

Chairman's response to submission regarding restriction orders

1. At 8:31 pm on Friday, 30 October 2020, I received a 13 page submission signed by Una Morris on the same date to the effect that all restriction orders made in respect of witnesses who are to give evidence in T1 P1 should be revoked. Detailed reasons were given in relation to 15 former undercover officers. The submission is made on behalf of the Non-Police, Non-State Core Participants.
2. The nature and timing of this submission is calculated to disrupt what is already an exceptionally difficult task: the holding of the first evidential hearings of the inquiry under the restrictions currently imposed to deal with the Covid 19 outbreak. Dealing with it would require the diversion of inquiry staff from the task of preparing for and conducting the hearings to the resurrection of the material upon which reasoned decisions have already been made. It would require that the officers concerned and their representatives be given an opportunity to respond. They would be required to do so at a time when they and their representatives are preparing for some of them to give live evidence and for the evidence of all to be presented. At a time when capacity is limited by the restrictions imposed to deal with the outbreak, it would be at best unreasonable and at worst impracticable to impose this additional burden upon them. All of this must have been obvious to those who made the submission.
3. I do not intend to disrupt preparations for the hearing by requesting or requiring the representatives of former undercover officers in T1P1 to undertake this task. I reject the submission out of hand.
4. If, as is possible, it becomes practically or legally impossible to transmit evidence to the hearing rooms currently booked, the inquiry will revert to the proposal (originally rejected by non-state core participants) of uploading an audio recording of evidence and proceedings onto the inquiry's website with an appropriate time delay.

31 October 2020
(Amended 5 November 2020)

Sir John Mitting
Chairman, Undercover Policing Inquiry