

IN THE UNDERCOVER POLICING INQUIRY

IN THE MATTER OF AN APPLICATION FOR A RESTRICTION ORDER

BY:

- (1) 'Lisa' (AKJ)
- (2) 'Rosa' (DIL)
- (3) 'Alison' (RAB)
- (4) 'Ruth' (TEB)
- (5) 'Naomi' (SUR)
- (6) 'Andrea'
- (7) 'Monica'

Core Participants

STATEMENT OF HARRIET WISTRICH

Name: Harriet Wistrich

Address: Birnberg Peirce & Partners
14 Inverness Street
London NW1 7HJ

Age: Over 21

1. I make this statement in support of an application on behalf of the above seven core participants (CPs) in support of their application for a Restriction Order (RO) under the provisions of 19(3)(a) and (b) of the Inquiries Act 2005. I am a solicitor employed by Birnberg Peirce and Partners and the CPs' Recognised Legal Representative.
2. Each of these CPs have been designated as Core Participants on account of their long term intimate sexual relationships with undercover police officers.
3. CPs 1 to 5 have previously engaged in and recently successfully settled civil proceedings against the Commissioner of Police for the Metropolis raising the same or similar issues that are to be examined by the public inquiry. CPs 1 and 5 were granted an anonymity order in those proceedings on 20 October 2011. CPs 2, 3 and 4 were granted an anonymity Order on 18 July

2012. I attach to this statement marked **Exhibit HW1** copies of those anonymity orders and the two (unsigned versions) of the statements I made in support of the applications for anonymity.

4. Although the civil proceedings have recently concluded, the anonymity orders are still applicable and will continue until such time as the Claimants or some other person applies to set aside the anonymity order. (It should be noted that three of the Claimants in those proceedings (Kate Wilson, KAW; Helen Steel, HES; and Belinda Harvey, BEH) have so applied some time subsequent to the commencement of proceedings to have anonymity lifted in respect of their own identities. Given the same or similar facts will arise in the public inquiry, if a Restriction Order were not granted, then the claimants in the civil proceedings would become easily identifiable and thus undermine those Orders still in existence.
5. In any event similar considerations apply as did at the time of the start of the civil proceedings, that support this application for a Restriction Order and there are some additional factors. In particular all five CPs have obtained psychological reports that show that they suffered significant damage as a consequence of the actions of the undercover police. All have diagnosable mental conditions according to DSM criteria. A further intrusion into their privacy outside their control is likely to cause harm. In relation to CP5, known as SUR in the civil proceedings and 'Naomi' in the public inquiry, she now has two young children and has serious concerns about a breach of privacy impacting on them.
6. In relation to both CP6 ('Andrea') and CP7 ('Monica'), they both intend to commence civil proceedings against the commissioner of police for the metropolis and when they do they will be applying for anonymity orders in similar terms to those granted to CPs 1 – 5 above. Both have sent or are about to send pre-action letters before claim to the MPS solicitors.
7. In relation to Andrea's application for a Restriction Order, she also has two children, but her main reason for wishing to apply for anonymity relates to her

professional commitments. 'Andrea' is a trainer and counsellor, she is concerned that if clients/patients were to identify her, that this would be a distraction to the treatment she offers to them. Many are very vulnerable and traumatized individuals and if they were aware of such personal details (including that of a past long term intimate relationship), that knowledge might interfere with the counselling process. In relation to her work as a trainer, she does quite a lot of work in schools and fears publicity would lead to gossip amongst school pupils, again interfering with her work as a trainer. 'Andrea' also suffers from an auto immune disease and has stress related flare ups. She has been assessed for a psychological report, although this is still awaited, there are strong indications she has also suffered psychological injury.

8. In relation to CP7, 'Monica' is also keen to remain anonymous. A preliminary psychological report has been obtained primarily to address a limitation issue in the intended civil proceedings. This report concludes that she has a diagnosis of social anxiety disorder. The features of this disorder would make her particularly vulnerable to public exposure and she is indeed particularly sensitive and very anxious about being exposed, wishing to hold on to her privacy which has been violated by the acts of covert surveillance. It is submitted that without a Restriction Order she would be at risk of suffering psychological harm.
9. I have not exhibited any of the psychological reports referred to above. To the extent that they are essential to this application or to other issues raised in the inquiry, they can be supplied. However, given the extremely personal and sensitive information contained in each report, if and when we are required to supply them, we would apply for a Restriction Order in respect of them.
10. Clearly, as set out in the applications for anonymity, the arguments as to the CP's right to protection of their privacy under Article 8 ECHR, also apply to CPs 1 to 5. Equally, as with the other CPs, there is an arguable right to anonymity under the provisions of the Sexual Offences (Amendment) Act

1992, by virtue of these CPs being victims of sexual offences. Finally publication of their identities is not necessary to achieve any of the aims of the public inquiry.

I believe the facts stated in this Witness Statement are true.

Signed:

Dated: