



Ninth Update Note

JULY 2020

UNDERCOVER
POLICING
INQUIRY



Introduction

This is the Undercover Policing Inquiry's ninth update note.

Inquiry update notes provide a snapshot of the Inquiry's recent, current and planned work in getting to the truth of undercover policing and delivering recommendations for the future. In addition, the Inquiry publishes all information on its website, updates on progress via its [Twitter](#) and [Facebook](#) accounts and regularly meets and corresponds with Core Participants.

In this update note, you will find:

- An outline of activity since July 2019 – including the Inquiry's primary publications and announcements;
- Updates on Inquiry activity and progress, including the conduct of the virtual evidence hearings in November 2020;
- Key statistics on anonymity applications and other parts of the Inquiry's work;
- An updated timeline of the Inquiry's key milestones.

Over the last 12 months, the Inquiry has primarily focused on preparations for the Inquiry's first evidence hearings. Opening statements are due to begin on Monday 2 November 2020, with evidence hearings starting on Wednesday 11 November.

These first evidence hearings will cover the first phase of Tranche 1: Special Demonstration Squad (SDS) officers and managers and those affected by deployments between 1968 and 1982. Preparations have included obtaining witness statements and applying any necessary redactions to evidence before it is ready to form part of the hearing bundle, as well as establishing hearing logistics and arrangements for witnesses and attendees.

Other work during this period has included establishing the Inquiry's approach to the disclosure of photographs and determining the remaining real-name anonymity applications from SDS officers - a process which is now substantively complete - as well as progressing investigations on Tranche 2: SDS officers and managers and those affected by deployments between 1983 and 1992.

To support the communication of the Inquiry's work – particularly to those that are new to the Inquiry – a series of explainer videos have been produced, which are available on various pages of the Inquiry's website and on the [Inquiry's YouTube channel](#).

The coronavirus (COVID-19) outbreak and

consequent social distancing and travel restrictions have significantly disrupted both the work of the Inquiry and its core participants. On 23 March 2020, the Inquiry had to temporarily close its offices and ask staff to work from home. The Inquiry's first evidence hearings – originally scheduled for June 2020 – also had to be postponed.

Despite these challenges, the Inquiry's investigative work has continued. After a detailed risk assessment and the introduction of stringent

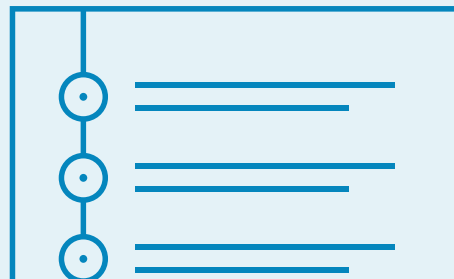
measures to ensure staff safety and continued compliance with government guidance, the Inquiry reopened its offices to a limited number of staff members on 4 May 2020.

The Inquiry had to temporarily close its offices again between 18 July and 9 August for the [installation of a upgraded IT system](#).

