

FOR IMMEDIATE RELEASE

3 May 2016

PRESS NOTICE

The Ruling in respect of the test for restriction orders

Sir Christopher Pitchford, the Chairman of the Inquiry into undercover policing has today published his Ruling on restriction orders. The Ruling details the legal principles to be applied and allows those seeking restriction orders, and those who may object to them, to see clearly how the Chairman intends to reach his decisions on a case-by-case basis.

A summary of the legal principles can be found at page 78 of the Ruling in Part 6, Conclusions and Summary of Findings [here](#). The publication of the Ruling marks the completion of an important step in the progress of the Inquiry.

The Ruling

The Ruling states that there will be no blanket solution in respect of restriction orders and that the practice of 'neither confirm nor deny' will not, by itself, be a reason to make a restriction order, although it may be a consideration as part of the balancing act the Chairman will undertake when applying the legal principles and in weighing up competing public interests.

Further information on this can be found in the note, and its question and answer section, that accompanies the Ruling [here](#)

Next Steps

Now that the legal principles have been established, the next step will be for the Inquiry Chairman to review the 33 restriction order applications seeking anonymity that he has already received and decide whether further evidence or legal argument is needed before final decisions on these can be made.

The Inquiry has almost completed the current tranche of its preliminary hearings. Two steps remain outstanding:

- First, the Inquiry Chairman will issue his Ruling on Undertakings. As yet, no date has been fixed for this.
- Second, a hearing will take place on 22 June to consider the issue of whether the state has a duty to disclose to the parents of a deceased child that the child's identity was used for police purposes. Whether or not such a duty exists, the Chairman will be deciding the approach that he is going to take when deciding who, if anyone, should be informed that a deceased child's identity has been used by an undercover police officer.

UNDERCOVER POLICING INQUIRY

Background

The purpose of the Inquiry into undercover policing is to inquire into and report on undercover police operations conducted by English and Welsh police forces in England and Wales since 1968. The Inquiry will examine the contribution undercover policing has made to tackling crime, how it was and is supervised and regulated, and its effect on individuals involved, both police officers and others who came into contact with them.

The Inquiry ranges across the full scope of undercover policing work and will look at the work of the Special Demonstration Squad, the National Public Order Intelligence Unit and police forces in England and Wales. The Inquiry will also examine whether people may have been wrongly convicted in cases involving undercover police officers, and refer any such cases to a separate panel for consideration.

The work of the Inquiry will fall into three modules:

1. Module one will look at what happened in the deployment of undercover officers in the past, their conduct, and the impact of their activities on themselves and others.
2. Module two will look at the management and oversight of undercover officers, including their selection, training, supervision and care after the end of an undercover deployment. This section will also look at the law and other rules covering undercover policing.
3. Module three will make recommendations about how undercover policing should be conducted in future.

ENDS

UNDERCOVER POLICING INQUIRY

NOTES TO EDITORS

1. This press notice does not form part of the Ruling on restriction orders and does not form part of the reasoning for the ruling. The full Ruling is the only authoritative document and is available [here](#)
2. The undercover policing Inquiry is an Inquiry constituted under the Inquiries Act 2005
3. The [terms of reference for the Inquiry](#) were announced by the Home Secretary on 16 July.
4. Information by way of background to the Ruling on restriction orders can be found at:
 - Full details of the Inquiry's approach in [the matter of restriction orders](#).
 - Details of the [submissions received by the Inquiry](#).
 - Transcripts of the hearings in respect of restriction orders – [22 March 2016](#) and [23 March 2016](#).
5. The full Ruling on restriction orders is [here](#)
6. Those seeking restriction orders have until 24 May to submit any further information. Open versions of the applications will be circulated to core participants for comment by 21 June 2016
7. An overview note of the Ruling has been produced to aid understanding [here](#)
8. The Inquiry's website is www.ucpi.org.uk and the Inquiry can be found on Twitter @ucpinquiry

For further information please contact the Inquiry's press officer, Mike Wickstead.

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