

Wednesday, 4 November 2015

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(10.30 am)

SIR CHRISTOPHER PITCHFORD: Mr Barr.

INTRODUCTIONS

MR BARR: Good morning, sir. Appearing today with me is Kate Wilkinson, first junior counsel to the Inquiry. We have Mr Matthew Ryder QC instructed by Bindmans. Mr Courtenay Griffiths QC instructed by Deighton Peirce Glynn, he appears for Mr Ken Livingstone and Mr Duwayne Brooks. Sam Jacobs who appears for Hickman & Rose on behalf of their clients; Adam Straw for Hodge Jones & Allen who appears on behalf of Mr Lawrence, Amy Mannion who appears on behalf of the Commissioner for the Metropolis. Nick Stanage who appears instructed by Saunders Solicitors Limited for their clients. Nadia Motraghi who appears on behalf of Thompsons solicitors and Anna Lintner instructed by OH Parsons.

There are in addition a number of solicitors here representing their clients. Mr Imran Khan, Shamik Dutta from Bhatt Murphy, Jane Deighton, Maya Lal for Public Interest Lawyers and their clients and Nia Williams for Saunders Law Limited and its client.

MR RYDER: I am sorry to interrupt, sir, I was just going to say I have been instructed to make representations on behalf of all non-state CPs other than those who have

1           their own counsel but even in relation to those I have  
2           been asked to answer the general questions that have  
3           been helpfully forwarded to us last night on behalf of  
4           everybody.

5   SIR CHRISTOPHER PITCHFORD: Ladies and gentlemen, can  
6           I before we proceed --

7   MR BARR: It appears I may have missed somebody.

8   MS WISTRICH: You have missed quite a few people. I don't  
9           know if you need to know but there are quite a few more  
10          solicitors.

11   SIR CHRISTOPHER PITCHFORD: Yes, I do.

12   MS WISTRICH: Harriet Wistrich for Birnberg Peirce solicitors  
13          representing a number of different core participants.

14   MS PEIRCE: Gareth Peirce, Birnbergs.

15   MR BARR: Is there anyone else I have missed who is not here  
16          instructing counsel?

17   MR PARRY: Richard Parry from Saunders Solicitors.

18   SIR CHRISTOPHER PITCHFORD: Thank you very much.

19           I hope everyone will have seen a copy of this order  
20          on the door as they walked in. Can I remind you that it  
21          relates to tweeting. Nothing that happens in this room  
22          can be communicated outside until at least 60 seconds  
23          has emerged. That time delay is required in order to  
24          ensure that nothing that ought not to be in the public  
25          domain gets out of the room. You will see that there is

1 a penal notice attached to the order. I am afraid I am  
2 going to have to repeat that reminder every time we have  
3 a public hearing.

4 Ladies and gentlemen, can I please ascertain whether  
5 you have at least one copy of what we are calling the  
6 schedule of core participants for legal representation?  
7 Yes? The only purpose of this document is to enable you  
8 to follow what I am about to say.

9 The first column under each category contains the  
10 name of the core participant. The second column the  
11 name of the solicitor appointed for the purposes of  
12 rule 6 of the Inquiry rules, the third column --

13 MR RYDER: Sir, I think we have a different document in  
14 relation to the columns. Our second column is the  
15 category of ...

16 SIR CHRISTOPHER PITCHFORD: I will see if we can find you  
17 one.

18 MR RYDER: Yes. It may just be the columns are in  
19 a different order but ours goes reading from left to  
20 right.

21 SIR CHRISTOPHER PITCHFORD: Can you hold it up so that I can  
22 see it?

23 MR RYDER: Yes. It looks like this (indicated).

24 SIR CHRISTOPHER PITCHFORD: Ah yes. No, that is not the one  
25 we are using this morning. (document handed)

1 MR RYDER: I will just check if anybody else has this.

2 I don't think we have seen this document. It may be  
3 similar to what we have got but --

4 SIR CHRISTOPHER PITCHFORD: It is almost certainly similar  
5 to the information you have already got. It would seem  
6 to me sensible if we all work from the same one.

7 MR RYDER: Yes. Very helpful, thank you.

8 SIR CHRISTOPHER PITCHFORD: You will see in the third column  
9 there is a reference to paragraph and page numbers.

10 That is the core participant ruling. Underneath some of  
11 the entries you will see a reference to a file-tab. You  
12 needn't be concerned about that. That relates to the  
13 way in which we file the latest applications within the  
14 Inquiry.

15 MR RYDER: Yes, sir. This is helpful. My only concern  
16 would be I wouldn't want other representatives not to  
17 have it if we are going to be referring it to now during  
18 the course of the hearing.

19 MR BARR: Sir may I interrupt my learned friend and just  
20 invite you to rise for five minutes and we will sort  
21 this out.

22 SIR CHRISTOPHER PITCHFORD: Make sure that everybody has got  
23 one.

24 MR BARR: Thank you very much.

25 (10.38 am)

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(A short break)

(10.50 am)

MR BARR: Sir, thank you very much for the time.

I think everybody who needs a document now has a copy.

SIR CHRISTOPHER PITCHFORD: Good.

No wonder we were at cross purposes, Mr Ryder. Thank you very much.

What I am going to do is to give an explanatory and preliminary ruling as to the designation of recognised legal representatives without the need for further applications or argument.

PRELIMINARY RULING

On 21 October 2015 I sought written representations as to the designation of recognised legal representatives under Rules 6 and 7 of the Inquiry Rules 2006 and, where an application for an award of costs under section 40 of the Inquiries Act 2005 was to be made, written representations as to the composition of legal teams proposed and the costs award sought. The deadline for those written representations was set at the 29 October.

As I understand it, on or about 27 October, 11 of the solicitors firms currently instructed by non police and non institutional core participants met to agree if

1 they could a joint approach to the issue of single legal  
2 representation. The outcome was a joint letter to the  
3 Inquiry dated 28 October.

4 To paraphrase, it was submitted that, contrary to  
5 an indication it was thought I had given in the core  
6 participant ruling, the better course would be to  
7 conduct the oral hearings of module 1 of the Inquiry in  
8 chronological order. It was pointed out that a core  
9 participant may qualify in more than one category as  
10 identified in the core participant ruling but have  
11 nominated a single solicitor.

12 Secondly, there might well be a conflict of interest  
13 between core participants who fell within the same  
14 identified category.

