</sup>

On December 5, 2016, Mrs. Justice Elisabeth Laing rejected the defendants' arguments:

"So far as whether or not the client has been involved in wrongdoing, Mr. Browne's submission [for K2 and Bigazzi] was really a confession and avoidance... I have been shown some of the emails which indicate the extent to which the first defendant [Moore] and the second defendant [K2] were engaging in a sophisticated and conscious process of manipulating particularly, I think, the second claimant [Kazan-Allen], in order to enable the first defendant to insinuate himself into her confidence, so that he in turn could get confidential information from her; and I would be amazed if the client was not aware of that strategy. So it seems to me pretty clear, on the limited information I have, that the client must have been involved in wrongdoing and that is an inference I am prepared to draw on the material I have seen<sup>49</sup>... For those reasons, very briefly, I am satisfied that the appropriate order to make is that the second and third defendants should disclose the identity of the client."<sup>50</sup>

As a result of the December 5, 2016 ruling, the claimants were informed that the clients were:

**Wetherby Select Ltd.**, a holding company in the British Virgin Islands; Wetherby Select Ltd. was one of six members of the Union of the Chrysotile Cement Industry (UCCI) of the Republic of Kazakhstan,<sup>51</sup> set up in August 2012 by Nurlan Omarov (see below), which "claims to be a consortium of asbestos companies and 'community NGOs' involved in the 'extraction, trading and processing of chrysotile,'" but is suspected of being one of two front companies [with Wetherby Select Ltd.] put in place "to withstand superficial scrutiny in the event Project Spring sprung out of control."<sup>52</sup>

Kazakh national **Nurlan Omarov**, from 2003 to 2012 a consultant to the Kostanay mine, Kazakhstan's only chrysotile asbestos mine; since 2012, a paid consultant to Kostanai Minerals JSC – the company which operates the Kostanay mine;<sup>53</sup> an official lobbyist at the UN Rotterdam Convention; one of 10 directors of the International Chrysotile Association.<sup>54</sup>

(Confirmation of the asbestos connections of Omarov was included in the Eighth Witness Statement by Richard Meeran, the claimants' solicitor, who noted that: for more than a decade, Omarov had been employed "on behalf of the Kazakh chrysotile mining industry, and is the representative for the industry internationally."<sup>55</sup> Omarov was a consultant for the Kostanay Mine and Kostanai Minerals JSC – the company which operated the mine.<sup>56</sup> In August, 2012, Omarov established the Union of the Chrysotile Cement Industry (UCCI), a Kazakhstan chrysotile asbestos trade association;<sup>57</sup> his employer Kostanai Minerals JSC was one of six UCCI members.)

**Daniel Kunin**, "a politically well-connected US national also directly involved in Kazakhstan's asbestos industry"<sup>58</sup> as the "managing director of the Kusto Group, a Kazakh multinational with extensive interests in the chrysotile industry."<sup>59</sup> According to

an article on the Australian website New Matilda: “Since 2010, Kunin has acted as Kusto’s advisor on strategic development and risk management. He helped make the huge push into the Asian market, where chrysotile and its related products, such as cement, have benefitted from the lack of regulation.”<sup>60</sup>

Under a court order, the claimants and others in the UK were barred by Mrs. Justice Laing from sharing these names for non-litigation purposes. Following a hearing before Sir Michael Tugendhat on March 27, 2017 K2’s clients’ identities were made public.

While the clients had sought anonymity citing potential harassment by ban asbestos campaigners, the spy (Robert Moore) sought anonymity over fears of retaliation by the client. For the first months of the case, he was referred to in court proceedings as DNT over fears for his safety and that of his family. On October 12, 2016, Moore’s barrister Simon Cheetham explained the reasons for this action:

“what the Defendant [Moore] instructs us and what he would say in evidence is that in his role as, as is described, a double-agent, where in terms he has been taking the [asbestos] industry’s money to investigate those who are opposed to the industry, that given who the industry are when they find out what he has been doing – again, playing a double role as such and effectively short changing them to a very large extent and on some occasions giving them misinformation – he has a real fear as to his safety and that of his family were they to find out what has happened.”<sup>61</sup>

The anonymity was ended by agreement in December 2016.<sup>62</sup>

Throughout the litigation, Moore maintained that he was a double agent who was, from very early on, convinced by the arguments of the ban asbestos campaigners.<sup>63</sup> As was explained in the Defence of the First Defendant (Moore):

