
COUNSEL TO THE INQUIRY'S ADDENDUM DISCLOSURE NOTE REGARDING TRANCHE 1

Introduction

1. In advance of the Tranche 1, Phase 1 hearings, the Inquiry published a [disclosure note](#) produced by Counsel to the Inquiry in respect of Tranche 1 (the 'T1 Disclosure Note'). This addendum note should be read in conjunction with that document, and is intended to supplement it, only where necessary, in advance of the Tranche 1, Phase 2 hearings.

The Security Service

2. The Inquiry sought and obtained extensive Special Demonstration Squad ('SDS') reporting from the Security Service ('MI5') as part of its wider Tranche 1 investigatory process¹. This step was considered necessary due to the incomplete records of SDS reporting available from the Metropolitan Police Service ('MPS') in respect of the Tranche 1 period.
3. The investigatory process adopted by the Inquiry in this regard was similar but not identical to that employed in respect of the MPS. This was primarily due to the different role played by MI5 vis-à-vis the SDS². The process adopted was also focused towards the Inquiry's need to obtain more comprehensive evidence of SDS reporting within the Tranche 1 time period when it became apparent that this was unavailable from the MPS.
4. Firstly, the Inquiry Legal Team ('ILT') considered what contemporaneous evidence, of potential relevance to Tranche 1, was held by MI5. In order to ascertain what officer reporting was available, the Inquiry provided MI5 with details of the officers relevant to the tranche, along with the particulars of their deployment, as had been done with the MPS³. In response, MI5 provided a record of the files held which were potentially relevant to the officer concerned based on these details. The files (or potentially relevant parts thereof⁴) were then reviewed by a member of the ILT. Any material

¹ T1 Disclosure Note, paragraph 21.

² As a recipient, as opposed to the creator of the intelligence concerned.

³ As listed at paragraph 15 of the T1 Disclosure Note.

⁴ Some file volumes were outside the relevant date range or the Inquiry's terms of reference.

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deemed to be of potential relevance by the ILT⁵ was requested under Rule 9 of the Inquiry Rules 2006 and provided in hardcopy, and more latterly, electronic format to the Inquiry.

5. It was established that from 1968 to late 1974 reporting received from the SDS by MI5 was placed onto relevant organisation files (OF), subject files (SF) or personal files (PF)⁶. Therefore, for officers in this time period, the Inquiry continued to review these files, on an officer-by-officer basis, and request any material of potential relevance to the terms of reference.
6. However, from late 1974 onwards, a change occurred in the way in which SDS reporting received by MI5 was filed⁷. From November 1974 onwards, SDS intelligence received by MI5 was placed onto a dedicated SDS file, stretching to dozens of volumes ('the SDS liaison file'). This file was still in existence – it was requested by the Inquiry and obtained in its entirety.
7. Once obtained, the Inquiry conducted some investigatory work to consider whether this file represented an accurate and independent picture of SDS reporting for the period it covered. This task involved comparing specific officers' reporting within this file series not only against that already obtained from the MPS (as a result of a continued review of potentially relevant Special Branch files), but also against that obtained from other MI5 files which had already been considered. As a result of this work, the Inquiry concluded that the SDS liaison file contained a more complete repository of MPS undercover police reporting than was available elsewhere during this period, and represented a sufficiently comprehensive record of SDS officers' reporting to be relied upon to provide a reporting evidence base for this period of Tranche 1.
8. As a consequence, the Inquiry did not consider it necessary to continue to request and review MI5 organisation file (OF) or subject files (SF) as a matter of course for officers within Tranche 1 whose deployments began from 1975 onwards⁸. Instead, reporting from the SDS liaison file became the primary source for officer reporting from 1975 onwards for the purposes of the Inquiry's investigation. The Inquiry did, however, continue to review and request any material of relevance from any dedicated personal file (PF) on officers included within Tranche 1 which was still held by MI5.

⁵ T1 Disclosure Note, paragraph 2.

⁶ See paragraph 82-83 of Security Service 'Witness Z' statement.

⁷ See paragraph 84 of Security Service 'Witness Z' statement, and UCPI0000030053.

⁸ Such searches and review still took place with the MPS – see para 14, T1 Disclosure Note.

