

<p>1 Tuesday, 26 July 2016 2 (10.30 am) 3 Preliminary remarks by THE CHAIR 4 THE CHAIR: Good morning. 5 Today's sitting marks the commencement of a further 6 series of preliminary hearings into various of the 7 Inquiry's initial 13 investigation modules. Those 8 modules were announced on November last year, and in 9 March this year preliminary hearings were held into 10 modules concerning allegations of child sexual abuse 11 involving the late Lord Janner of Braunstone QC, and the 12 institutional responses to those allegations, 13 allegations concerning the Anglican Church, allegations 14 concerning Cambridge House, Knowl View and Rochdale, and 15 allegations concerning Lambeth Council. 16 Today's hearing concerns the investigation into 17 allegations of child sexual abuse involving the late 18 Lord Janner and the institutional responses to those 19 allegations. The scheduling of all further hearings set 20 down for the remainder of this week has been published 21 on the Inquiry's website. These include first 22 preliminary hearings into allegations concerning the 23 Roman Catholic church, into the protection of children 24 outside the United Kingdom, and into the issue of 25 accountability and reparations.</p> <p style="text-align: center;">Page 1</p>	<p>1 and for the future. It is about delivering on a unique 2 opportunity to restore confidence in this nation's 3 commitment and its ability to protect and respect its 4 most precious asset: its children. And while it is the 5 most ambitious and wide-ranging inquiry ever established 6 under the Inquiries Act, the Panel and I are wholly 7 committed to the task we have been given. 8 The failures of institutions to prevent abuse from 9 happening, or to respond appropriately to disclosures 10 that have been made, has had a profound impact on the 11 lives of the victims and survivors of child sexual 12 abuse, and has left many of them growing up feeling that 13 society has let them down. Those failures have also had 14 an impact on society beyond severe social malfunction, 15 and are having a profound effect on health, justice, 16 penal and many other public services and systems. 17 The real cost to society of child sexual abuse and 18 child sexual exploitation is incalculable, and remains 19 ongoing in many manifestations, as evidenced by 20 Professor Jay's investigation into Rotherham and by the 21 increasingly appalling exploitation of children through 22 the internet. 23 On the administrative side and since our last 24 preliminary hearings earlier year this year, there has 25 been much industry and endeavour by Inquiry staff to</p> <p style="text-align: center;">Page 3</p>
<p>1 As with all of the Inquiry's work, the context is 2 that of institutional responses to allegations of child 3 sexual abuse and child sexual exploitation by all 4 institutions, both state and non-state, which owe a duty 5 of care to children. 6 With me on the bench today are the other members of 7 the Inquiry Panel, Professor Sir Malcolm Evans, 8 Ivor Frank, Professor Alexis Jay and Drusilla Sharpling. 9 It is our collective responsibility to consider all 10 of the material that will come before the Inquiry, to 11 determine the facts as we find them, to make 12 recommendations and to deliver reports to the 13 Home Secretary. I shall explain, however, that all 14 procedural rulings, including those that will arise 15 today and during this week, are reserved to the Chair 16 alone. 17 Before we embark on the business of today's hearing 18 and I invite Mr Emmerson to give an updating statement 19 on the Inquiry's progress generally, I want to restate 20 a few brief comments about the importance of this 21 inquiry. It is timely to do so, as it serves to remind 22 each and every one of us that the responsibility we have 23 been charged with can have no greater priority in any 24 society. 25 This Inquiry is about protecting children, here, now</p> <p style="text-align: center;">Page 2</p>	<p>1 build the necessary infrastructure, capacity, and 2 expertise to support the business of the Inquiry across 3 its three key projects: the Truth Project, the 4 Research Project, and the Public Hearings' Project. All 5 three projects have distinct but complementary roles in 6 taking us towards achieving our goals of revealing 7 systemic issues, both past and ongoing, and of informing 8 future improvements. 9 In combination, they will provide us with a detailed 10 understanding of the way in which institutions have 11 functioned and are functioning now, and how that has 12 impacted on or continues to impact on their ability to 13 or failure to protect children with whom they have 14 contact. It has taken time to build this framework, but 15 it is necessary and imperative that we get this right. 16 It is important to also re-emphasise under the 17 Inquiry's terms of reference that victims and survivors 18 have an express and unqualified right to be heard, as 19 well as the right to share their experience in a safe 20 and private environment. The Truth Project, which is 21 specifically focused on fulfilling this term of 22 reference, is separate from the public hearings' aspect 23 of the Inquiry's work as it has no direct legal 24 consequences and no individual factual findings will be 25 made in relation to what is shared with the Inquiry</p> <p style="text-align: center;">Page 4</p>

<p>1 during the private session.</p> <p>2 The information the Truth Project receives will,</p> <p>3 however, provide important data over time spans and</p> <p>4 across a range of institutions. The Truth Project</p> <p>5 sessions are now underway and, in due course, the</p> <p>6 Inquiry will publish, with the consent of those who have</p> <p>7 shared their experience, anonymised summaries of their</p> <p>8 experiences alongside our inquiry reports.</p> <p>9 This approach is very much in line with the tried</p> <p>10 and tested private hearings of the successful Australian</p> <p>11 Royal Commission of Inquiry into Institutional Child</p> <p>12 Sexual Abuse in Australia.</p> <p>13 I turn now to briefly comment on the work of our</p> <p>14 research team. The Research Project's purpose is to</p> <p>15 assist and inform our current investigations, to help</p> <p>16 scope and define our future investigations, and to</p> <p>17 assist us in publishing original research on child</p> <p>18 sexual abuse and child sexual exploitation.</p> <p>19 In terms of the publication of our work, it is our</p> <p>20 intention to publish two forms of regular annual report.</p> <p>21 As I said in my opening statement in July 2015, we will</p> <p>22 report annually on progress across all of the Inquiry's</p> <p>23 work streams. We are planning to publish an updating</p> <p>24 report on these matters towards the end of 2016. In</p> <p>25 addition, we will also earlier be publishing an annual</p> <p style="text-align: center;">Page 5</p>	<p>1 General remarks on the progress of the investigations by</p> <p>2 COUNSEL TO THE INQUIRY</p> <p>3 MR EMMERSON: Madam, members of the Panel, before we embark</p> <p>4 on the second preliminary hearing concerning alleged</p> <p>5 institutional failures in connection with allegations of</p> <p>6 child sexual abuse against the late Lord Janner of</p> <p>7 Braunstone QC, I would like then to first take this</p> <p>8 opportunity to provide an update on a number of</p> <p>9 substantive and procedural matters that touch upon all</p> <p>10 13 of the Inquiry's investigations.</p> <p>11 My intention is to deal with these general issues</p> <p>12 now, firstly in order to avoid repeating them in detail</p> <p>13 in each of the subsequent hearings, and, secondly, so</p> <p>14 that all the core participants in all of the preliminary</p> <p>15 hearings this week can be made aware of them when the</p> <p>16 transcript of today's hearing is published later this</p> <p>17 afternoon.</p> <p>18 Madam, since our preliminary hearings in March, we</p> <p>19 have made substantial progress in all 13 of our active</p> <p>20 investigations. Core participant applications have now</p> <p>21 been opened in 7 of the 13 investigations. We have</p> <p>22 received 229 applications for core participant status,</p> <p>23 and you have so far designated 188 core participants.</p> <p>24 Evidence-gathering is well advanced; we have received</p> <p>25 around 35,000 documents which the legal team have been</p> <p style="text-align: center;">Page 7</p>
<p>1 business update on the Inquiry's activities for the year</p> <p>2 past, together with a statement of its intended</p> <p>3 activities for the coming year.</p> <p>4 In addition to these two annual reports, and as we</p> <p>5 work on each of the 13 initial investigation modules and</p> <p>6 conclude that work, we will separately issue a report of</p> <p>7 our findings on each. These individual investigation</p> <p>8 reports will include tangible and achievable</p> <p>9 recommendations so that the Inquiry's process will be</p> <p>10 itself acting as an engine for driving accountability</p> <p>11 and change as we go.</p> <p>12 In reporting in these three separate ways -- by</p> <p>13 annual progress reports, by annual business reports and</p> <p>14 by separate investigation reports -- I believe that we</p> <p>15 will strike the right balance between doing our work as</p> <p>16 thoroughly and as carefully as it deserves and also</p> <p>17 doing it transparently in a way that keeps the public up</p> <p>18 to date on our progress.</p> <p>19 So, ladies and gentlemen, that concludes all that</p> <p>20 I had wished to say to you by way of preliminary</p> <p>21 remarks, and I will now call on Mr Emmerson, Counsel to</p> <p>22 the Inquiry, to make some opening remarks of his own and</p> <p>23 to address the Panel on the specifics of today's</p> <p>24 business.</p> <p>25 Yes, Mr Emmerson?</p> <p style="text-align: center;">Page 6</p>	<p>1 analysing in preparation for the public hearings.