

Core Participants Ruling 16

Designated lawyers

1. I shall designate the group of serving or former police officers who have instructed Mark Spanton and Anna Peacock, as designated lawyers (“DL”) (“the DL officers”), who have signified or do in the future signify their wish to belong to the group of that name as core participants in **Category [C] Police officers**. As at 24 January 2018 the DL officers comprise the 95 officers identified by Operation Herne nominals in the email from the Inquiry to Mark Spanton timed at 18:10 on 16 January 2018. It is a condition of designation that any change in the composition of the DL officers is notified to the Inquiry promptly on its occurrence. It is a further condition that a nominal list of DL officers is submitted to the Inquiry on the three month anniversary of designation and every three months thereafter.
2. Individual officers within the DL officers fall within the description of persons set out in rule 5 (2) (a) and (b) of the Inquiry Rules 2006; and some of them will be persons within rule 5 (2) (c). Collectively, they are “a body of persons” and so are deemed to be “a person” by section 41 of and schedule 1 to the Interpretation Act 1978. The concern which I had that the DL officers might comprise a shifting group of persons who could not readily be identified at any particular time is met by the initial identification of relevant officers and the conditions set out above.

Victoria Scott

3. I shall not designate Victoria Scott as a core participant.
4. The matters of which she complains in her letter of 12 December 2017 do not concern undercover police operations conducted by English and Welsh police forces in England and Wales and so fall outside the terms of reference of the Inquiry. In consequence, she is not within the description of persons set out in rule 5 (2) of the Inquiry Rules 2006.

SHA and SHB

5. I shall not designate SHA and SHB as core participants.
6. Both were extradited to the United Kingdom to face trial in Winchester Crown Court for an offence of blackmail. On a date unknown to me in 2017, they pleaded guilty to that offence on a defined basis of plea, which I have seen. They await sentence.

Nothing is said in their solicitor's email of 10 January 2018 to indicate that they may have been the victims of a miscarriage of justice. Their situation is different from that of the convicted activists referred to in paragraph 59 of Sir Christopher Pitchford's ruling of 21 October 2015, because the allegations there recorded have now been made public; and it is not suggested that the prosecution did not make adequate disclosure in the cases of SHA and SHB.

HN123

7. HN123 was granted core participant status in Sir Christopher Pitchford's ruling dated 21 October 2015. HN123 has applied for his designation as a core participant to be terminated. He is entitled to act as he chooses. I shall terminate his designation as a core participant.

24 January 2018

Sir John Mitting
Chairman, Undercover Policing Inquiry