9. The Inquiry also undertook searches in respect of some of the core participants primarily affected in Tranche 1, including those within Category [H], for any personal files ever held on them by MI5. To the extent that any such files were identified and still held by MI5, they were reviewed and any material of potential relevance obtained. The Inquiry adopted a similar approach towards conducting these searches as it did in respect of comparable MPS files (see para 16 below), and did not therefore undertake a systematic search of MI5 records in this regard.
10. In addition to reporting, the SDS liaison file also contained records of regular meetings held between MI5 and SDS managers and other documents relevant to the tasking of some SDS officers during this period which originated from MI5. This material was requested by the Inquiry and obtained in its entirety. Similarly, the Inquiry also sought and reviewed a range of MI5 policy files which were of wider interest to the relationship between MI5 and the SDS during this period. Again, any material of potential relevance was requested and obtained.
11. After receipt, all material obtained from MI5 was tagged and considered by the ILT. The Inquiry found that a proportion of the material obtained was duplicated within the material it already held, and followed the process previously outlined⁹. All reporting selected for publication was considered on an officer-by-officer basis in accordance with the procedure laid out in the T1 Disclosure Note¹⁰.
12. Once all relevant *non-reporting* material relating to the relationship between the SDS and MI5 had been marshalled, the Inquiry sent MI5 a request under Rule 9 of the Inquiry Rules 2006 for a witness statement from a competent person, along with a pack of all relevant material. This witness statement was received by the Inquiry, drafted in an open format, with a number of documents from the pack referred to within it. The Inquiry subsequently undertook an exercise to ensure any *unselected* documents from the pack (i.e. those not referred to directly within the witness statement), which it considered was relevant and necessary for Tranche 1, were also included for publication.
13. The Inquiry conducted a bespoke redaction process over these documents with MI5 and any other state body with an interest, such as the MPS. This followed the procedure set out at paragraph 38 of the T1 Disclosure Note. Once this was

⁹ T1 Disclosure Note, paragraph 25 onwards.

¹⁰ Paragraph 22 onwards.

concluded, MI5 were permitted to amend their statement only to ensure that it was consistent with the redactions agreed to underlying documents¹¹.

14. As a result of this investigative process, a significant proportion of the evidence which the Inquiry will publish as part of Phase 2 has been obtained from MI5 records. This material can generally (but not exclusively¹²) be distinguished from documents originating from the MPS, by a document number prefix of 'UCPI'.

Search of 'Registry Files'

15. As explained in the T1 Disclosure Note¹³, the ILT requested and, if available, considered a number of dedicated MPS files in respect of core participants primarily affected in Tranche 1. This approach was undertaken in respect of all Category [H] core participants within Tranche 1.
16. The potential relevance of such files was considered on an individual basis, depending on the known (and likely) nature and extent of SDS deployments into groups involving the core participant, and the Inquiry's investigative need. In making such an assessment, regard was had to the material held by the Inquiry in respect of the core participant concerned and the likely prospect of obtaining further material, relevant to the terms of reference, which was not already available to the Inquiry.
17. It was the Inquiry's experience in Tranche 1 that where such files were reviewed, much of the material concerned did not relate (directly or indirectly) to undercover policing. Much of the material contained therefore fell outside the Inquiry's terms of reference, save where it was considered relevant and necessary to the context of or wider justification for undercover policing. In addition, as was true more generally of a significant number of the MPS files which were identified to be of potential relevance by or to the Inquiry, many of these files were believed to have been destroyed and so were unavailable to review.

Further Documents

18. The process of seeking witness statements from Tranche 1 officers commenced prior to the point at which the Inquiry had received, collated and tagged all non-reporting documents (para 10). As a result, some officers were unable to comment on

¹¹ See below, this material will appear within Tab E of the Tranche 1 Phase 2 hearing bundle. Due to the high proportion of redactions sought on similar, limited, grounds over these documents (see paragraph 52, T1 Disclosure Note), the Inquiry considers it would be disproportionate to publish individual open ground schedules in relation to these documents.

¹² Some documents originating from other state bodies also share the prefix 'UCPI', although these are very few in number with the Phase 2 hearing bundle.

¹³ Paragraph 17.

documents which have since been identified by the ILT to be of relevance to their deployment. On occasion this also included reporting which was latterly identified by the ILT as possibly originating from the officer concerned, as a result of the development of the Inquiry's investigation. Where possible, the Inquiry sought to send an addendum Rule 9 request to include all such documents, but this did not always prove feasible (for example, due to the effect of the on-going pandemic). Therefore, some documents will appear within packs of documents for officers within the Phase 2 hearing bundle, on which the officer concerned has been unable yet to comment.