- a. “Mr Moore came greatly to admire the Claimants and respect their cause, motives and integrity.
- b. Mr Moore came to believe by about late 2012 that chrysotile asbestos was extremely dangerous and could not be safely used.
- c. Mr Moore found no evidence whatsoever that law firms or others were improperly funding the [ban asbestos] Campaign. Instead, he found that some such firms were providing small donations to certain charitable and/or campaigning organisations, for what appear to have been altruistic reasons.
- d. Mr Moore became increasingly concerned that elements within the asbestos industry used or may have used their resources to spread misinformation and exert pressure on the market and governments, in order to be able to continue to produce and supply a dangerous and lethal profit.”<sup>64</sup>

The first defendant “admitted and averred” in his Defence that: “as a result of his dealings with the [ban asbestos] Campaign and the Claimants...Mr. Moore grew increasingly passionate about investigating and exposing the dangers of asbestos and misconduct within the asbestos industry.”<sup>65</sup> He also “admitted and averred” that he had “deceived the Claimants, in that he did not explain to any of them at any material time any of the matters set out in Paragraph 1 above. Rather, he portrayed himself as a committed anti-asbestos activist in circumstances where that commitment was genuine and grew, albeit in the extraordinary circumstances set out herein.”<sup>66</sup>

### **The End of Proceedings**

After more than four years of undercover surveillance and a further two years of judicial torment,<sup>67</sup> the civil lawsuit was resolved in early November 2018 when a confidential settlement was reached as a result of which “K2 intelligence limited has agreed to pay substantial damages to five prominent anti-asbestos campaigners... in a case against Mayfair-based K2, its Executive Managing Director Matteo Bigazzi, and Robert Moore;”<sup>68</sup> there was “no admission of wrongdoing or liability” by the intelligence agency.<sup>69</sup> While the downbeat finale to a turbulent

two years of legal posturing, arguments, filings, court orders, judgments, reversals, delays, discussions, emails, phone calls, hearings, postponements and adjournments came as something of an anti-climax, the realization that normal life could recommence was an enormous relief albeit something that was hard to fully comprehend.

### **Good News, Bad News**

That the ban asbestos claimants succeeded in their efforts to reclaim their personal information, evaluate the damage done at home and abroad to members of their network and hold the spy, his handler and K2 to account for the intrusion into their private lives resulting from the undercover activities conducted as part of “Project Spring” was a remarkable achievement.<sup>70</sup> The hundreds of pages in the documents which have been made public as a result of this case constitute a treasure trove for campaigners, historians and anyone looking to understand the inner workings of a ruthless business which will use every possible means to prioritize corporate profits. Although the terms of the settlement are confidential, the damages received by the claimants will be useful in challenging the policies of the asbestos industry and supporting victims.

Unfortunately, the identity of K2’s ultimate client – “the final recipient of the Claimants’ confidential and private information”<sup>71</sup> – remains hidden; Kunin and Omarov were “client contacts for K2,”<sup>72</sup> but not apparently the original source of the funding or instructions. While they began discussions with K2 on Project Spring in May 2012, the contract between Wetherby and K2 was not signed until September 2012.<sup>73</sup> “Accordingly, Wetherby was not K2’s client during the early months of Project Spring.”<sup>74</sup> Who was?

There has been discussion in the foreign media about the name of the ultimate client with speculation by Australian news outlet New Matilda about the involvement of Yerkin Tatishev, the Chairman of the Kusto Group, Daniel Kunin’s employer: “Is he [Tatishev] the mysterious ultimate beneficial owner of Wetherby Select Ltd?” journalist Michael Gillard asked in April 2017<sup>75</sup> Mr. Tatishev’s name was also mentioned in an article by the award-winning US journalist Barry Meier who noted that according to Kusto’s website: “Mr. Tatishev, before starting Kusto, was a major player in the asbestos industry who revived the fortunes of two large asbestos mines, one in Kazakhstan and the other in Russia.” Unfortunately, “Tatishev declined... to be interviewed for this [Meier’s] article and did not respond to written questions about his current interests in any entities involved with asbestos.”<sup>76</sup>

