

## **Inquiry into the death of Dawn Sturgess**

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### **Preliminary representations on behalf of the BBC – Restriction order applications to be heard on 15 July 2022**

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1. The BBC does not intend to make formal submissions at this stage and recognises that there will be grounds justifying the making of restriction orders protecting the identity of at least some Government and counter terrorism policing employees. It recognises too that broad orders which cover whole classes of individuals may be a pragmatic way forward given the difficulties of making individual assessments at this stage.
2. However, it does not follow that anonymity cannot be revisited in individual cases should the BBC or other media organisations consider, as more information emerges, that a restriction order (either in whole or part) is not justified under section 19 of the Inquiries Act 2005.
3. The BBC trusts therefore that requests by the media to challenge the terms of a restriction order in those circumstances will be accommodated in the public interest.
4. Should the Inquiry make restriction orders at this stage, we would urge the use of individual ciphers as the best means of preserving some transparency through the process of anonymisation.
5. It is not possible to respond to the indication given that further restrictions are likely to be sought other than to ask that the media be given reasonable notice of these.
6. Finally, we respectfully ask that careful thought be given as to the manner in which the media are notified of future applications. A requirement for confidentiality undertakings is itself an impediment to transparency and obstructs the taking of instructions as well as general, healthy discourse among legal and editorial colleagues. Whilst we may be missing some context, it is not apparent what could be regarded as sensitive amongst the papers served on the BBC. In any event, the media should be trusted to act responsibly as is generally the case in reporting restriction applications before a range of courts.