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

Application for a restriction order by “Wendy”

Ruling

“Wendy”

1. “Wendy” applies to be designated as a core participant in Category [L] and for a restriction order in respect of her name. The grounds of her application are set out in a detailed letter from her solicitors dated 27 November 2019. They were foreshadowed in less detail in emails sent on 16 January and 23 June 2019, in response to which I indicated that I would not be minded to grant the applications. I will now accede to both applications for the reasons set out below.
2. “Wendy” became a committed member of Croydon Hunt Saboteurs in 1997, one of the groups infiltrated by HN16. She was in a relationship with one of the leaders of the group. She can provide first-hand evidence of its activities and of the participation of HN16 in them. She also claims to be able to provide evidence about his participation in, as yet unspecified, criminal activity.
3. In the course of his deployment, HN16 befriended her, in particular at a time of acute emotional difficulty for her, in 2000. She says that he made use of their friendship to help him to embark on successive sexual relationships with two women known to her, “Sara” a new activist, and “Ellie”, not an activist but a woman with whom “Wendy” shared accommodation at the time. HN16 continued his friendship with “Wendy” until she discovered that he was an undercover police officer in April 2018.
4. I am satisfied that “Wendy” did play a direct and significant role in relation to the matters to which the Inquiry relates. It goes significantly beyond membership of an infiltrated group and may assist in getting to the truth about a problematic deployment. Her application was first intimated nine months after she discovered that HN16 was an undercover police officer. But for the fact that I am now satisfied that her participation in the Inquiry is necessary to permit it to get to the truth about this deployment, I would not have been minded to designate her a core participant on the ground of delay, without further explanation of the reasons for delay. Because I am so satisfied, no further explanation is needed.

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5. The public identification of “Wendy” would put at risk the restriction orders already made in respect of the names of “Sara” and “Ellie”. For that reason, I will make a restriction order in respect of her name as well.

Richard Chessum

6. On 5 December 2017, I designated Richard Chessum a core participant in Category [K]. He provided a detailed account of his interaction with HN297 during the latter’s deployment. He has valuable evidence to give about it which should assist the Inquiry to fulfil its terms of reference. The Inquiry intends to serve on him a request for a witness statement under rule 9 of the Inquiry Rules 2006 and to serve on him a package of documents to assist him to do so.
7. Mr Chessum will require legal assistance to provide that statement and to participate effectively in the Inquiry. He has asked that Paul Heron of Public Interest Law Centre be designated as his recognised legal representative. He represents other core participants in the same category. I will therefore designate him as Mr Chessum’s recognised legal representative.
8. I have been provided with evidence of his means, which I accept. They are not such that he could reasonably be required to fund his own legal costs. I therefore make an award of costs in his favour under section 40(2) of the Inquiries Act 2005 on the same terms as those which apply in the case of Paul Heron’s other core participant clients.

21 January 2020

Sir John Mitting
Chairman, Undercover Policing Inquiry