15 Thirdly, the core participants, understandably,  
16 wished to retain their existing solicitors.

17 For their part, the firms would act cooperatively to  
18 minimise costs. In this regard an indication was sought  
19 from the Inquiry whether it was prepared to manage the  
20 module 1 evidence chronologically by reference to the  
21 activity of each alleged undercover officer in turn. It  
22 was thought that this course might have the effect both  
23 of saving costs and preserving appointments of legal  
24 representatives already made.

25 I welcome the cooperative effort of those 11 firms.

1           However, on 29 October the Inquiry replied assuring the  
2           core participants that no decision had been reached even  
3           provisionally as to the structure of module 1. On  
4           reflection, it did not seem to me that a decision at  
5           this stage on the management of module 1 was going to  
6           produce any significant saving in costs.

7           What the Inquiry required were representations  
8           addressing the rule 7 criteria before I could make  
9           designations of recognised legal representatives.  
10          I directed that those representations should be provided  
11          by midday on Monday, 2 November. The Inquiry received  
12          a large number of written submissions within time, many  
13          of them detailed and thoughtful, and I am grateful for  
14          that effort.

15          What I want to do now is to turn to the decisions  
16          that I have reached on the written material so far as to  
17          the designation of recognised legal representatives  
18          under rules 6 and 7.

19          It will assist, I think, if I were to announce those  
20          decisions immediately so as to clear the decks, as it  
21          were. From this point you may find it helpful to follow  
22          what I am going to say in the schedule.

23          Firstly, as to category A, police institutions,  
24          I shall designate Melanie Jones of the Metropolitan  
25          Police Service Directorate of Legal Services as the

1 recognised legal representative of the Metropolitan  
2 Police Service.

3 I shall designate Simon Armstrong of National Crime  
4 Agency Legal as the recognised legal representative of  
5 the National Crime Agency. The Inquiry has received no  
6 representations thus far from the College of Policing or  
7 the National Police Chiefs' Council.

8 As to category B, Government, I shall designate  
9 Andrew King of the Government Legal Department as the  
10 recognised legal representative of the Home Office.

11 As to category C, police officers, I shall designate  
12 Rosa Curling of Leigh Day as the recognised legal  
13 representative of Peter Francis and Robert Roscoe of  
14 Victor Lissack, Roscoe and Coleman as the recognised  
15 legal representative of Mark Kennedy.

16 At this stage, I am not in a position to make any  
17 designation in respect of the anonymous police officers.  
18 Further discussions are required between solicitors, the  
19 Metropolitan Police Service, the Police Federation and  
20 the Inquiry before a settled application can be made.

21 I therefore turn to the remaining non police and non  
22 police institutional core participants in categories D  
23 to M inclusive.

24 Under rule 6 I am required to designate a lawyer  
25 appointed to act on a person's behalf in the Inquiry as



1 that person's recognised legal representative unless the  
2 person in question falls within rule 7. In short,  
3 a person falls within rule 7 if they are one of two or  
4 more people with a similar interest in the outcome of  
5 the Inquiry and the facts on which they rely are similar  
6 and it would be fair and proper for them to be  
7 represented jointly. I have applied that test to all  
8 the designations considered, including those that I have  
9 just announced.

10 As to category D, political organisations and  
11 politicians, on 2 November 2015 I designated Ken  
12 Livingstone as a core participant. In part  
13 Mr Livingstone's role in the subject matter of the  
14 Inquiry is similar to the interest of the deceased  
15 Mr Bernie Grant MP, represented by his widow Mrs Sharon  
16 Grant OBE in category J. However, it is likely in my  
17 view to be a more wide-ranging interest. Mr Livingstone  
18 has appointed Jane Deighton of Deighton Peirce Glynn to  
19 represent him and I shall designate Ms Deighton as  
20 Mr Livingstone's recognised legal representative.

21 As to category E, trade unions and trade union  
22 members, there is a common interest between the  
23 Blacklist Support Group, the unions and union members in  
24 the issue whether and to what extent undercover policing  
25 may have contributed to the maintenance of an employment

1           blacklist. However, the unions have a separate and  
2           wider interest to serve. They each assert that their  
3           activities were infiltrated by undercover officers.  
4           Furthermore, Imran Khan & Partners has represented the  
5           Blacklist Support Group for over three years while  
6           Thompsons has represented the Fire Brigade Union, and  
7           Birnberg Peirce and partners have represented the  
8           National Union of Mineworkers, for many years. Even if  
9           there was an exact community of interest and evidence  
10          between the core participants in this category, which  
11          there is not, I consider that it would not be fair and  
12          proper to require them or any permutation of them to  
13          relinquish their longstanding representation for the  
14          sake of joint representation.

15                 I shall therefore designate Imran Khan as the  
16          recognised legal representative of the Blacklist Support  
17          Group and its named members, I shall designate Paula  
18          Porter of Thompsons as the recognised legal  
19          representative of the Fire Brigade's Union, and I shall  
20          designate Gareth Peirce as the recognised legal  
21          representative of the National Union of Mineworkers.

22                 The Inquiry had received no written application from  
23          the United Construction and Allied Trades and  
24          Technicians but I understand that the union is  
25          represented today and when I have concluded these

1 remarks I will seek assistance.

2 As to category F, relatives of deceased children,  
3 I shall designate Jules Carey of Bindmans as Mrs Barbara  
4 Shaw's recognised legal representative.

5 Several applicants have made the submission that the  
6 matters about which they have confided in their  
7 appointed solicitors, either for the purpose of civil  
8 proceedings or for responding to requests for assistance  
9 by the Herne and Ellison reviews, or for the purpose of  
10 making data protection requests to the police, have been  
11 sensitive and painful. Some of them have suffered  
12 health problems as a result of disclosure or public  
13 acknowledgements. Those applicants do not wish to be  
14 exposed to the ordeal of making fresh disclosure of the  
15 same matters to a solicitor who is not known to them and  
16 does not know their story. In my opinion, this is  
17 a relevant consideration in the examination of the  
18 question whether it would be fair and proper to require  
19 joint representation and I have taken it into account.

20 As to category G, although Baroness and Mr Lawrence  
21 have the same or a similar interest in the subject  
22 matter of the Inquiry and its outcome, they have been  
23 separately represented for several years for reasons it  
24 is unnecessary to explore. I shall designate Imran Khan  
25 as Baroness Lawrence's recognised legal representative

1 and Jocelyn Cockburn of Hodge Jones and Allen as Neville  
2 Lawrence OBE's recognised legal representative.

3 Duwayne Brooks OBE has been separately represented  
4 from them for some 20 years. In his case I shall  
5 designate Jane Deighton of Deighton Peirce Glynn.

