COUNSEL TO THE INQUIRY'S EXPLANATORY NOTE TO ACCOMPANY THE CHAIRMAN'S 'MINDED TO' NOTE 3 IN RESPECT OF APPLICATIONS FOR RESTRICTIONS OVER THE REAL AND COVER NAMES OF OFFICERS OF THE SPECIAL OPERATIONS SQUAD AND THE SPECIAL DEMONSTRATION SQUAD

UPDATE as at 15th January 2018

Introduction

1. On 3 August 2017, 23 October 2017, 15 November 2017 and 15 January 2018 the Chairman published 'Minded To' and 'Supplementary Minded To' notes regarding applications by the Metropolitan Police Service to the Inquiry for restriction orders regarding the real and/or cover names of a number of Special Demonstration Squad officers.

2. This is an update to Counsel's Explanatory Notes published on 3 August 2017 and 15 November 2017.

3. For the avoidance of doubt, at the oral hearing scheduled for 5 February 2018, the applications to be heard will be those in the August tranche where it has been possible to publish the open application and evidence, namely: HN23, HN40, HN241, HN322 and HN348. These five applications are all applications to restrict publication of both the real and cover name of the officer concerned which the Chairman is minded to grant. Though there are other applications within the August tranche where the Chairman has reached a Minded To decision which has been published, the open applications and evidence for them have not yet been published: HN1, HN45, HN298, HN334, HN336 and HN347. These six applications are all applications to restrict only the officer's real name and in respect of which the Chairman is minded to restrict the real name. The Inquiry is conducting its usual pre publication checks before publishing the cover names[1]. We will then publish the open applications and evidence which include the cover names.

4. Publication of the applications and evidence in relation to the applicants in the September, October and now the November tranches awaits a decision on the

[1] The Inquiry routinely seeks to establish whether an officer used the identity of a deceased child as a cover name and, if so, to trace and contact the deceased child's surviving close relatives before making a cover name public. The Inquiry also seeks to trace and contact anyone known to have had an intimate relationship with the officer before making a cover name public.

approach to such publications. Responses to the consultation on this issue have recently been received and are being considered.

November tranche SDS restriction order applications

5. The Minded To note published on 15 January 2018 provides the Chairman's provisional indications in relation to the officer applicants in the November tranche.

6. The following are applications for the restriction of real name only which the Chairman is minded to grant and so their cover names will be published after the Inquiry has completed its usual pre publication checks: HN13; HN296; HN304; HN339; HN340; HN354; HN356/124.

7. The following is an application for the restriction of real and cover names which the Chairman is minded to grant: HN109.

8. No application was made in respect of the following officers who were either managers or back office staff, who did not use a cover name and whose real names will be published when the evidence relating to them is published: HN61 and HN819.

9. HN9 is an application where the Chairman requires further information before he can reach a minded to decision.

10. HN66 has been granted an extension to provide the full application by the end of January 2018.

(i) 1 June and 1 July tranche

Nominal	Minded To Position
HN2	Moved to 31/10/17 deadline. In the October tranche, no application for restriction order over cover or real name was made. **Real and cover names will be published.**
HN7	Order restricting publication of real and cover name made pursuant to application and published on 4 September 2017. (This is the final position and not a Minded To position).
HN15	Application for real and cover name restriction order. A closed hearing took place. A final ruling refusing the application has been reached and closed reasons have been supplied to the applicant on 20/12/17. **Real and cover names will be published.**

