

Recognised Legal Representatives Ruling 10

1. In a separate ruling of today's date I have designated 'Jane' as a core participant in the Inquiry pursuant to rule 5 of the Inquiry Rules 2006.
2. Jane has appointed Mike Schwarz of Bindmans LLP and Harriet Wistrich of Birnberg Peirce and Partners to act on her behalf in the Inquiry. She wishes to be represented by Mike Schwarz in connection with her participation in the Inquiry in **Category [I] Miscarriage of justice** and by Ms Wistrich in connection with her participation in the Inquiry in **Category [H] Individuals in relationships with undercover officers**.
3. By rule 6 (1) of the Inquiry Rules 2006, subject to rule 7, where a core participant has appointed a qualified lawyer to act on that person's behalf, the chairman must designate that lawyer as that person's recognised legal representative in respect of the inquiry proceedings. It is to be noted that rule 6 does not prohibit the appointment of more than one lawyer.
4. By rule 7 (1) and (2), where two or more core participants have similar interests in the outcome of the inquiry, the facts that they are likely to rely on are similar and it is fair and proper for them to be jointly represented, the chairman must direct that those participants should be represented by a single recognised legal representative.
5. Jane's position is unusual. Her interests and the facts on which she will rely do not coincide with those of any other single core participant represented by any single lawyer. On the other hand she shares a common interest with RTD who was designated a core participant on 21 October 2015 in Category [I] and is represented by Mr Schwarz and with several other women represented by Ms Wistrich in Category [H].
6. I do not consider that Jane falls within the stipulations of rule 7 (1)(a) and (b) of the Inquiry Rules 2006. Even if she did, I do not consider that it would be fair and proper, under paragraph (c), to require her to be represented by a single legal representative who represents any other core participant. The reason for this view is that Mr Schwarz is already representing RTD in connection with precisely the same issues as apply to Jane in connection with the Department of Transport protest in December 2007 (but is not representing anyone in Category [H]) and Ms Wistrich is

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already representing several women in connection with relationships with undercover officers (but is not representing anyone in Category [I]).

7. It seems to me entirely reasonable, fit and proper that Jane should be represented by two solicitors in the Inquiry each with experience and expertise relevant to a discrete issue in the Inquiry with which Jane is closely concerned and each of whom represents another or other core participants in connection with that discrete issue.
8. I shall designate Mike Schwarz of Bindmans LLP and Harriet Wistrich of Birnberg Peirce and Partners as Jane's recognised legal representatives for the purposes of the Inquiry. The division of work between Mr Schwarz and Ms Wistrich will be the subject of requirements in the costs awards that I shall consider in a separate ruling.

6 September 2016

Sir Christopher Pitchford
Chairman, Undercover Policing Inquiry