6 The interest of Michael Mansfield QC in the subject  
7 matter of the Inquiry is important but discrete. It  
8 arises from the performance of his professional duty.  
9 In my view, he has a separate interest that I should  
10 acknowledge by designation of his appointed solicitor,  
11 Nia Williams of Saunders Law Limited as his recognised  
12 legal representative.

13 As to category H, individuals in relationships with  
14 undercover officers, C, AKJ and others, AJA and others,  
15 Jacqui and HJM have all instituted civil claims against  
16 the Commissioner for the Metropolitan Police. In  
17 Jacqui's case the proceedings have concluded.

18 Although there are similarities in the nature of the  
19 claims, and in the interests of the claimants in the  
20 outcome of the Inquiry, I do not consider that it would  
21 be fair and proper to require any of them or any  
22 permutation of them to relinquish their relationship  
23 with the solicitor with whom they have entrusted  
24 intimate and sensitive information.

25 The other core participants in this category have

1 all appointed a solicitor already instructed by others  
2 in the category. For that reason, I shall designate  
3 Beth Handley of Hickman Rose as recognised legal  
4 representative of C, Harriet Wistrich of Birnberg Peirce  
5 and partners as recognised legal representative of AKJ  
6 and others, and Jules Carey of Bindmans as recognised  
7 legal representative of AJA and others, Jacqui, TBS and  
8 HJM.

9 In category I, miscarriage of justice, all of the  
10 core participants listed at paragraph 51 of the core  
11 participants ruling have appointed Mike Schwarz of  
12 Bindmans to act on their behalf in the Inquiry. I shall  
13 designate Mr Schwarz as their recognised legal  
14 representative accordingly.

15 As to category J, justice campaigns, Shamik Dutta of  
16 Bhatt Murphy has been appointed by Celia Stubbs, Lee  
17 Lawrence, Myrna Simpson, Bernard Renwick, Sharon Grant  
18 OBE, Winston Silcott, Hackney Community Defence  
19 Association, Dr Graham Smith and Mark Metcalf, the Colin  
20 Roach Centre, Broadwater Farm Defence Campaign and  
21 Stafford Scott. I shall designate Shamik Dutta as the  
22 recognised legal representative of those core  
23 participants.

24 Patricia Armani da Silva has appointed Harriet  
25 Wistrich of Birnberg Peirce. The interest of the family

1 of Jean Charles De Menezes is similar to that of other  
2 family campaign groups but the evidence is of course  
3 different in its detail. Furthermore, Ms Wistrich has  
4 been acting for the family of Jean Charles De Menezes  
5 since 2005. I will therefore designate Harriet Wistrich  
6 the recognised legal representative of Ms Armani da Silva and  
7 also of Newham Monitoring Project Limited and Mark  
8 Wadsworth for whom she also acts.

9 The Monitoring Group and Suresh Grover are placed in  
10 the same category but they are not the family of  
11 a deceased relative and their interest, whilst similar,  
12 is not the same. There is a long connection between  
13 them and Imran Khan & Partners and for that reason  
14 I shall designate Imran Khan as their recognised legal  
15 representative.

16 Finally, Paul Heron of Public Interest Lawyers has  
17 a close connection with the Youth Against Racism in Europe  
18 group with Louis Austen and Hannah Sell. While Youth Against  
19 Racism has an interest similar to that of The Monitoring  
20 Group, it is in my view fit and proper for the  
21 organisation and the individuals to retain their  
22 representation of choice. I shall therefore designate  
23 Maya Devi Lal of Public Interest Lawyers in Mr Heron's  
24 temporary absence on sabbatical leave as their  
25 recognised legal representative.

1           Three separate firms of solicitors have been  
2 appointed by core participants in category K, political  
3 activities. Mike Schwarz of Bindmans has been appointed  
4 by FCA and others in connection with the Fairford  
5 Coach incident. Mr Schwarz has represented the group  
6 throughout their challenge to the lawfulness of the  
7 decision by Gloucestershire Police to stop and return  
8 the coaches to London. He has also been appointed by  
9 Sian Jones and others in the Aldermaston group, Jason  
10 Kirkpatrick, Kim Bryan, and Alice Cutler. I shall  
11 designate Mr Schwarz as the recognised legal  
12 representative of those core participants.

13           Emily Apple, while being in the same category, has  
14 been represented by Jules Carey of Bindmans for a period  
15 of some five years. He has also been appointed by  
16 Hannah Dee and Defend the Right to Protest for whom he  
17 has also acted for several years. I shall designate  
18 Mr Carey the recognised legal representative of these  
19 core participants.

20           Beth Handley of Hickman and Rose was jointly  
21 approached by Nicola Benge, Suzan Keen, and Jennifer  
22 Verson to represent their interests in the Inquiry.  
23 Having reflected on their application it seems to me  
24 that theirs is a sub category of its own within category  
25 K and for that reason I shall designate Ms Handley the

1 recognised legal representative of these core  
2 participants, together with Trapese and the Rebel Clown  
3 Army.

4 It will be apparent that there are some outstanding  
5 issues with regard to the remaining core participants in  
6 category K and I shall need some assistance before  
7 making any further designations within them.

8 Most of the core participants in category L, social  
9 and environmental activists, have appointed Mike Schwarz  
10 of Bindmans as their legal representative. They are  
11 London Greenpeace and others, Reclaim the Streets,  
12 Jacqueline Sheedy, Robert Banbury, Matthew Salusbury,  
13 Climate Camp Legal and Frances Wright, Simon Lewis,  
14 London Animal Action, Paul Gravett and Robin Lane.  
15 Genetic Engineering Network, Jacqueline Sheedy, Martin  
16 Shaw, Brian Healy, and Merrick Cork.

17 In the cases of these core participants I shall make  
18 the designation requested in favour of Mr Schwarz,  
19 although I understand that one of this number may wish  
20 to withdraw the application to be a core participant.  
21 I shall seek assistance as to that at the conclusion of  
22 these remarks.

23 Piers Corbyn, Michael Zeitlin and Advisory Service  
24 for Squatters have appointed Richard Saunders Solicitors  
25 Limited as their legal representative. Although they



1 share the same general interest in the Inquiry as do  
2 several others in category L, theirs is a niche interest  
3 since it concerns the alleged infiltration of squatting  
4 associations in London in the 1960s and 1970s. As  
5 I understand it they are the only core participants who  
6 share that particular interest. Even if, which I doubt,  
7 the facts on which they rely could be said to be similar  
8 to those in other cases, I consider that it is fit and  
9 proper that they should be separately represented.