Nominal	Minded To Position
HN16	Application for real and cover name restriction order. A closed hearing took place. A final ruling was reached and published on 5/12/17. **Cover name will be published**. Real name will be restricted.
HN26	Application for real and cover name restriction order. A closed hearing took place. A final ruling was reached and published on 5/12/17. **Cover name will be published**. Real name will be restricted.
HN58	Application for real and cover name restriction order. Written submissions were made by the NSCPs and subsequently a closed hearing took place. The Chairman is Minded To restrict real and cover name. Any further written submissions by the NSCPs are to be provided by 18/1/18.
HN68	Application for real and cover name restriction order. A final ruling was reached and published on 5/12/17. **Cover name will be published**. Real name will be restricted.
HN81	Application for real and cover name restriction order. A closed hearing took place. A final ruling was reached and published on 5/12/17. **Cover name will be published**. Real name will be restricted.
HN104	Application for real name restriction order. A closed hearing took place and has been adjourned until 31/3/18 to enable further discussions about the welfare of HN104's children to take place. **Cover name, 'Carlo Neri', has been published.** The Chairman is Minded To refuse to restrict real name.
HN108	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN120	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN123	Application for real and cover name restriction order. A final ruling was reached and published on 5/12/17. Cover and real name will be restricted.
HN146	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN204	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN294	Application for real name restriction order. Officer deceased and no cover name is known. A final ruling was reached and published on 5/12/17. Real name will be restricted.

Nominal	Minded To Position
HN297	Application for real name restriction order. **Cover name, 'Rick Gibson', has been published.** The Chairman permitted an opportunity to the NSCPs to provide further evidence regarding the question whether the real name will be restricted. Any oral submissions, in light of further evidence supplied by the NSCPs, regarding the Chairman's provisional decision to restrict real name will be heard on 5/2/18.
HN321	Application for real and cover name restriction order. A final ruling was reached and published on 5/12/17. **Cover name, 'William Paul Lewis', has been published.** Real name will be restricted.
HN323	No application made. Officer now deceased and no cover name known. **Real name will be published.**
HN325	No application made. Officer now deceased. Management/back office staff. No cover name. **Real name will be published.**
HN326	Application for real and cover name restriction order. A final ruling was reached and published on 5/12/17. **Cover name, 'Douglas Edwards', has been published.** Real name will be restricted.
HN327	No application made. Officer now deceased and no cover name known. **Real name will be published.**
HN328	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN329	Application for real name restriction order. A final ruling was reached and published on 5/12/17. **Cover name, 'John Graham', has been published.** Real name will be restricted.
HN330	Application for real name restriction order. A final ruling was reached and published on 5/12/17. **Cover name will be published.** Real name will be restricted.
HN333	Application for real and cover name restriction order. A final ruling was reached and published on 5/12/17. Real and cover name will be restricted.
HN335	No application made. Officer now deceased and no cover name known. **Real name will be published.**

Nominal	Minded To Position
HN343	Application for real name restriction order. **Cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 3/8/17) to restrict the real name.
HN345	Moved to 31/10/17 deadline. In the October tranche, an application was made for a real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN1251	No application made. Management/ back office staff. No cover name. **Real name will be published.**

(ii) <u>August tranche</u>

Nominal	Minded To Position
HN1	Application for real name restriction order. **Cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN23	Application for real and cover name restriction order. Open application and evidence published on 4/1/18. Any written opposition to Chairman's Minded To indication to restrict real and cover name due by 18/1/18. Open hearing fixed for 5/2/18.
HN40	Application for real and cover name restriction order. Open application and evidence published on 4/1/18. Any written opposition to Chairman's Minded To indication to restrict real and cover name due by 18/1/18. Open hearing fixed for 5/2/18.

