

THE UNDERCOVER POLICING INQUIRY

PRELIMINARY HEARING

MPS APPLICATIONS FOR EXTENSION OF TIME AND CHANGE OF APPROACH

RESPONSE OF SECRETARY OF STATE FOR THE HOME DEPARTMENT

1. This Response is provided further to the Chairman's *Directions* of 15 February 2017, the Metropolitan Police Service (MPS) *Submissions on Extension of Time / SDS Restriction Orders* of 23 February 2017 and *Counsel to the Inquiry's Note for the Hearing on 5 April 2017* of 2 March 2017.
2. The Home Secretary does not intend to make submissions concerning either: (1) the MPS application for extension of time for service of anonymity applications on behalf of former SDS officers from 1 March to 1 October 2017, or (2) the MPS invitation to the Inquiry to reconsider the current plan to require Restriction Order application decisions to be made for every former SDS officer. The Home Secretary recognises that these are important matters for resolution by the Inquiry.
3. The Chairman has also invited Core Participants to provide their views and proposals as to the Inquiry's approach to its work and the principal factors that will determine its rate of progress. The Inquiry is currently conducting a strategic review which should provide a more sophisticated estimate of how long the Inquiry will take on the current model (Counsel to the Inquiry's own projections suggest evidence hearings may not start until 2019), and to consider whether there are realistic alternative approaches and what their consequences would be.
4. Counsel to the Inquiry have said (at [87]):

'...The [Inquiry's] approach is intended to recognise that in some areas the Inquiry needs a breadth of evidence, whereas in others it will need depth. It also recognises that some undercover policing units merit more intensive scrutiny than others. Since the Inquiry is also required, by its terms of reference, to report as soon as possible, it is important that the approach that it takes to the breadth and depth of investigation is limited to that which is necessary to discharge its terms of reference. Obviously, what is needed in practice to achieve this goal is a matter of judgment for the Chairman and will depend upon what the Inquiry discovers as it investigates.'

5. The Home Secretary does not wish to add to this correct summary of the position.

NICHOLAS GRIFFIN QC

22 March 2017