

Southport Inquiry

PROTOCOL ON THE DISCLOSURE OF SENSITIVE MATERIAL

Introduction

1. This Protocol sets out the approach the Inquiry will take to the disclosure of documents which contain sensitive material, as well as the process for Core Participants to raise concerns regarding sensitivity with the Inquiry team.
2. This Protocol should be read in conjunction with the Inquiry's 'Protocol for the Receipt and Handling of Documents', 'Protocol on Applications for Restriction Orders' and 'Protocol on the Redaction of Documents', which are available on the Inquiry website. Reference should also be made to the ruling and finalised Second 'Minded to' Note issued by the Chair of the Inquiry on 14 September 2026, pertaining to Phase 2 Restriction Orders.
3. The procedures outlined below are not intended to cover every eventuality or every procedural issue that may arise. It follows that, in exceptional cases, where the interests of justice and fairness require it, the Inquiry may need to depart from this Protocol. Further, this Protocol may be amended from time to time, in which case an amended version will be published on the Inquiry website.

Aims

4. This Protocol is designed to ensure that Material Providers and Core Participants understand how the Inquiry will manage the disclosure of documents which may contain sensitive material. It is intended to confirm the process by which Core Participants will be able to identify potentially sensitive material to the Inquiry in order to restrict disclosure or ensure the application of redactions.

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Definitions

5. In this Protocol:

"AR" means Axel Rudakubana, the perpetrator of the attack;

"CP" means Core Participant;

"Document" means anything in which information of any description is recorded, whether in paper or in electronic form;

"Disclosure" - is the making of relevant documents available to Core Participants and (if required) to persons from whom the Inquiry proposes to take evidence. Material is disclosed to the Core Participants subject to a strict undertaking to the Inquiry of confidentiality by recipient (and their legal representative) not to reveal the contents to third parties who have not signed undertakings unless and until the material is published during the course of Inquiry hearings;

"Material Provider" means any person, institution or organisation, which has been asked to provide documents to the Inquiry or which has provided documents to the Inquiry (and includes any CP who has been asked or required to provide documents to the Inquiry). For the avoidance of doubt, it includes His Majesty's Government and any Department of State or Minister of the Crown;

"Redaction" - is the removal of information from a document, usually by obscuring text in a way that makes it clear that the information has been redacted. Redactions will be embedded in the disclosed document in such a way to ensure that it is not technically possible to see beneath it;

"Restriction Order" - is the name given to an order made under section 19

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of the Inquiries Act 2005 ('the Act') which restricts disclosure or publication of information.

"The Minded To Note" – is the ruling and finalised Second Minded To Note issued by the Chair on 14 September 2026.

Sensitivity categorisation

6. As set out in the Protocol on the Redaction of Documents, the Inquiry will operate a three-stage disclosure process. The first stage is the gathering of documentary material from Material Providers; the second stage is the review of evidence by the Inquiry team for relevance; and the third stage is the consideration of whether it is necessary to apply redactions or restrictions to the material prior to disclosure to CPs.
7. This Protocol applies to the second and third stage of the process, and to the application of redactions or the restriction from publication of text which has been identified by the relevant Material Provider to be sensitive. There are two overarching categories of sensitivity: Type 1 and Type 2 Restriction Orders.

Type 1 Restriction Orders

8. Type 1 Restriction Orders apply to documents which the relevant Material Provider submits should be provided to CPs but should not be made public.
9. Type 1 sensitivities which are contained in documentary evidence will be made available for viewing in unredacted format to Core Participants only. Members of the media and the public will not be able to see the unredacted copies of documents containing Type 1 material, as any documents that are brought on screen during Inquiry hearings, or published on the Inquiry website, will have opaque redactions applied to sensitive text.

Type 2 Restriction Orders

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10. Type 2 Restriction Orders apply to documents or text which the relevant Material Provider is seeking to withhold from disclosure to Core Participants, the media and the public entirely.
11. Type 2 material will not be disclosed to Core Participants, to members of the media or published. Type 2 material will be provided to the Inquiry in CLOSED only and will remain CLOSED, subject to the Inquiry's determination of whether the material should remain in CLOSED.