</p> <p>2 In addition, as you indicated a moment ago, Madam,</p> <p>3 the work of the Inquiry's research team is contributing</p> <p>4 continually to the investigations by providing material</p> <p>5 on background and context to child abuse in a variety of</p> <p>6 institutional settings, and has completed a number of</p> <p>7 valuable internal research projects.</p> <p>8 The Inquiry's Truth Project is now well underway,</p> <p>9 with sessions already taking place in the northwest and</p> <p>10 sessions due to commence in the northeast in August and</p> <p>11 in Wales in autumn.</p> <p>12 As you have explained on a number of occasions,</p> <p>13 Madam, and as you repeated this morning, the</p> <p>14 Truth Project is in no sense a fact-finding exercise.</p> <p>15 It is designed to provide an opportunity for those who</p> <p>16 wish to report and describe to the Inquiry their</p> <p>17 experiences of child sexual abuse in an institutional</p> <p>18 context. Where appropriate, these reports are then</p> <p>19 referred to the police for investigation, and it is an</p> <p>20 important function of the Truth Project that it may in</p> <p>21 certain circumstances bring unreported allegations to</p> <p>22 the attention of the police for investigation.</p> <p>23 The Inquiry has so far received more than 2,200</p> <p>24 communications from members of the public. Many of them</p> <p>25 making direct allegations of abuse. The number of</p> <p style="text-align: center;">Page 8</p>

<p>1 communications has been increasing as the Inquiry 2 progresses with its work and, at the present time, we 3 are receiving an average of 80 to 100 communications 4 a week, and are making an average of between 20 and 25 5 police referrals each week.</p> <p>6 The Inquiry has a free and confidential witness 7 support service which will in due course be available to 8 everyone who is asked by the Inquiry to be a witness. 9 Support workers are now on hand to provide emotional 10 support to witnesses by telephone or face to face, and 11 counselling sessions are also available. The aim is to 12 support witnesses in their engagement with the Inquiry, 13 and more details of the service will be provided to all 14 core participants in all investigations in the coming 15 weeks.</p> <p>16 Madam, in your opening statement you made 17 a commitment that the Inquiry would use a variety of 18 different methods in order to investigate the vast 19 terrain set out by the terms of reference. One of those 20 commitments was that the Inquiry would publish a series 21 of issues papers on current topics and debates concerned 22 with the identification and prevention of child sexual 23 abuse. The aim of these papers is to give organisations 24 and individuals an opportunity to make submissions on 25 particular topics within a defined period in order to</p> <p style="text-align: center;">Page 9</p>	<p>1 and, once that consultation window has closed, the 2 Inquiry will hold a separate and independent seminar on 3 mandatory reporting in order to discuss and ventilate 4 the issues and arguments in a public setting and not 5 merely in an executive context considering written 6 submissions.</p> <p>7 May I turn now to the 13 specific investigations 8 that are currently underway. A number of matters arise 9 that affect the conduct of all our investigations. 10 First, following submissions on broadcasting at the last 11 preliminary hearings, you ruled, Madam, that the public 12 hearings will be live-streamed. The live-stream will be 13 subject to a five-minute delay to enable inappropriate 14 material to be edited from the broadcast, and you also 15 provisionally decided on an approach to protective 16 measures for anonymised core participants and witnesses. 17 Your provisional view was that they should give their 18 evidence in the hearing room without a screen, but that 19 they would not be filmed, their voices would be 20 distorted in any live-stream, and the press and public 21 would be excluded from the hearing room during the 22 testimony of anonymised witnesses.</p> <p>23 There are two further points I should emphasise in 24 relation to the broadcasting ruling. First, we are not 25 yet at the stage in relation to these investigations of</p> <p style="text-align: center;">Page 11</p>