As for British speculation about the ultimate client, there has been none; in fact, aside from two rather perfunctory articles in The Guardian and small pieces in Private Eye and The Sunday Times, the media silence has been astounding. Is this because the David & Goliath story of a handful of grassroots activists holding a multinational intelligence corporation and rapacious asbestos vested interests to account was not newsworthy? Is it because of the persuasive charm of Robert Moore, who seemed to have bewitched even Barry Meier, who referred to Moore as a “TV prankster,” a “mischief” maker and “a double agent” who had been “pilloried in press accounts”. Or, is it, because of Moore’s influential connections; his sister Charlotte Moore is BBC’s Director of Content.<sup>77</sup> According to a statement by the BBC:

“Charlotte Moore has had no involvement in any of these matters and it has absolutely nothing to do with her. The BBC is not a party to this case, is not involved with it, and nor has the BBC provided any support or testimonials in relation to the matters raised in the case.”<sup>78</sup>

Be this as it may, Moore was not averse to reminding those he spied on of his familial attachment to Ms. Moore.<sup>79</sup>

### **Epilogue**

From discussions with Moore, the contents of his emails, the public documents generated by the case and the online and newspaper articles published in the UK, the US, Canada, Brazil, Italy and Australia, it is clear that pursuant to the clients’ instructions, Moore cultivated contacts amongst asbestos victims, asbestos victims’ representatives, health and safety campaigners, trade unionists, documentary film-makers, journalists, technical and medical experts, politicians, civil

servants, and personnel from labor federations, regional bodies, the World Health Organization, the International Labor Organization, the International Agency for Research on Cancer and the Rotterdam Convention during his trips in the UK, France, Switzerland, Belgium, Germany, Thailand, Vietnam, India, Bangladesh, the Philippines, Canada and the US. What K2's clients did with the information garnered by Moore during his travels remains unknown.

The espionage operation which began in London in 2012 was conducted on a global scale over a four year period; an unquantified sum – Moore himself received £466,400 (US~\$600,000) in wages and expenses – was paid by asbestos industry stakeholders with connections to Kazakhstan to a multinational corporate intelligence agency which lists its core values as: “integrity, accountability, working together to make a difference, teamwork, open and honest communication and discipline.”<sup>80</sup> Readers of this article can make up their own minds as to whether or not the company lived up to these claims during its implementation of “Project Spring”.

As for the “core values” of the asbestos industry, nothing has changed. For more than a century, asbestos companies have adopted various measures to create the economic, political and social conditions in which sales of their products could flourish. It should come as no surprise, therefore, that the actions of asbestos vested interests have once again been revealed to be ruthless, immoral and anti-democratic; while these industrialists appear to regard poisoning for profit as a justifiable corporate strategy, others pay a heavy price for their companies' dividends.<sup>81</sup> This must end.

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<sup>1</sup> For an introduction to the first major asbestos espionage scandal of the 21<sup>st</sup> century see: Kazan-Allen L. *Eternit vs. the Victims*. Chapter 11. *Eternit & The Great Asbestos Trial*. 2012. <http://www.ibasecretariat.org/eternit-great-asbestos-trial-chap-11.pdf>

<sup>2</sup> Key objectives for the claimants bringing the legal action were ascertaining: what information had been illicitly obtained, with whom had it been shared and if members of the global ban asbestos network had been endangered by the actions of the defendants.

<sup>3</sup> Professor Rory O'Neill has also written an account of the case: *I Spy*. Hazards, number 144, 2018.

<http://www.hazards.org/asbestos/ispy.htm>

<sup>4</sup> The case was brought initially by three claimants, with Professor O'Neill and Sugio Furuya joining as claimants in early 2017.

<sup>5</sup> Eighth Witness Statement of Richard Meeran. 24 February, 2017.

(The document referenced above and others from court records referenced in this article were brought into the public domain during legal proceedings in case No: HQ16X03479 – Harminder Bains, Laurie Kazan-Allen, VNP, Rory O'Neill and Sugio Furuya vs. Robert Moore, K2 Intelligence Limited and Matteo Bigazzi.)

<sup>6</sup> Particulars of Claim (POC). 20 March, 2017, p. 16, par. 59.

<sup>7</sup> POC, pp. 5-7, par. 25(4) and par. 26 (4).

<sup>8</sup> Website: K2 Intelligence. Accessed December 7, 2018.

<https://www.k2intelligence.com/>

<sup>9</sup> Leigh, Day & Co. *Corporate intelligence agency pays substantial damages over claim for spying*. November 7, 2018.