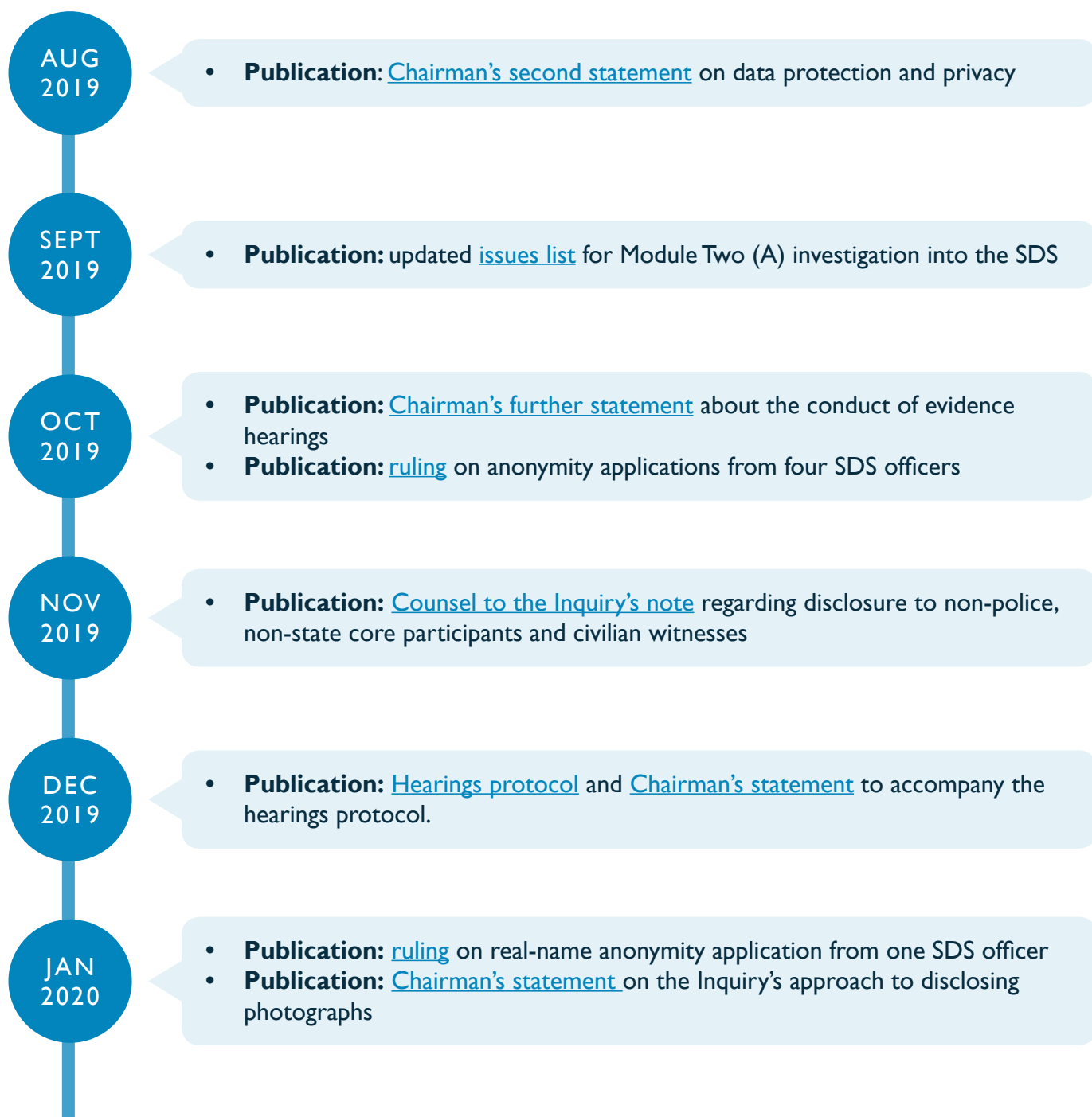
The Inquiry remains on track to start hearings in November 2020.

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Outline of activity since July 2019



FEB
2020

- **Publication:** [ruling](#) designating “Mary” as a core participant, bringing the total number of core participants in the Inquiry to 233

MAR
2020

- **Announcement:** the Inquiry’s first evidence hearings in June 2020 [postponed](#) due to coronavirus (COVID-19)

APR
2020

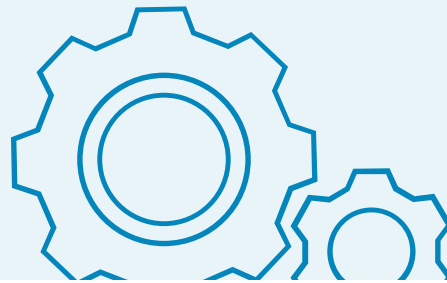
- **Publication:** [Chairman’s statement](#) on special measures applications by former undercover police officers in Tranche I
- **Publication:** [Chairman’s second statement](#) on the Inquiry’s approach to disclosing photographs

JUN
2020

- **Publication:** [Chairman’s statement](#) about the conduct of Tranche I evidence hearings

JUL
2020

- **Publication:** [Chairman’s second statement](#) about the conduct of Tranche I evidence hearings



Overview of Inquiry activities and progress

Evidence hearings

The Inquiry will consider the undercover policing activities of officers and managers and those affected by deployments in Tranches ordered chronologically.

Evidence hearings for Tranche 1 are due to start in November 2020 and will focus on officers and managers in the SDS active between 1968 and 1982. This Tranche will also include evidence from non-state core participants and witnesses affected by these officers' deployment.

The Inquiry has split hearings for Tranche 1 into three phases. In phase 1, the Inquiry will hear from undercover officers and non-state witnesses about the SDS – which was initially called the Special Operations Squad – between July 1968 and the end of 1972 approximately. Opening statements and phase 1 evidence hearings will run from Monday 2 November to Friday 20 November. In phase 2, the Inquiry will hear from undercover officers and non-state witnesses about the SDS between 1973 and 1982. These evidence hearings are expected to start on 25 January 2021. In phase 3 evidence hearings, the Inquiry will hear from SDS managers (1968-1982). Dates for phase 3 will be announced in due course.

Special measures

Ordinarily, a witness called to give evidence at open hearings will be expected to provide their evidence in public, in full view of those attending.

