

Preliminary Issue: Deceased Children

Recognised Legal Representatives Ruling 6

1. RDCA and Gordon Peters made applications for designation as core participants in the Inquiry because they wished to discover whether they, as parents of deceased children, were affected by the alleged practice by undercover officers of deploying the name of deceased children in the preparation of their undercover identities. Although designation was not made I indicated that the applicants had an interest in the outcome of the Inquiry that would be kept under review.
2. On 15 April 2016 I gave further directions towards a hearing of the deceased children's preliminary issue. RDCA and Gordon Peters have a close interest in this issue because they wish to be informed of the outcome of any search involving the names of their deceased children. The first issue to be resolved is whether the state has a duty to disclose to the parents of the deceased child that the identity of that child was used for police purposes and the second is, if there is a public interest test to be applied what does it comprise and how is it to be measured.
3. At paragraph 5(1) of the Directions, I set 4 pm on Tuesday, 26 April 2016 as the time and date by which applications for legal representation and funding in respect of the deceased children preliminary issue should be lodged with the Inquiry on behalf of RDCA and Gordon Peters. Applications were received under cover of an email that afternoon.
4. In my judgment RDCA and Gordon Peters have such a close and particular interest in this aspect of the Inquiry's subject matter that they should be legally represented at the preliminary hearing of these issues and, in due course, submit witness statements to the Inquiry. I shall designate Jules Carey of Bindmans LLP as the recognised legal representative of RDCA and Gordon Peters under rule 6(1)(b) of the Inquiry Rules 2006. Mr Carey is already the recognised legal representative of Mrs Barbara Shaw, the only core participant in Category [F] Relatives of deceased children.
5. I shall deal with the funding application in a separate Ruling.

28 April 2016

Sir Christopher Pitchford
Chairman, Undercover Policing Inquiry