

## **THE DAWN STURGESS INQUIRY**

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### **PROTOCOL ON MEASURES TO PREVENT THE DISCLOSURE OF SENSITIVE INFORMATION DURING PRELIMINARY HEARINGS**

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#### **Introduction**

1. The Inquiry is dealing with a substantial volume of sensitive evidential material. It is anticipated that the Chair will, where appropriate, make Restriction Orders pursuant to section 19 of the Inquiries Act 2005 to enable this material to be considered in closed session. The Secretary of State has already made a Restriction Notice, covering a small set of documents, under the same provision and the Chair has made a ruling on an application regarding names.
2. It is likely that there will be several further preliminary hearings in advance of the substantive Inquiry hearings. One of the main purposes of the further preliminary hearings will be to determine Restriction Order applications.
3. There is a risk that sensitive information might be disclosed, inadvertently or otherwise, during the course of the open preliminary hearings.
4. The Chair has decided that, in order to address that risk, the procedural measures set out below should apply. The purpose of the measures is to prevent and/or limit the disclosure of sensitive information in the course of the open preliminary hearings.
5. Whilst the presumption will be that the measures set out below will apply at all future preliminary hearings, it will be open to any Core Participant or member of the public / media to apply to the Chair to vary these measures.

6. For the avoidance of doubt, these measures only apply to preliminary hearings. A further protocol will be issued in due course dealing with similar measures that will apply at the Inquiry's substantive hearings.

### **Measures**

7. The preliminary hearings will be conducted in person in the hearing room.
8. There will be two video links to afford those not present in the hearing room with access to the hearing – a 'live link' and a 'delayed link', which will be delayed by 5 minutes.
9. The public and media attending the hearing remotely will do so by means of the delayed link.
10. Core Participants and legal representatives attending the hearing remotely will do so by means of the live link. Whilst they will be permitted to communicate with other members of their team (including any members of their team in the hearing room) in real time, they may not communicate any more widely about the hearing whilst it is going on.
11. Members of the public and the media who are present in the hearing room may not communicate outside the hearing room for the duration of the hearing by phone, email, instant message or other means.
12. If any Core Participant considers that sensitive information may have been disclosed in the course of an open hearing whilst these measures are in place, they must immediately inform the Chair so that consideration can be given to the further steps which should be taken.
13. In the event that sensitive information is disclosed in the course of an open hearing whilst these measures are in place or a Core Participant informs the Chair that he considers that sensitive information may have been disclosed, the Chair will consider taking the following steps (if necessary by receiving submissions in closed session):

- a. an immediate termination of the delayed link;
- b. making a restriction order to prohibit the publication of the sensitive information;
- c. ensuring that when the delayed link feed is resumed, the sensitive information (including any submissions concerning any information which a Core Participant considers may be sensitive information) is not broadcast;
- d. removing the sensitive information from the transcript prior to posting it on the Inquiry website.