

Overview note

This note has been provided to assist in understanding the ‘issues list’ for Module One of the Inquiry, which was published for consultation on 1 February 2018.

Introduction

The Inquiry has prepared for consultation a [draft issues list](#) in respect of the matters which may be considered within Module One. An issues list is a tool used by inquiries to help direct and focus investigation, enabling them to discharge their terms of reference. This issues list covers the Special Demonstration Squad (in all its guises) from 1968 to 2008, the investigation of what happened in the deployment of undercover officers, their conduct, and the impact of their activities on themselves and others. A separate issues list for investigations into the National Public Order Intelligence Unit will be published in due course.

The Inquiry’s investigations into individual officers and deployments are already well underway and has contributed to the themes and content of this issues list. We are interested to receive input from others with an interest in the Inquiry’s work. Notwithstanding this input, the issues list isn’t fixed, and will necessarily evolve as new information comes to light.

Responses to the consultation are invited by 4pm on Thursday 15 March 2018.

The issues under consideration

Operational approach

The Inquiry is investigating a broad range of matters dating from 1968. For the Special Demonstration Squad this covers a 40-year span and, as a result, the issues list is at a general level and covers the make-up of the Special Demonstration Squad itself, how officers were recruited to it, the training of undercover officers and the approach used to building an undercover identity or ‘legend’. The issues list specifically covers examination of the practice of using the identities of deceased children in legend building. The issues list also covers decision-making about the organisations to be targeted, the authorisation and justification of such targeting and whether there was a racist, sexist or otherwise inappropriate dimension to the targeting.

Relationships and the impact on the welfare of those affected

The Inquiry needs to understand the extent to which close personal relationships were authorised or otherwise known about by managers, the attitudes to those relationships and

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whether officers were given rules or guidance by managers about the conduct of any such relationships. It is important the Inquiry's investigations consider how relationships were ended and the impact upon the people with whom relationships were formed. Specifically, the Inquiry wants to explore if there were sexist or otherwise inappropriate attitudes towards women on the part of either undercover officers or their managers and, if so, the extent to which such attitudes caused or contributed to undercover police officers engaging in sexual relationships with women whilst they operated in their assumed names.

Crime and the criminal justice system

An important thread of Inquiry investigation is the extent to which Special Demonstration Squad undercover officers participated in any criminal activity, and the knowledge of and authorisation for any such activity by managers. The Inquiry wants to know if undercover officers encouraged, provoked or participated in any criminal activity, whether or not there were rules in place, or guidance by managers, about this and the extent to which miscarriages of justice may have occurred. The Inquiry further wants to know what happened where officers were arrested in their undercover guise, what managers knew and did on those occasions, what happened in court (for example were the courts made aware) and what any consequences were.

Reporting on deployments

A key task for the Inquiry is to understand the different type of undercover operations, the focus of what undercover officers were asked to report on, who directed infiltrations, what and how information was obtained and passed to managers. The Inquiry will investigate whether or not targeting of undercover groups was justified and whether decisions were influenced by sexist, racist or other attitudes. The Inquiry will investigate the impact of undercover policing on the groups being reported on. The investigations cover:

- Justice campaigns
- Stephen Lawrence and Duwayne Brooks OBE
- Elected politicians, political organisations and political activists
- Trade unions and trade union members
- Social and environmental activists

The prevention and detection of crime and management, supervision and oversight

The Inquiry will explore the role of undercover policing in helping, or hindering the prevention, detection and prosecution of crime, particularly serious crime. We will also

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examine the role of management and oversight of undercover officers. The Inquiry will investigate the extent of knowledge among senior officers of the work of the Special Demonstration Squad. The Inquiry will look at any incidences where undercover officers failed to comply with instructions and what happened if they did.

Following a deployment

The Inquiry will examine how long deployments lasted, how they were ended and how officers removed themselves from undercover deployments. How officers were de-briefed will also be examined. The issues list explores what happened to 'legends' post-deployment and whether legends continued to be used. The Inquiry will also explore what happened to information gathered post-deployment, in particular whether it was ever shared, for example with private security work or blacklisting organisations, and, if so, who knew about any of these practices.

The welfare of undercover officers and their families

The issues list also allows exploration of the support given to undercover officers. It considers the adequacy of any support, as well as the impact of undercover officers' work and their conduct undercover on close family. It further considers the nature of the support that field officers and their families received before, during and after their deployment.

Conduct of undercover police officers overall

Finally, the issues list looks at the extent to which the conduct of Special Demonstration Squad officers may be deserving of praise or criticism.

Counsel to the Inquiry's [draft issues list](#) is the only authoritative document.

Questions and Answers

Q: What is an issues list?

A: Issues lists detail the areas for investigation within a topic. The list is a tool used by inquiries to help direct and focus investigation to deliver against their terms of reference

Q: How will the issues list be used?

A: The Inquiry's investigation is evidence-led. The issues help shape the investigation and are used to follow lines of inquiry. They are not set in stone and will change if the evidence points in a different direction.

Q: The list is fairly comprehensive. How can core participants and other witnesses feed in to it?

A: This consultation is an opportunity for people to input their views. The issues list is currently in draft, and because of the scope of the Inquiry's investigation is necessarily at a high level.

Q: Will all areas of the investigation be examined in depth?

A: The extent and degree to which issues will be investigated in individual cases may vary. For example, it is unlikely to be necessary or proportionate exhaustively to examine the justification for every single aspect of every Special Demonstration Squad deployment.

Q: How to respond to the consultation?

A: Written submissions are invited by 4pm on 15 March 2018 to info@ucpi.org.uk. The Inquiry is particularly keen to know if we have overlooked any key issues, as well as to receive feedback on this issues listed.

Q: What happens after the consultation?

A: The Inquiry will publish the 'finalised' list on its website, bearing in mind that it may still change as we uncover new evidence. If it does, we will update the website

The next open hearing for the Inquiry is on 5 February 2018 and will consider restriction orders in respect of individual Special Demonstration Squad Officers. It will also cover the Inquiry's consultation of the publication of documents in support of restriction order applications. Hearings on restriction orders are expected to continue throughout 2018.