

UNDERCOVER POLICING INQUIRY

OPENING STATEMENT ON BEHALF OF THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

INTRODUCTION

1. The Secretary of State for the Home Department (the “Home Secretary”) is one of the Inquiry’s core participants and she represents the interests of the Home Office at this Inquiry.¹
2. Undercover policing plays a vital role in tackling serious crime and keeping the public safe. The Home Secretary recognises the significant concerns about the way in which undercover policing has operated in the past, and it is for that reason that her predecessor established this Inquiry: to get to the truth of those events and ensure that lessons are learnt for the future.
3. This Opening Statement is not intended to provide an exhaustive overview of all matters of potential relevance to the Home Office at this Inquiry. Rather, it is an opportunity to address certain issues at the outset of the evidential hearings. We address the genesis of the Inquiry and the role played by the then Home Secretary in setting it up. We also address the further work of the Home Office with regard to the Inquiry since its inception. We provide an overview of the constitutional and regulatory framework as it relates to the Home Office and undercover policing. We also consider the issues before the Inquiry of greatest relevance to the Home Office with Module 1, Tranche 1² and the work of the Metropolitan Police’s Special Demonstration Squad (“SDS”³) particularly in mind.

¹ That is subject to an important exception relating to the Home Office’s role as sponsoring department of this Inquiry. That sponsorship function has been segregated from the core participant function since the start of the Inquiry in 2015, as noted in the *Chairman’s Opening Remarks* of 28 July 2015, paragraph 25 <https://www.ucpi.org.uk/wp-content/uploads/2015/07/Opening-Remarks.pdf>.

² Module 1 is the examination of the deployment of undercover officers in the past, their conduct and the impact of their activities on themselves and others. Tranche 1 covers the SDS officers and managers and those affected by deployments (1968-1982).

³ The squad was initially known as the ‘Special Operations Squad’.

GENESIS OF THE INQUIRY AND THE ROLE OF THE HOME SECRETARY AND HOME OFFICE

4. The *Opening Remarks* of the Inquiry's first Chair, Sir Christopher Pitchford, on 28 July 2015 addressed the genesis of the Inquiry and the role played by the former Home Secretary, Rt Hon Theresa May MP, in bringing it into existence. We include the relevant part of the *Opening Remarks* in the Appendix for convenience.⁴
5. The actions of the then Home Secretary, which culminated in establishing this Inquiry, were accompanied by statements expressing her significant concern about what had occurred.
6. By way of example, in her statement to the House of Commons on 6 March 2014,⁵ Theresa May said that the findings of the Ellison review⁶ were deeply troubling and profoundly shocking and that the greatest possible scrutiny was needed into what had taken place. She concluded that, in her opinion, only a public inquiry would be able to get to the full truth behind the matters of concern contained in the report. She stressed the importance of undercover operations as a vital part of protecting the public but added that they require detailed supervision and constant reassessment, to ensure that what is being done is justified and that public trust and confidence in the police is maintained.
7. In a written statement on 14 October 2014,⁷ she made clear that the use of undercover police officers was an area of significant public and parliamentary interest in the light of the issues identified in the Ellison and Operation Herne reports. She added that while the issues identified in those reports were historic, the public must have confidence

⁴ The full *Opening Remarks* can be found at <https://www.ucpi.org.uk/wp-content/uploads/2015/07/Opening-Remarks.pdf>

⁵ <https://hansard.parliament.uk/Commons/2014-03-06/debates/14030652000002/EllisonReview?highlight=undercover%20police#contribution-14030652000112>

⁶ The Stephen Lawrence Independent Review, Mark Ellison QC, 6 March 2014.

⁷ <https://hansard.parliament.uk/Commons/2014-10-14/debates/14101466000011/UndercoverPolicing?highlight=undercover%20policing#contribution-14101466000040>

that the behaviour described was not still happening and could not happen in the future.