19. Similarly, the Inquiry attempts to include all relevant open documents within the hearing bundle for the phase in question. However, this has not always proved to be possible due to the point at which the document in question was identified as relevant and necessary and/or the work required to redact it for publication. For these reasons, there are a very small number of documents which will be included within the Phase 2 bundle which relate to Phase 1. It is not considered that these documents require the recall of any witnesses.

Photographs

20. The Inquiry has obtained only a very small number of photographs of officers to be considered within Tranche 1, Phase 2 within the course of its investigation.
21. Where such photographs have been available from state sources, in most cases, they have originated from the MPS personal file of the officer concerned¹⁴. The ILT has reviewed all such photographs available and selected any of those which show officers in their cover identities (i.e. contemporaneous to their deployment) as relevant and necessary. The photographs selected will be dealt with in accordance with the Chairman's statements on photographs¹⁵. As such, applicable photographs of Phase 2 officers with real name restriction *only* will be made available to those core participants or witnesses affected by the officers concerned, under specific handling arrangements¹⁶. These photographs, however, may not appear within the Phase 2 hearing bundle, or will appear, but in a redacted form.
22. The Inquiry intends to publish all photographs it has received from non-state witnesses within the Phase 2 hearing bundle, which will include photographs of HN354.

¹⁴ See paragraph 13(ii), T1 Disclosure Note.

¹⁵ Dated [29 January 2020](#) and [7 April 2020](#).

¹⁶ The Inquiry has identified applicable photos of HN80, HN96 and HN106. The ILT will contact those core participants to whom this relates in order to make arrangements.

Closed Officer Gist

23. The Inquiry will publish a gist of seven witness statements received from officers who are the subject of restriction orders over their real and cover names¹⁷. In order to reduce the risk of identification of these officers, this document will not particularise which officer the evidence in question relates to, unless the Inquiry considered it both necessary¹⁸ and possible to do so without undermining the restriction orders in place. The Inquiry will adopt this course, as opposed to publication of the redacted witness statements of the officers concerned, as it will allow for more information to be published than would otherwise have been possible, albeit that much of this evidence is not identifiable to a specific officer.

Non-State Witness Statements/Documents

24. The only redactions which have been applied to witness statements or other documents received by the Inquiry from non-state core participants or witnesses are for reasons of privacy, legal professional privilege or to make purely typographical corrections to document references or dates.

Phase 2 Hearing Bundle

25. The Tranche 1 Phase 2 hearing bundle will largely follow the structure of the Phase 1 bundle and will consist of 7 tabs:

i. *Tab A – Open Documents of General Application*

This contains film reports relating to two of the large demonstrations during this period, along with transcripts of the three episodes of the documentary 'True Spies'.

ii. *Tab B – SDS Annual Reports (1975-1984) and Associated Documents*

These reports continue onwards in time from those published in Phase 1, up to the end of the Tranche 1 time period. Also within this section are documents which relate to the filing of or responses to these reports. Some documents relating to the 1973 and 1974 reports (published in Phase 1) are also included¹⁹.

¹⁷ See T1 Disclosure Note, paragraph 45.

¹⁸ In this regard, the Inquiry followed a similar assessment of necessity as it adopted in respect of documents - see T1 Disclosure Note, paragraph 32 onwards.

¹⁹ MPS-0724156 and MPS-0730676, see paragraph 19 above.

iii. *Tab C – SDS Policy File Documents*

Documents in this section relate to the operation and management (including finance) of the SDS in the Tranche 1 Phase 2 time period. The Tradecraft manual, previously published by the Inquiry, is also included.

iv. *Tab D – Home Office Documents*

This tab includes a small number of relevant documents relating to or obtained from the Home Office. One previously unpublished document relating to the Phase 1 period is also included²⁰.

v. *Tab E – Security Service Witness Statement and Documents*

Contained within this tab is the witness statement received by the Inquiry on behalf of MI5, along with documents relevant to the relationship between MI5 and the SDS (paragraphs 12-13 above).

vi. *Tab F – Civilian Witness Statements and Documents*

This tab contains witness statements received from and documents relating to a number of civilian witnesses affected by the SDS in this period.

vii. *Tab G – UCO Witness Statements and Documents*

This section primarily includes the witness statements received from the SDS UCOs included within this phase, along with reporting and other documents the Inquiry considers relevant to them. A further report from an SDS UCO is also contained, along with related witness statements from those *connected* to UCOs (such as family members) and the gisted witness statements of 7 SDS officers with restriction orders over their real and cover names.

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²⁰ UCPI0000034284, see paragraph 19 above.