

FOR IMMEDIATE RELEASE

6 March 2017

PRESS NOTICE

Counsel to the Inquiry's Note for the Hearing on 5 April 2017

Counsel to the Undercover Policing Inquiry have published their [response](#) to submissions by the Metropolitan Police Service, in advance of the preliminary hearing scheduled for 5 April 2017. In the response, Inquiry counsel state that they do not support the approach proposed by the Metropolitan Police Service, as they think it would prevent the Inquiry conducting its work in as public a manner as possible. The note includes illustrative dates for the Inquiry's evidential hearings.

On 15 February 2017 Sir Christopher Pitchford, the Chairman of the Undercover Policing Inquiry, issued [directions](#) for a hearing on 5 April 2017 to consider an application by the Metropolitan Police Service. In accordance with those directions, the Metropolitan Police Service has submitted a [skeleton argument](#); arguing for an extension of time for anonymity applications, and for the Inquiry to take a different approach in respect of former Special Demonstration Squad undercover police officers.

Counsel's note provides a summary of progress made by the Inquiry so far, an explanation of the steps the Inquiry is undertaking, and the approach the Inquiry is taking to discharge its terms of reference. In particular, the note:

- explains the processes that need to be completed before the Inquiry will be able to hold live evidence hearings, and the anticipated time these take to complete. This includes a process map with illustrative dates estimating that first oral evidence hearings are unlikely to take place before 2019;
- sets out the legal challenges of conducting a public inquiry into undercover policing;
- summarises the progress to date of work completed by the Inquiry team; and
- explains that the Inquiry is undertaking a strategic review to consider whether or not there are any realistic alternatives and that the Inquiry wishes to give core participants a chance to have their say on the approach which should be taken.

Specifically, Inquiry counsel's note responds to the two requests by the Metropolitan Police Service. On the request for an extension of the deadline for anonymity applications to October 2017, the Chairman will consider the arguments for some extension of time at the 5 April hearing. However, as the note makes clear, Counsel to the Inquiry are concerned about the progress made by the Metropolitan Police Service to date, and conclude that:

- an earlier deadline will need to be set for at least some of the anonymity applications; and

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- it is difficult to see how the Metropolitan Police Service could meet even their revised deadline of October 2017 with the current approach and resources

On the request by the Metropolitan Police Service for a change to the Inquiry's approach, Inquiry counsel's note argues that:

- given the limits of relying on documentary evidence from undercover operations alone, the Inquiry needs to take witness statements from all surviving former Special Demonstration Squad officers. The Inquiry is then highly likely to want to use those witness statements and to publish them if possible.
- the approach proposed by the Metropolitan Police Service (only to decide from which officers anonymity applications should be sought after reading the available documents) will be counterproductive in terms of time savings, as the Inquiry would still need to consider all relevant documents before deciding which officers to include.

Next steps

Other core participants are to file submissions in response to the Metropolitan Police Service application and Counsel's note by 23 March 2017. Any further submissions by the Metropolitan Police Service are to be submitted by 30 March 2017. The Chairman will consider the submissions at a hearing at the Royal Courts of Justice on 5 April 2017 and subsequently issue a written ruling on the applications.

Background

The work of 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

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NOTES TO EDITORS

1. On 15 February 2017 the Chairman issued [directions](#) for the hearing on 5 April 2017.
2. The Metropolitan Police Service has submitted a [skeleton argument](#) for the hearing.
3. The Undercover Policing Inquiry is constituted under the [Inquiries Act 2005](#).
4. The Inquiry's [terms of reference](#) were announced by the Home Secretary on 16 July 2015.
5. The Inquiry's ['frequently asked questions'](#) provide further information on the Inquiry more generally, as do [three published update notes](#).
6. The Inquiry's website is www.ucpi.org.uk and the Inquiry can be found on Twitter @ucpinquiry

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