Sub-categories of sensitivity

12. In accordance with the Minded To Note, the Inquiry has identified a number of sub-categories of sensitivity which are likely to feature within Type 1 and Type 2 Restriction Orders. These sub-categories are in addition to the ordinary categories of redaction which were set out in the 'Protocol on the Redaction of Documents'.
13. The categories are as follows, to be read in accordance with the definitions and criteria established by the Chair of the Inquiry in the Minded To Note:

No.	Category
A	Cabinet Collective Responsibility
B	Government Policy in Development
C	Government Decision-making Process
D	National Security
E	Operational Sensitivity
F	Commercial Sensitivity
G	Unpublished Statistics
H	Personal Data

Process

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14. At the point of disclosure to the Inquiry, each Material Provider should consider whether the document contains sensitivities which may require the application of a Type 1 or Type 2 Restriction Order. If a Type 1 or Type 2 Restriction Order is sought, the Material Provider should notify the Inquiry Team by email to solicitor@southport.public-inquiry.uk.
15. A request for a Type 1 or Type 2 Restriction Order must comply with the following conditions:
 - a. The request must be sent by email with the subject “Restriction Order Request” following notification to the Material Provider from the Inquiry that a Tranche of material is ready for review;
 - b. The request must be made using the Template provided to Core Participants with the Material Provider Review letter;
 - c. No more than one Template may be sent to the Inquiry Team for each tranche of disclosure;
 - d. The Template must list the Unique ID of every document in the Tranche;
 - e. Where the sensitive material is of relevance to more than one equity holder, input from other organisations / Government Departments should be collated into a single Template by the Material Provider of the document to the Inquiry;
 - f. Extensions will not be granted where the Material Provider is waiting for input from other equity holders: it is the responsibility of the Material Provider to collate the redaction requests in advance of the deadline given in the Material Provider Review (MPR) request.
 - g. In accordance with the Template, Material Providers must specify the precise location of the sensitive text within each document (by reference to the page, paragraph and line numbers and if necessary, by reference to the specific section of sensitive text);
 - h. For each section of text in relation to which a Type 1 or Type 2 Restriction Order is sought, the Material Provider must identify the applicable category and sub-category of sensitivity and provide written reasons for restriction of the evidence;

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- i. The email containing the request for a Type 1 or Type 2 Restriction Order should be sent to the Inquiry **within 48 hours of disclosure of the document to the Inquiry** (or by 4pm 14 September 2026, for documents which were disclosed to the Inquiry prior to the publication of this Protocol).
16. The Inquiry's legal team will consider each request for restriction of sensitive information and will either:
 - a. Agree the request for further redaction, apply such redaction and then disclose the document(s) to CPs;
 - b. Reject the request for further redaction, in whole or in part. In such circumstances, the Material Provider will be given a short opportunity to apply for a Restriction Order to prevent disclosure of the information which it seeks to redact. Please refer to the Inquiry's 'Protocol on applications for Restriction Orders' for further information.
17. The Inquiry's determination will be made available to the Material Provider in the text box for the relevant document on Relativity. Upon notification of the determination, each Material Provider will be informed of the anticipated timing of onward disclosure of the documents. The Inquiry will endeavour to give material providers at least 48 hours between notification of the redaction decision and disclosure of the document. It is recognised that this deadline is short, however, this is of necessity due to the required reporting timelines incorporated into the Terms of Reference. If, despite all support and resourcing this deadline cannot be met, please contact the Inquiry as soon as possible setting out 1) the nature of the difficulties; and 2) the date by which MPR will be complete. **Please also note that the Inquiry may disclose the materials to CPs if we do not receive a response from you.**
18. CPs will be notified of the disclosure of evidence by correspondence from the Inquiry. If there is any redaction or restriction to which a CP wishes to object, this