8. The Inquiry was established and the then Chair delivered his opening remarks on 28 July 2015. As a core participant, the Home Secretary has cooperated fully with the Inquiry since it was set up. The Home Office's approach has been open and transparent and it has undertaken an extensive disclosure exercise, both in response to specific requests from the Inquiry and also on a wider voluntary basis. The Home Office has liaised closely with the Inquiry in the conduct of its disclosure exercise. Approximately 6,000 documents have been disclosed to the Inquiry to date and more will shortly be disclosed covering issues of relevance to later tranches. With the exception of the material that has been disclosed by the Inquiry during T1P1, the Home Office has not had sight of the disclosure made by other core participants, or other state bodies, including the Metropolitan Police Service.
9. The Home Office welcomes the commencement of the evidential hearings and notes the terms of section 17(3) of the Inquiries Act 2005 and, in particular, the need for any decision as to the procedure or conduct of the Inquiry to be undertaken with regard to the need to avoid any unnecessary cost, including to public funds. It is hoped that the Inquiry will be able to continue its consideration of the issues in an expeditious and cost-effective manner.

THE CONSTITUTIONAL AND REGULATORY FRAMEWORK

10. The Inquiry's terms of reference require it to:

"inquire into and report on undercover police operations conducted by English and Welsh police forces in England and Wales since 1968".

11. It is helpful at this stage to provide an overview of the constitutional and regulatory framework as it relates to the Home Office and policing generally and undercover policing specifically during this period.

The Tripartite system of police accountability

12. The Police Act 1964 introduced what became known as the “*tripartite system of police accountability*” under which:
 - a. the Home Secretary was accountable to Parliament for the overarching efficiency and effectiveness of the police service, as well as the maintenance of minimum service standards;
 - b. police authorities were responsible for setting the strategic direction for each force and holding the chief constable to account on behalf of the local community; and
 - c. chief constables were responsible for the operational effectiveness of individual police forces.
13. During the 1990s, reforms introduced by the Police and Magistrates’ Courts Act 1994, and the Police Act 1996, streamlined the roles of the three tri-partite governance bodies⁸. In 2012, police authorities across England and Wales were abolished by the Police Reform and Social Responsibility Act 2011 (‘the 2011 Act’)⁹ and replaced by elected local policing bodies which, in most cases, are Police and Crime Commissioners (‘PCCs’).¹⁰
14. Under the 2011 Act, the Home Secretary remains responsible to Parliament for policing policy, and chief constables retain responsibility for the direction and control of the police force. The role of PCCs is to hold chief constables to account for the full range of their responsibilities. PCCs are overseen by Police and Crime Panels composed of

⁸ Under these Acts, (a) the Home Secretary was responsible for national planning and financing; (b) police authorities were responsible for maintaining an efficient and effective police force; and (c) and chief constables remained responsible for all operational matters.

⁹ Police Reform and Social Responsibility Act 2011, s.1(9). With the exception of the Common Council which continues to be the police authority for the City of London police under the City of London Police Act 1839.

¹⁰ Police Reform and Social Responsibility Act 2011, s. 3. Elected Mayors in London and Greater Manchester also have PCC functions.

representative members of local authorities, whose role is to effectively scrutinise the actions and decisions of the PCC.¹¹

The role of the Home Secretary

15. The role of the Home Secretary in relation to policing is described in the Policing Protocol Order 2011 in the following terms:

“The Home Secretary is ultimately accountable to Parliament and charged with ensuring the maintenance of the Queen’s Peace within all force areas, safeguarding the public and protecting our national borders and security. The Home Secretary has reserved powers and legislative tools that enable intervention and direction to all parties, if it is determined by the Home Secretary that such action is necessary in order to prevent or mitigate risk to the public or national security...

The Home Secretary retains the legal accountability for national security and the role that the police service plays within the delivery of any national response. The Home Secretary has a duty to issue a Strategic Policing Requirement that sets out what are, in her view, the national threats at the time and the appropriate national policing capabilities that are required to counter them”¹²

16. Responsibility for police wrongdoing lies with the head of the relevant police force and the local elected policing body, or police authority, in question. The Home Office also sponsors the Independent Office for Police Conduct (IOPC) to oversee the complaints system and investigate the most serious and sensitive cases relating to the conduct of the police. Where alleged police wrongdoing is on a national scale, or such as to undermine public confidence in the police service as a whole, the Home Secretary will, where appropriate, take action to ensure that the effectiveness of the whole police

¹¹ Explanatory Notes to the Police Reform and Social Responsibility Act 2011.