However, witnesses can request special measures to protect restricted identities or information, or because of their health or location. Special measures could include counselling, a hearing loop or giving evidence via a video-link.

On 7 April 2020, before the decision to conduct hearings in November virtually, the Chairman issued a [statement](#) in response to special measures applications invited from former undercover officers who will give evidence in Tranche 1. Key decisions outlined in the statement that remain relevant to the November hearings include:

- In the interest of transparency, the Chairman declined requests for officers to be screened from public view or to have their voices modulated.
- Photographs and video or audio recordings in the hearing venue will be strictly prohibited.

Conduct of Tranche 1 evidence hearings

Due to the social distancing measures expected to be in place and the fact that many of the proposed witnesses fall into a higher risk group, the hearings in November will be virtual and conducted remotely.

The hearings will start with seven days of opening statements. Those given live will be live-streamed on the Inquiry website with a five-minute delay. Recorded and written opening statements will also

be published on the Inquiry website.

The evidence hearings will be live-streamed – in real-time – to a central London venue open to core participants, the media and the general public. The venue can accommodate approximately 100 people sitting two metres apart.

No one attending a hearing will be required to surrender a handheld communication device and will be permitted to use it, silently, to transmit the content of evidence after a 10-minute delay. A restriction order will be in place prohibiting transmission before that time has elapsed. Anyone wishing to attend the hearings should register via the Inquiry website between Monday 5 October and 4 pm on Friday 23 October. Subject to availability, attendees will be permitted without prior registration. All attendees will be required to provide their name, email address and telephone number for security reasons and to facilitate tracing arrangements related to the coronavirus

(COVID-19) outbreak.

At the end of each hearing day, the Inquiry intends to publish a transcript of the hearing, together with any documents (e.g. witness statements and supporting evidence) referred to that day. Audio recordings of the open proceedings will be made to provide a permanent record of the proceedings and the basis for the production of a transcript but will not be published.

Hearings for phase 2 of Tranche 1 are expected to have similar arrangements to phase 1. However, the arrangements for Tranche 1 are not intended to be a template for future Tranches.

Further information can be found in the [Chairman's second statement](#) about the conduct of Tranche 1 evidence hearings, which was published on 23 July 2020.

KEY DATES FOR TRANCHE 1 HEARINGS

Deadline for Designated Lawyers to notify Inquiry where each witness they represent will give evidence from	Friday 4 September 2020
Deadline for non-state core participants to notify Inquiry of preferred order of their opening statements	4 pm on Friday 2 October 2020
Online registration for November's evidence hearings	Monday 5 October 2020 – 4 pm on Friday 23 October 2020
Opening statements and evidence hearings for phase 1 of Tranche 1	Monday 2 November 2020 – Friday 20 November 2020
Intended start date of evidence hearings for phase 2 of Tranche 1	Monday 25 January 2021

Arrangements for evidence hearings in November

PROCEEDINGS CONDUCTED VIRTUALLY VIA VIDEO CONFERENCE



Witness and their Recognised
Legal Representative team

Single or multiple remote location(s)



Chairman, Counsel to the Inquiry
and other Inquiry team members

Multiple remote locations



PROCEEDINGS LIVE STREAMED TO HEARING VENUE



Other core participants and their legal representatives,
the media and general public

Hearing venue in central London

Capacity: 100 (with attendees 2m apart)

Includes three smaller rooms for legal teams of core participants.

Overview of schedule for hearings in November

OPENING STATEMENTS	Mon 2 Nov	AM	Counsel to the Inquiry	
		PM		
	Tues 3 Nov	AM	State core participants and former undercover police officers	
		PM		
	Wed 4 Nov	AM	Order: Metropolitan Police Service, National Police Chief's Counsel, National Crime Agency, Home Office, Designated Lawyers (DL), Mark Kennedy ¹	
		PM ²		
	Thurs 5 Nov	AM		
		PM		
	Fri 6 Nov	AM		Non-state core participants (NSCPs)
		PM		
Mon 9 Nov	AM	Order: Peter Francis, category M (families of police officers) core participants, other non-state core participants ³		
	PM			
Tues 10 Nov	AM			
	PM			
EVIDENCE HEARINGS	Wed 11 Nov		TBC	
	Thurs 12 Nov			
	Fri 13 Nov			
	Mon 16 Nov			
	Tues 17 Nov			
	Wed 18 Nov			
	Thurs 19 Nov			
	Fri 20 Nov			

¹ Currently, Slater & Gordon and Clyde & Co have not indicated whether they wish to make an opening statement. Should they wish to do so, they will follow Mark Kennedy.

