

# Southport Public Inquiry

## **Decision on the Applications by Counter Terrorism Policing North West for a Restriction Order and Special Measures on behalf of Officer A and Officer B**

### **Introduction**

1. This is my Ruling on the applications for a restriction order and special measures for Officer A and Officer B when giving evidence to the Inquiry.
2. The following orders are sought:
  - a. If Officer A and / or Officer B are called to give evidence:
    - i. They shall be anonymised and referred to by a suitable cipher.
    - ii. They shall be screened from members of the public present in the hearing room, but will be visible to the Chair, Counsel to the Inquiry, Core Participants and their legal representatives and accredited media.
    - iii. There shall be no broadcast of their evidence. This will not preclude the publication of transcripts of their evidence.
  - b. Whether or not Officer A and / or Officer B are called to give evidence, there shall be no publication of Officer A and / or Officer B's names or such information as would likely result in the identification of them. This shall include publication in any documents disclosed by the Inquiry.
  - c. Such further orders as may be strictly necessary to ensure the anonymity of Officer A and / or Officer B is not disclosed beyond the Chair, Counsel to the Inquiry, Core Participants and their legal representatives and accredited media."
3. It is emphasised that these proposed measures will not restrict or limit the information available to the core participants, including the names of the two officers.
4. In addition to statements provided by the two officers, Mr Fairclough has provided a risk assessment in his capacity as the Regional Head of Protective Security and Compliance for CTPNW.
5. The applications, dated 2 September 2025, have been made at a relatively late stage. The Inquiry's Protocol on Anonymity, other Special Measures for Witnesses and Vulnerable Witnesses, published on 12 June 2025, required that: "any person who considers themselves likely to be a witness to this Inquiry and who may ask for their name to be anonymised (even in documents provided to Core Participants) must notify the Solicitor to the

## Southport Public Inquiry

Inquiry **without delay**. This is because the Inquiry will be moving as rapidly as possible towards the disclosure of relevant documents to Core Participants. Such potential witnesses should not wait until they receive a formal request for a witness statement before contacting the Solicitor to the Inquiry” [emphasis in original].

### The Application

#### *Their role within the police*

6. Both officers worked at the material time in the Counter Terrorism Policing North West (“CTPNW”) Fixed Intelligence Unit (“FIMU”). I have been provided with a helpful description of the role of the FIMU within the Counter Terrorism Policing network. It comes principally within the “Pursue” strand of CONTEST, the Government’s counter-terror strategy. Those working within the FIMU are ordinarily the first recipients of intelligence relating to counter terrorism policing. Their role is to manage potential threats and risks to national security on behalf of the Chief Constable, and they have access to particularly sensitive material from a wide geographical area, including intelligence material held by counter terrorism police nationally.
7. As a consequence of this deployment, the officers are subject to the Official Secrets Act and they regularly handle the most sensitive intelligence, including threats to national security. Their roles are only revealed to those who strictly need to be aware of this information. Domestically only immediate family members will be told that they work within counter terrorism policing.
8. An important distinction is drawn between their position and that of Prevent officers who meet members of the public as well as those who have been referred to Prevent. As FIMU officers, therefore, A and B are expected not to disclose the nature of their roles and consequently their connection with counter terrorism policing, therefore, is largely unknown.
9. One of the officers is an assessor within the FIMU and his involvement related to the first referral, which was received by the Lancashire FIMU on 10 December 2019. The other officer had some involvement at the start of the first referral but was primarily involved in AR's second referral, which was received by the Lancashire FIMU on 1 February 2021. The officer conducted the FIMU assessment. He currently works as a FIMU supervisor.

#### *Personal issues*

10. The officers have set out the suggested adverse impact that public disclosure of their roles will have for them and their families if their names are publicly revealed. Officer A avers that his involvement in the Inquiry has already had a negative effect on his mental health, and it has placed his wife under strain. He grew up in Southport and he fears the consequences if his family (including his daughter) and others discover the details of his policing role. His daughter suffers from anxiety. He refers to difficulties he and his wife are experiencing. Officer A suggests that widely revealing his appearance and

## Southport Public Inquiry

identity, given his role in counter terrorism policing, may curtail his career progression vis-à-vis covert roles within the police.

11. Officer B describes that no one other than his wife and daughter are aware of his role within counter terrorism policing. He is a practising Muslim, and he has withheld this information from his local community and the other attendees at his Mosque. He apprehends that negative perceptions of the Prevent programme within the Muslim community would lead to a perception of him as a traitor and a spy. Disclosure of his role would, he suggests, have adverse consequences for his family, including his son and, as with witness A, he fears that public disclosure will damage his career prospects within counter terrorism policing.

### *The potential wider impact*

12. Mr Fairclough is apprehensive that disclosure of the roles of Officers A and B may undermine the effective recruitment of candidates into counter terrorism policing.

13. Unsurprisingly, Mr Fairclough suggests that:

“Any compromise of Secret information has serious implications. H.M. Government determines that the compromise of Secret material could: threaten the lives of individuals or groups; and/or seriously damage the UK’s security resilience, international relations, financial security; and/or impede the UK’s ability to investigate serious and organised crime.”

and

“Making it known publicly which staff routinely have access to this volume of sensitive material could raise their attractiveness as a target for hostile states and their intelligence services, single issue groups or even fixated persons.”

14. Similarly, members of either officer’s family could be exposed to the risk of coercion. There is, additionally, a risk of wide dissemination of relevant information via social media.

### **Other submissions**

15. Mr Weatherby KC on behalf of Leanne Lucas, Heidi Liddle and John Hayes opposes these applications and, by way of a short summary, submits that very significant weight should be afforded to the principle of open justice given the importance of ensuring there is a transparent investigation into the issues under consideration during this Inquiry. It is suggested it is critical to avoid any appearance of “sweeping issues under the carpet”. He highlights that the applications have not been accompanied by any medical or psychological evidence. He warns against the risk of a predominance of “ciphered professional witnesses”.

## Southport Public Inquiry

16. I have received submissions from Mr Duncan Gardham, court reporter covering the inquiry for national newspapers and broadcasters, which are a media response to the application. Mr Gardham notes that counter-terrorism officers are regularly required to give evidence by name in open court, including Muslim officers and refers to previous inquests and inquiries when this has occurred. He states that giving evidence anonymously encourages conspiracy theories and undermines the principles of transparency and openness. Amongst other points, he notes that both officers were at the centre of a major issue for the Inquiry - whether the Prevent referrals were appropriately handled.
17. There have been no other substantive submissions.

## Southport Public Inquiry

### Discussion

18. I set out the legal framework in full in my Decision on the Applications for Special Measures for the clinicians at Alder Hey Children's NHS Foundation Trust dated 1 September 2025. In order to grant these proposed anonymity orders there must be a compelling and convincing justification for restricting the reporting of the names of the officers. As regards their personal circumstances, no supporting information has been provided addressing the mental difficulties or anxieties to which Officer A and B refer, for instance from a general practitioner or psychologist. In conformity with my decision dated 1 September 2025 (see [89] of that Decision) police officers are aware that, as part of their public role, they may have to give evidence at Coroners' Inquests, in civil, criminal and family proceedings, before disciplinary bodies and at Public Inquiries. This is an inescapable feature of their role. It is critical that whenever there is a suggestion that there has been a potential failure in the handling an individual for whom the police have responsibility, officers have an obligation to give evidence in the relevant forum.
19. The effectiveness of this process and the reassurance provided to the public will be markedly reduced if the proceedings are in private or if those who provide evidence are anonymous. If mistakes, and particularly serious ones, have been made, accountability is an important element of the critical objective of ensuring they are not repeated. This can be an anxious process for witnesses, and the judicial body conducting the proceedings should provide relevant and necessary protections, based on properly presented and persuasive evidence as to what is reasonably required. As set out in my earlier Decision, it is probable that the more extensive the nature of the restrictions which are sought (particularly as regards anonymity), and the more serious and debilitating the medical or psychological condition (should reliance be placed on one), the more compelling the evidence will need to be in order to justify the restrictions, including by providing medical evidence in support.
20. Although I am sympathetic to the particular personal circumstances of the officers (e.g. living in Southport, the anticipated difficulties at the local mosque, and the pressure on them and their families) they decided to apply for roles within the FIMU in the knowledge that they may be required at some stage to give evidence in circumstances which could include revealing the true context of their work. There would have been no proper basis for them to assume that they would be granted anonymity when called to give evidence in those circumstances.
21. However, all that said, the determinative factor for me is that these proceedings are likely to attract significant public attention and I am concerned that the two officers or members of their families may be subject to approaches from, or coercion by, members of organised crime groups or others, once it is known that they work in a role which includes access to a wide range of secret information. I stress that this material includes a broad range of intelligence held by counter terrorism police nationally. A significant part of the Inquiry proceedings are to be broadcast and the transcripts of the evidence will be available on the Inquiry website. Given the likely wide

## Southport Public Inquiry

distribution of this information and the extent to which it probably will be viewed, I have no doubt that there is a material risk of Officers A and B and their families being approached or coerced by criminals or others with hostile intentions.

22. Additionally, given the work they currently undertake, I accept that should their identities become widely known their credible career ambitions in covert policing may be significantly undermined or destroyed.

23. In addition, therefore, to the potential interference with their Article 8 rights (e.g. the clear risk of interference with their private and family life should approaches be made or coercion applied), there are strong public interest reasons based on the necessary protection of secret information relating to the work of the police that have persuaded me that it is necessary to grant these applications.

24. The terms of the order are:

“If Officer A and / or Officer B are called to give evidence:

- i. They shall be anonymised and referred to by a suitable cipher.
- ii. They shall be screened from members of the public present in the hearing room, but will be visible to the Chair, Counsel to the Inquiry, Core Participants and their legal representatives and accredited media.
- iii. There shall be no broadcast of their evidence. This will not preclude the publication of transcripts of their evidence.

b. Whether or not Officer A and / or Officer B are called to give evidence, there shall be no publication of Officer A and / or Officer B's names or such information as would likely result in the identification of them. This shall include publication in any documents disclosed by the Inquiry.”

25. If additional orders are considered necessary to ensure the anonymity of Officer A and / or Officer B, these are to be raised in due course for my attention.

Sir Adrian Fulford

14 September 2025