¹² The Policing Protocol, paragraphs 28-29 and the Policing Protocol Order 2011, Schedule 1 (SI 2011/2744).

system is not undermined, for example through regulation or legislation or, less commonly, by announcing a public inquiry.¹³

17. Throughout the period under consideration by the Inquiry, the Home Secretary has had a role in: (a) allocating police funding; (b) making regulations as to the government, administration and conditions of service of police forces¹⁴; and (c) setting national policy, including through Home Office guidance and circulars¹⁵. Under the 2011 Act, the Home Secretary is now also required to issue a policing protocol setting out for the elected policing bodies, the Police and Crime Panels, and chief officers how their powers will be exercised in relation to one another.¹⁶ Finally, the Home Secretary has certain powers in relation to Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services ('HMICFRS')¹⁷.

Police accountability

18. Operational matters have always been the exclusive responsibility of chief constables, as was emphasised in *R v Commissioner of Police of the Metropolis ex parte Blackburn* [1968] 2 QB 118 at 123:

"... In relation to duties of law enforcement the police are not responsible to the Secretary of State for Home Affairs or to police authorities. The views of the Government as stated in 1958 were that the full responsibility for enforcement is a matter which is reserved entirely to the chief officer of police; in the exercise of this responsibility he is answerable to the law alone

¹³ See, *Sixth Preliminary Hearing: Legal Principles to be Applied to Applications for Restriction Orders, Submissions on Behalf of Secretary of State for the Home Department* dated 12 February 2016, Annex A, para. 6.

¹⁴ Police Act 1964, s.33; Police Act 1996, s.50.

¹⁵ Circulars issued for the guidance of the police do not, of themselves, have the force of law although in practice they reflect policies and directions that derive from the Home Secretary's statutory powers or the Royal Prerogative (*R v Secretary of State for the Home Department, Ex parte Northumbria Police Authority* [1988] 2 WLR 590).

¹⁶ Police Reform and Social Responsibility Act 2011, s.79.

¹⁷ Police Act 1964, ss. 28D and 38; Police Act 1996, ss. 40 and 54.

and not to any police authority... The police are under the law, and it is the law which is the policeman's master..."

19. In a memorandum submitted to the Home Affairs Select Committee in 1984, the Home Office described the position with respect to accountability for Special Branch in the following terms:

"The Special Branch of a force is in the same position as any other part of the police service. The relationships, set out in the Police Act 1964, between chief officers of police, the police authorities and the Home Secretary, apply in just the same way..."¹⁸

20. The operations of the Security Service are under the control of a Director-General appointed by the Home Secretary who is answerable to Parliament for the work of the Security Service¹⁹.

The Home Secretary as the police authority for the Metropolitan police – 1964-1999

21. Between 1964 and 31 December 1999, the Home Secretary was the police authority for the Metropolitan Police Service²⁰ (then known as the Metropolitan Police). In 1987, the Public Accounts Committee referred to the *"unique constitutional and operational position"* of the Metropolitan Police which meant that accountability for the force should be to Parliament through the Home Secretary.²¹
22. During the time that the Home Secretary was the police authority for the Metropolitan Police, the Permanent Under Secretary of the Home Office (as Accounting Officer for

¹⁸ Fourth Report from the Home Affairs Committee, Session 1984-85, *Special Branch*, Minutes of Evidence, p.97, Memorandum Submitted by the Home Office, *Police Special Branches*, para. 12.

¹⁹ Security Service Act 1989, ss.1-2. The Security Service is not a core participant in this Inquiry and is not represented by the Home Office legal team.

²⁰ Police Act 1964, schedule 8; Police Act 1996, s.101.

²¹ Public Accounts Committee, 45th Report of 1987, as quoted in Hansard: HC Deb (3 December 1987) vol 123 col 1193.

Home Office expenditure²²) was required to account for the distribution of the police grant to the Metropolitan Police, and the adequacy of the systems of financial control. The Accounting Officer had this role, notwithstanding the fact that control of the Metropolitan Police Fund accounts lay with the Receiver of the Metropolitan Police and the Commissioner had operational control of the force, because the Metropolitan Police line of financial accountability to Parliament ran through the Home Secretary as police authority. The National Audit Office audited the Metropolitan Police to ensure that the expenditure of the grant payment had been properly incurred.²³

23. From 1995 until the creation of the Metropolitan Police Authority in 2000, the Home Secretary was assisted in her capacity as police authority by the Metropolitan Police Committee ('the MPC'). The MPC was a non-statutory non-departmental public body and all members of the MPC were appointed by, and directly accountable to, the Home Secretary.²⁴ The MPC provided the Home Secretary with assistance and advice, including in setting the budget for the Metropolitan Police; approving and publishing costed policing plans; setting objectives and monitoring the force's performance; and holding the Commissioner to account for the delivery of the agreed objectives²⁵.
24. On 1 January 2000, the Metropolitan Police Authority ('MPA') was created replacing the Home Secretary as the police authority for the Metropolitan Police²⁶. In 2012, the functions of the MPA were transferred to the Mayor's Office for Policing and Crime²⁷, the elected policing body responsible for the Metropolitan Police under the 2011 Act.