<p>1 contribute to policy-making.</p> <p>2 In an important development of the Inquiry's work, 3 the first round of issues papers are to be published 4 next week. The first two papers invite views on the 5 adequacy of the civil justice system and the system for 6 awarding criminal compensation as means of achieving 7 accountability and reparation for victims and survivors 8 of child sexual abuse. Once the consultation process is 9 complete in both of those papers, the Inquiry will hold 10 public seminars at which key issues are debated so that 11 the Panel can reach evidence-based conclusions. Further 12 issues papers will of course follow in due course.</p> <p>13 As you and the Panel are well aware, Madam, the 14 Home Office last week published a substantial 15 consultation paper related to the vexed question of 16 mandatory reporting of suspicions of child sexual abuse, 17 an issue on which opinions in the field are sharply 18 divided.</p> <p>19 The paper focuses, among other things, on how to 20 address issues in relation to identification, reporting, 21 assessment and information sharing, and is 22 a comprehensive opportunity for those with experience or 23 ideas or information relevant to policy-making in this 24 field to bring those ideas to the consultation process. 25 The closing date for submissions is 13 October 2016</p> <p style="text-align: center;">Page 10</p>	<p>1 identifying with certainty which witnesses will in due 2 course be called to give live evidence at the public 3 hearings, so we have not yet invited submissions on the 4 protective measures aspects of the ruling, either in 5 writing or during these preliminary hearings.</p> <p>6 The second point relates to subsequent 7 investigations that were not directly the subject of the 8 original broadcasting ruling. You decided, Madam, that 9 any decision you took in relation to broadcasting in one 10 investigation should not bind the Inquiry or the 11 core participants in other investigations. You 12 indicated that you would hear submissions on the issue 13 from core participants in each investigation at the 14 appropriate time. You made it clear, unsurprisingly, 15 that the factors you would take into account in each 16 instance were unlikely to change materially and that the 17 approach taken in the original broadcasting ruling was 18 likely to be the approach that you would direct the 19 Inquiry to take at future public hearings, but you 20 emphasised the importance of enabling core participants 21 to make submissions particular to individual 22 investigations in an effort to seek to persuade you to 23 take a different approach.</p> <p>24 During the course of this week, preliminary hearings 25 will take place in relation to three investigations that</p> <p style="text-align: center;">Page 12</p>

<p>1 were not the subject of the original broadcasting 2 ruling: the investigation into the Catholic church, the 3 investigation into the sexual abuse of child migrants, 4 and the investigation into accountability and 5 reparations. Core participants in those investigations 6 will therefore need to be given a suitable opportunity 7 to make any representations they wish to make on the 8 broadcasting arrangements.</p> <p>9 I move now, if I may, to the question of anonymity. 10 At the last preliminary hearings, core participants were 11 invited to make anonymity applications. The majority of 12 complainant core participants have requested anonymity. 13 Their applications have you now been provisionally 14 determined by the making of a draft restriction order 15 that gives anonymity to all complainant 16 core participants.</p> <p>17 The Inquiry considers that a general restriction 18 order is justified because the complainant core 19 participants will in almost all cases be entitled to 20 statutory anonymity under the Sexual Offences 21 (Amendment) Act 1992. The Act sets out in section 2 the 22 list of offences to which it applies, and the list 23 includes a number of child sex offences. The 24 restriction order therefore protects the right of the 25 complainant core participants to statutory anonymity,</p> <p style="text-align: center;">Page 13</p>	<p>1 representations apply across all investigations. At the 2 end of last week, we received notification from 3 Guardian News and Media Limited that the media no longer 4 proposes to contest or make submissions on the 5 provisional order for the purposes of today's hearing. 6 They do, however, reserve the right to raise specific 7 issues in due course relating to the scope and 8 application of the order where they consider this to be 9 necessary in accordance with the principles of open 10 justice. In light of that approach, the media group are 11 not represented here today.</p> <p>12 I obviously will not be asking you to make a ruling 13 on the restriction order at this stage, but rather to 14 wait until after all core participants in all the 15 hearings this week have had the opportunity to make 16 submissions on it. If you are minded to maintain your 17 original decision, or indeed if you decide to vary it, 18 I will ask you to make a final order after the 19 conclusion of this week's hearings.</p> <p>20 The third general matter I need to address is the 21 redaction of documents prior to disclosure by the 22 Inquiry to core participants. Redaction will be 23 necessary in order to preserve anonymity and to ensure 24 that we do not publish individuals' personal details. 25 The Inquiry has published a protocol on redaction on its</p> <p style="text-align: center;">Page 15</p>