10 I shall therefore designate Richard Parry of Richard  
11 Saunders Solicitors Limited in their cases.

12 MR STANAGE: Sir, forgive me the name of the firm is  
13 Saunders Solicitors Limited, the name of the solicitor  
14 you have just designated, Richard Parry.

15 SIR CHRISTOPHER PITCHFORD: Thank you very much.

16 Norman Blair has also appointed Richard Parry.  
17 Mr Blair naturally falls within the professional sphere  
18 of Mr Schwarz since he represents the London Greenpeace  
19 group of which Mr Blair was a member. However, Mr Blair  
20 is currently and has for some time been represented by  
21 Mr Parry in connection with civil proceedings both in  
22 the United Kingdom and in Italy. Arising, it is  
23 asserted, from information about him passed from London  
24 to the Italian police in 2001. In these circumstances,  
25 it seems to me fit and proper that Mr Blair should

1 retain the services of Mr Parry and I shall designate  
2 him accordingly.

3 Dr Harry Halpin is represented by Tamsin Allen of  
4 Bindmans. I consider that Dr Halpin's interest is  
5 sufficiently distinguishable from those of others in the  
6 same group that the designation of Ms Allen as his  
7 recognised legal representative is appropriate, and  
8 I shall make it.

9 Dr Dónal O'Driscoll has appointed Beth Handley of  
10 Hickman Rose to represent him. While the firm has not  
11 before acted for Dr O'Driscoll a relationship of trust  
12 has been formed in consequence of their appearance in  
13 High Court injunction proceedings together. Hunt  
14 Saboteurs Association Limited has also appointed  
15 Ms Handley to represent them on the understanding that  
16 there is a community of interest with Dr O'Driscoll, the  
17 connection being the infiltration of animal rights  
18 groups. Hickman and Rose have been designated as  
19 recognised legal representatives for core participants  
20 in a similar category, namely category K, political  
21 activists. In my view, for these reasons, it is  
22 appropriate that I should designate Ms Handley as the  
23 recognised legal representative of both Dr O'Driscoll  
24 and Hunt Saboteurs Association Limited.

25 There are also outstanding issues in category L in

1           respect of which I shall need further assistance before  
2           considering further designations.

3           In category M, families of police officers, S's  
4           position is unique. She has appointed Beth Handley of  
5           Hickman and Rose, I shall designate Ms Handley as the  
6           recognised legal representative for S.

7           My next remarks are addressed to those core  
8           participants who intend to remain core participants but  
9           who have made no application for designation of  
10          a recognised legal representative under rules 6 and 7.  
11          Core participants who are not legally represented have  
12          a right under rule 11 of the Inquiry rules to make  
13          an opening and closing statement to the Inquiry but the  
14          rules provide no means by which an unrepresented core  
15          participant can seek the leave of the chairman to ask  
16          questions of a witness. The right to make that  
17          application is granted by rule 10, paragraph 4, only to  
18          a recognised legal representative. Therefore, the only  
19          procedure available to an unrepresented core participant  
20          who wishes a line of inquiry to be pursued with  
21          a witness is to make in advance suggestions in writing  
22          to counsel to the Inquiry as to those lines of inquiry  
23          in order that counsel for the Inquiry can in his  
24          discretion pursue that line if he or she wishes.  
25          Therefore, if a core participant wishes to enjoy the

1 right to make an application to ask questions of  
2 a witness, they should apply for the designation of  
3 a recognised local representative. Nonetheless, I need  
4 to express the caution that nothing that I have said  
5 should be taken as indicating that any particular  
6 application for leave to question a witness would be  
7 granted. I would have to decide such an application  
8 according to the facts, issues and situation as they  
9 arise in the course of the Inquiry.

10 As to the issue of awards of costs, I am required by  
11 rule 21, paragraph (2) of the Inquiry rules to have regard  
12 to the financial resources of the applicant. Several  
13 non-institutional core participants have submitted that  
14 in principle I should make an award whatever the  
15 financial resources of the individual out of public  
16 funds. I do not consider that in all the circumstances  
17 financial resources can be treated as immaterial to the  
18 exercise of discretion or of a matter of little or no  
19 weight in the exercise of discretion. If that were so,  
20 it seems to me there would be no need for the  
21 requirement in rule 21, paragraph (2)(a).

22 On the other hand, I am provisionally sympathetic to  
23 the submission that a person who has done little or  
24 nothing to bring the Inquiry about but is found in the  
25 circumstances that require their close involvement in

1 the Inquiry should not be expected to bear their own  
2 costs of involvement unless the means of the individual  
3 are so extensive that it would be an affront to grant  
4 public funding. I hope that observation may provide  
5 some measure of assistance to the individual rather than  
6 the institutional applicants for awards of costs.

7       However, this public inquiry is being conducted  
8 largely if not wholly at public expense and it is  
9 essential that costs are not permitted to run away.  
10 I have already noted the willingness of recognised legal  
11 representatives to act cooperatively to prevent  
12 duplication of work and therefore wasted effort, and by  
13 that means to save costs. I will be seeking the  
14 continued active participation of legal representatives  
15 in the proposed formation of legal teams with that  
16 objective in mind. I am referring in particular to the  
17 scope for the sharing of junior and leading counsel and  
18 for limiting the instruction of leading counsel for  
19 specific and important tasks, primarily, legal  
20 submissions that are central importance to the progress  
21 of the Inquiry. I shall come back to that subject once  
22 I have resolved or at least attempted to resolve some of  
23 the outstanding issues of fact.

24       Can I ask, Ms Lintner, whether you were instructed  
25 on behalf of the Union of Construction, Allied Trades and  
26 Technicians?

1 MS LINTNER: I am sir, yes, by OH Parsons.

2 SIR CHRISTOPHER PITCHFORD: Yes. What is the position with  
3 regard to their application? As I say we have not  
4 received anything in writing.

5 MS LINTNER: Sir, a written application was made.

6 I understand that it is only made its way to counsel for  
7 the Inquiry today and to the extent that that may be the  
8 fault of those instructing me I apologise.

9 The application was for designation of Spencer Wood  
10 of OH Parsons as recognised legal representative.

11 SIR CHRISTOPHER PITCHFORD: Just give me a moment, will you?

12 (Pause)

13 MS LINTNER: Yes sir, the Union of Construction, Allied Trades and  
14 Technicians' interest in the Inquiry is  
15 twofold: firstly, it is currently pursuing proceedings  
16 in relation to blacklisting and it is contended that  
17 undercover officers were involved in the supplying of  
18 information to the consulting association and the  
19 economic league. Secondly, it is contended that  
20 an undercover officers infiltrated the Union of Construction,  
21 Allied Trades and Technicians.

