

# UNDERCOVER POLICING INQUIRY

## PENAL NOTICE

**IF ANY PERSON DISOBEYS THIS ORDER, THE MATTER MAY BE CERTIFIED TO THE HIGH COURT WHICH MAY HOLD THAT PERSON TO BE IN CONTEMPT OF THE INQUIRY AND THAT PERSON MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED**

**ANY PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO BREACH THE TERMS OF THIS ORDER MAY ALSO AFTER CERTIFICATION TO THE HIGH COURT BE HELD TO BE IN CONTEMPT OF THE INQUIRY AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED**

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## RESTRICTION ORDER UNDER SECTION 19 OF THE INQUIRIES ACT 2005

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UPON the Chairman having considered an application dated 19 February 2016, together with its supporting evidence, by Birnberg Peirce & Partners for a restriction order in respect of a core participant here described as **'Naomi'** (who was known as **'SUR'** in the High Court proceedings against the Commissioner of Police of the Metropolis, reference number HQ 11 X 03952)

AND UPON the Chairman being satisfied, for the reasons given in his 'Minded to' Note dated 10 August 2016, that there would be a disproportionate interference with Naomi's private life in the event of the publication of Naomi's real identity, or of the disclosure of Naomi's real identity beyond that which is necessary to ensure the fulfilment of the Inquiry's terms of reference

AND UPON the Chairman considering his power to make a restriction order under s.19(2)(b) of the Inquiries Act 2005 read with s.19(3) thereof

IT IS ORDERED THAT until further order

1. This order binds all persons (whether acting by themselves or by their servants or agents or in any other way) and all companies (whether acting by their directors or officers, servants, agents, or in any other way).

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2. There shall be no disclosure or publication made of any evidence or document given, produced or provided to the Inquiry which discloses Naomi's true identity (including any description or image capable of identifying Naomi).
3. There shall be no disclosure or publication made of any evidence or document given, produced or provided to the Inquiry which has the effect of disclosing Naomi's true identity, or contributing to such disclosure, and which the person responsible for the disclosure or publication knows or suspects will have that effect.
4. This order does not prohibit any disclosure to:
  - a. Members of the Inquiry team;
  - b. Members of Naomi's approved legal team;
  - c. Any medical or healthcare professional consulted by Naomi;
  - d. A person providing evidence to the Inquiry, whether written or oral, who had contact with Naomi in connection with their service in a police force;
  - e. A person from whom evidence is sought by the Inquiry, whether written or oral, pertaining to the contents of a document which reveals the true identity of Naomi (for example, a person who was or who is believed to have been the author or a recipient of such a document);
  - f. A person who, in the course of their current employment, is requested by the Inquiry, or on behalf of the Inquiry, to search for and/or make arrangements for the disclosure of documents to the Inquiry which contain reference to the true identity of Naomi; or
  - g. The legal advisers to any person described at (d), (e), or (f) above, whose names will be notified in writing to the Inquiry in advance of any disclosure being made.
5. For the avoidance of doubt, any person to whom disclosure of the true identity of Naomi is made in accordance with paragraph 4 above remains subject to the prohibitions at paragraphs 2 and 3 in relation to any onward disclosure or

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publication, save insofar as, and only to the extent that, such disclosure is made to another person or persons identified within paragraph 4.

6. Any person affected by any of the restrictions set out in paragraphs 2 and/or 3 above may apply to the Chairman to vary this order.

Sir Christopher Pitchford  
Chairman, Undercover Policing Inquiry  
30 January 2017