

The Independent Inquiry into Child Sexual Abuse (IICSA)

Submissions on behalf of the Crown Prosecution Service on the question of broadcasting the proceedings

1. Crown Prosecution Service (CPS) encourages the open and public nature of the proceedings and as a matter of principle supports the view that broadcasting (whether by television broadcast or livestreaming) is in the public interest. However the CPS also recognises that each investigation will have a very different factual context that will likely bring its own particular considerations to the question of broadcasting. A flexible approach with the principles of openness to the fore would likely be appropriate in the view of the CPS.
2. It is important in our submission that witnesses are not discouraged from cooperating in as full and frank a manner as possible. As Lord Hutton and Sir Richard Scott recognised there is additional strain placed on a witness if his or her evidence is televised and perhaps particularly so if their evidence concerns events that took place many years ago. The CPS will of course bring any legitimate concerns a potential witness over whom we have a responsibility may have to the attention of the Inquiry. The early identification of potential witnesses from the CPS would assist in managing any concerns they, as individuals, may have.
3. Whilst it is not envisaged, the Inquiry will be alert to its use as any sort of platform by interested parties (as raised in the Litvinenko Inquiry) and has already identified the possibility of criminal allegations being made in public (BEQC Paragraph 19). However it seems to the CPS that a delay of a few minutes to the transmission of the Inquiry would allow for any unforeseen but unhelpful evidence to be “edited.”
4. For the avoidance of doubt, the CPS makes clear that, of course, there is no question but that the Restriction Orders in place at present are appropriate.

4 March 2016