22 SIR CHRISTOPHER PITCHFORD: Can I just stop you for  
23 a moment.

24 MS LINTNER: Yes.

25 SIR CHRISTOPHER PITCHFORD: All this is contained in the  
26 written application, is it?

27 MS LINTNER: It is, yes sir.

1 SIR CHRISTOPHER PITCHFORD: Are any submissions made in the  
2 written application as to why it would be fit and proper  
3 for them to be separately represented from other unions  
4 in the same category?

5 MS LINTNER: They are, yes.

6 SIR CHRISTOPHER PITCHFORD: I think the most profitable use  
7 of time would be for me to consider the application in  
8 writing and if I wish to know more I can ask the Inquiry  
9 team to find out for me.

10 MS LINTNER: I am grateful, thank you sir.

11 SIR CHRISTOPHER PITCHFORD: All right. Thank you.

12 Can we then turn, please, to category K. I have  
13 received an oral message outside the room this morning  
14 to the effect that Unite Against Fascism wanted to  
15 discontinue being a core participant. Can I enquire  
16 whether that is accurate?

17 MS WISTRICH: Matt Foot, who represents Unite Against  
18 Fascism --

19 SIR CHRISTOPHER PITCHFORD: Is Mr Foot here?

20 MS WISTRICH: He is not here. He was telling me that is  
21 what was, I think what was being planned but I hadn't  
22 heard specific confirmation of that, so I can't help you  
23 any further.

24 SIR CHRISTOPHER PITCHFORD: Ms Wistrich, would you get the  
25 message to Mr Foot that we need to know precisely what

1 the position is?

2 MS WISTRICH: Yes.

3 SIR CHRISTOPHER PITCHFORD: We either need to know that they  
4 do not wish any longer to be core participant, in which  
5 case I will need an application in writing for their  
6 core participation to be terminated. As you know I have  
7 to do that in writing. If on the other hand they wish  
8 to remain as core participants then obviously I will  
9 have to have a written application as to designation.

10 MS WISTRICH: Shall I try and find out now?

11 SIR CHRISTOPHER PITCHFORD: You can, certainly, but if not  
12 now some communication with the Inquiry within the next  
13 24 hours, please?

14 MS WISTRICH: Yes.

15 SIR CHRISTOPHER PITCHFORD: Thank you. (Pause)

16 The next entry concerning Cardiff Anarchist Network  
17 et cetera concerns the division of responsibility of the  
18 individuals between two separate designated solicitors  
19 and I was wondering, Mr Carey and Mr Schwarz, how that  
20 can be justified? Mr Ryder?

21 MR RYDER: Yes, I can indicate that we have taken on board  
22 the point that was raised on that. Mr Carey will be the  
23 representative in relation to all three. He is the one  
24 with the most longstanding connection with that group,  
25 or certainly with VSP and therefore he will be able



1 to deal with all three and in terms of there will be no  
2 duplication of work in terms of within Bindmans. They  
3 will organise it appropriately.

4 SIR CHRISTOPHER PITCHFORD: That is very helpful. Thank  
5 you, Mr Ryder.

6 MR RYDER: May I -- I am not sure if you are going to deal  
7 with page 6, the previous page at all.

8 SIR CHRISTOPHER PITCHFORD: I will come back to it but  
9 before I do can you give me any help as to the position  
10 of Sandor Dus in the same group?

11 MR RYDER: I will find out. (Pause)

12 I am afraid all we can say at this stage is that he  
13 is unrepresented.

14 SIR CHRISTOPHER PITCHFORD: If you get information that  
15 Mr Dus doesn't want to be a core participant any longer  
16 can you get a message that we need a written application  
17 for his core participation to be terminated?

18 MR RYDER: Yes.

19 SIR CHRISTOPHER PITCHFORD: Thank you very much.

20 You wanted to go to page 6?

21 MR RYDER: I was going to go to page 6, first of all on  
22 a very small point I think for the purposes of the  
23 judgment there is a typographical error on the Patricia  
24 Armani Da Silva which describes Harriet Wistrich as  
25 "Wistich". It is corrected later on but just for the

1           purposes of the judgment it is with an R, Wistrich.

2   SIR CHRISTOPHER PITCHFORD: Thank you very much.

3   MR RYDER: There are two entries at the bottom which I don't

4           think you included in your ruling to do with MSS and MWS

5           and then below that Sukhdev Reel. I may have missed it.

6   SIR CHRISTOPHER PITCHFORD: If I didn't that was

7           an oversight. Just let me check my draft, would you?

8   MR RYDER: Yes. (Pause)

9   SIR CHRISTOPHER PITCHFORD: Well spotted, you are quite

10          right.

11                 It was just MS and MWS, was it?

12   MR RYDER: MS and MWS, then also below that Sukhdev Reel and

13          Balwant Reel and Tish Reel, connected with Ricky Reel.

14   SIR CHRISTOPHER PITCHFORD: In effect what I have done is to

15          miss out the Bindmans designations in that category.

16   MR RYDER: Yes.

17   SIR CHRISTOPHER PITCHFORD: Then I shall announce now that

18          Mike Schwarz of Bindmans will be designated the

19          recognised legal representative in category J of MSS and

20          MWS, together with Sukhdev Reel, Balwant Reel and Tish

21          Reel.

22   MR RYDER: Thank you very much.

23                 I think the only other very small point I was going

24          to mention is over the page on page 7 in relation to

25          FCA, it is a tiny point but if you wish to make

1 an amendment in the judgment I think you referred to  
2 Mr Schwarz having acted for a very long number of years,  
3 Bindmans in fact acted for a very long number of years,  
4 Mr Schwarz is slightly more recent, he is still three or  
5 four years but it is Bindmans the firm that has acted  
6 for a very long time for that group.

7 Thank you.

8 SIR CHRISTOPHER PITCHFORD: Thank you very much.

9 MS WISTRICH: I have spoken to Matt Foot. He did send  
10 a letter yesterday to the Inquiry confirming that Unite  
11 Against Fascism wanted to withdraw their application.

12 SIR CHRISTOPHER PITCHFORD: Then our information was  
13 up-to-date. Thank you very much for making the enquiry  
14 Ms Wistrich. In due course I will in writing terminate  
15 their core participation.

16 The next matter I need to raise with both Ms Handley  
17 and Mr Schwarz is the division of responsibility between  
18 NRO and Paul Robinson who appear to have a very similar  
19 interest in the Inquiry.

