

# UNDERCOVER POLICING INQUIRY

## In the matter of section 19(3) of the Inquiries Act 2005

### Applications for restriction orders in respect of the real and cover names of officers of the Special Operations Squad and the Special Demonstrations Squad, and those connected with these squads

#### 'Minded to' note 15

1. I am minded not to revoke restriction orders in the cases specified in the table below.

Nominal	Position
HN80	The restriction order over the real name will not be revoked.
HN106	The restriction order over the real name will not be revoked.
HN294	The restriction order over the real name will not be revoked.
HN303	The restriction order over the real name will not be revoked.

#### Reasons

##### HN80

2. On 5 July 2022 the Inquiry received a detailed letter from HN80's daughter. It provided a detailed account of her history and that of her family which I accept to be true. To protect their privacy and right to respect for private and family life under Article 8 of the European Convention on Human Rights ('ECHR'), no part of the letter will be made public. It sets out concerns about the possible impact of publication of her late father's real name on her well-being and on that of her family which I accept to be genuinely held. Although the chance that the events which concern her would occur is not great, it cannot be excluded. Publication of the cover name of her father has already prompted evidence about his deployment. Publication of his real name could not prompt further evidence. In those circumstances, the interference in the right to respect for private and family life of his daughter and her family would not be justified under Article 8 ECHR.

##### HN106

3. All evidence about the deployment of HN106 has been given. The disclosure of his real name could not cause it to be supplemented. None of the members of the groups infiltrated or reported on by HN106 pose any threat to surviving members of his family. I have, however, been persuaded by a letter from one of his surviving sons that disclosure of his real name might lead to unwelcome interest in the whereabouts and circumstances of his surviving former wife [and their mother] which would, in any event, be likely to cause her concern. Given that no purpose other than publicity for its own sake would be served, the risk to her right to respect for her private and family life under Article 8 ECHR would not be justified.

## UNDERCOVER POLICING INQUIRY

### HN294

4. HN294 was an operational manager of the Special Demonstration Squad ('SDS') in the early 1970s. Evidence about his discharge of that role has been given by some of those serving in the SDS in a variety of capacities at the same time. Publication of his real name was not necessary to enable them to do so. The chance that publication of his real name would now permit further evidence of any value to be given about him is negligible. A letter written on behalf of his surviving family dated 24 June 2022 has set out their concerns about the adverse effect which publication would have on their right to respect for private and family life. Although I believe them to be overstated, there is, in effect, nothing on the other side of the balancing exercise which must be conducted to outweigh them. In the circumstances, the interference in their rights under Article 8 ECHR would not be justified.

### HN303

5. Open evidence about the deployment of HN303 into a group which posed no risk to his safety and, at their request, into another which did, has already been given and his cover name has been published. It is now inconceivable that publication of his real name could prompt any further evidence about his deployment. A letter written on behalf of members of his surviving family has expressed what I accept to be a genuine concern about the possible impact of publication of the real name on one of them. Although the chance that harm would result is very small, it cannot be wholly discounted. Further, and in any event, that person would experience genuine anxiety, sufficient to interfere with the ordinary conduct of life, if the chance were to be taken. In the circumstances the interference in the right to respect for private and family life of that person which would be caused by publication would not be justified under Article 8 ECHR.

22 July 2022

Sir John Mitting  
Chairman, Undercover Policing Inquiry