

Frequently Asked Questions

SUBMITTING EVIDENCE

Q: How do I submit evidence to the Inquiry?

A: You can email us on the Inquiry email address (info@ucpi.org.uk), write to us at PO Box 71230 London NW1W 7QH or give us a call on 0203 741 0410 or 0203 741 0411 for further advice. You may, if you choose, instruct a solicitor to represent you.

Data protection. When you voluntarily choose to give the Undercover Policing Inquiry personal information by email, by post, or over the telephone you are consenting to the collection, retention and use of your personal information in accordance with this notice.

How we use your personal information

When you decide to contact us, the Inquiry team will record your details and any other information you give to us. We will use this information:

- To respond to any query or question that you have raised; and/or
- For the purpose of furthering the Inquiry's investigations into undercover policing.

At the end of the Inquiry, and as required by law, our records, of which your details and personal information may form part, will be transferred to the National Archives.

Security

Appropriate steps will be taken to safeguard your personal information and to prevent any unauthorised access to it.

Q: If I phone you, will you record my details?

A: Any initial contact with the Inquiry will be recorded and your details will be kept by the Inquiry team unless you specifically ask us not to; however if your engagement with the Inquiry is to proceed we will need to take some details. The Inquiry team will not take evidence over the phone on the first call; rather they will advise you how to engage with the Inquiry. Any evidence you provide should be written. If for some reason you are only able to give evidence to the Inquiry over the phone we can book an appointment and someone in our legal team will call you back.

Q: How will I know my letter has got to you?

A: We will acknowledge all letters within five working days, providing a full response within 20 working days where one is needed.

Q: Is the web email address secure?

A: Yes. Access to the web email account is password protected and only members of the Inquiry team have access to it. All members of the Inquiry team are security cleared to a minimum of 'Security Checked'.

Q: Can I email you all my documents?

A: Most documents can be emailed, but documents with a protective marking of SECRET and above must not be emailed for security reasons. Where documents of such a high classification need to be transported, the Inquiry team can advise and liaise with you to make sure that these documents are securely handled. If you have any doubts about the level of sensitivity of documents in your possession, please do contact the Inquiry team for advice and assistance.

Q: What happens when I email the Inquiry?

A: The Inquiry web email inbox is monitored from Monday to Friday, throughout the working day. We will send an email acknowledgement within one working day of receiving your email. The acknowledgement may tell you what the next steps are depending on the nature of your email.

Q: Do I need a solicitor or legal representation to provide evidence to the Inquiry?

A: The decision on whether or not to get legal representation is one that only you can make, but the Inquiry team do not need you to have a lawyer for you to provide us with your evidence.

HEARINGS

Q: If I give evidence to the Inquiry will I have to go to the hearings?

A: We can't give you a full answer on that without knowing the nature of your evidence. However we can tell you that not everyone who provides us with a witness statement will need to go to a hearing to provide evidence in person.

Q: When will the hearings be?

A: We haven't set a date for the hearing of evidence yet, but these are unlikely to be before the summer of 2016 because we need to gather and review evidence. There will be at least two hearings in 2015; these will deal with preliminary issues, such as the identity of 'core participants' and will not receive substantive evidence. The first of these hearings was on 7th October 2015. The [hearings tab](#) gives details of the further hearings and we'll update the website with future dates when they are known.

CORE PARTICIPANTS

Q: What is a 'core participant' and should I apply to be one?

A: You don't need to be a core participant to give evidence to the Inquiry. The decision on whether or not you should apply for core participant status is one that only you can make, advised by a solicitor if you have one.

In deciding whether to designate a person as a core participant, the Chairman will consider the criteria set out in rule 5(2) of the Inquiry Rules 2006, a copy of which can be found [here](#). In particular, as Rule 5(2) of the Inquiry Rules 2006 makes clear, the Chairman will consider whether the person has played, or may have played, a direct and significant role in relation to the matters to which the Inquiry relates, or whether the person has a significant interest in an important aspect of the matters to which the Inquiry relates. These matters are defined by the terms of reference, which can be found [here](#). The Chairman will also consider whether the person may be subject to significant or explicit criticism during the proceedings of the Inquiry, or in the report when it is written. A core participant need not be a core participant for the whole of the matters in the terms of reference or for the entire duration of the Inquiry; they may just be a core participant for a specific part.

Q: Who decides if I am a ‘core participant’?

A: The Inquiry Chairman, advised by the counsel to the Inquiry, has reviewed all current requests for core participant status. While someone can apply to be a core participant at any stage of the Inquiry, it’s helpful for us to know who is likely to ask to be a core participant as soon as possible. This is why Sir Christopher asked for people who want to be considered as core participants to make representations to the Inquiry by 4pm on 18 September 2015. More details can be found in the opening remarks [here](#). The [hearings tab](#) provides an update on the hearing on this matter.

Q: What does it mean to be a ‘core participant’?