20 MR RYDER: In relation to Mr Schwarz's position, I can  
21 indicate that we are neutral as to how that the Inquiry  
22 best feels that should be dealt with. I think it is  
23 right to say -- may I just check one matter, please.

24 (Pause)

25 Yes, I think on NRO our position is neutral.

1 I think I should make it clear that Paul Robinson has  
2 indicated he wishes to remain with Bindmans.

3 SIR CHRISTOPHER PITCHFORD: Right.

4 MR RYDER: But as far as NRO is concerned it is really  
5 a matter for the Inquiry as to how the Inquiry best  
6 feels it is appropriate to deal with Hickman and Rose  
7 and Bindmans in terms of allocating or considering  
8 different core participants. But Mr Robinson has  
9 indicated a strong desire to stay with Bindmans, not  
10 least because there is a connection between matters that  
11 relate to him and matters in the preceding category.

12 SIR CHRISTOPHER PITCHFORD: Would you say that again?

13 MR RYDER: There is a connection -- he is referred to as  
14 being involved with the WOMBLES which you can see at the  
15 top entry, and there is a connection with the preceding  
16 category, FCA, which from your ruling was aware that  
17 there was a WOMBLES reference in relation to the FCA  
18 participants. That is why he is very keen for  
19 Mr Schwarz to represent him. But as far as NRO is  
20 concerned we have nothing further to add.

21 SIR CHRISTOPHER PITCHFORD: All right. Thank you, Mr Ryder.  
22 Ms Handley?

23 MR JACOBS: On behalf of Ms Handley I hope I can assist in  
24 relation to NRO. It is correct that both NRO and Paul  
25 Robinson were members of the WOMBLES organisation and to

1           that extent there is an overlap. However, on behalf of  
2           NRO we say that he also has a separate and wider  
3           interest, which he wishes to bring to this Inquiry.  
4           That interest relates to web-based activism and as set  
5           out in his application he was involved in two  
6           organisations - Indymedia between 2003 and 2011 and also  
7           since 2006 Aktvix. He raises concern about the extent  
8           to which those web-based services were infiltrated by  
9           undercover officers and he wishes to bring to this  
10          Inquiry his unique perspective which Paul Robinson does  
11          not share about the impact of such police activities on  
12          web based activism.

13                 So we say for that reason he has a separate and  
14          wider interest. In terms of whether it is fair and  
15          proper for him to be separately represented, sir, you  
16          can also take into account that in considering potential  
17          duplication of work, Ms Handley is already a recognised  
18          legal representative in relation to the same group. So  
19          she will already be considering a large volume of the  
20          evidence.

21   SIR CHRISTOPHER PITCHFORD: For the same group did you say?

22   MR JACOBS: The same group.

23   SIR CHRISTOPHER PITCHFORD: What group are you talking  
24          about?

25   MR JACOBS: The political activist category, sorry the

1 category of persons. So duplication in that respect  
2 will be limited.

3 SIR CHRISTOPHER PITCHFORD: Well the only other is Nicola  
4 Benge, Suzan Keen, Jennifer Verson, isn't it, in the  
5 political activism category?

6 MR JACOBS: That is correct, sir, but they are there and in  
7 their role they will no doubt be considering the  
8 disclosure which would also be relevant to NRO. NRO's  
9 concern, sir, is that he needs to be assisted in  
10 bringing his own and separate interest and perspective  
11 to this Inquiry by having his own recognised legal  
12 representative and would be concerned that that  
13 different perspective would be lost by combining him  
14 with a rather amorphous and larger group.

15 Of course, sir, in proceeding were Ms Handley to be  
16 his recognised legal representative she would be mindful  
17 of the need to avoid duplication and would work to  
18 achieve that.

19 MR RYDER: I am sorry to interrupt, may I just confirm and  
20 underline that in terms of overlap Mr Robinson isn't  
21 connected with Indymedia and Aktvix at all. So they are  
22 connected via WOMBLES and obviously Mr Robinson has that  
23 connection with other, in the preceding category, but  
24 there isn't an overlap in relation to Indymedia and  
25 Aktvix. It might have been a misunderstanding in the

1 way it was phrased in paragraph 95 of the core  
2 participant ruling and Mr Robinson I think has written  
3 to the Inquiry indicating his position on that on  
4 26 October. So I think in fairness to the point that is  
5 being made there isn't an overlap on that internet  
6 aspect.

7 SIR CHRISTOPHER PITCHFORD: I think what I am going to do,  
8 gentlemen, is to go back to the application for core  
9 participant status and I will announce my decision in  
10 writing in due course. Thank you for your help.

11 MR JACOBS: Sir, might I just make one final point?

12 SIR CHRISTOPHER PITCHFORD: Of course.

13 MR JACOBS: In your preliminary ruling earlier today on  
14 a number of occasions you gave weight to pre-existing  
15 relationships between client and solicitor.

16 SIR CHRISTOPHER PITCHFORD: I did.

17 MR JACOBS: In relation to NRO there is a pre-existing  
18 relationship and the details of that are set out in his  
19 application.

20 SIR CHRISTOPHER PITCHFORD: Thank you very much.

21 MR JACOBS: Thank you.

22 SIR CHRISTOPHER PITCHFORD: Mr Ryder, can you help me about  
23 the current position of Paul Chatterton who is grouped  
24 with the Trapese CPs?

25 MR RYDER: I can't I am afraid, we have no information on

1 Mr Chatterton.

2 SIR CHRISTOPHER PITCHFORD: Nothing at all?

3 MR RYDER: No.

4 SIR CHRISTOPHER PITCHFORD: Right.

5 Can we go then, please to category L.

6 MR JACOBS: Sir, I am sorry to interrupt. Whilst on that  
7 category can I raise one matter? From back here at the  
8 rear of the room I may have misheard you this morning  
9 and if I did I apologise but I thought you put Trapeze  
10 with Beth Handley of Hickman and Rose. If that is  
11 incorrect I apologise but if that is what you said then  
12 that would seem to me to be an error and the  
13 organisation should be with Mike Schwarz.

14 SIR CHRISTOPHER PITCHFORD: Yes. The schedule says,  
15 Mr Schwarz is the appointed legal representative for Kim  
16 Bryan and Alice Cutler and of course representing the  
17 Trapeze interest.

18 MR JACOBS: Precisely, I thought you had said otherwise in  
19 your ruling.

20 SIR CHRISTOPHER PITCHFORD: I will check the draft. Thank  
21 you very much.

22 This is a question for you again, Mr Ryder, and it  
23 concerns the remaining individuals representing Reclaim  
24 the Streets, namely Alex Hodson, Helen Steel, Carolyn  
25 Wilson, can you help me about their position?