²² In accordance with the Exchequer and Audit Department Act 1866.

²³ Select Committee on Public Accounts, *Management of Sickness Absence in the Metropolitan Police Service*, HC 594, Minutes of Evidence, Memorandum submitted by the Home Office (PAC/170).

²⁴ White Paper, *Police Reform; a Police Service for the Twenty-First Century*, June 1993, CM 2281, paragraph 11.5.

²⁵ White Paper, *Police Reform; a Police Service for the Twenty-First Century*, June 1993, CM 2281, paragraph 11.7; The Police Bill [Bill 88 of 1996/97]: National Policing Structures, House of Commons Research Paper 97/21, 11 February 1997; Select Committee on Public Accounts, *Management of Sickness Absence in the Metropolitan Police Service*, HC 594, Minutes of Evidence, Memorandum submitted by the Home Office (PAC/170).

²⁶ Police Act 1996, s.5B.

²⁷ Police Reform and Social Responsibility Act 2011, s.3.

The regulatory framework

25. Prior to the enactment of the Regulation of Investigatory Powers Act 2000 ('RIPA') in October 2000, the use of undercover agents was not governed by statute but was underpinned by non-statutory guidance and codes of practice and subject to rules established by case-law and other statements of principle. These included: (a) Home Office Circular 97/1969 entitled '*Informants who take part in crime*';²⁸ and (b) the ACPO '*Terms of Reference for a Special Branch*' dated 8 April 1970. These were replaced, in December 1984, with the Home Office Guidelines on the Work of a Special Branch, which were updated in November 1994.
26. Arrangements for undercover deployments are very different today from those prior to 2000. The introduction of the Human Rights Act 1998, RIPA, and the Investigatory Powers Act 2016 have fundamentally changed the legal context in which covert policing takes place.
27. The present position²⁹ is that all undercover deployments must be authorised as both necessary and proportionate to the issue being investigated³⁰. Since January 2014, all police deployments of undercover officers must be authorised by an Assistant Chief Constable and notified to the Investigatory Powers Commissioner (formerly the Office of Surveillance Commissioners). In addition, Chief Constables must authorise deployments which last longer than 12 months and seek prior approval for such deployments from the Investigatory Powers Commissioner. The level of authority for emergency (very short term) authorisations has been raised from Inspector to Superintendent (or equivalent)³¹.

²⁸ [MPS-0727104]

²⁹ Parliament is currently considering new legislation to provide a common legal framework and set of safeguards for the authorisation of participation in criminality by undercover officers.

³⁰ Regulation of Investigatory Powers Act 2000, s.29(2).

³¹ Regulation of Investigatory Powers Act 2000, S.30; The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010; Regulation of Investigatory Powers (Covert Human Intelligence Sources: Relevant Sources) Order 2013/2788.

THE RELATIONSHIP BETWEEN THE HOME OFFICE AND THE SDS

28. In her 6 March 2014 statement to the House of Commons, the then Home Secretary made clear:

“Operation Herne has previously found that the Home Office was instrumental in the establishment of the SDS in 1968, in the aftermath of the anti-Vietnam war demonstration in Grosvenor Square. And it has also previously found that the Home Office initially provided direct funding for the SDS.

