



Restriction Order Pursuant to Section 19 of the Inquiries Act 2005

General Restriction Order

Pursuant to section 19 of the Inquiries Act 2005 (the **Act**), the Chair may make orders restricting the disclosure or publication of any evidence or documents given, produced or provided to the Nottingham Inquiry (the **Inquiry**). Such restrictions may be imposed by way of an order made by the Chair during the course of the Inquiry.

In exercise of the Chair's power under section 19 of the Act, **IT IS ORDERED THAT:**

A. Anonymity Order

1. **General Provision:** Applications for anonymity must be made in accordance with the Protocol on Redactions, Anonymity and Restriction Orders (the **Redactions Protocol**).

Further to paragraph 23 of the Redactions Protocol, where a written statement or other document disclosed or published by the Inquiry is marked 'Anonymous', the maker is granted anonymity. The name and address of the witness and any other identifying information that is redacted in the witness' statement cannot be disclosed or published in any form, whether oral, written or electronic, or in any other way, unless express permission is given by the Chair, or the Solicitor to the Inquiry acting on the Chair's behalf.

2. **Exception:** In accordance with paragraph 22 of the Redactions Protocol, where a written statement contains criticism of another person or organisation, it may be appropriate to disclose the identity of a witness who has been granted anonymity to the person or organisation criticised and their legal representative (where instructed), in order that they are afforded a fair opportunity to respond to the criticism. Anyone to whom information is disclosed in this way must keep it confidential and it will not be disclosed to any other person. The Inquiry will

provide at least 14 days' notice if it intends to disclose the identity of a witness who has been granted anonymity to allow that witness an opportunity to make an application requesting that the Inquiry considers not disclosing this information.

3. A confidential schedule of witnesses to whom this Anonymity Order relates will be maintained by the Inquiry.
4. Any person who has applied and been granted anonymity by the Chair, and falls within this Anonymity Order, may apply to the Chair to amend, remove or vary their anonymity at any time.

B. Personal Information

5. Pursuant to section 19(3)(a) and (b) of the Act and paragraphs 9 and 10 of the Redactions Protocol, personal information may be redacted from evidence and documents disclosed by the Inquiry in compliance with the Human Rights Act 1998 and data protection obligations, and where the Chair considers it to be conducive to the Inquiry fulfilling its Terms of Reference or to be necessary in the public interest.

C. Criminal Convictions Data

6. **General Provision:** Where a written statement or other document given, produced or provided to the Inquiry includes or relates to criminal convictions (including names and other details which might identify the person to whom the conviction relates), the statement or other documents must not be disclosed or published in a manner which identifies the person to whom the conviction relates.
7. **Exceptions:** The general provision does not apply where publication or disclosure is required by law, or to:
 - a. criminal convictions data mentioned in a written statement provided to, or obtained by, the Inquiry and made by a person who is a core participant or a witness, which relates to that person;
 - b. the publication or disclosure of criminal convictions data where the person to whom the data principally relates consents to its publication or disclosure;

- c. criminal convictions data which has already been published to a substantial section of the public;
- d. criminal convictions data which relates to Valdo Calocane or any case study being investigated by the Inquiry;
- e. disclosure to any recognised legal representative acting for the core participant or witness to whom the criminal convictions data principally relates;
- f. any member of the Inquiry Team where the disclosure or publication is to another member of the Inquiry Team for the purposes of the Inquiry.

D. Medical Records

- 8. **General Provision:** Where medical information has been provided to, or obtained by, the Inquiry, the identity of the person to whom the medical information relates may not be published or disclosed by any person, unless express permission is given by the Chair, or the Solicitor to the Inquiry acting on the Chair's behalf.
- 9. **Exceptions:** The general provision does not apply where publication or disclosure is required by law, or to:
 - a. medical information mentioned in a written statement provided to, or obtained by, the Inquiry and made by a person who is a core participant or a witness, which relates to that person;
 - b. the publication or disclosure of medical information where the person to whom the medical information principally relates consents to its publication or disclosure;
 - c. medical information which has already been published to a substantial section of the public;
 - d. medical information which relates to Valdo Calocane, the deceased and victims of Valdo Calocane or any other case studies being investigated by the Inquiry;

- d. disclosure to any recognised legal representative acting for the core participant or witness to whom the medical information principally relates;
- e. any member of the Inquiry Team where the disclosure or publication is to another member of the Inquiry Team for the purposes of the Inquiry.

