

UNDERCOVER POLICING INQUIRY

PENAL NOTICE

IF ANY PERSON DISOBEYS THIS ORDER, THE MATTER MAY BE CERTIFIED TO THE HIGH COURT WHICH MAY HOLD THAT PERSON TO BE IN CONTEMPT OF THE INQUIRY AND THAT PERSON MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

ANY PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO BREACH THE TERMS OF THIS ORDER MAY ALSO AFTER CERTIFICATION TO THE HIGH COURT BE HELD TO BE IN CONTEMPT OF THE INQUIRY AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

ORDER PURSUANT TO SECTIONS 18 AND 19 OF THE INQUIRIES ACT 2005 – USE OF TELECOMMUNICATION DEVICES TRANCHE 1 PHASE 1 HEARINGS

IT IS ORDERED THAT:

1. There shall be no recording or transmission of voices or images of the witnesses giving evidence during the hearings;
2. Any silent transmission, via any communication device, concerning the evidence given or statement made by any witness or question posed to the witness must not take place for 10 minutes after it was given, made or posed;
3. In the event that any evidence given, statement made or question posed might breach an existing restriction order, for example where it reveals the identity of an undercover officer whose cover and real names have been restricted, there shall be no transmission of that evidence given, statement made or question posed until the Chairman has determined whether to make a fresh restriction order in respect of it in accordance with the 'Protocol for protecting existing restriction orders during hearings' dated 14 October 2020;

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4. Any breach of this order made pursuant to section 19 of the Inquiries Act 2005 may be referred to the High Court pursuant to section 36 Inquiries Act 2005 where the High Court will have the power to deal with an established breach as if it had been a breach of an order made by the High Court;
5. This order does not prohibit:
 - (a) Disclosure of the evidence given, statement made or question posed by any person to members of the Inquiry team;
 - (b) Disclosure of the evidence given, statement made or question posed by any person attending the hearing to their Recognised Legal Representative and vice versa within the 10 minutes after it was given or made for the purpose of adhering to the 'Protocol for protecting existing restriction orders during hearings' dated 14 October 2020';
 - (c) The use of communication devices in the hearing rooms between Recognised Legal Representatives for the purpose of giving or receiving instructions.
6. This order does not bind the Inquiry team which shall take its own measures to ensure that information the subject of this order is not disclosed in such a way as to undermine its intended effect.
7. Any person affected by this order may apply to the Chairman to vary it.



Sir John Mitting
Chairman, Undercover Policing Inquiry
26 October 2020