<https://www.leighday.co.uk/News/News-2018/November-2018/Corporate-intelligence-agency-pays-substantial-dam>

<sup>10</sup> In the 5 December 2016 judgment of Mrs. Justice Elisabeth Laing (p. 3, para. 9), she reported that the second defendant (K2) had provided the claimants with “a hard drive which contained about 1.2 terabytes of data including documents, PowerPoint presentations, images, recordings, and about 500 hours' worth of footage.” In fact, it was the first defendant who had done so; following an injunction issued on 12 October, 2016 by Judge Sir David Eady, Moore had subsequently surrendered 35,000+ documents to the claimants' legal advisors, of which, 650 had, he said, been “passed to K2”.

<sup>11</sup> Kazan-Allen L. *The Spy, His Handler, Their Clients and Me*. November 27, 2018.

<http://ibasecretariat.org/lka-blog.php#a148>

<sup>12</sup> POC, p. 5, par. 25.

In the First Defendant's Defence it was “admitted that there was a joint decision between Mr Moore and Mr Bigazzi (articulated in the Phase One Report) as to how Mr Moore would undertake the investigation...” Defence of the First Defendant. 18 July, 2017, p. 12, par. 30 (a).

<sup>13</sup> POC, p. 5 par. 25 (2).

<sup>14</sup> POC, p. 5 par. 25 (1).

<sup>15</sup> POC, p. 5 par. 25 (1).



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<sup>16</sup> POC, p. 6 par. 25 (3).

<sup>17</sup> POC, p. 5 par. 24.

<sup>18</sup> Third Witness Statement of Richard Meeran. 21 November 2016. Exhibit RM5: Phase One Report, pp. 81-92 (the initial page of RM5 is numbered 78 in the court file).

<sup>19</sup> Third Witness Statement of Richard Meeran. 21 November 2016. Exhibit RM5, pp. 201, 182, 184, 187, 190, 193, 196 (the initial page of RM5 is numbered 78 in the court file).

<sup>20</sup> The wording of this heading is taken from a heading on page 15 of the Defence of the First Defendant (Robert Moore). 18 July, 2017.

<sup>21</sup> Kazan-Allen archive: Rob Moore email to Laurie Kazan-Allen (LKA). July 26, 2012. His email address was given as: rob@gregatkins.tv Another email address used to communicate with LKA was: feralbankers@gmail.com The choice of his email addresses was notable as they added to his back story and reinforced the illusion he was working in TV and was anti-establishment.

The full text of Moore's first email to LKA is included on page 94 of Exhibit RM5. Third Witness Statement of Richard Meeran. 21 November 2016.

<sup>22</sup> POC, p. 11, par. 39; p. 12, par. 40.

<sup>23</sup> First Witness Statement of Daniel Morrison. 30 November, 2016, pp. 6, 7, par. 27-30.

<sup>24</sup> Ms. Kazan-Allen had secured an invitation for Moore to attend these events from colleagues at the European Federation of Building and Woodworkers with whom she had been working on this initiative for a number of years. <http://ibasecretariat.org/lka-bruss-europes-asbestos-catastrophe-report-2012.php>

<sup>25</sup> POC, p. 12, par. 44.

<sup>26</sup> Kazan-Allen, L. *Report from the Asbestos Frontline*. November 30, 2012.

<http://ibasecretariat.org/lka-report-from-the-asbestos-frontline-2012.php>

<sup>27</sup> According to the Particulars of Claim (p. 8, par. 29 (1)): Moore and Bigazzi communicated "using draft emails left in the drafts section of a dedicated Gmail account, created in or around July 2012, to which they both had access (benthiczonesolutions@gmail.com). Mr Moore and Mr Bigazzi referred to the Gmail account as 'the Zone.'" Between July 2012 and September 2016 "at least 300 draft emails, many with attachments, were posted in this account..." Moore and Bigazzi also "exchanged information and instructions by telephone and in person." POC, p. 8, par. 29(1).

<sup>28</sup> POC, p. 14, par. 53.

<sup>29</sup> POC, p. 18, par. 71 ; p. 18, par. 74.

<sup>30</sup> POC, p. 18, par. 73.

<sup>31</sup> The Defence of the First Defendant. 18 July, 2017, p. 38, par. 125(d).

<sup>32</sup> POC, p. 7, par. 27(1)-(11).

<sup>33</sup> LKA archive: Email from Moore to LKA September 20, 2012.

<sup>34</sup> LKA archive: Moore email to LKA Oct 22, 2012

<sup>35</sup> LKA archive: Moore email to LKA March 11, 2013.