E. Efficiency and Effectiveness of the Inquiry, and Irrelevant Information

10. Information may be redacted from evidence and documents where the Chair considers it to be conducive to the Inquiry fulfilling its Terms of Reference or to be necessary in the public interest, having regard to the extent to which not imposing the restriction would cause delay or impair the efficiency or effectiveness of the Inquiry, or would otherwise result in additional cost (Section 19(3) and 19(4)). This includes the redaction of wholly irrelevant information, including commercially sensitive information that is not relevant to the Inquiry's Terms of Reference (Rule 19(5)(d)).

F. Rule 9 Requests, Section 21 Notices and Documents

11. **General Provision:** Where the Inquiry issues a request pursuant to Rule 9 of the Inquiry Rules 2006 or issues a notice pursuant to section 21 of the Inquiries Act 2005, the person to whom the request or notice is addressed must keep confidential any information and documents included within the request or notice, or later provided by the Inquiry in relation to that request or notice, and must not disclose that information and those documents to any other person unless express permission is given by the Chair, or the Solicitor to the Inquiry acting on the Chair's behalf.

12. **Exceptions:** The general provision does not apply where:

- a. disclosure is required by law;
- b. disclosure is for the purpose of obtaining legal or other professional advice in connection with the request or notice and, in such circumstances, it is incumbent on the person to whom the request or notice is addressed to ensure that their professional advisor(s) agree(s) to keep the information confidential before the information and documents are shared;

- c. the information and documents have already been published to a substantial section of the public.

13. The Chair gives permission to those who have received a Rule 9 request or Section 21 notice to share (a) the fact that they have received the same and (b) the potential dates of their attendance at any oral hearing, if applicable.

G. Warning Letters

14. **General Provision:** Where a warning letter is issued by the Inquiry, it may refer to, or be accompanied by, a written statement provided to the Inquiry which contains or is relevant to the criticism or proposed criticism being notified to the recipient of the letter for the purpose of obtaining their response. It may also contain a draft of the report or section(s) of the draft report. Further, it may be necessary to disclose the identity of the witness whose statement is being referred to or provided, even where that witness has been granted anonymity, in order to provide a fair opportunity for the recipient of the warning letter to respond to the criticism or proposed criticism. If the Inquiry intends to disclose the identity or statement of an anonymous witness, it will give that witness 14 days' notice to allow for an application from that witness not to disclose the information. Anyone to whom information is disclosed in any of these ways must keep it confidential and it must not be disclosed to any other person unless express permission is given by the Chair, or the Solicitor to the Inquiry acting on the Chair's behalf, in writing.

15. **Exceptions:** The general provision prohibiting onward disclosure does not apply where:

- a. disclosure is required by the law;
- b. disclosure is to the recipient's recognised legal representative;
- c. the Chair has waived the confidentiality obligation in writing in accordance with any protocol for warning letters;
- d. the information has already been published to a substantial section of the public.

H. Redacted Evidence and Documents

16. **General Provision:** Where any evidence or documents that are published or disclosed by the Inquiry appear to have been redacted for whatever reason, either pursuant to a restriction order or to exclude information not relevant to the Inquiry's Term of Reference, no person may reveal what has been redacted to any other person by any means whatsoever unless permitted to do so by the Chair, or by the Solicitor to the Inquiry acting on the Chair's behalf, in respect of any specific redaction and in writing.
17. **Exceptions:** The general provision does not apply where publication or disclosure is required by law, or to:
 - a. the person who gave, produced or provided the evidence or document to the Inquiry, other than while giving oral evidence at an Inquiry hearing;
 - b. any member of the Inquiry Team where the disclosure or publication is to another member of the Inquiry Team for the purposes of the Inquiry.

I. GENERAL

18. Redactions applied in accordance with this Restriction Order will be signified and overwritten with the prefix "GRO".
19. This Restriction Order remains in force for the duration of the Inquiry and at all times thereafter, unless otherwise ordered.
20. The Chair may vary or revoke this order by making a further order during the course of the Inquiry.
21. Any breach of this Restriction Order by any means whatsoever shall be notified in writing to the Solicitor to the Inquiry immediately upon identification of the breach.

PENAL NOTICE

Under section 36 of the Act, where a person fails to comply with, or breaches an order made by the Inquiry, or threatens to do so, the Chair (or, after the Inquiry ends, the

Minister) may certify the matter to the appropriate court. The court will deal with the matter as if the breach had occurred during proceedings before it and will have the power to imprison or fine for any breach of this Order.

Dated 22 May 2025