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should be done within 7 calendar days of the disclosure notification letter sent by the Inquiry. Notwithstanding the deadline above, the Inquiry will not accept any challenge to a Type 1 redaction after the Rule 10 Question deadline which is 4 pm 7 calendar days before any witness is due to give oral evidence. Objections to redaction/restriction determinations must comply with the following conditions:

- a. Objections should be raised with the Inquiry team by email to solicitor@southport.public-inquiry.uk;
- b. The objection must be sent by email with the subject “Restriction Order Objection”;
- c. The email must include the specific location of the redaction or restriction which is being challenged. Failure to specify the exact location of the text will result in refusal of the objection.
- d. The email must include detailed written reasons explaining why the CP considers the redaction or restriction is not appropriate, or that the criteria set out in the Minded To Note has not been met. Failure to include written reasons will result in refusal of the objection.
- e. The email must include the following template table, with each field completed by the CP seeking to object to the Inquiry’s determination:

Doc ID	Text Location	Redaction Type	Reason for Objection
<i>E.g.</i> <i>INQ000001</i>	<i>E.g. P12,</i> <i>§64, lines 3-4</i>	<i>E.g. T1F</i>	<i>E.g. The underlying information has already been published and is available open source at [ADDRESS].</i>

- f. Any request to refer to Type 1 information in a Rule 10 question MUST

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be raised in the Rule 10 question pro forma regardless of prior notification of this redaction challenge to the Inquiry.

19. The determination of the Inquiry in response to an objection will be notified to the CP by email. The Inquiry may:
 - a. Agree the objection and amend the redaction or restriction, in whole or in part;
 - b. Publish a gist of the sensitive text by agreement with the Material Provider; or
 - c. Refuse the objection and retain the original restrictions, in whole or in part.
20. By the same process, a CP may request that the Inquiry permit an opportunity for it to ask questions about material which has been made subject to a Type 1 Restriction Order in a private hearing. Whether to convene a hearing for this purpose will be a matter for determination by the Chair, having regard to the relevance of the evidence, the nature and level of the sensitivity and the public interest in permitting questions to be asked about the material in a private hearing.
21. The required reporting time of the Inquiry is such that only a short period can and will be allowed for Material Providers to review the Inquiry's determinations and for CPs to review disclosed material for the purpose of objecting to the application of redactions or restrictions.
22. The Inquiry expects Material Providers to adopt a measured approach when seeking redactions. The Inquiry will redact documents only where the case for redaction is properly made out. Material Providers should have regard to the relevant provisions of the Act and other relevant legislation. By section 18 of the Act the Chair is obliged to take reasonable steps to ensure that members of the public are able to view documents provided to the Inquiry, subject to any restriction imposed under section 19 of the Act.

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Format of Redactions

23. Documents which the Inquiry has determined should be made subject to Type 1 Restriction Orders will be disclosed to Core Participants on Relativity. Two versions of each document will be disclosed. One version will have opaque redactions of the Type 1 material which will be suitable for publication. Another, will have the underlying sensitive text visible. This will be in the form of a duplicate document with a CONF prefix. The Type 1 information will be highlighted in yellow.
24. Documents which the Inquiry has determined should be made subject to Type 2 Restriction Orders will be disclosed to Core Participants on Relativity with redactions applied, so that the underlying sensitive text is not visible.
25. A duplicate document with a CONF prefix may contain both Type 1 information and Type 2 information, in which case Type 1 information will be highlighted in yellow and Type 2 information will remain fully redacted.
26. Redactions will consist of opaque boxes covering the sensitive text, with overlaid text identifying the applicable category and sub-category of sensitivity by reference to the numbering set out at §13 of this Protocol. For example, text which has been redacted under a Type 1 Restriction Order on the basis of Commercial Sensitivity will be identified as “T1F”.
27. As set out above, it is also open to the Inquiry to consider the publication of a gisted version of a document by agreement with the relevant Material Provider, where necessary and proportionate by reference to the relevance of the evidence, the nature and level of sensitivity and the public interest in disclosure of some or all of the material.

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14 September 2026