A: Core participants can have access to all of the public evidence relevant to their particular interest in the case. In some cases, core participants can also have their reasonable legal costs paid. Section 40 of the Inquiries Act 2005 allows the Chairman to make awards for the cost of legal representation and the attendance of witnesses; these awards are not retrospective so do not cover costs incurred outside of the Inquiry. Decisions on who can have legal costs covered are made on a case by case basis so you shouldn’t assume that because you are a core participant that the Inquiry will cover your costs. Section 17(3) of the Inquiries Act 2005 requires that: *“In making any decision as to the procedure or conduct of an inquiry, the chairman must act with fairness and with regard also to the need to avoid any unnecessary cost (whether to public funds or to witnesses or others)”*.

It should be noted that The Chairman has stated in his opening remarks that where there are core participants that are or could be seen as a community of interest (for example who have similar interests in the Inquiry), and where it is fair and proper to do so, he would expect them to be jointly represented.

Q: When will decisions on core participant status be made?

A: The Chairman will make public his decisions on all applications received by 18 September 2015 in October 2015.

Q: Do I need to be a core participant to get my legal costs paid?

A: No, section 40 of the Inquiries Act 2005 gives the Chairman power to award expenses and legal costs to those who give evidence, whether or not they are core participants.

ACCESS TO INFORMATION

Q: How do I get access to the Inquiry if I'm not giving evidence and not a core participant?

A: The Inquiry is a public Inquiry and the Inquiry team will put all public evidence on this website. Transcripts of the hearings will be posted onto the website as soon as possible after a hearing, on the same day if at all possible. Lists of witnesses due to appear at the Inquiry will be posted on the website in advance of each hearing. It will also be possible for members of the public to attend many of the Inquiry's hearings, to hear first-hand the evidence being given.

Q: What do you mean by the term 'public evidence'?

A: Public evidence is all the evidence that can be given publicly, whether orally or in writing.

(Some of the documentary evidence given to the Inquiry may be redacted or withheld from the general public or even from core participants, where sensitivity or other good reason leads the Chairman to determine that this appropriate. Likewise, the Chairman may decide that certain oral evidence should be given to the Inquiry without members of the public or some core participants being present at the hearing or having access to the transcript.)

Q: How will the Inquiry handle disclosure?

A: Disclosure is the process by which the Inquiry acquires the majority of its documentary evidence. The Inquiry has powers to compel individuals and organisations to provide documents that may be relevant to its terms of reference. All documents provided to the Inquiry are reviewed for relevance. Those providing documents may apply to the Chairman for information to be redacted for legal reasons, for example on grounds of personal security or wider sensitivity. The Chairman will consider such applications and, where appropriate, may grant a restriction order, as detailed in [section 19 of the Inquiries Act 2005](#). Personal information relating to individuals may also be redacted to comply with the [Data Protection Act 1998](#).

Q: What are protective measures and how is the Inquiry applying them?

A: Protective measures are mechanisms put in place to ensure the safety of witnesses to the inquiry. Such measures can include preventing disclosure of a witness's name or image, whether in documentary evidence or when a witness is providing evidence at oral hearings.

Witnesses will be given the opportunity to make an application to the Chairman for appropriate protective measures to be put in place. Applications must meet certain criteria and demonstrate the risk which might result from disclosure of the witness's identity. The Chairman will then make a ruling on whether to grant or reject the application either in full or in part.

Q: Can I request information from the Inquiry under the Freedom of Information Act 2000?

A: The Freedom of Information Act 2000 does not apply to the Inquiry into undercover policing. However, in keeping with the spirit of the freedom of information, we operate in as transparent and open a manner as possible in accordance with the interests of justice. As part of this:

- As much information as possible will be provided on this website; and
- Although we are not covered by the Freedom of Information Act 2000, we will, as far as possible, consider requests for information in accordance with the principles in that Act. This is intended to mean that in general we will release the information if we hold it, unless one of the provisions under the Freedom of Information Act 2000 applies and we determine that complying with the request would not be in keeping with the public interest. Should you wish to submit a request for information, please contact us at info@ucpi.org.uk. We will respond to your request within 20 working days, either providing the information or explaining why we cannot provide it.

WHAT THE INQUIRY TEAM DO

Q: What is the Chairman's role?

A: The remit of the Chairman is set out in the Inquiry's terms of reference, which are found [here](#), and the Chairman decides how the Inquiry is to investigate the matters within the terms of reference, subject to a requirement to act with fairness and to avoid unnecessary cost (section 17(3) of the Inquiries Act 2005). The Chairman supervises the running of the Inquiry and will write the report at its conclusion, making findings of fact and any relevant recommendations for the future. The Chairman can't make any findings of civil or criminal liability, nor can he award any compensation.

Q: Who assists the Chairman?

A: The Chairman is assisted by a team of people:

- The Secretariat team who are responsible for administering the non-legal aspects of the Inquiry (for example finance, accommodation, hearings, security, personnel, media and the website)
- Solicitors, lawyers and paralegals, who administer the legal functions of the Inquiry
- Counsel team to the Inquiry who advise the Chairman and conduct the oral hearings

Q: Who is the Chairman accountable to?

A: As Chairman of the Inquiry, Sir Christopher Pitchford acts in an independent capacity and he expects to deliver his report to the Home Secretary in 2018.