

THE UNDERCOVER POLICING INQUIRY

PUBLIC CONSULTATION ON THE APPROACH TO THE ADMINISTRATION OF EVIDENCE HEARINGS

RESPONSE ON BEHALF OF SECRETARY OF STATE FOR THE HOME DEPARTMENT

Introduction

1. These submissions are made on behalf of the Secretary of State for the Home Department ('the Secretary of State') for the purpose of the Inquiry's Consultation on the Approach to the Administration of Evidence Hearings.
2. By way of preliminary observation, the Secretary of State is committed to supporting the Inquiry to fulfil its terms of reference, and believes that the evidential hearings should be conducted in as open and transparent a manner as is possible given the difficult practical and security considerations that arise in the context of this public Inquiry.
3. The Secretary of State's position with respect to the particular matters raised for consultation is as follows.

The handling of evidential documents

4. In principle, the Secretary of State supports the publication of the statement of the witness giving oral evidence and, at the very least, the documents to which reference is made during that individual's oral evidence, where this is practicable and can be done without compromising sensitive material.
5. If an approach is taken whereby only those documents referred to in evidence are published on the Inquiry's website, it is important that the whole document is published, subject to redaction in accordance with the Inquiry's procedures, even if only part of the document has been referred to. This will ensure that the relevant passage can be read in its proper context.

The giving of oral evidence and facilities and support for witnesses on the day they give evidence

6. The Secretary of State recognises that giving evidence may be stressful for many of the witnesses who will attend the Inquiry. He supports the use of special measures, screening and private hearings where appropriate, as well as the measures identified at paragraph 2.5 of the consultation document.

Facilities for attendees

7. The Secretary of State agrees with the decision to provide an overflow room serviced by a live link transmission of proceedings to increase public access to the hearings.
8. Both wireless internet in the hearing room, and access to consultation rooms, will be essential to allow core participants to properly prepare for, and respond to issues that arise in, the hearings. The Secretary of State urges the Inquiry to ensure that such facilities (shared if necessary) are made available to core participants in the Inquiry.

Live streaming and/or an Inquiry managed internet channel

9. The Secretary of State submits that the starting point should be that Inquiry proceedings are live streamed. This is to the extent that live streaming can be achieved without adding to the distress of witnesses who are to give sensitive personal evidence, or without causing harm to the public interest. In these circumstances, he acknowledges that it may not be possible or appropriate to adopt a blanket approach with regard to live streaming and that exceptions may need to be made on a case-by-case basis.
10. If live streaming is to be permitted, it would be sensible to include a time delay to ensure that sensitive material that is inadvertently referred to during the hearings is not transmitted.

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