The Home Office was the police authority for the Metropolitan Police at that time, so the interests of transparency require that we all understand what role the Department played. My Permanent Secretary has therefore commissioned a forensic external review in order to establish the full extent of the Home Office’s knowledge of the SDS.”³²

29. That review was conducted by Stephen Taylor, a former director at the Audit Commission, who published his report in January 2015³³.
30. Mr Taylor concluded that the Home Office was supportive of the SDS being created in 1968 and, between 1969 and 1989, the Home Office provided a separate and secret budget to Special Branch to meet the costs of accommodation and transport for SDS officers. Mr Taylor found that, during this period, a small number of Home Office officials were aware of some of the specific groups that were targeted by the SDS, the type of intelligence being gathered, and the detailed operational activity and all the groups infiltrated during the years of 1983 and 1986. He found no evidence that anybody in the Department was aware of the SDS practice of using the identities of deceased children to form their legends³⁴, or of the risk that SDS officers may form sexual relationships with their targets. He also found no evidence that the Home Office

³² HC Deb (6 March 2014) vol 576, col 1063.

³³ Stephen Taylor, Investigation into Links between the Special Demonstration Squad and the Home Office (January 2015).

³⁴ Operation Herne, Report 1 - Use of covert identities (July 2013).

had any direct knowledge of criminal activity and court appearances by SDS operatives that could lead to allegations of miscarriages of justice at a later date.

31. The documents upon which Stephen Taylor based his conclusions have been disclosed by the Home Office to the Inquiry and some of those documents, dating from the relevant period, form part of the evidence in T1P1.
32. The Home Secretary accepts the conclusions reached by Stephen Taylor as to the role that the Home Office played in the creation of the SDS and the funding arrangement that was in place. As noted, the regulatory framework has changed significantly since 1968. In light of those matters, and the Home Secretary's responsibility for policing policy, the Home Office has a particular interest in its consideration of: (a) the establishment of the SDS;³⁵ (b) the extent to which intelligence was disseminated to government departments, including the Home Office;³⁶ (c) the governance and oversight of undercover policing;³⁷ (d) the legal and regulatory framework within which undercover policing was carried out;³⁸ and (e) the role and contribution made by undercover policing towards the prevention and detection of crime.³⁹
33. The same or similar issues are likely to be relevant to the Home Office in relation to the Inquiry's consideration of the later years of the SDS and subsequently the Metropolitan Police's National Public Order Intelligence Unit and other relevant undercover units.

³⁵ UCPI, Module 1, SDS List of Issues, Issues 1-6; UCPI, Module 2a, SDS List of Issues, Issues 1-8.

³⁶ UCPI, Module 1, SDS List of Issues, Issues 74, 82, 91, 102, 112, 122; UCPI, Module 2a, SDS List of Issues, Issues 75, 80, 89, 99, 107, 114, 212.

³⁷ UCPI, Module 2(c), Tranche 6 (no list of issues has yet been published).

³⁸ UCPI, Module 2a, SDS List of Issues, Issues 45, 114, 128, 135, 153, 159, 168; and Tranche 6 of Module 2 (no list of issues has yet been published).

³⁹ UCPI, Module 2a, SDS List of Issues, Issues 199-201.

CONCLUSION

34. In his first statement on 20 November 2017 as new Inquiry Chair, Sir John Mitting stressed that the principal purpose of the Inquiry is to examine the practice of undercover policing, adding:

“On any view, fulfilment of this purpose will impose a substantial burden on all who participate in the Inquiry. I do not wish to extend the time required to do so by a day more than is needed. To achieve that purpose and do so within a reasonable time will require hard and devoted work by the Inquiry team and the willing cooperation of core participants. I am confident of the first. I appeal to all core participants for the second.”⁴⁰

35. The Inquiry has the cooperation of the Home Secretary as core participant who welcomes the Chair’s commitment to concluding the Inquiry within a reasonable time.
36. Undercover policing is an essential tactic in fighting crime. It can be difficult and dangerous for those who perform it, but it gives the police an opportunity to bring forward evidence that can be used in court to ensure that prosecutions are made in the public’s best interest. Policing integrity is at the heart of maintaining public confidence in the police, and the Home Secretary recognises that the public must be reassured that the conduct of undercover policing is in accordance with the law and the best traditions of policing by consent.