1 MR RYDER: I am afraid not.

2 SIR CHRISTOPHER PITCHFORD: Nothing at all?

3 MR RYDER: No information.

4 SIR CHRISTOPHER PITCHFORD: Right.

5 Can I ask whether anybody is here from the McLibel  
6 Support Campaign Group.

7 MS STEEL: I am, yes. Helen Steel.

8 SIR CHRISTOPHER PITCHFORD: Yes of course, Ms Steel. Can  
9 you help me as to whether there is going to be any  
10 application by you either in respect of Reclaim the  
11 Streets or McLibel?

12 MS STEEL: At the present time McLibel is intending to be  
13 representing ourselves. Reclaim the Streets is still  
14 having discussions. It is slightly harder to -- people  
15 are more geographically dispersed and it is a bit harder  
16 to reach decisions.

17 SIR CHRISTOPHER PITCHFORD: I understand that. You will  
18 appreciate I think from the fact that I have made  
19 a designation in respect of three within the group that  
20 the Inquiry, if you are going to make an application,  
21 would be willing to designate Mike Schwarz of Bindmans  
22 to those who fall within the same group but it might be  
23 difficult to go to a different legal representative.  
24 But if you want to make an application can you get on  
25 with it?

1 MS STEEL: Okay. I will pass that on. Thanks.

2 SIR CHRISTOPHER PITCHFORD: All right. But McLibel doesn't  
3 intend to make an application?

4 MS STEEL: Not at this present time, no.

5 MR RYDER: I should mention in relation to McLibel Mr Healy  
6 is already a Mike Schwarz core participant, I think.

7 SIR CHRISTOPHER PITCHFORD: Where do I find Mr Healy?

8 MR RYDER: Mr Healy is core participant 30.

9 SIR CHRISTOPHER PITCHFORD: Which category is he in?

10 MR RYDER: He was originally in category -- he is in  
11 category L in relation to the McLibel.

12 SIR CHRISTOPHER PITCHFORD: Oh right.

13 MR RYDER: But also I think he is -- give me a moment.  
14 (Pause)

15 SIR CHRISTOPHER PITCHFORD: I made a designation of Mr Healy  
16 in a different category, have I?

17 MR RYDER: He is also in the context of category L in  
18 a different group seeking --

19 SIR CHRISTOPHER PITCHFORD: Right.

20 MR RYDER: It is at page 10 right in the middle of the page.  
21 Mr Healy.

22 SIR CHRISTOPHER PITCHFORD: Yes, I have got it.

23 MR RYDER: Core participant number 84(iv) is Mr Healy in the  
24 context of Genetic Engineering Network.

25 SIR CHRISTOPHER PITCHFORD: The McLibel Support Group is

1 a discrete issue?

2 MR RYDER: Yes, it is. I am so sorry, one moment. (Pause)

3 We did have some instructions in relation to him in  
4 the context of McLibel as well as in his own capacity  
5 but I think it is probably in fairness better if we  
6 clarify that and communicate any position to the Inquiry  
7 after some consideration. I think it is important to  
8 clarify that I wouldn't want to put forward a position  
9 particularly given the exchanges that have happened that  
10 may be inaccurate. If I can leave that for the moment.  
11 Mr Healy -- Mr Schwarz is with Mr Healy in a different  
12 capacity and I don't think it is helpful if I try to  
13 give a position on McLibel when I am not entirely sure  
14 whether that remains the position.

15 SIR CHRISTOPHER PITCHFORD: Well can I then simply for the  
16 sake of clarity announce that the designation I have  
17 made in respect of Mr Healy applies only to his capacity  
18 as a member of the Genetic Engineering Network?

19 MR RYDER: Yes.

20 SIR CHRISTOPHER PITCHFORD: Your observation is helpful  
21 because it means that there is another connection with  
22 Mr Schwarz of Bindmans. So if McLibel decide that they  
23 do want legal representation there is an obvious  
24 representative available.

25 MR RYDER: Yes. As I say I don't know what the position is

1           within the group and it is probably better if I check  
2           that before I say anything further.

3   SIR CHRISTOPHER PITCHFORD: All right. Thank you.

4           The next inquiry I have relates to, again, page 10,  
5           the second entry, London Animal Action and others. As  
6           I understand it, it is only Mr Gravett who is so far  
7           legally represented.

8   MR RYDER: Yes. We have no instructions on the others.

9   SIR CHRISTOPHER PITCHFORD: Nor any information that we can  
10          follow up?

11   MR RYDER: No.

12   SIR CHRISTOPHER PITCHFORD: Nothing?

13   MR RYDER: No.

14   SIR CHRISTOPHER PITCHFORD: All right. Thank you.

15   MR RYDER: I think the Inquiry does know that Robin Lane has  
16          withdrawn.

17   SIR CHRISTOPHER PITCHFORD: Ah, that was the doubt that  
18          I had.

19   MR RYDER: Yes. I think he has formally withdrawn as a core  
20          participant.

21   SIR CHRISTOPHER PITCHFORD: Do we have that in writing?

22   MR RYDER: There is an email I think he sent directly to the  
23          Inquiry of 30 October.

24   SIR CHRISTOPHER PITCHFORD: Thank you very much.

25   MR RYDER: Mr Gravett does also -- I am sorry. (Pause)

1           Yes. Thank you.

2   SIR CHRISTOPHER PITCHFORD: All right. Thanks for your help

3           Mr Ryder. (Pause)

4           Mr Barr, can you help me about Robin Lane? At the  
5           moment I can find him only in category L, one of the  
6           London Animal Action core participants. Is he anywhere  
7           else in the schedule?

8   MR BARR: We will check that, sir. (Pause)

9   SIR CHRISTOPHER PITCHFORD: Ah, I announced that Robin Lane  
10          was one of those in respect of whom a designation would  
11          be made in favour of Mr Schwarz in light of the fact  
12          that he has withdrawn. I will correct the transcript  
13          when it becomes available.

14   MR BARR: Yes, we haven't been able to find his name  
15          appearing anywhere else in the schedule, sir.

16   SIR CHRISTOPHER PITCHFORD: Thank you very much.

17          Can I ask whether anybody is aware of Indra  
18          Donfrancesco? No? We have had no communication from  
19          her since an application was made for core  
20          participation. All right, thank you very much.

21          Mr Barr, would it help if I was to rise for a short  
22          time so that those in your room can take stock and you  
23          can suggest to me where we go from here.