² After 3 pm.

³ Counsel for the remaining NSCPs will make their statements in the order notified to the Inquiry by 4 pm on Friday, 2 October 2020 or, in default of notification, determined by the Inquiry.

Preliminary issues

Privacy

Photographs

The Chairman has issued two statements setting out the Inquiry's approach to disclosing photographs of undercover officers taken at the time of their deployment. The [first](#) was published on 29 January 2020 and the [second](#) on 7 April 2020. In the second statement, the Chairman decided that:

1. Contemporaneous photographs of undercover officers produced to the Inquiry by civilian witnesses will be posted on the Inquiry website along with their witness statements¹.
2. For contemporaneous photographs of undercover officers whose cover name has been released, produced from Police archives or by former Special Demonstration Squad and National Public Order Intelligence Unit officers and staff, the following process will apply:
 - Photographs will be provided to the recognised legal representatives of core participants and witnesses, subject to a restriction order that requires the legal representative to keep the photograph in their possession and not to permit it to be photographed or otherwise copied. The legal representative will be free to show the photograph to the named core participant or witness.
 - If any of them (core participant, witness or legal representative) consider that the photograph should be shown to any other named individual or individuals to afford them the opportunity to provide relevant information to the Inquiry, they should apply to the Inquiry for the restriction order to be varied to permit that to occur. Unless there is good reason to refuse, permission will be given.
 - When a core participant or witness is not represented, a member of the Inquiry staff

will show the photograph to them.

- If the core participant or witness suggests that it would be of assistance to the Inquiry to show the photograph to another person or persons that suggestion will be considered and, if worthwhile, will be put into effect by the Inquiry.

Witness statements

All witness statements requested from former undercover police officers and civilian witnesses for Tranche 1 have now been received. Work to obtain witness statements from managers in Tranche 1 is ongoing.

For Tranche 2, a quarter of the witness statements from former undercover police officers have been received.

Anonymity applications

Every participant in the Inquiry has the right to request anonymity through a restriction order.

Further information on anonymity can be found on the Inquiry website [here](#).

Special Demonstration Squad (SDS)

The process for determining anonymity applications from former SDS officers and managers is now substantively complete.

In total, 165 SDS officers have been included in the anonymity process and a further four have had their real and cover names published without being included in the process. Of the 169, 52 are management or back-office staff and 117 are undercover police officers.

[Sixty-nine cover names](#) along with a list of 83 groups that the SDS was known to have infiltrated have now been published on our website to enable

¹ Where practicable, those likely to be affected will be given advance notice and the opportunity to apply for a restriction order.

members of the public to determine whether they have been affected by undercover policing and to come forward with evidence. In some cases, the cover names may not be known – for instance, where no record of the cover name has been found and the officer is deceased.

Further statistics on anonymity applications from former SDS officers are shown on page 13. These may change if new officers are uncovered or come forward at a later date.

National Public Order Intelligence Unit (NPOIU)

In total, there are 67 NPOIU officers who have been included in the anonymity process. Of the 67, 22 are undercover officers and 45 are management staff.

Four NPOIU officers did not pursue applications to restrict their cover names, and they have already been identified on the Inquiry website: “Mark Stone”/Mark Kennedy, “Lynn Watson”, “Rod Richardson” and “Marco Jacobs”. The Inquiry will publish a table of cover names for NPOIU officers in due course.

Further statistics on anonymity applications from NPOIU officers are on page 14. These may change if new officers are uncovered or come forward at a later date.

Non-state core participants and witnesses

All anonymity applications submitted by non-state core participants and witnesses have now been processed; where further individuals come forward or are contacted, the question of anonymity is considered at the outset of the individual’s engagement with the Inquiry.

For non-state core participants and witnesses – including women deceived into relationships with undercover officers - anonymity has been granted to 32 individuals.

