

Recognised Legal Representatives Ruling 11

1. In my [first Recognised Legal Representatives Ruling](#) of 9 November 2015, at paragraphs 7 – 11, I set out the requirements of rules 6 and 7 of the Inquiry Rules 2006 for the designation of recognised legal representatives and the factors I considered relevant to the judgement whether to make such a designation when two or more core participants appeared to have similar evidence to give or to have a similar interest in the outcome of the Inquiry. Those paragraphs apply to the current applications for designation.
2. In [Core Participant Ruling 12](#) of 15 December 2016 I designated Anthony Thompson a core participant in the Inquiry. He wishes Mike Schwarz of Bindmans LLP to represent him. I designated Mr Thompson in Category [L] Social and environmental activists, a category in which Mike Schwarz is already designated as recognised legal representative for several other core participants. Mr Thompson's evidence will relate to a discrete aspect of undercover policing, namely the alleged involvement by an undercover police officer, Lynn Watson, in the incorporation and management of a limited company, Leeds Social Centre Limited. Mr Thompson has a general interest in the Inquiry that is common with others in the same category represented by Mr Schwarz. Accordingly, it is fair and proper that he also should be represented by Mr Schwarz. I shall designate Mike Schwarz as the recognised legal representative of Anthony Thompson in the Inquiry.
3. In Core Participant Ruling 12 I also designated Azhar Khan a core participant in the Inquiry. Mr Khan wishes to be represented in the Inquiry by Nia Williams of Saunders Law. Mr Khan, a solicitor, was, uniquely among core participants, the target of an undercover police operation conducted for the purpose of testing his professional integrity. I designated Mr Khan a core participant in Category [I] Miscarriage of justice. In general, he shares an interest in the Inquiry common with others in the same category none of whom are represented by Ms Williams, but, in my view, that is an inadequate justification for requiring Mr Khan to be represented jointly with others in Category [I]. The facts, general and particular, on which he relies are unique to him. Furthermore, Ms Williams already represents Michael Mansfield QC, the only other core participant who was a practising lawyer at a time when it is suspected that he may have been under surveillance by an undercover officer. It is fair and proper that Mr Mansfield and Mr Khan should be represented jointly in the Inquiry. I shall designate Nia Williams the recognised legal representative for Azhar Khan in the Inquiry.

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4. The Inquiry has received an application made on behalf of Hunt Saboteurs Association Limited (designated a core participant in Category [L] Social and environmental activists) that its current legal representative, Stefano Ruis of Hickman and Rose, should be replaced by Lydia Dagostino of Kellys Solicitors.
5. In my first Recognised Legal Representatives Ruling, at paragraph 35, I explained my decision to designate Beth Handley of Hickman and Rose as follows:

“Dr Dónal O’Driscoll has appointed Beth Handley of Hickman and Rose to represent him. While the firm has not before acted for Dr O’Driscoll a relationship of trust has been formed in consequence of High Court injunction proceedings in which both of them have been involved in the past. Hunt Saboteurs Association Limited has also appointed Ms Handley to represent them on the understanding that there is a community of interest with Dr O’Driscoll, the connection being the infiltration of animal rights groups. Hickman and Rose have been designated as recognised legal representatives for core participants in a similar category, namely category [K] Political activists. In my view it is appropriate that I should designate Ms Handley as the recognised legal representative of both Dr O’Driscoll and Hunt Saboteurs Association Limited.”

6. In [Recognised Legal Representative Ruling 2](#) of 16 December 2015, at paragraph 10, I acceded to an application made by the core participant clients of Hickman and Rose to replace Ms Handley as recognised legal representative with Stefano Ruis of the same firm during Ms Handley’s temporary absence on sabbatical leave from 7 December 2015.
7. Hunt Saboteurs Association Limited were notified upon Ms Handley’s return from sabbatical leave that an application would be made for Ms Handley to resume as recognised legal representative in Mr Ruis’ place. This has been the occasion for Hunt Saboteurs Association Limited to review its representation in the Inquiry. I am informed that Hunt Saboteurs Association Limited now wishes to be represented by Ms Dagostino. She and Kellys Solicitors have represented the company’s legal officer since 2004 and, for a longer period, a considerable number of the Association’s members.
8. Hickman and Rose has no objection to the proposed change.
9. Ms Dagostino is already a recognised legal representative for core participants in the Inquiry in Category [K] Political activists, Ceri Gibbons and Smash EDO. Several other recognised legal representatives act in the Inquiry for core participants in Category [L] Social and environmental activists but, having regard

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to the professional relationship already existing between Ms Dagostino and Hunt Saboteurs Association Limited, its legal officer and members, I do not consider that it would be fair and proper to require Hunt Saboteurs Association Limited either to retain its existing representation or to be jointly represented with others in the same category with whose legal representative the Association shares no such historical relationship.

10. I shall terminate the designation of Stefano Ruis as recognised legal representative for Hunt Saboteurs Association Limited with effect from the date of this ruling and I shall designate Lydia Dagostino of Kellys Solicitors as his replacement.
11. As I have said at paragraph 7 above Beth Handley has returned from sabbatical leave. An application has been made on behalf of the following core participants for re-designation of Ms Handley as their recognised legal representative in place of Stefano Ruis: NRO, Clandestine Insurgent Rebel Clown Army, Jennifer Verson, Rhythms of Resistance Samba Band, Nicola Benge, Susan Keen, Dónal O'Driscoll, Indra Donfrancesco, Megan Donfrancesco Reddy, Morgana Donfrancesco Reddy and C. I shall make the designation requested as from the date of this ruling.
12. During Ms Handley's absence Stefano Ruis has established a professional relationship of trust with Hickman and Rose's other core participant clients, S, KTC and HAB which they wish to retain. I shall state for the avoidance of doubt that no change to the representation of S, KTC or HAB is sought or made.
13. The procedural consequence of the foregoing is that costs award letters will be re-issued to Beth Handley and Stefano Ruis in respect of their respective clients.

4 January 2017

Sir Christopher Pitchford
Chairman, Undercover Policing Inquiry