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Wednesday, 9 May 2018

(10.25 am)

Proceedings re anonymity1
applications

Proceedings re anonymity applications

THE CHAIR: The usual rules apply about transmitting
messages outside this room.

[\[LINK TO TWITTER ORDER\]](#)

Mr Barr.

MR BARR: Sir, good morning. I appear on behalf of the
Inquiry this morning with Ms Wilkinson. To my right
Mr Hall appears with Ms Mannion on behalf of the
Metropolitan Police service. Further to my right,
Mr Sanders appears with Mr McAllister on behalf of the
DL represented officers.

The non-state core participants have made written
submissions, which we have received, but have informed
the Inquiry that they are not going to attend by their
legal representatives. The two core participants who
appear in person have also made clear that they are not
attending today and we have had a letter from Mr Francis
delivered via his solicitors explaining why he, too, is
not attending today.

I think I am right in saying there is no one here

1 who is actively going to make submissions orally against
2 the minded to indications that you have made, sir,
3 although you will doubtless have the written submissions
4 in mind.

5 THE CHAIR: Thank you.

6 Mr Hall, this is really an opportunity for you to
7 respond, if you want to, to the written submissions made
8 by Ms Kaufmann and Ms Brandon.

9 MR HALL: I have read them. I really have nothing we can
10 usefully say. We maintain the position that we always
11 have. On occasion the point is made that certain
12 officers have not applied but it seems to us that one
13 still has to strike the public interest balance and it
14 can't be determinative whether or not they have
15 positively participated at this stage. It may be
16 a factor but it can't be determinative.

17 THE CHAIR: I agree with that proposition. There are two
18 officers to whom it applies potentially and you will,
19 I anticipate, make no submission contrary to the note
20 that I have indicated what I am minded to do.

21 MR HALL: Indeed.

22 THE CHAIR: Mr Sanders, any comment?

23 MR SANDERS: Nothing to add, thank you, sir.

24 THE CHAIR: Then I think that concludes the proceedings for
25 which today was set aside.

1 I will reconsider for the future the remaining open
2 hearings and there is no point in spending taxpayer's
3 money either directly or via the police funds on
4 hearings that serve no purpose and I will consider and
5 invite views on whether or not these hearings do serve
6 any purpose.

7 I was told by Ms Kaufmann on the second of them that
8 she wished them to continue, but there has apparently
9 been a change of mind.

10 I think I should, however, make it clear to the
11 police side that the fact that there is no public
12 hearing and that the submissions of non-state
13 core participants are confined to written submissions
14 does not mean that those who apply for anonymity either
15 in respect of real or cover name have an open goal at
16 which to shoot.

17 MR HALL: Indeed, we understand that submissions may be made
18 either orally or in writing. The reason why I have not
19 said anything now is there is nothing I can really
20 usefully add. Obviously if there was something then we
21 would either say it either orally or if needs be in
22 writing beforehand.

23 THE CHAIR: Mr Sanders, I don't invite a response from you,
24 but I hope that those who instruct you have heard what
25 I have said.

1 There is a hearing fixed for Friday week --

2 MR HALL: Yes.

3 THE CHAIR: -- following upon the publication of the
4 strategic review, the announcement of which was made
5 yesterday afternoon and it will be published on
6 Thursday. I hope it will inform those whose active
7 participation is going to be required in the next year
8 plus what the intended future progress of the Inquiry
9 is. I know that I have received a letter from those who
10 instruct you in effect requesting that the position is
11 made clear. I hope it will be made clear.

12 The purpose of the hearing on Friday week is to hear
13 from you how you intend to help the Inquiry to fulfil
14 its expectations and how the Inquiry can help you to do
15 so. It is intended to be a process of a mutual exchange
16 of views at the end of which we arrive at a conclusion
17 which will permit the Inquiry to go forward.

18 MR HALL: Yes, I am grateful.

19 Obviously on the next occasion there will be the
20 opportunity for those who I represent to indicate some
21 of the practical challenges and opportunities, and the
22 non-state core participants will be able to hear what we
23 say.

24 Obviously the more that we understand about the
25 review the better --

1 THE CHAIR: Yes.

2 MR HALL: -- because our submissions will be more informed.

3 I know that there is going to be a meeting tomorrow
4 between I think some of the officers and officials of
5 the police and I think some of solicitors of the Inquiry
6 to begin that discussion, but obviously the more
7 information that we can have the more meaningful
8 submissions we can make on the 18th.

9 I don't know what is going to be in the document
10 which is going to be published tomorrow, the more detail
11 the better is really what I am praying.

12 THE CHAIR: Yes. I have requested that we have an open
13 hearing about matters that I know are the subject of
14 ongoing discussions privately, because I think it is
15 right that the wider public and the non-state
16 core participants should be informed about the steps
17 that are being taken to further the Inquiry.

18 Any comment, Mr Sanders?

19 MR SANDERS: No, thank you sir.

20 THE CHAIR: That, then, I think concludes the proceedings
21 for today. Thank you and I am sorry you have had to
22 turn up for a hearing which was so short, but at least
23 it will permit you to do other things.

24 (10.33 am)

25 (The hearing concluded.)

