

[REDACTED]

## INQUIRY INTO THE DEATH OF DAWN STURGESS

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### CERTIFICATE OF THE SECRETARY OF STATE FOR THE HOME DEPARTMENT: APPLICATION FOR RESTRICTION ORDER OVER NAMES

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1. I am Her Majesty's Secretary of State for the Home Department, and I provide this Certificate on behalf of Her Majesty's Government ('HMG').
  2. In this Inquiry, I am represented on my own behalf, and act in a representative capacity on behalf of 12 other HMG departments and agencies.
  3. In the context of this Inquiry, I have formed the view that an application should be made for a Restriction Order to continue in force indefinitely to prevent direct or indirect disclosure of the names and designations (if appropriate) of the following categories of HMG staff: (a) all staff below Senior Civil Servant ('SCS') grade and the military equivalent of below one star rank; (b) all SCS not officially publicly linked to the 2018 events; and (c) all UK Intelligence Community staff ('UKIC staff'), unless publicly avowed such as the Chief of SIS and MI5's Director General, including any cover names used by such staff; [REDACTED]
  4. I provide this Certificate for the purpose of assisting the Chair to determine the issues that arise on that application.
  5. In deciding whether to make this application, I have considered whether such restrictions as those proposed are necessary in the public interest, having regard in particular to the matters set out in s.19(4) of the Inquiries Act 2005, namely (a) the
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extent to which any such restrictions might inhibit the allaying of public concern; (b) any risk of harm or damage that could be avoided or reduced by any such restrictions (including, in particular, death or injury, and/or damage to national security or international relations, damage to the economic interests of the UK or any part of the UK, and/or damage caused by disclosure of commercially sensitive information); and (c) any conditions as to confidentiality subject to which a person acquired information they are to give to the Inquiry (an element that does not in fact arise in the present application relating to the disclosure of names); and/or (d) the extent to which not imposing the restrictions would be likely to cause delay or to impair the efficiency or effectiveness of the inquiry, or otherwise to result in additional cost, whether to public funds or to witnesses or others.

6. I have also been advised by officials across government on the matters contained in the Damage Assessment and the rationale underlying the application for a Restriction Order.

7. I have considered with great care the public interest test that must be applied as set out in section 19 of the Inquiries Act 2005. I have weighed the competing public interests. HMG and I recognise that there is a great public interest in open justice, especially to allay concerns over the serious events at the heart of this Inquiry. In particular, I consider that there is a real public interest in the family of Dawn Sturgess having access to as much material as possible to enable them to participate in the Inquiry.

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8. Against that, I have weighed the risks of serious harm and damage were the names of HMG staff to be disclosed, as set out in detail in the Damage Assessment. I consider that those risks would be not only real but substantial.

9. Having regard to these matters, I have concluded that the risks of serious harm and damage outweigh the public interests in open justice and allaying public concern and in the Sturges family having access to the names in question.

10. I have seen too that thought that has been given to alternative ways to reduce or avoid the serious risk of harm or damage and agree that there are no suitable alternatives to the restrictions set out in this Restriction Order.

11. I conclude that a Restriction Order is necessary in the public interest.

Signed: \_\_\_\_\_

Date: 26/05/2022

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