Nominal	Minded To Position
HN45	Application for real and cover name restriction order. In response to the Chairman's Minded To decision to refuse to restrict cover name but grant a restriction over real name, no objection was received by the MPS DL team or MPS CL team so **cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN78	The full extent of restriction sought in this case is unknown. An extension is sought to supply this application by the MPS DL team.
HN86	The full extent of restriction sought in this case is unknown. An extension is sought to supply this application by the MPS DL team.
HN127	Moved to 31/10/17 deadline. In October tranche, an application to restrict real name was made. In response to the Chairman's Minded To decision to refuse to restrict real name, the MPS DL team have accepted the offer of a closed hearing to make oral submissions on this application.
HN216	Application for a real name restriction. In response to the Chairman's Minded To decision to refuse to restrict real name, the MPS CL and DL team have indicated that they do not pursue the application. The Minded To decision (published on 15/11/17) becomes the final ruling. **Real name will be published.**
HN241	Application for real and cover name restriction order. Open application and evidence published on 4/1/18. Any written opposition to Chairman's Minded To indication to restrict real and cover name due by 18/1/18. Open hearing fixed for 5/2/18.
HN298	Application for real name restriction order. **Cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN318	No application made. Management/ back office staff. No cover name. Officer now deceased. **Real name will be published.**
HN322	Application for real name restriction order. No cover name known. Open application and evidence published on 4/1/18. Any written opposition to Chairman's Minded To indication to restrict real name due by 18/1/18. Open hearing fixed for 5/2/18.

Nominal	Minded To Position
HN331	Moved to 31/10/17 deadline. In October tranche, application for real name restriction made. No cover name is known and officer now deceased. Publication of the application and evidence awaits responses to the Consultation on Separation Process due by 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN334	Application for real name restriction order. **Cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN336	Application for real name restriction order. **Cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN344	Moved to 31/10/17 deadline. In October tranche, an application to restrict at least the real name was made by the MPS CL team but further information is awaited before the Chairman can apply his mind to this application.
HN347	Application for real name restriction order. **Cover name will be published.** Open application and evidence which reveals cover name will be published once all Inquiry checks are complete. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN348	Application for real name restriction order. No cover name known. Open application and evidence published on 4/1/18. Any written opposition to Chairman's Minded To indication to restrict real name due by 18/1/18. Open hearing fixed for 5/2/18.

September tranche

Nominal	Minded To Position
HN17	Moved to 31/10/17 deadline. In October tranche, application for real and cover name restriction order made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.
HN24	Extension sought and granted to move this officer to a future tranche.
HN33	An application to restrict the real name was made by the MPS CL team but further information is awaited from the MPS DL team before the Chairman can apply his mind to this application. This application will be moved to a future tranche.
HN56	Moved to 31/10/17 deadline. In October tranche, an application to restrict the real name was made by the MPS CL team but further information is awaited from the MPS DL team before the Chairman can apply his mind to this application. This application will be moved to a future tranche.
HN64	Moved to 31/10/17 deadline. In October tranche, application for real and cover name restriction order made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.
HN72	Extension sought and granted to move this officer to a future tranche.
HN88	Moved to 31/10/17 deadline. In October tranche, application for real and cover name restriction order made. In response to the Chairman's Minded To decision granting real name restriction but refusing the cover name restriction, the MPS DL team will pursue the application in a closed hearing.
HN89	No application made. Officer is deceased. **Real and cover name will be published.**

Nominal	Minded To Position
HN109	Extension sought to move this officer to a future tranche. In November tranche, application for real and cover name restriction made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real and cover name.
HN129	Extension sought and granted to move this officer to a future tranche.
HN218	No application made. **Cover and real name will be published.**
HN301	Moved to 31/10/17 deadline. In October tranche, application for real name restriction order made. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN332	Moved to 31/10/17 deadline. In October tranche, application for real name restriction order made. Management/back office staff. No cover name. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN337	Application for real and cover name restriction order. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.
HN338	Application for real name restriction order. Officer deceased and no cover name is known. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.

