THE UNDERCOVER POLICING INQUIRY

HEARING ON 5 APRIL 2017

SUBMISSIONS ON BEHALF OF

N10 [LAMBERT], N14 [BOYLING],

N15, N16, N26, N58, N81, N104, N123, N519

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1. Further to the Chairman's Directions of 15 February 2017 and the invitation contained in paragraph 11(iii) of that document, the Slater & Gordon officers would wish to make the following limited submissions.

The status of the Slater & Gordon restriction order applications

2. In accordance with a heavily revised and agreed timetable, medical reports for N16, N26, N58, N81, N104 and N519 have now been provided to the Inquiry. The risk assessments have not yet been served, as they are in the process of being prepared by the MPS.

3. At paragraph 44 of the CTI's written submissions dated 2 March 2017, it is said that a number of the applications for anonymity have "fallen away". The correct position is that after consideration of all the evidence available and mindful of the Chairman's ruling on the principles to be applied, all the Slater & Gordon officers' anonymity applications were carefully reviewed. Applications are maintained where there is a compelling evidential case for anonymity. Where there was not a compelling case for anonymity, the applications were revised and re-submitted.

The MPS application for an extension of time

4. Much of what is discussed in the lengthy documents emanating from the Inquiry and the MPS on this issue is outside the knowledge of the Slater & Gordon officers. Two discrete matters fall for comment: *first*, the proposed timetable. It will be of concern to many, if not all the Slater & Gordon officers that their evidence will not be heard or otherwise considered until 2018/2019. Any reasonable measure that could be introduced to reduce such delay would be welcomed.

5. *Secondly*, the submissions made by the MPS as to the difficulty in making over 100 restriction order applications are, from the Slater & Gordon officers' perspective, well made. The unprecedented level of scrutiny that the Inquiry is bringing to the making of such applications, in combination with the oft-cited tension between a *public* inquiry

into *undercover* policing and the particular characteristics of the officers concerned makes the task of preparing and submitting such applications extremely challenging.

6. The protracted nature of the Slater & Gordon officers' applications is well documented. But Slater & Gordon represent only 10 of the 118, and rely on the MPS to produce the individual risk assessments in support of the applications they make. To make ten times the number of applications presents an enormous challenge. Any reasonable measure that might limit the number of applications required to be made and reduce the prospect of additional delay would be welcomed by the Slater & Gordon officers.

The proposal to limit the evidence heard by the Inquiry to areas of particular concern

7. In one sense, this issue does not affect the Slater & Gordon officers. By reason of their status as CPs, it is readily apparent that it is highly likely that most, if not all of them will be required to give evidence in Module One.

8. CTI has taken a view on the application made by the MPS. The Slater & Gordon officers are not in a position to make informed submissions about selection or the general approach that the Inquiry should take in seeking to fulfil its terms of reference. Any measure that could reduce the delays that would appear to flow inevitably from the current approach to hear from *all* undercover officers would plainly be in the interests of the Slater & Gordon officers.

BEN BRANDON

3 RAYMOND BUILDINGS

22nd March 2017