Issues lists

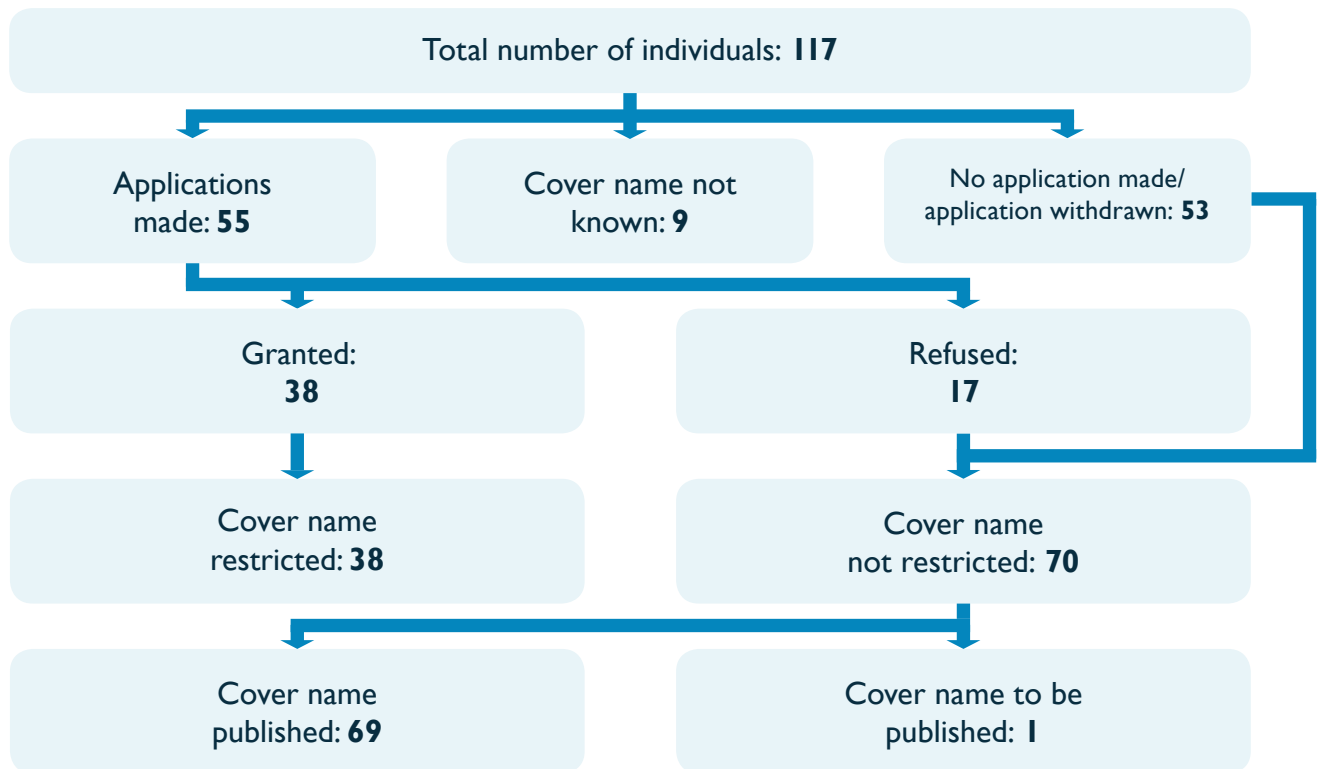
Another key milestone in the preparation for hearings are the issues lists that identify the focus and direction of the Inquiry’s investigations. The Inquiry has now published four lists.

- 1. Module One investigation into the SDS:** The [list](#) was published before the period covered by this update note.
- 2. Module One investigation into the NPOIU:** The [list](#) was published before the period covered by this update note.
- 3. Module One investigation into other policing operations:** The [list](#) was published before the period covered by this update note.
- 4. Module Two (a) investigation into the SDS:** The [draft list](#) was released for consultation on 27 February 2019, with the [list](#) published on 30 September 2019. The updated list now includes 219 questions, covering a range of issues including the origins and structure of the SDS, recruitment practices, training and guidance, targeting and authorisation, and reporting.