<sup>36</sup> LKA archive: Moore email to LKA June 3, 2014.

<sup>37</sup> LKA archive: Moore to LKA September 21, 2015.

<sup>38</sup> LKA archive: Email from Moore to David Allen September 30, 2013.

<sup>39</sup> Cobain I. *Corporate spy infiltrated anti-asbestos campaign, court told*. December 8, 2016.

<https://www.theguardian.com/world/2016/dec/08/k2-corporate-spy-infiltrated-anti-asbestos-campaign-court-told>

On page 17 paragraph 54 of the Third Witness Statement of Richard Meeran 21 November, 2016, it was noted that Moore (referred to at that time as DNT) "saw fit to record in Timesheet 19 the following: 'read correspondence regarding LKA's heart attack and responses from people on mailing list, write to LKA's husband.'"

<sup>40</sup> Eighth Witness Statement of Richard Meeran. 24 February, 2017, pp. 2, 3 par. 6.

<sup>41</sup> First Witness Statement of Daniel Morrison. 30 November, 2016, p. 8, par. 31.

<sup>42</sup> First Witness Statement of Daniel Morrison. 30 November, 2016, p. 8, par. 33.

<sup>43</sup> First Witness Statement of Daniel Morrison. 30 November, 2016, p. 8, par. 34.

<sup>44</sup> First Witness Statement of Daniel Morrison. 30 November, 2016, p. 8, par. 35.

<sup>45</sup> First Witness Statement of Daniel Morrison. 30 November, 2016, p. 11, par. 47.

<sup>46</sup> Second Witness Statement of Daniel Morrison. 5 December, 2016, p. 2, par. 3.

<sup>47</sup> Second Witness Statement of Daniel Morrison. 5 December, 2016, p. 3, par. 9.

<sup>48</sup> Second Witness Statement of Daniel Morrison. 5 December, 2016, p. 4, par. 12.

<sup>49</sup> Judgment of Mrs. Justice Elisabeth Laing. 5 December, 2016, p. 6, par. 18.

<sup>50</sup> Judgment of Mrs. Justice Elisabeth Laing. 5 December, 2016, p. 9, par. 33.

<sup>51</sup> According to Richard Meeran's 8<sup>th</sup> Witness Statement: "UCCI is not traceable online and, according to Eversheds LLP, has no bank account. Accordingly, it cannot be the entity that was paying for K2's substantial bill for Project Spring."

<sup>52</sup> Gillard, M. *LETHAL LIES PART TWO: Unmasking the Men Behind the Global Spying Ring*. April 23, 2017.

<https://newmatilda.com/2017/04/23/lethal-lies-part-two-unmasking-the-men-behind-the-global-spying-ring/>

Also: *Depth of corporate espionage taken against anti-asbestos campaigns*. July 20, 2017.

<https://bainbridgelearning.co.uk/corporate-espionage-against-anti-asbestos-campaigns/>

<sup>53</sup> Gillard, M. *LETHAL LIES PART TWO: Unmasking the Men Behind the Global Spying Ring*. April 23, 2017.

<https://newmatilda.com/2017/04/23/lethal-lies-part-two-unmasking-the-men-behind-the-global-spying-ring/>