Nominal	Minded To Position
HN339	Extension sought to move this officer to a future tranche. In November tranche, application to restrict real name made. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN341	Moved to 31/10/17 deadline. In October tranche, application for real and cover name restriction order made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.
HN342	Extension sought and granted to move this officer to a future tranche.
HN346	No application made. No cover name known. Officer is deceased. **Real name will be published.**
HN356/124	Moved to 31/10/17 deadline and then November tranche. In November tranche, application for real name restriction order made by MPS CL team. Officer is deceased. Information received from family of deceased officer taken into account. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN367	Further information is required before the Inquiry can progress this application. This application will be moved to a future tranche.
HN593	No application made. Management/ back office staff. No cover name. Officer now deceased. **Real name will be published.**
HN3093	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN3095	No application made. Management/ back office staff. No cover name. **Real name will be published.**

31/10/17 tranche

Nominal	Minded To Position
HN2	Previously in June/July tranche: No application for restriction order over cover or real name was made. **Real and cover names will be published.**
HN17	Previously in September tranche: Application for real and cover name restriction order made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.
HN34	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN56	Previously in September tranche: In October tranche, an application to restrict the real name was made by the MPS CL team but further information is awaited from the MPS DL team before the Chairman can apply his mind to this application. This application will be moved to a future tranche.
HN64	Previously in September tranche: In October tranche, application for real and cover name restriction order made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.
HN88	Previously in September tranche: In October tranche, application for real and cover name restriction order made. In response to the Chairman's Minded To decision granting real name restriction but refusing the cover name restriction, the MPS DL team will pursue the cover name application in a closed hearing.
HN99	No application made. Management/ back office staff. No cover name. **Real name will be published.**

Nominal	Minded To Position
HN127	Previously in August tranche: In October tranche, an application to restrict real name was made. In response to the Chairman's Minded To decision to refuse to restrict real name, the MPS DL team have accepted the offer of a closed hearing to make oral submissions on this application.
HN244	No application made. Management/back office staff. No cover name. **Real name will be published.**
HN301	Previously in September tranche: In October tranche, application for real name restriction order made. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN331	Previously in August tranche: In October tranche, application for real name restriction made. No cover name is known and officer now deceased. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN332	Previously in September tranche: In October tranche, application for real name restriction order made. Management/back office staff. No cover name. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN341	Previously in August tranche: In October tranche, application for real and cover name restriction order made. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real and cover name.

Nominal	Minded To Position
HN344	Previously in August tranche: In October tranche, an application to restrict at least the real name was made by the MPS CL team but further information is awaited before the Chairman can apply his mind to this application.
HN345	Previously in June/July tranche: In the October tranche, an application was made for a real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/11/17) to restrict the real name.
HN353	Application for real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. The Chairman will now consider this application.
HN356/124	Previously in September then moved from October tranche to November tranche: In November tranche, application for real name restriction order made by MPS CL team. Officer is deceased. Information received from family of deceased officer taken into account. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN1668	No application made. Management/ back office staff. No cover name. **Real name will be published.**
HN2152	No application made. Management/ back office staff. No cover name. **Real name will be published.**

30/11/17 tranche

Nominal	Minded To Position
HN9	Application for real and cover name restriction order. Further information required before the Chairman can reach a Minded To decision on this application.
HN13	Application for real name restriction order. Officer deceased. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN61	No application. Management/back office staff. No cover name. **Real name will be published.**
HN66	An application to restrict the real name was made by the MPS CL team but further information is awaited from the MPS DL team before the Chairman can apply his mind to this application. This application will be moved to a future tranche.
HN109	Application for real and cover name restriction. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name and cover name.
HN296	Application for real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN304	Application for real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.

Nominal	Minded To Position
HN339	Previously in September tranche: Application for real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN340	Application for real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN354	Application for real name restriction order. **Cover name will be published.** Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN356/124	Previously in September then moved from October tranche to November tranche: In November tranche, application for real name restriction order made by MPS CL team. Officer is deceased. Information received from family of deceased officer taken into account. Publication of the application and evidence awaits a decision on the future separation process: responses to the Consultation on Separation Process were received on 11/1/18. No direction yet set for responding to the Chairman's Minded To decision (published on 15/1/18) to restrict the real name.
HN819	No application. Management/back office staff. No cover name. Officer now deceased. **Real name will be published.**

Kate Wilkinson

15th January 2018