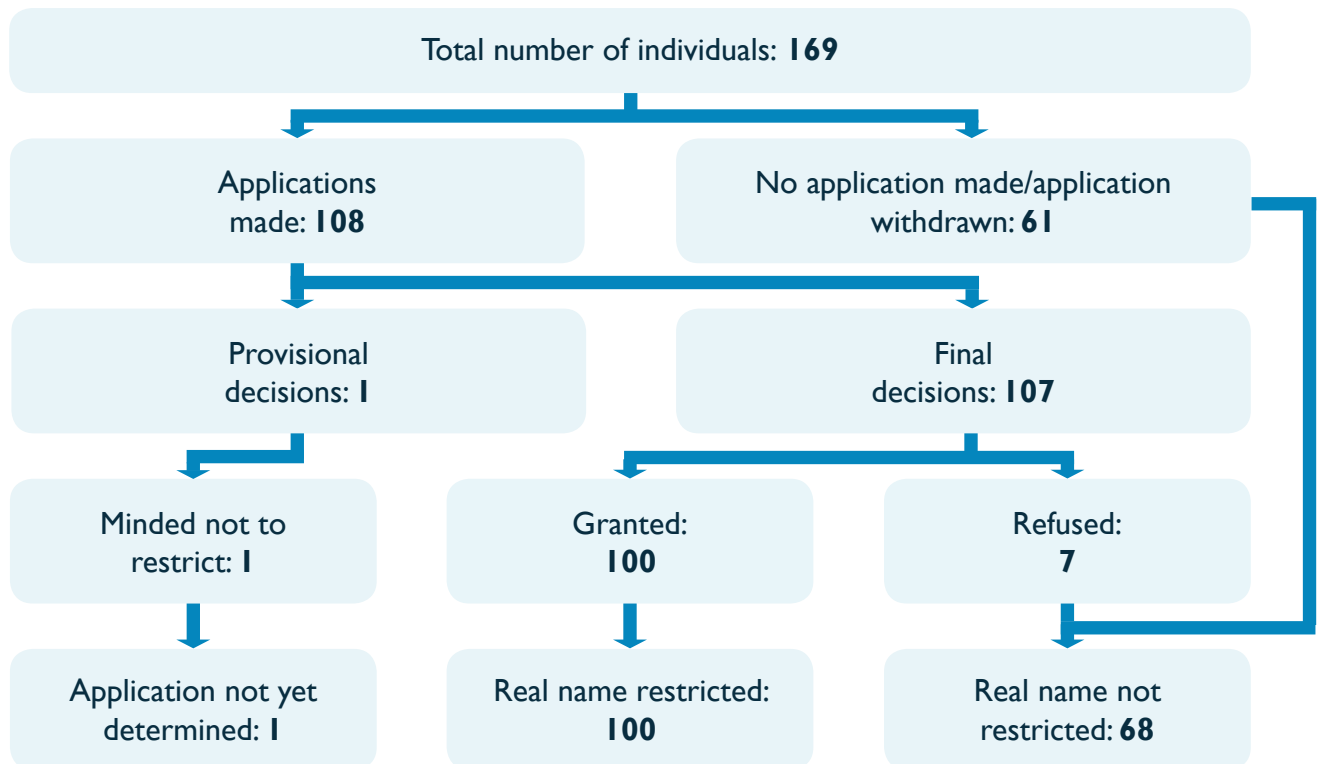
Costs

As of 30 June 2020, the Inquiry has spent £29,729,500. A full breakdown of the Inquiry costs is available [here](#). These costs are updated on a quarterly basis. The Chairman is supported by a team of around 90 staff.

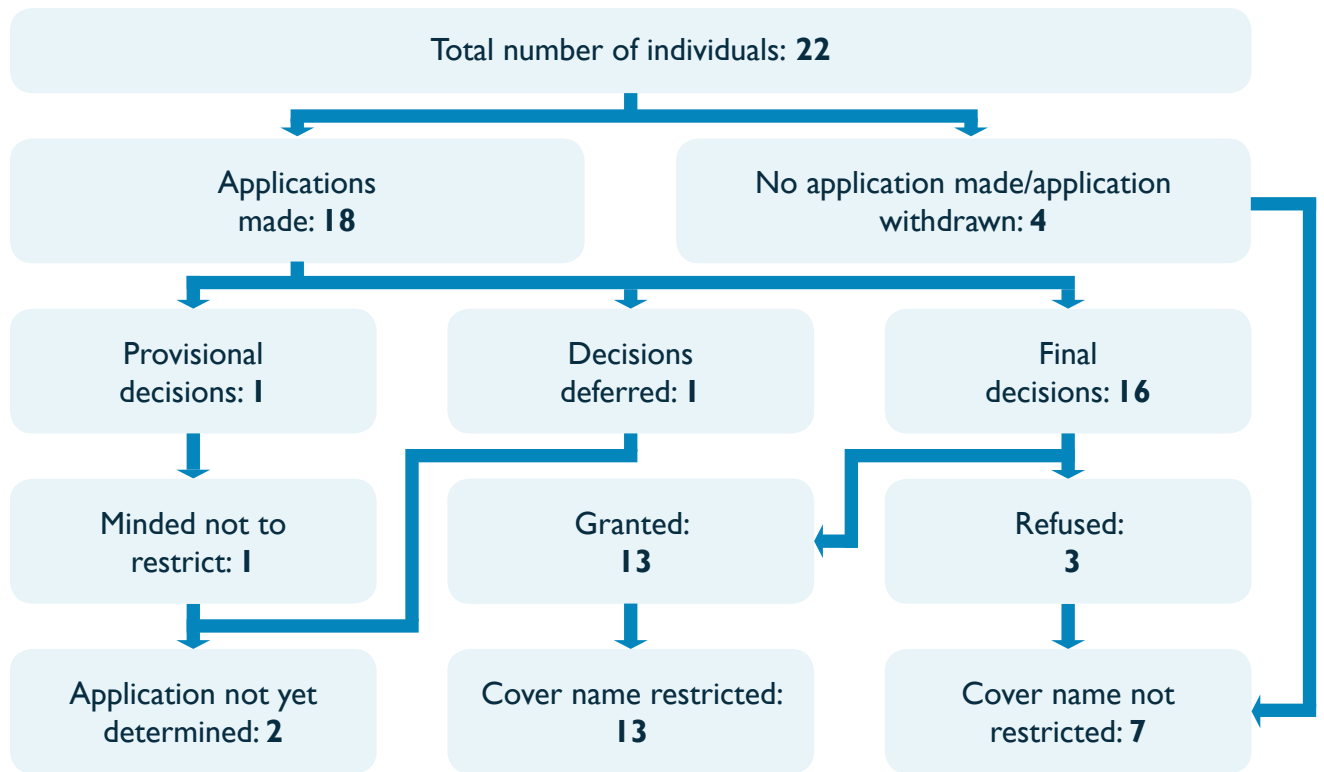
Cover names (former SDS undercover police officers)



