

In the matter of section 19(3) of the Inquiries Act 2005
Application for restriction order in respect of “MT”
Ruling

“MT”

1. By an application made by his solicitors on 19 February 2024 “MT” seeks a restriction order in respect of his real name, which appears on documents which it is intended to include in the hearing bundle for Tranche 3.
2. For reasons which have already been explained in private correspondence between the inquiry and MT the documents are of significant legitimate public interest. They include reports about the conduct of MT which were relied on contemporaneously to justify the continued existence and activities of the SDS.
3. MT has provided the inquiry with a reasoned witness statement about the impact which he says that publication would have upon his mental health and well-being. He has provided a short independent report signed by medical practitioners which confirms that he has received inpatient treatment for a condition which is consistent with his witness statement.
4. MT disputes the truthfulness of the reports contained in the documents. He stated that he will, if asked by the inquiry, provide his own account of what, if anything, occurred. The inquiry will serve on him a request under rule 9 of the Inquiry Rules for a witness statement.
5. I have no wish to cause avoidable harm to the mental health or well-being of MT and will make a restriction order in respect of his real name. However, the issue raised in the documents to be included in the hearing bundle for Tranche 3 must be addressed and determined publicly to permit me to fulfil my terms of reference. The application does not, in terms, seek a restriction order in respect of the documents and I make no such order. The unavoidable consequence is that it is likely that individuals who participated in the group to which MT belonged will be able to identify him. The inquiry has no power to prevent them from making public what they can remember about him from facts within their own knowledge.
6. The real name of MT is identified in private correspondence between the inquiry and his solicitors. The cipher has been allocated by the inquiry. If he wishes, a different cipher can be adopted.

UNDERCOVER POLICING INQUIRY

02 March 2024

Sir John Mitting
Chairman, Undercover Policing Inquiry