22 October 2020

NICHOLAS GRIFFIN QC
QEB Hollis Whiteman

ROSEMARY DAVIDSON
6KBW College Hill

CATHERINE BROWN
Furnival Chambers

⁴⁰ Paragraph 22, <https://www.ucpi.org.uk/wp-content/uploads/2017/11/20171120-Chairman-statement.pdf>

APPENDIX

Opening Remarks of Sir Christopher Pitchford, 28 July 2015, concerning the genesis of the Inquiry

[2] In 2011 media reports made allegations of misconduct during undercover operations by a unit within the Metropolitan Police Service called the Special Demonstration Squad. In October 2011 Sir Bernard Hogan-Howe, the Commissioner, ordered a review and investigation. It was called Operation Soisson. A year later the scope of the review was expanded to embrace further allegations of misconduct and the review and investigation became known as Operation Herne. In February 2013 the Chief Constable of Derbyshire, Mr Mick Creedon QPM, accepted an invitation to join and lead Operation Herne. Mr Creedon has since delivered four reports to the Commissioner: Report 1, entitled Use of Covert Identities was published in July 2013; Report 2, entitled Allegations of Peter Francis was published in March 2014; Report 3 entitled Special Demonstration Squad Reporting: Mentions of Sensitive Campaigns was published in July 2014; Report 4 called Operation Herne Update was delivered in February 2015 and had restricted circulation.

[3] Eighteen years after the death of Stephen Lawrence, on 4 January 2012 two men were sentenced for his murder. As a result of the further light cast on the investigation into Stephen's murder, in a written ministerial statement to Parliament on 11 July 2012 the Home Secretary, Theresa May, announced that she had appointed Mark Ellison QC to carry out a review of the police investigation into the murder of Stephen Lawrence for the purpose of examining allegations reported in the media that (i) the investigation had been tainted by corruption and (ii) the Metropolitan Police Service had failed to make proper disclosure to the Macpherson Inquiry of that taint of possible corruption.

[4] In July 2013 the terms of reference for the Ellison review were extended so as to embrace further allegations more recently made. They included the issues (i) whether undercover policing had played any role in the Lawrence case, (ii) if so, who ordered it and why, (iii) whether undercover police involvement had been withheld from the Macpherson Inquiry and (iv) if so, to what effect. Mr Ellison was also asked to investigate (v) whether "any intelligence or surveillance activity [had been] ordered or carried out by police forces nationally" into Stephen Lawrence's family at the time and in respect of the Macpherson Inquiry and (vi) "what was the extent, purpose and authorisation for any surveillance of Duwayne Brooks and his solicitor".

[5] Mark Ellison QC published his report Possible corruption and the role of undercover policing in the Stephen Lawrence case on 6 March 2014 (HC 1038 - 1 and II).

[6] On the same day, 6 March 2014, the Home Secretary made a statement in the House of Commons in which she summarised some of the findings made by Mark Ellison QC and Operation Herne. She announced that she would be commissioning an external review into the role of the Home Office in the commissioning and work of the Special Demonstration Squad. She indicated that revelations already made by Ellison and Herne had persuaded her of the need for a judge-led public inquiry into undercover policing. Mr Ellison and Operation Herne were continuing their investigations into specific cases. It was anticipated that legal proceedings relating to any criminal offence or past miscarriages of justice would be completed before a public inquiry was established.

[7] However, in the course of the following year it became apparent that the time needed by Mr Ellison and Mr Creedon to complete their investigations was likely to be prolonged. On 26 June 2014 the Home Secretary announced to Parliament that Mr Ellison would co-ordinate a multi-agency review, and would report to the Attorney General, “assessing the possible impact upon the safety of convictions in England and Wales where relevant undercover police activity was not properly revealed to the prosecutor and considered at the time of trial”. In connection with current undercover policing practice Her Majesty’s Inspectorate of Constabulary carried out An inspection of undercover policing in England and Wales and in October 2014 published its report. In January 2015 Mr Stephen Taylor reported to the Secretary of State upon links between the Home Office and the Special Demonstration Squad. On 16 July 2015 Mark Ellison QC and Alison Morgan published their (interim) report to the Attorney General upon the results of their review of the safety of convictions. In their report the authors identified the problems of scale that faced the investigation and expressed the opinion that a public inquiry might provide the best opportunity for public examination of the issues raised by undercover policing.

[8] In the meantime, in a written statement to the House of Commons on 12 March 2015 the Home Secretary announced my appointment to conduct an inquiry under the Inquiries Act 2005. She stated that the Inquiry would ‘review practices in the use of undercover policing, establishing justice for the families and victims and making recommendations for future operations and police practice’.⁴¹

⁴¹ The then Home Secretary went on to announce the Inquiry’s terms of reference in a written statement made on 16 July 2015, <https://questions-statements.parliament.uk/written-statements/detail/2015-07-16/HCWS115>