

FOR IMMEDIATE RELEASE

29 November 2018

PRESS NOTICE

New Inquiry hearing set to discuss privacy issues around personal information

The Undercover Policing Inquiry will hold a hearing on 31 January 2019 to [seek views](#) on how to comply with privacy laws, while conducting hearings in as transparent a way as possible.

The Inquiry has in its possession police reports which contain private information on thousands of individuals. In particular details of their political views and private discussions.

It would be disproportionate for the Inquiry to contact all of those individuals ahead of evidence hearings seeking their consent to publish their personal information.

Where individuals are not readily contactable the Inquiry has to decide whether to redact the information to protect the privacy rights of the individuals concerned.

However, this means documents could be very heavily redacted, to the point where the public may not be able to make any sense of them.

As a result, the Inquiry is holding a public hearing at the Royal Courts of Justice on 31 January 2019 to discuss how best to proceed.

Sir John Mitting, the Inquiry Chair has issued a [note and direction](#) calling for views on:

- how to provide individuals with privacy without undermining the public interest in the Inquiry being conducted as publicly as possible;
- whether the restriction protocol needs revision in light of new laws and experience;
- whether further guidance is needed in how to apply the restriction protocol; and
- whether the new laws have further consequences for the publication of other documents or taking of oral evidence.

The direction is accompanied by an [explanatory note](#).

Any core participant or media organisation that wishes to make representations on any of the issues in the direction should send their written submissions to the Inquiry by no later than **4pm on Thursday 10 January 2019**.

Fictional example documents

To help understand the issues involved, fictional illustrative example documents (for [Tranche 1](#) and [Tranche 3](#)) have been published alongside the direction. These reflect:

- the reporting by some officers and their reporting of opinions expressed;

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- the range of personal data that arises in evidence; and
- examples of the sorts of information in the public domain about individuals, the ways the Inquiry could try to contact people, and the limitations the Inquiry may face when doing so.

The names used in the fictional examples bear no relation to anyone alive or dead.

What changed since publication of the Restriction Protocol?

The General Data Protection Regulation and accompanying Data Protection Act 2018 have come into force since the Inquiry's [Restriction Protocol](#) was published in May 2017.

These give new rights to privacy that could impact on how the Inquiry:

- runs its investigations
- conducts evidence hearings; and
- shares information, including information published online.

Background

The purpose of the Undercover Policing Inquiry is to investigate and report on undercover police operations conducted by English and Welsh police forces in England and Wales since 1968.

The Inquiry will examine the contribution undercover policing has made to tackling crime, how it was and is supervised and regulated, and its effect on individuals involved – both police officers and others who came into contact with them.

The work of the Inquiry ranges across the full scope of undercover policing work and will look at the work of the Special Demonstration Squad, the National Public Order Intelligence Unit and police forces in England and Wales. The Inquiry will also examine whether people may have been wrongly convicted in cases involving undercover police officers, and refer any such cases to a separate panel for consideration.

The Inquiry's investigations are broken down into modules. The descriptions of modules Two and Three have been amended to spell out more clearly the Inquiry's investigative intentions.

One

Examination of the deployment of undercover officers in the past, their conduct, and the impact of their activities on themselves and others.

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Two

Examination of the management and oversight of undercover officers, including their selection, training, supervision, care after the end of an undercover deployment and the legal and regulatory framework within which undercover policing is carried out. Module Two (a) will involve managers and administrators from within undercover policing units. Module Two (b) will involve senior managers higher in the chain of command as well as police personnel who handled intelligence provided by undercover police officers. Module Two (c) will involve a number of other government bodies with a connection to undercover policing, including the Home Office.

Three

Examination of current undercover policing practices and of how undercover policing should be conducted in future.

NOTES TO EDITORS

1. The Undercover Policing Inquiry is constituted under the [Inquiries Act 2005](#)ⁱ.
2. The Inquiry's [terms of reference](#)ⁱⁱ were announced by the Home Secretary on 16 July 2015.
3. The Inquiry's [Strategic Review](#)ⁱⁱⁱ was published in May 2018.
4. The Inquiry's [Restriction Protocol](#)^{iv} was published in May 2017.
5. The Inquiry's [Frequently Asked Questions](#)^v document provides more information on the Inquiry more generally, as do its [published update notes](#)^{vi}.
6. The Inquiry's website is www.ucpi.org.uk and the Inquiry can be found on Twitter @ucpinquiry.

For further information please contact the Inquiry's Head of Communications, Patrick Coyne:

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ⁱ http://www.legislation.gov.uk/ukpga/2005/12/pdfs/ukpga_20050012_en.pdf

ⁱⁱ <http://www.gov.uk/government/news/home-secretary-announces-terms-of-reference-for-undercover-policing-inquiry>

ⁱⁱⁱ https://www.ucpi.org.uk/wp-content/uploads/2018/06/20180510-strategic_review.pdf

^{iv} <https://www.ucpi.org.uk/wp-content/uploads/2017/05/20170530-restriction-protocol-v1.0.pdf>

^v <https://www.ucpi.org.uk/wp-content/uploads/2017/10/20171031-FAQs.pdf>

^{vi} <https://www.ucpi.org.uk/communications/>