

Respecting the anonymity of child identities



As I mentioned earlier, in the course of this and the following weeks we are going to be hearing oral evidence from a number of patients, and family members of patients.

Before we hear from the first of these witnesses, there are some things I would like to say about reporting and, in particular the need to respect the anonymity of children.

The starting position is that this is a public inquiry to which the public, the press and other media should have as full access as is reasonable and practicable. We are accordingly livestreaming our proceedings and witness statements and documents referred to in the hearings will be posted on the Inquiry's website. Should those listening to the hearings wish to communicate on social media they are free to do so, subject to those present in the hearing room respecting a two-minute delay between something being said by a witness and any repetition in the social media feed.

However, the evidence which we will hear over the course of the next few weeks will include reference to serious medical conditions and complex medical treatment, mostly in relation to children and young persons. Many of the witnesses will be the parents of these children and young persons who may be describing extremely difficult experiences which are distressing to narrate and recall. Some may not have publicly shared their experiences before.

The Inquiry does not wish unnecessarily to exacerbate the distress and difficulty experienced by affected persons, whether they are patients or family members. We have accordingly adopted two sorts of measure to protect family privacy.

First, I have granted **specific restriction orders** under section 19 of the Inquiries Act 2005, in response to applications made by individuals. The information subject to a specific restriction order will be redacted from documentary evidence. Related oral evidence will be heard in a **closed hearing**. In other words, those hearings will not be accessible or viewable by members of the public or press. Copies of these orders are available on the Inquiry's website. I would remind you that formal legal sanctions are available under the 2005 Act should anyone breach a restriction order.

Second, the Inquiry has published a Statement of Intent on Redactions, available on our website, which sets out certain categories of personal information that the Inquiry

may redact from evidentiary documents, witness statements, and transcripts. One of the key categories of information the Inquiry has redacted is the identities of any children under the age of 16, subject to the views of either parents or the young person themselves. By “redaction” I simply meaning scoring through with a black pen.

In line with the Statement of Intent, in witness statements [and other documents] that have been distributed to core participants ahead of this hearing, and that will be available on the Inquiry’s website, certain personal and other information has been redacted. I would wish those redactions must be respected.

In carrying out redactions we have attempted to balance a wish to protect privacy and the need to be as transparent as possible but it is inevitable that, in the course of these hearings, we may hear some oral evidence which discloses material that is redacted in documents, including the names of children. For example, it would be unreasonable to expect parents and family members to refer to their children by anything other than their name. Can I therefore ask that these names, or any other information that could identify them, or the other content of any redactions, not be publicised. By that I mean any type of disclosure or publication, including disclosure on social media. This instruction applies to members of the public, press, legal representatives, and to anyone else watching proceedings at any time. I will be very grateful for your cooperation.

Lord Bordie
Chair

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