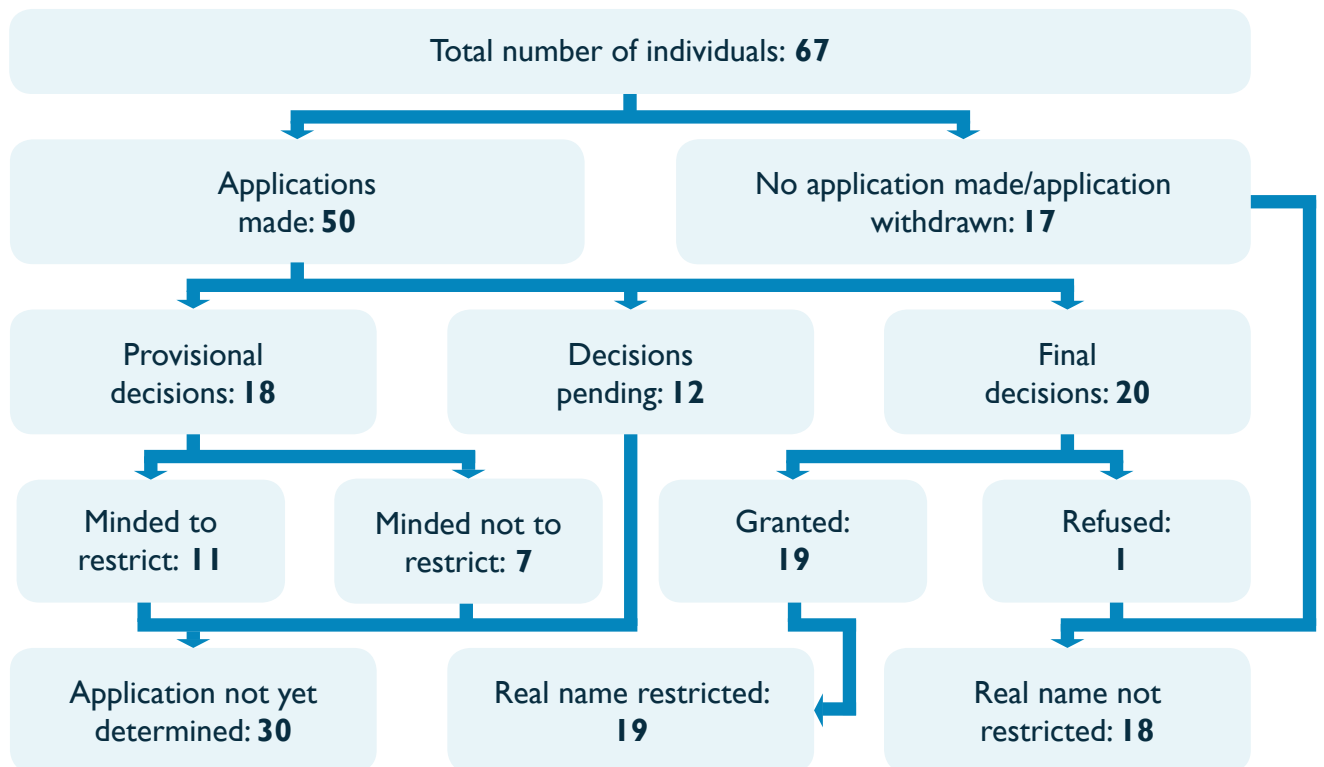
Real names (all former SDS staff)

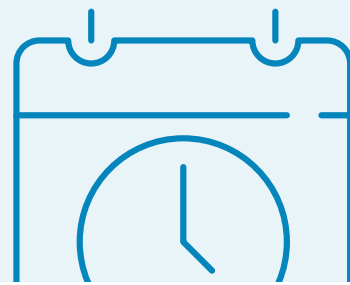


Cover names (NPOIU undercover police officers)



Real names (all NPOIU staff)





Inquiry timetable

The timetable that follows sets out Inquiry projections for its future stages. Although there remains some uncertainty around the completion date for certain stages, those milestones on which the dates are more certain are listed.

