



Hearings protocol

JUNE 2024

UNDERCOVER
POLICING
INQUIRY



Introduction

The purpose of this hearings protocol is to set out key elements of the process that the Inquiry intends to adopt in the conduct of its open evidence hearings from July 2024.

This will enable those participating in, or engaging with, the hearings to understand what to expect from the Inquiry during this phase of its investigations.

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Venue and facilities

LOCATION

The Inquiry's Tranche 2 Phase 1 hearings will take place at [the International Dispute Resolution Centre \(IDRC\), London, EC4M 7BQ](#). Access is via Juxon House.



The IDRC provides the following:

- Capacity for up to 36 recognised legal representatives in the hearing room (with 12 RLR desks and up to 3 people in each team);
- Seating for up to 40 members of the public in the public gallery in the hearing room;
- Consultation rooms for each of the recognized legal teams participating in the hearings;
- Rooms for individual witnesses giving evidence to use before & after giving their evidence;
- Access and facilities for those with mobility issues;
- Publicly available Wi-Fi throughout the venue.

ATTENDING OPEN HEARINGS

Core participants, the media and members of the public who wish to attend the hearings will need to register their interest for the days they would like to attend via the Inquiry website.

Registering provides the Inquiry with an indication of the level of interest in each hearing and allows us to make necessary arrangements to cater for this. However, registration will not guarantee entry.

On days of high demand, members of the public may be turned away if capacity is reached. Priority will be given to core participants, the media & members of the public in that order.

FACILITIES FOR ATTENDEES

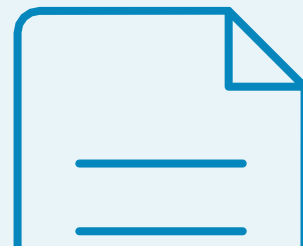
If you are attending hearings, please raise any questions about facilities directly with the Inquiry Legal team through your recognised legal representative (RLR). If you do not have an RLR, please email info@ucpi.org.uk. Specific requests should be raised in advance but will, if necessary and possible, be dealt with informally on the day.

FACILITIES FOR WITNESSES GIVING LIVE EVIDENCE

Before each tranche, the Inquiry will publish a list of the witnesses from whom it expects to receive live open evidence. In general, a witness called to give evidence at open hearings will be expected to provide their evidence in public, in full view of those attending the hearing and with an audio-visual stream of their evidence to You Tube, with a 10 minute delay. If a witness would like to ask that special measures be applied to the way they give evidence, their legal representative should submit a written application at least 4 weeks before the date they give evidence.

Examples of the type of special measures which the Chairman may consider using include arranging:

- A familiarisation visit to the hearing venue in advance of the witness's hearing date;
- Screening of a witness, to restrict those who can see them whilst they provide their evidence;
- Limiting the streaming of evidence to audio only, rather than audio-visual;
- Permission for the witness to give evidence before a limited audience only ('a private hearing');
- The application should set out the basis on which it is made, any supporting evidence, and details of the 'special measures' required. Only with good reason will late requests be entertained and considered on a case-specific basis.



Communication and publishing evidence

LIVE STREAMING AND RECORDINGS

Opening statements will be live-streamed. Video footage of the opening submissions will be published on the Inquiry website following each of those hearing days. Access to the streaming link will be on each of the hearings days pages.

All evidence from witnesses will be live-streamed to You Tube with a 10-minute delay, unless special measures applications are in place. Access to the streaming link will be on each of the hearings days pages.

HANDHELD COMMUNICATION DEVICES

There will be no restrictions on bringing handheld communication devices into the hearing room during the public hearings for the purposes of social media reporting.

A time delay of ten-minutes will be imposed between any words being spoken or information being given in the hearing room and any communication or publication of those words or information using Twitter, other social media, or any other form of communication. Breach of this

order may be subject to proceedings for contempt of court.

A more restrictive approach to the use of these devices will immediately be imposed if the terms of this order are breached.

TRANSCRIPTS AND EVIDENCE

Hearings bundles will be made available to core participants with a direct interest in a particular tranche in advance of the start of hearings.

The witness statement and documents related to the evidence provided by a witness will be published as that witness begins their evidence session.

Following each evidence day, the Inquiry will publish a transcript of the day's proceedings on the Inquiry website.

Following the conclusion of the hearings for the tranche the Inquiry will publish on its website all publicly available evidence considered as part of the tranche – even if it is not expressly referred to during the hearings.

Documents of secondary importance related to undercover officers who are not called to give oral evidence will be summarised for the purpose of the evidence hearings, rather than redacted versions of the full documents being used and disclosed. This is to save time and unnecessary expenditure of effort. The summaries will be published either when referred to during the

course of evidence, or at the end of the tranche (as set out above).

The Inquiry will still release a redacted version of the officer's witness statement, and will provide non-police, non-state core participants and civilian witnesses with copies of intelligence reports in which they are named or referred to.



Statements and questioning

OPENING STATEMENTS

Only certain core participants with an interest in T2's investigations will be entitled through their legal representative, or personally if they are unrepresented, to make an opening statement at the start of Tranche 2 Phase 1 oral hearings.

The Inquiry will publish a timetable for the forthcoming hearing, indicating the window within which opening statements will be made and the timetable for these.

QUESTIONING OF WITNESSES

The general position is that the questioning of witnesses will be conducted by Counsel to the Inquiry or by the Chairman.

Recognised Legal Representatives of core participants and, where they are not represented, core participants themselves, will have the opportunity to propose questions or areas of questioning.

The Inquiry will publish a list of witnesses in advance of the start of each hearing and will provide further details of how questioning of witnesses will take place in advance of the start of the hearing.