

Southport Public Inquiry

Decision on the Applications for a Restriction Order and Special Measures on behalf of DR

Introduction

1. This is my Ruling on the application for a restriction order and special measures for the brother of AR, DR, when giving evidence to the Inquiry.
2. The following orders are sought by way of special measures by his Recognised Legal Representatives:
 - a) He gives evidence via video link from an undisclosed remote location away from where he is living and not in the Liverpool/Merseyside area.
 - b) He is visible only to the Chair, Inquiry Team and Core Participants when giving evidence via video link.
 - c) The video link of his evidence is not to be shown in the public gallery or to the media, either in the hearing room or via any form of live/broadcast link.
 - d) There is to be no broadcast of his evidence.
 - e) There is to be a restriction on the media of the publication of his image or likeness.
 - f) There is to be a restriction against the publication of details which would assist in the identification of where he, or his parents, currently live.
 - g) He is to be allowed regular breaks while giving live evidence as and when required.
 - h) He is to be accompanied by a member of his legal team who will sit with him as he gives evidence but will not play a part in him giving evidence unless directed to do so by the Chair.
 - i) He is to be provided in advance of giving evidence with copies, or a list of URNs, of the documents he will be taken to during his evidence as well as a list of topics to be covered in his evidence.
 - j) Questions asked by Core Participants pursuant to Rule 10 of the Inquiry Rules 2005 are to be provided in writing in advance of him giving evidence and asked only by Counsel to the Inquiry.
 - k) The Chair and the Inquiry Team will have regard to pp. 237-241 of the Equal Treatment Bench Book (enclosed) which provide information on impairments and reasonable adjustments for people with an autism spectrum condition.

The Application

The evidence of DR

3. DR has provided the Inquiry with a witness statement pursuant to the Rule 9 request dated 8 October 2025 and in accordance with Rule 9 of the Inquiry Rules 2006. Pursuant to Rule 9 (3) of the Inquiry Rules 2006 I have required him to attend to give evidence to the Inquiry.

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Basis for the application

4. The Recognised Legal Representatives for DR have submitted an OPEN and CLOSED application, supported by a risk assessment conducted by law enforcement and a psychological assessment for DR. These assessments provide the basis for establishing that there is an objectively verified risk of death and injury which require measures to prevent DR from being identified and/or his whereabouts becoming known through recognition of his face in his video evidence to the Inquiry, or through any other means.

Submissions from Core Participants and Media

5. The Inquiry's Protocol on Anonymity, Other Special Measures for Witnesses, and Vulnerable Witnesses (the Protocol), makes clear that when special measures are raised based on a risk to safety, if I consider it a clear and obvious case, I may give notice to the Core Participants of my intention to provide special measures (whether anonymity, screening or other special measures), without the process of consulting Core Participants on the application.
6. Given this application has crossed the high threshold of an Article 2 real and immediate risk, I have decided that this is a case falling within this category of clear and obvious case, and accordingly I do not consider it necessary or appropriate to invite wider submissions.
7. I note in this regard the Terms of Reference for Phase 1 of this Inquiry which require me to make pragmatic choices as to its methods and procedure to deliver within the requisite timeframe.

Discussion

8. In my judgment there is a clear, obvious and sustainable justification for granting special measures and the making of a Restriction Order pursuant to section 19(4)(b) of the Inquiries Act 2005, having regard to the objectively verified risk of death and injury, to prevent DR from being identified and/or his whereabouts becoming known through recognition of his face in his video evidence to the Inquiry, or through any other means.
9. The representatives of law enforcement have identified a continuing and objectively verified threat to the safety of DR, together with a threat to the maintenance of public order. I accept this assessment is based on reasonable professional assumptions that are, in turn, founded upon objectively verifiable evidence.
10. The threat has two potential sources, namely targeted public disorder caused by a group or groups of individuals or from the actions of one or more lone actors. The extreme events of last summer following AR's attack provide, in my view, the strongest justification for concluding that the family are likely to

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provide a focus and a catalyst for serious public disorder based upon hostility to the approach that has been adopted historically to immigration into the UK, outrage at the Southport attacks and antipathy towards the family due to their perceived involvement in AR's actions. The riots following 29 July 2024 and other similar events have shown that when there is an appropriate perceived target, very serious public disorder can occur (as well as Southport, there have been incidents in Tamworth and Rotherham, and other incidents involving hotels housing applicants for asylum).

11. There have been sustained attempts to identify the present location of AR's parents, and the family has been the subject of intense scrutiny by a wide range of individuals. This scrutiny has included sustained attempts to identify details of their present circumstances.
12. The correct test is whether, applying the common law and Article 2 of the ECHR, requiring the witness to give evidence without the protective measures that are sought would lead to a materially increased risk to life (see the House of Lords decision *In Re Officer L* [2007] UKHL 36 at [25]). As Lord Carswell observed, if this is the correct conclusion then the tribunal will ordinarily have little difficulty in determining that it would be reasonable in all the circumstances to afford the witnesses an appropriate degree of protection.
13. The assessment, which I accept, is that without the protections sought, the risks are both potentially fatal and possible. There would, therefore, be a material increase in the risk to life if the protections are not granted.
14. There is a slight distinction in the special measures granted for the parents, on the one hand, and AR's brother, on the other. This is based on their personal circumstances and the analysis in the risk assessment. For this reason, DR does not seek to be screened from Core Participants or their legal representatives, and I do not order that he is.
15. The terms of the order made under s.19 of the Inquiries Act 2005 are:

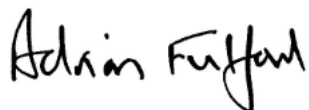
“This Order prohibits the publishing or broadcasting in any newspaper, magazine, internet website, social media application, sound or television broadcast or cable or satellite programme service or any media broadcast of:

 - Any photographic, video or other image of DR;
 - Any voice recording of DR;
 - His current addresses and/or location;
 - His educational establishments or workplace;
 - Any other particular likely or calculated to lead to the identification of DR ”
16. The additional special measures sought to address the risks to DR's safety and to ensure his effective participation in the Inquiry are granted in the following terms:

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- i. The DR will give evidence via a video link from a remote location away from the Inquiry's hearing venue at Liverpool Town Hall.
- ii. DR's live video evidence will be streamed to the Inquiry Chair, Counsel to the Inquiry, Core Participants and such other members of the Inquiry team as deemed necessary by the Inquiry Chair.
- iii. The press and/or members of the public attending the hearing room will be able to hear DR's oral evidence but will be restricted from viewing his current image.
- iv. Information that may lead to the identification of DR's locations (for example, an educational establishment or place of work) should be restricted from publication and any relevant details will be redacted from the published transcript).
- v. He is to be allowed regular breaks while giving live evidence as and when required.
- vi. He is to be accompanied by a member of his legal team who will sit with him as he gives evidence but will not play a part in him giving evidence unless directed to do so by the Chair.
- vii. He is to be provided in advance of giving evidence with copies, or a list of URNs, of the documents he will be taken to during his evidence as well as a list of topics to be covered in his evidence.
- viii. Questions asked by Core Participants pursuant to Rule 10 of the Inquiry Rules 2005 are to be provided in writing in advance of him giving evidence and asked only by Counsel to the Inquiry.

Sir Adrian Fulford



21 October 2025