

Ruling regarding the oral evidence of HN80

1. For the reasons set out below, HN80 will not be called to give oral evidence during Tranche One or at all.
2. HN80's deployment is of significant interest to the inquiry. He was deployed into the Socialist Workers Party between 1977 and 1981 or early 1982. He began at branch and district level, but later played a more central role. He played a significant part in organising the "Right to Work" marches which ended at the Conservative party conference in Brighton in 1980 and in Blackpool in 1981 and provided intelligence on both. He was injured outside the conference hall in 1980. He and HN155 received a Commissioner's commendation for their part in these events. He was debriefed by the Security Service at the end of his deployment. But for the factors briefly set out below, I would have required him to give oral evidence in Tranche One (Phase Two or Phase Three).
3. For some of the time since the Inquiry was established, HN80 had no legal representative. In February 2018 the Metropolitan Police Service Commissioner's Lawyers applied to restrict his real name, and the Designated Lawyers applied on his behalf to restrict his real and cover names. HN80 has since repudiated those applications. He has consistently maintained that the restriction order made in respect of his real name only is "illegal", because it exposes him to the risk of serious physical harm or death. He remains of that view, as the reports of Dr Tehrani dated 13 and 18 December 2020 demonstrate.
4. The Metropolitan Police Service Designated Lawyers team ceased to represent HN80 at the end of January 2020. After they had done so, HN80 informed the Inquiry that he had signed a rule 9 statement taken by the Designated Lawyers. The Inquiry requested a copy of this from the Designated Lawyers and they provided a Word document containing the text of the witness statement they had settled. During the period in which HN80 had no legal representative, members of the Inquiry staff met him and finalised this witness statement for him to sign. He did not do so, because of COVID-19 restrictions, but did acknowledge to them that the statement was true. A redacted version of the statement will be published. It sets out, in some detail, the evidence which he could have given about his deployment. A substantially complete set of intelligence reports which can, with reasonable confidence, be attributed to him has been obtained by the Inquiry. Those which it is necessary to publish will be published. Those containing references to Lindsey German will be shown to her.
5. HN80 instructed Scott Ingram of Slater and Gordon to represent him in December 2020. He has attempted to obtain instructions from HN80 about his participation in

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the Inquiry's hearings, but has not got beyond the receipt of repeated complaints about the matters referred to in paragraph 3 above.

6. I am satisfied by the reports of Dr Tehrani that, for the reasons which she gives, no useful oral evidence would be obtained from HN80 if he were to be called to give evidence. Gists of the reports accompany this decision.
7. Four factors persuade me that I can get to the truth about the deployment of HN80, notwithstanding that I will not receive useful oral evidence from him: his detailed contemporaneous reporting; the detailed, if unsigned, witness statement obtained from him; the Security Service debrief at the end of his deployment; and the evidence which I hope to receive from Lindsey German, who has stated that she knew him well in his cover identity, about what he did during his deployment.

30 March 2021

Sir John Mitting
Chairman, Undercover Policing Inquiry