

FOR IMMEDIATE RELEASE

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PRESS NOTICE

Ruling following the Hearing on 5 and 6 April 2017 covering applications by the Metropolitan Police Service for an extension of time for the making of restriction order applications and for a change by the Inquiry to its approach to investigation.

Following a hearing held on 5 and 6 of April 2017, Sir Christopher Pitchford, the Chairman of the Undercover Policing Inquiry is today publishing his [Ruling on applications by the Metropolitan Police Service for an extension of time for restriction order applications and for a change by the Inquiry to its approach to investigation.](#)

In his Ruling the Chairman accepts some of the arguments put forward by the Metropolitan Police Service for an extension of time for restriction order applications, and while disappointed by the lack of progress to date, he has agreed to their request for an extension of time. The Chairman will issue a direction within 21 days setting a deadline for a representative sample of restriction order applications for anonymity from the Metropolitan Police Service. The Chairman concludes that the delays by the Metropolitan Police are not deliberate; however he says (at paragraph 186 of the Ruling) that “further shortcomings in the risk assessment process may well lead to a change of practice by the Inquiry, especially if such shortcomings result in unacceptable delay”.

The Chairman does not accept the argument that the Inquiry should change its approach to its investigations. The Ruling explains in some detail the reasons why the Inquiry was “fully justified in announcing its intention to seek evidence from all former officers employed by the Special Demonstration Squad”. The Chairman added that “from the outset the Metropolitan Police Service has been aware of the burden of providing evidence in support of applications for anonymity by those officers. I do not consider that it is reasonably practicable for the Inquiry to adopt a different approach without further delaying its progress”.

The Ruling also explains in detail the processes the Inquiry will follow when assessing the case for disclosing undercover names or real names, in preserving evidence and in disclosing evidence, and to this end the Inquiry is publishing the latest drafts of its restriction and disclosure protocols, together with an explanatory note. Links to all of these documents are at page 39 of the Ruling. These protocols set a clear framework for how evidence is received and processed by the Inquiry and have been developed in consultation with the Inquiry’s core participants. The Inquiry hopes other core participants will also agree to follow the processes set out in the documents.

UNDERCOVER POLICING INQUIRY

The Ruling also sets out the Chairman's views on a number of other issues raised by core participants in the course of the hearing and the evidence presented to it, including on cost awards to core participants' legal representatives.

In reaching his decisions in the Ruling the Chairman has emphasised the scope of the terms of reference, the presumption of openness, and the issues that arise from the Inquiry's duty to consider anonymity. The Chairman has been clear that "there is no escape from and no short cut to avoid the complexities of the issues raised by the nature of a public inquiry into state activity that is carried out secretly".

Background

On 15 February Sir Christopher Pitchford, Chairman to the Undercover Policing Inquiry, announced a hearing on 5 April 2017 to consider applications from the Metropolitan Police Service arguing for an extension of time on anonymity applications and for the Inquiry to take a different approach in respect of former Special Demonstration Squad undercover police officers and responses to those applications from other core participants. The hearing heard evidence and views from a number of core participants and the Ruling summarises those views.

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

NOTES TO EDITORS

1. [A full transcript of the hearing that took place on 5](#) and [6](#) April 2017 is on the Inquiry's website
2. [The submissions received by the Inquiry in evidence for the hearing](#) are also on the website
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](#)' document provides more information on the Inquiry more generally, as do [four 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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