

Spycops Inquiry: Another case referred to the Miscarriage of Justice panel

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The Undercover Policing Inquiry has recently referred a [second set of suspected miscarriages of justice](#) to a dedicated panel established by the Home Office. Its purpose is to review the referred cases and determine if further action is necessary, potentially including referral to the Criminal Cases Review Commission. Our client Michael Chant is one of those who has had his case referred.

In this particular referral, the Inquiry examined the actions of an undercover officer known as HN13, or 'Desmond Barry Loader' who was a member of the Special Demonstration Squad. This particular Undercover Officer (UCO) had infiltrated the East London branch of the Communist Party of England

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(Marxist-Leninist) (CPE-ML) and was involved in two incidents that led to the prosecution of both himself and other CPE-ML members.

The first incident involved an anti-fascist march from Ilford to Barking on September 17, 1977, resulting in a prosecution for insulting behaviour. HN13 and seven others appeared in Barking Magistrates' Court on September 21, 1977, and were later remanded for trial on January 3, 1978.

The second incident occurred during the Brixton by-election on April 15, 1978, when clashes between the anti-fascist forces and the neo-Nazi National Front right took place. Four members were arrested including our client. Michael Chant was convicted at Brixton Magistrates Court on June 29, 1978, for using "insulting behaviour".

During these trials, HN13, using his cover name "Barry Loader," was acquitted on the first occasion but convicted of using threatening behaviour on the second. The Chairman of the Inquiry, based on the evidence provided, has determined that there is a likelihood of deliberate deception of the trial benches in both cases regarding the identity and role of HN13, suggesting a potential miscarriage of justice.

The Inquiry's findings and related materials can be found in the [Tranche 1 Interim Report](#), specifically in paragraphs 53 and 54 of chapter 5, published on June 29, 2023. The Inquiry is still ongoing, and it is possible that additional suspected miscarriages of justice will be identified as it continues to investigate undercover policing operations chronologically from 1968 to the present.

Michael Chant said: "These incidents show the depths to which the state was involved in trying to subvert and criminalise the progressive movements of the day. Although the Inquiry has held in its interim report that the undercover long-term infiltrations by the SDS

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were not justified and, if known publicly, ‘would have been brought to a rapid end’, today the use of police powers is more open and exposes the nature of the state. It is just and right that the miscarriages of justice from the time be referred for redress.”

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