

OPENING STATEMENTS PROTOCOL

1. In Chapter 2, Core Participants are invited to make both written and oral Opening Statements to the Chairman.
2. References to 'State Core Participants' are to the Secretary of State for Northern Ireland, the Police Service of Northern Ireland, the Police Ombudsman for Northern Ireland and Sir Ronnie Flannagan.

Written Opening Statements

3. The Chairman does not set any limit on the number of pages for written Opening Statements. However, he will not be assisted by lengthy or unfocussed documents. All written Opening Statements should strive for efficiency and should be addressed to an informed reader.
4. Core Participants are expected to review the Terms of Reference and the Provisional List of Issues and Chapter List to ensure their submissions are directed to these.
5. When drafting written Opening Statements, Core Participants should consider structuring them in accordance with the Oral Hearing Chapters.
6. The purpose of written Opening Statements is to identify, at this stage, what the issues are in the case of each Core Participant and to resolve those issues which can be disposed of through concessions (see below).
7. The Chairman will keep under review whether Opening Statements from Core Participants will be invited at the start of some or each of the Chapters.

State Core Participants

Candour

8. The Chairman considers that State Core Participants have had substantial time since the Bombing to investigate and understand their own involvement in events and to identify failings, mistakes and areas for improvement.
9. The Chairman expects State Core Participants to understand and exhibit the principles of the Hillsborough Charter and the Hillsborough law.¹ He expects openness, candour and transparency. In the event any State Core Participant has identified mistakes or failings going to the Terms of Reference these must be fully and clearly acknowledged in plain language, cross-referring to the Terms of Reference and the Provisional List of Issues.
10. State Core Participants can expect scrutiny of their Opening Statements in the context of what subsequently emerges. At later stages in the Inquiry and in appropriate circumstances, State Core Participants can expect to be required to explain why concessions which could have been made at an early stage were not.
11. In the event there are mistakes or failings which a State Core Participant considers can only be acknowledged in CLOSED due to the risk to national security, an account of those failings must be provided in writing to the Inquiry Legal Team in a CLOSED environment at the same time as the OPEN written Opening Statement. Any CLOSED document should be accompanied by an application for a Restriction Order justifying why these concessions cannot be made in OPEN. The Chairman expects both OPEN and CLOSED versions of any Restriction Order applications, or clear justification for why no OPEN Restriction Order application can be made in

¹ See: <https://www.gov.uk/government/publications/hillsborough-charter/hillsborough-charter-accessible> for the Hillsborough Charter. In September 2024 the Government committed to enacting the Hillsborough law by 15 April 2025. Even if not enacted by June 2025, it is expected that State Core Participants' approach will be in accordance with its proposed principles.

the CLOSED application. Upon receipt of these documents, the Chairman will consider how any application should be managed and determined, including giving consideration to whether an OPEN account of the concessions should be drafted.

12. The Inquiry is a search for the truth. It will achieve that aim most effectively and efficiently if State Core Participants engage meaningfully and fully at this stage, respecting the inquisitorial nature of the proceedings.

Commitment

13. The Chairman requires each State Core Participant to set out, in detail, their process of compliance with the work of the Inquiry from the time of the Secretary of State's announcement onwards.
14. In relation to those State Core Participants who have outstanding Rule 9 Requests, the Chairman requires:
 - a. A detailed account of the work done to date on the request(s), including when work started, what workstreams were identified by reference to the Terms of Reference and Provisional List of Issues, when resources (such as the instruction of counsel) were allocated to respond it;
 - b. An explanation of how the recipient will ensure that there is compliance with the deadline.

Formalities

15. State Core Participants should serve their written Opening Statements by 4pm on 23 May 2025.
16. The State Core Participant written Opening Statements will be disclosed to all Core Participants by 2 June 2025.

Bereaved families and survivor Core Participants

17. The Chairman welcomes the identification by bereaved families and survivor Core Participants of the areas of particular interest and/or concern for them.
18. The Chairman recognises that less information than will ultimately be available will have been disclosed to bereaved families and survivors by the time of the Opening Statements. He recognises that opportunities at this stage for submissions on the detail of the evidence will necessarily be circumscribed by this.
19. Nevertheless, it will be of considerable benefit to the Chairman, the Inquiry Legal Team and the State Core Participants for the interests and concerns of the bereaved families and survivor Core Participants to be identified at this stage.
20. Bereaved families and survivor Core Participants should serve their written Opening Statements by 4pm on 9 June 2025.
21. The bereaved families and survivor Core Participant Opening Statements will be disclosed to all Core Participants by 16 June 2025.

Formalities

22. All written Opening Statements should be drafted in 12pt Arial, 1.5 line spaced. All references to publicly available material should be hyperlinked. All references to Inquiry material should use full INQ numbers, including pages and/or paragraphs, and hyperlinked to Relativity.
23. If it is necessary for a Core Participant to refer to material held by them and not yet disclosed to the Inquiry, this should be submitted to the Inquiry Legal Team at the same time as the written Opening Statement so that it can be uploaded to Relativity and disclosed to Core Participants.

24. The disclosure of written Opening Statements to Core Participants prior to the oral hearing will be strictly within the terms of the Confidentiality Undertaking.
25. Written Opening Statements will be published on the Inquiry's website at the commencement of the respective oral Opening Statement. If there is any part(s) of its written Opening Statement which a Core Participant considers cannot be published on the Inquiry's website these should be clearly identified by the use of red text within the document and accompanied by an application for a Restriction Order.

Oral Opening Statements

26. The oral Opening Statement hearings will take place in Omagh in the week commencing 23 June 2025.
27. Prior to the oral Opening Statement hearings, a timetable will be circulated with allocated time slots. Core Participants will be expected to keep within the time slots allocated to them.
28. Core Participants will be expected to confine themselves to the content of their written Opening Statements, although there is no requirement to read the written Opening Statement out in its entirety.

INQUIRY LEGAL TEAM

31 March 2025