

UNDERCOVER POLICING INQUIRY

In the matter of section 19 (3) of the Inquiries Act 2005.

On the application of HN 78 for a restriction order in respect of his real name.

Ruling 17

1. There will not be a restriction order in respect of the real name of HN 78.

Reasons

2. HN 78 admits that he had a sexual relationship of some length with “Bea” during his deployment in his cover identity. “Bea” has a compelling claim to learn the real name of the man with whom she had that relationship unless that claim is defeated by other considerations. HN 78 has contended that it should be. For reasons which are set out in the closed note which accompanies this ruling, I am satisfied that it is not.
3. It was contended on behalf of HN 78 that if “Bea” were to be informed of his real name, a restriction order should be made which would impose on her an obligation not to disclose it to any person other than her legal representative. I reject that contention. His real name is personal information which she is entitled to know and to make lawful use of as she chooses. The ultimate effect of the order is that documents containing the real name of HN 78, including his witness statement, will not be redacted so as to remove his name and/or to substitute a cypher for it. The Inquiry will invite “Bea” to say whether she would like to receive prior disclosure to her. If so, the Inquiry will consult with her representatives and those of HN 78 as to the steps, if any, which the Inquiry should take before that ultimate stage occurs.
4. HN 78 also does not deny that he befriended “Jenny” and had one sexual encounter with her in the circumstances which she describes. The same course will be followed in her case as in that of “Bea”. In both cases, there are human sensitivities involved on all sides which the Inquiry wishes to handle in a manner which respects them.

22 January 2020

Sir John Mitting
Chairman, Undercover Policing Inquiry