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- <sup>54</sup> Lalonde, M. *Asbestos, spying and the Canadian connection*. May 1, 2017.  
<https://montrealgazette.com/news/local-news/asbestos-spying-and-the-canadian-connection>
- <sup>55</sup> Eighth Witness Statement of Richard Meeran. 24 February, 2017, p.10, par. 25(1).
- <sup>56</sup> Kazakhstan is one of the world's largest suppliers of chrysotile asbestos. Kostanai Minerals JSC has been described as a Kazakh company with interests in the mining and extraction of chrysotile.
- <sup>57</sup> Gillard, M. *LETHAL LIES PART TWO: Unmasking the Men Behind the Global Spying Ring*. April 23, 2017.  
<https://newmatilda.com/2017/04/23/lethal-lies-part-two-unmasking-the-men-behind-the-global-spying-ring/>
- <sup>58</sup> Leigh, Day & Co. *Corporate intelligence agency pays substantial damages over claim for spying*. November 7, 2018.  
<https://www.leighday.co.uk/News/News-2018/November-2018/Corporate-intelligence-agency-pays-substantial-dam>
- <sup>59</sup> Gillard, M. *LETHAL LIES PART TWO: Unmasking the Men Behind the Global Spying Ring*. April 23, 2017.  
<https://newmatilda.com/2017/04/23/lethal-lies-part-two-unmasking-the-men-behind-the-global-spying-ring/>
- <sup>60</sup> *ibid.*
- <sup>61</sup> Transcript proceedings before Sir David Eady on 12 October 2016, p. 3, lines 19-25.
- <sup>62</sup> Asbestos Victims Support Groups Forum UK. *Identity of asbestos spy revealed*. December 20, 2016.  
[http://www.asbestosforum.org.uk/news\\_archive.asp](http://www.asbestosforum.org.uk/news_archive.asp)
- <sup>63</sup> Meier B. *A Spy's Tale: The TV Prankster Who Says He Became a Double Agent*. April 27, 2018.  
<https://www.nytimes.com/2018/04/27/business/corporate-spy-double-agent.html>
- <sup>64</sup> Defence of the First Defendant. 18 July, 2017, p. 2 par. 5 (a)-(d).
- <sup>65</sup> Defence of the First Defendant. 18 July, 2017, p. 9 par. 18 (b).
- <sup>66</sup> Defence of the First Defendant. 18 July, 2017, p. 9 par. 18 (c).
- <sup>67</sup> While first contact with Moore was not until July 2012 and the case was settled in November 2018, it is clear that K2 had already begun its investigation of LKA in early 2012 with its acquisition of the "RISC Management Ltd." report.
- <sup>68</sup> Leigh, Day & Co. *Corporate intelligence agency pays substantial damages over claim for spying*. November 7, 2018.  
<https://www.leighday.co.uk/News/News-2018/November-2018/Corporate-intelligence-agency-pays-substantial-dam>
- <sup>69</sup> *ibid.*
- Also see: Evans, R. *Security firm pays damages to anti-asbestos activists it spied on*. November 8, 2018.  
<https://www.theguardian.com/world/2018/nov/08/security-firm-pays-damages-to-anti-asbestos-activists-it-spied-on>
- <sup>70</sup> Leigh, Day & Co. *Corporate intelligence agency pays substantial damages over claim for spying*. November 7, 2018.  
<https://www.leighday.co.uk/News/News-2018/November-2018/Corporate-intelligence-agency-pays-substantial-dam>
- <sup>71</sup> Eighth Witness Statement of Richard Meeran. 24 February, 2017, p. 7, par. 20.
- <sup>72</sup> Eighth Witness Statement of Richard Meeran. 24 February, 2017, p. 7, par. 20 (c).
- <sup>73</sup> Eighth Witness Statement of Richard Meeran. 24 February, 2017, p. 7, par. 20 (d).
- <sup>74</sup> *Ibid.*
- <sup>75</sup> Gillard, M. *LETHAL LIES PART TWO: Unmasking the Men Behind the Global Spying Ring*. April 23, 2017.  
<https://newmatilda.com/2017/04/23/lethal-lies-part-two-unmasking-the-men-behind-the-global-spying-ring/>
- <sup>76</sup> Meier, B. *A Spy's Tale: The Prankster Who Says He Became a Double Agent*. April 27, 2018.  
<https://www.nytimes.com/2018/04/27/business/corporate-spy-double-agent.html>
- <sup>77</sup> Gillard, M and Ungood-Thomas J. *Brother of BBC boss 'was paid to spy on asbestos campaign.'* January 29, 2017.  
<https://www.thetimes.co.uk/article/brother-of-bbc-boss-was-paid-to-spy-on-asbestos-campaign-r9lz935jj>
- <sup>78</sup> *ibid.*
- <sup>79</sup> Gillard, M. *LETHAL LIES PART 3: The BBC Boss, Her Brother The Spy And His Whistleblower Delusion*. April 29, 2018.  
<https://newmatilda.com/2018/04/29/lethal-lies-part-3-bbc-boss-brother-spy-whistle-blower-delusion/>
- <sup>80</sup> Website: K2 Intelligence Ltd.  
<https://www.k2intelligence.com/en/insights/focus-on/corporate-social-responsibility>
- <sup>81</sup> Takala J. et al. Comparative Analysis of the Burden of Injury and Illness at Work in Selected Countries and Regions. June 2017. Central European Journal of Occupational and Environmental Medicine  
<http://www.efbww.org/pdfs/CEJOEM%20Comparative%20analysis.pdf>