

UNDERCOVER POLICING INQUIRY

In the matter of Section 19(3) of the Inquiries Act 2005

Application for restriction order in respect of the real and cover names of officers of the Special Operations Squad and Special Demonstrations Squad

“Minded to” note 10 and Ruling 9

1. I am minded to make a restriction order in respect of the real name of HN78 and the real and cover name of HN112 and, by way of ruling, refuse to make a restriction order in respect of the cover names of HN78.

Nominal	Position
HN78	The real name cannot be published. I refuse to make a restriction order in respect of the cover name.
HN112	Neither the real nor cover name can be published.

Reasons

HN78 - Application for restriction over real and cover names. The real name cannot be published. I refuse to make a restriction order in respect of the cover name.

2. I repeat the reasons set out in the “minded to” note 6 dated 22 March 2018. Further, HN78 has now provided a detailed personal statement in support of the application for a restriction order in respect of the cover name. It provides information about the reasons for the deployments referred to in paragraph 20 of “minded to” note 6, which must be explored in public. It is also necessary that the cover name of HN78 is published, to permit members of the target groups to provide evidence about the deployments and their own activities.
3. The reasons for the ruling are those set out in the closed note referred to in paragraph 21 of “minded to” note 6 and in the closed note which accompanies this ruling.

HN112 – Application for restriction over real and cover name. Neither real nor cover name can be published.

4. I repeat the factual statement about his time in the SDS made in paragraph 28 of “minded to” note 6. At a closed hearing attended by HN112, I was invited to consider a second medical report prepared by Dr McLaren, which clarifies the concerns of HN112. They are that, if his cover name is published, he will be victimised by or at

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the instigation of the managers of the SDS who closed it down, by releasing his real name to the media and/or by other means. Mr Sanders QC, who appeared for him expressly accepted that his fears were subjective and not founded on fact. He, and HN112, also expressly accepted that the witness statement which he will be required to provide and which will criticise them, will identify him to them. His evidence will be published and, if given at a hearing, be given in public. But for the events referred to in paragraph 28 of "minded to" note 6, I would have refused to make a restriction order in respect of his cover name. I am now minded to do so, for two purposes: to avoid any possible risk to his mental health; and to ensure that evidence, which may be of significant value to the Inquiry is not compromised by irrational anxiety on his part.

06 June 2018

Sir John Mitting
Chairman, Undercover Policing Inquiry