

Costs of Legal Representation Awards Ruling 11

1. In a ruling of 15 December 2016 (Core Participant Ruling 12) I designated Anthony Thomson a core participant in the Inquiry. In a further ruling of 4 January 2017 (Recognised Legal Representatives Ruling 11) I designated Mike Schwarz of Bindmans LLP the recognised legal representative of Anthony Thomson.
2. Mr Schwarz has made an application on behalf of Mr Thomson for an award of costs of legal representation under section 40 of the Inquiries Act 2005.
3. I set out the principles and my approach to applications for costs awards to core participants in my first Costs Awards ruling of 16 December 2015, in particular at paragraphs 3 – 16. This ruling should be read together with those paragraphs.
4. The applicant is, in my view, eligible for an award under section 40 (3) of the 2005 Act because he has such a particular interest in the proceedings or in the outcome of the Inquiry that an award of costs is justifiable.
5. I have received information as to Mr Thomson's personal financial affairs and I conclude, for the purpose of rule 21 of the Inquiry Rules 2006, that he does not have the resources with which to fund his own representation at the Inquiry and the making of the award is in the public interest.
6. The Secretary of State for the Home Department issued a Costs Determination under section 40 (4) of the 2005 Act that, at paragraph 2.a, requires me to make an award only when I consider it necessary, fair, reasonable and proportionate to do so. I have no doubt that the application meets the Secretary of State's criteria because the applicant has an important contribution to make to the Inquiry and there is no other means by which his participation can be funded.
7. I approve the composition and hourly rates of Mr Schwarz's legal team (notified to the Inquiry by email of 21 February 2017) under paragraph 2.d and e of the Costs Determination.
8. I make a costs award in Mr Thompson's favour. A costs award letter will be issued shortly.

21 February 2017

Sir Christopher Pitchford
Chairman, Undercover Policing Inquiry