To manage such a broad remit, the Inquiry has divided its work for Modules One and Two into the following six “Tranches”:

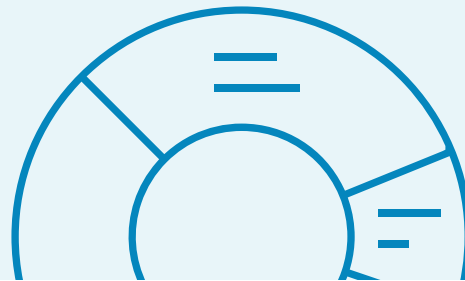
1. SDS officers and managers and those affected by deployments (1968-1982)
 - i. Phase 1: SOS officers and those affected by deployments (1968-1972)
 - ii. Phase 2: SDS officers and those affected by deployments (1973-1982)
 - iii. Phase 3: SDS managers (1968-1982)
2. SDS officers and managers and those affected by deployments (1983-1992)
3. SDS officers and managers and those affected by deployments (1993-2007)
4. NPOIU officers and managers and those affected by deployments
5. Other undercover policing and those affected by deployments
6. Management & oversight by mid and senior rank officers, other agencies and government departments

The table will be updated with additional dates on the Inquiry website on a quarterly basis. It is intended that all witnesses required or invited to take part in evidence hearings will be notified six months prior to commencement that the Inquiry would like them to give evidence with an indicative date of when this is likely to be and a more specific indication closer to the time.

TRANCHE 1	TRANCHE 2	TRANCHE 3	TRANCHE 4	TRANCHE 5	TRANCHE 6
Completion of anonymity applications ¹	Completion of anonymity applications	Completion of anonymity applications	Completion of anonymity applications	TBA	Completion of anonymity applications
COMPLETE	COMPLETE	COMPLETE	TBA	TBA	TBA
Obtaining witness statements from officers and those affected by deployments	Obtaining witness statements from officers and managers	Obtaining witness statements from officers and managers	Obtaining witness statements from officers and managers	TBA	Obtaining witness statements from senior managers
COMPLETE	MAY 2019 - OCT 2020	TBA	TBA	TBA	TBA
Obtaining witness statements from managers	Obtaining witness statements from those affected by deployments	Obtaining witness statements from those affected by deployments	Obtaining witness statements from those affected by deployments	TBA	Obtaining witness statements from other agencies, government departments and senior decision-makers
DEC 2019 - MAY 2020	TBA	TBA	TBA	TBA	TBA
Anticipated commencement of hearing	Anticipated commencement of hearing	Anticipated commencement of hearing	Anticipated commencement of hearing	Anticipated commencement of hearing	Anticipated commencement of hearing
NOV 2020	TBA	TBA	TBA	TBA	TBA
Closing submissions for Modules One and Two					
TBA					
Publication of interim report					
TBA					

¹ There may be a few instances where new individuals are uncovered or come forward at a later date.

Module Three
Panel Members for Module Three in place
TBA
Closing submissions for Module Three
TBA
Module Three completed and delivery of Final Report to Home Secretary, ahead of publication
TBA



Other Inquiry statistics

Core participants and other associated parties

- Core participants: **233**
- Number of core participants receiving funding for legal costs: **211**
- SDS and NPOIU staff identified as potentially having relevant evidence to give: **233**

Witness statements¹

- Investigation files completed: **112**
- Officer witness statements requested as part of substantive investigations: **52**
- Officer witness statements received as part of substantive investigations: **46**
- Civilian witness statements requested as part of substantive investigations: **10**
- Civilian witness statements received as part of substantive investigations: **11**

Publications

- Directions published: **43**
- Rulings and notes published: **149**
- Orders published: **147**

Hearings

- Days of preliminary hearings: **17**

Further information on the Inquiry can be found in [our FAQs](#) and on [our website](#).

¹ These figures only includes witness statements requested and received in relation to the Inquiry's substantive investigations. This does not include the total number of requests for information made by the Inquiry including those in relation to preliminary issues such as deceased children's identifies, privacy, standard of proof and undertakings.



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