<p>1 and prevents the Inquiry from incurring what would 2 otherwise be criminal liability under the Act.</p> <p>3 There may be a small number of cases in which 4 a complainant core participant has not so far 5 particularised the allegations of sexual offending to 6 the degree that would enable the Inquiry to establish 7 the precise nature of the offence that may have been 8 committed under the schedule to the 1992 Act. You have 9 taken the view, Madam, that it would not be desirable to 10 request further specific information at this stage about 11 the nature of the offending in this very small number of 12 cases, and that it is in the public interest to make 13 a restriction order that covers all complainants. Of 14 course, it is open to complainants to waive anonymity, 15 and some have indicated that they intend to do so.</p> <p>16 The restriction order has been circulated to all 17 core participants and to the media for comment. 18 Core participants will be given the opportunity to make 19 representations on it at each of the preliminary 20 hearings, including the one that we are shortly to 21 embark upon.</p> <p>22 A number of media organisations, collectively 23 represented by Guardian News and Media Limited, have 24 submitted a brief note making representations in 25 relation to the provisional restriction order. Those</p> <p style="text-align: center;">Page 14</p>	<p>1 website, and recently circulated draft guidance on 2 redaction to core participants. They will be invited to 3 make submissions on this guidance during the course of 4 each preliminary hearing, unless such submissions are 5 received in writing.</p> <p>6 Summarising the guidance very briefly, it is 7 proposed that, first of all, the names and personal 8 details of all anonymised core participants are redacted 9 and ciphered.</p> <p>10 Secondly, that the names of individuals convicted of 11 child sexual abuse will not be redacted.</p> <p>12 Thirdly, that the identities of individuals who are 13 alleged to have committed child sexual abuse will be 14 redacted and ciphered, unless their identity is very 15 widely known, for example where their name has been 16 widely published in the regulated media in connection 17 with allegations of abuse such that the allegations are 18 fully in the public domain.</p> <p>19 Employees of institutions who are not alleged to 20 have been involved in sexual abuse will not generally be 21 redacted unless there is a specific good reason to do 22 so.</p> <p>23 Children, other than core participants, whose names 24 appear in the evidence, will be redacted and we will 25 apply a cipher if their identity is relevant to the</p> <p style="text-align: center;">Page 16</p>

<p>1 investigation.</p> <p>2 Lastly, as regards the draft guidance on redaction,</p> <p>3 the Crown Prosecution Service have made some short</p> <p>4 generic submissions in writing that apply across all</p> <p>5 investigations, including those that are the subject of</p> <p>6 this week's hearings. In order to avoid those</p> <p>7 submissions being repeated, and with a view to ensuring</p> <p>8 that they are fully in the public domain, I have invited</p> <p>9 Mr Brown just to say a few words about the Crown</p> <p>10 Prosecution Service's position.</p> <p>11 THE CHAIR: Thank you.</p> <p>12 Mr Brown?</p> <p>13 Submissions on behalf of the Crown Prosecution Service by</p> <p>14 MR EDWARD BROWN QC</p> <p>15 MR BROWN: I'm grateful for being given the opportunity.</p> <p>16 They are really practical difficulties that we foresee</p> <p>17 as the Inquiry progresses.</p> <p>18 The CPS, of course, is one of the principle</p> <p>19 providers of information, as well as being</p> <p>20 a core participant in some of the investigations. We</p> <p>21 will of course identify suggested redactions,</p> <p>22 particularly of names and details and the like, where we</p> <p>23 think it is appropriate. Of course, it will be, in the</p> <p>24 end, for the Inquiry teams to decide upon particular</p> <p>25 anonymity, using the guidance that you have given</p> <p style="text-align: center;">Page 17</p>	<p>1 difficult to predict exactly, not knowing the material</p> <p>2 that will form the basis of the core material, but we</p> <p>3 envisage a difficulty in this respect.</p> <p>4 No core participant, and the inquiry most certainly,</p> <p>5 will want to reveal that material that they are seeking</p> <p>6 to redact, but it seems to us at least a real</p> <p>7 possibility, because of the factual matrix that the</p> <p>8 Inquiries are looking into, that anonymous material will</p> <p>9 become a source of knowledge ultimately.</p> <p>10 Now, as I said, I think we only respectfully suggest</p> <p>11 that careful consideration is given to that potential</p> <p>12 problem referred to, I think, as jigsaw identification</p> <p>13 or suchlike, because I think it is bound to arise, but</p> <p>14 they are practical problems that I am sure can be dealt</p> <p>15 with as best as possible. It won't be perfect, but it</p> <p>16 will be a difficulty that I am sure we will all be able</p> <p>17 to overcome.</p> <p>18 THE CHAIR: Thank you, Mr Brown. Clearly the starting point</p> <p>19 will be for all counsel concerned to work as responsibly</p> <p>20 and assiduously together as they can to try to ensure</p> <p>21 that nothing falls through a crack, so to speak.</p> <p>22 MR BROWN: Of course.</p> <p>23 THE CHAIR: If, with the best will in the world, something</p> <p>24 does, then I would expect it to be raised with me</p> <p>25 immediately so that some remedial steps or further</p> <p style="text-align: center;">Page 19</p>