24   MR BARR: Yes certainly, sir.

25   SIR CHRISTOPHER PITCHFORD: All right. I will come back in

1 about 20 minutes unless I get a message that you want  
2 longer.

3 (11.56 am)

4 (A short break)

5 (12.50 pm)

6 SIR CHRISTOPHER PITCHFORD: Yes, Mr Barr.

7 MR BARR: Sir, thank you very much for the time. I have had  
8 a useful discussion with those who are representing the  
9 core participants and they have had some time amongst  
10 themselves. As ever, insightful proposals in principle  
11 have been forthcoming. What is being urged is something  
12 slightly more step-by-step than might originally have  
13 been envisaged and, helpfully, the core participants who  
14 are seeking funding have indicated that within seven  
15 days they will be able to provide a proposal as to how  
16 they think costs management can best be taken forward  
17 during the preliminary phase of the Inquiry, by which  
18 I mean the preliminary hearings and the production of  
19 evidence by those core participants to the Inquiry but  
20 not covering assimilating disclosure from the Inquiry in  
21 preparation for and then conduct of the substantive  
22 hearings.

23 It is then envisaged that members of the Inquiry  
24 team will meet with, having considered the proposals, to  
25 take matters forward with representatives of those core

1 participants who are seeking funding.

2 If you are content with that proposal, and having  
3 discussed it with my learned friends, it seems to me to  
4 be a sensible way forward. We would suggest that the  
5 Inquiry proceeds on that basis.

6 SIR CHRISTOPHER PITCHFORD: Where does that leave the  
7 timetable for future preliminary hearings on issues of  
8 procedure and law?

9 MR BARR: I think it means that in order to ensure that all  
10 core participants who wish to make representations about  
11 whether or not you should be seeking undertakings from,  
12 for example, the Attorney General, a hearing which is  
13 timetabled presently for 9 December, is looking  
14 ambitious and that it will take a little bit of time to  
15 process funding applications to allow legal  
16 representatives to have a proper opportunity to take  
17 instructions and prepare skeleton arguments, and for  
18 that reason I would suggest, sir, that 9 December is no  
19 longer held as a date for that issue to be considered  
20 but that it is kept in case any rulings and arguments  
21 are required on the question of funding.

22 SIR CHRISTOPHER PITCHFORD: Mmm hmm. Thank you, Mr Barr.

23 Mr Ryder, can I address you as --

24 MR RYDER: Yes.

25 SIR CHRISTOPHER PITCHFORD: -- the lead on behalf of most of

1 the core participants. I do understand the anxiety of  
2 the core participants to try and gauge the attitude of  
3 mind of the Inquiry and it is quite difficult to do when  
4 we are dealing with procedural matters. But I want to  
5 repeat something I have said more than once before.  
6 This Inquiry has a completely open mind on all issues.  
7 And save where there has been an official  
8 acknowledgement that an individual was an undercover  
9 police officer, nothing that I have said so far should  
10 indicate that I have reached any conclusions one way or  
11 the other, about anyone, even those who have been  
12 acknowledged. No conclusions, even provisional, have  
13 been reached about whether they were working in  
14 a particular context or in a particular way.

15 Those are all things which with the assistance of  
16 the core participants I want to make sure I get the  
17 evidence so that in due course, and it will be a long  
18 time ahead, I have to apply my mind to conclusions. But  
19 we are a long way off from that. The better the  
20 relationship between the solicitors and the individuals  
21 who are not represented and the Inquiry team, the better  
22 as far as I am concerned. We will get the work done  
23 that much more efficiently and that much more  
24 satisfactorily to everybody.

25 You can see that the mapping so far has been to



1 ensure that we have the important procedural and legal  
2 decisions, not decisions perhaps but at least that  
3 I receive the relevant submissions about how I should  
4 approach various tasks, at an early stage. The reason  
5 for that is that there is a warehouse of material which  
6 the Inquiry team has to consider and I have to make  
7 decisions about how that is going to be sifted, redacted  
8 if it has to be, and prepared in a form in which in due  
9 course it can be made public. Or not. Those are very  
10 important decisions, they can't be rushed but we will do  
11 it as quickly as we can but it is going to take a long  
12 time before we get to oral hearings.

13 So I am grateful that everybody has taken the  
14 opportunity to stand back for a moment and see the  
15 bigger picture as to where we are going before we arrive  
16 at the point of oral hearings.

17 What I intend to do today is to go back to those  
18 designations that I have not been able to make until  
19 now. I will reach a decision. If I need any more  
20 information before reaching a decision I will ask for it  
21 and the request will come from the team. In due course,  
22 a ruling which encapsulates every decision I have made  
23 will be published on the website.

24 MR RYDER: Yes.

25 SIR CHRISTOPHER PITCHFORD: I am very encouraged to hear

1           that there will be further proposals and discussions  
2           hopefully leading to sensible awards of costs for this  
3           preliminary stage. I well understand that the situation  
4           may change as we go on. It depends what work we are  
5           having to do.

6           Is there anything more you want to say to me before  
7           we break for the day?

8 MR RYDER: No. The only thing I would add is it has been  
9           very productive what has come out of the some  
10          discussions between the core participants'  
11          representatives obviously when one is considering cost  
12          management case management comes to mind, so what we may  
13          see if we can do - I can't make any promises obviously -  
14          but what we will see if we can do is in the process of  
15          working out our cost management proposals also see if  
16          there are case management or directions or anything that  
17          might be helpful that we think could make more efficient  
18          use of the time prior to the preliminary hearings. We  
19          will try and discuss those, think them through and try  
20          and discuss those also with the Inquiry team when we  
21          can.

22 SIR CHRISTOPHER PITCHFORD: That is very helpful. I do  
23          appreciate that the core participants had good reason to  
24          propose that disclosure should be made before they made  
25          a contribution to the Inquiry. For reasons which I hope

1           you will understand that is simply not practicable given  
2           the amount of material which we are going to have to  
3           sift through.

4   MR RYDER: Well, it maybe that there will be some further  
5           submissions on that. I can't say at the moment what  
6           everybody's position is. I suspect we may have some  
7           further submissions to make on that. We might do. But  
8           if we do certainly those are issues that we will raise  
9           in the context of the coming work we have got over the  
10          next seven days and the meeting we have with the Inquiry  
11          team.

12   SIR CHRISTOPHER PITCHFORD: Good. Okay.

13           Does anybody else wish to say anything before we  
14          finish for the day?

15           Thank you very much everyone for your attendance.

16   (1.00 pm)

17    (The hearing concluded)

18    I N D E X

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20   INTRODUCTIONS .....1  
21   PRELIMINARY RULING .....5  
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