<p>1 yourselves, in a way.</p> <p>2 However, we won't be aware, of course, of the</p> <p>3 ultimate result of the decisions of anonymity, and</p> <p>4 where, for example, the Crown Prosecution Service or</p> <p>5 potentially the police, as another provider of</p> <p>6 information, won't in fact know what lies behind all of</p> <p>7 the anonymity, there is at least a potential danger that</p> <p>8 we will not identify some areas that need redaction and</p> <p>9 anonymity. But I hope that that is a practical problem</p> <p>10 that can be solved with work between the teams that</p> <p>11 doesn't involve a breach of confidentiality or anything</p> <p>12 of that kind, but it is a danger to identify, we think.</p> <p>13 Secondly, it seems to us likely, at least, that some</p> <p>14 anonymised individual core participants will be able to</p> <p>15 identify other anonymised, either individuals or</p> <p>16 core participants. It comes really from the factual</p> <p>17 context of the investigations and it is a difficulty.</p> <p>18 We can't particularly see any practical solution</p> <p>19 that will solve all those problems, but we think that</p> <p>20 the Inquiry should be sensitive to that problem, because</p> <p>21 it may well arise.</p> <p>22 Of course, the Inquiry won't want to edit and redact</p> <p>23 huge areas of the factual context, but where</p> <p>24 core participants are given all the core participant</p> <p>25 material, that is one area that may arise. It is</p> <p style="text-align: center;">Page 18</p>	<p>1 orders could be made to deal with the matter.</p> <p>2 MR BROWN: Yes.</p> <p>3 THE CHAIR: But I'm quite confident that counsel will work</p> <p>4 very responsibly together on both of these practical</p> <p>5 issues, counsel to the parties you have referred to and</p> <p>6 counsel for the Inquiry itself.</p> <p>7 MR BROWN: I'm most grateful.</p> <p>8 THE CHAIR: Thank you for bringing those matters to my</p> <p>9 attention.</p> <p>10 MR EMMERSON: May I just add, Madam, as far as the first</p> <p>11 concern that Mr Brown has raised, the principle concern</p> <p>12 is that if the recipient core participant doesn't know</p> <p>13 what lies behind the cipher --</p> <p>14 THE CHAIR: Yes, certainly.</p> <p>15 MR EMMERSON: -- then they may not be able to investigate</p> <p>16 matters of relevance.</p> <p>17 Of course, those who are making the request from the</p> <p>18 Inquiry's side know what lies behind the cipher and</p> <p>19 therefore are in a position to make targeted requests</p> <p>20 for information from all the core participants, which</p> <p>21 themselves are confidential and subject to a duty of</p> <p>22 confidentiality unless or until they are then released,</p> <p>23 presumably or likely in a ciphered form. So I think</p> <p>24 that that problem is one that, as Mr Brown helpfully</p> <p>25 suggests, we will be able to resolve by coordination.</p> <p style="text-align: center;">Page 20</p>

1 THE CHAIR: And as between counsel, the imparting of that
 2 confidential knowledge ought to be able to be done.
 3 MR EMMERSON: It doesn't need to be done between counsel; it
 4 is done subject to formal confidentiality undertakings.
 5 THE CHAIR: Yes.
 6 MR EMMERSON: So far as the ever-present problem of jigsaw
 7 identification is concerned, it is always very difficult
 8 to know what the risks of that happening are. Clearly,
 9 if there are significant risks of reprisal against
 10 an individual, then one would want to be very satisfied
 11 that that risk was minimised -- minimised to vanishing
 12 point, in fact.
 13 But on the other hand, to delete all identifying
 14 information about an institution at which two people may
 15 have been present would render the Inquiry's public
 16 examination effectively meaningless. So it is a balance
 17 that needs to be struck and, as you say, Madam, it will
 18 need to be watched very closely as the process emerges.
 19 But there is nothing automatic about this process.
 20 THE CHAIR: No.
 21 MR EMMERSON: It is considered in great detail.
 22 THE CHAIR: No, Mr Brown has flagged the issues I think very
 23 succinctly, and the Panel and I are aware of them, and
 24 I am sure that you will liaise very closely and you will
 25 revert to me should you need any further orders.

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1 MR BROWN: Certainly, my Lady, thank you.
 2 (11.05 am)
 3 (The hearing into general matters concluded.)
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