



Protocol on Special Measures

*This protocol sets out the Inquiry's processes and procedures
for special measure applications*

Introduction

1. This protocol sets out the approach that will be taken by the Nottingham Inquiry ("the Inquiry") in respect of applications for special measures by witnesses giving evidence at the Inquiry's public hearing.
2. This protocol should be read in conjunction with:
 - a. The Chair's restriction order: default class-based special measures (the "Special Measures Order"), which sets out categories of sensitive evidence that the Chair has ordered is subject to special measures under the Inquiries Act 2005;
 - b. The protocol on redaction, anonymity and restriction orders, which sets out the Inquiry's approach on restrictions for disclosure and publication;
 - c. The protocol on the disclosure of documents, which sets out the Inquiry's approach to the receipt and handling of information;
 - d. The order following Preliminary Hearing on Broadcasting and Livestreaming, which sets out the circumstances in which broadcasting and livestream is permitted at the Inquiry's public hearings as ordered by the Chair under the Inquiries Act 2005;

- e. The ruling on Broadcasting & Livestreaming, which sets out the proposed options and outcomes for broadcasting and livestreaming at the Inquiry's public hearings.
- 3. The Inquiry regards it as important that its proceedings are conducted as openly and transparently as possible. This has informed the Inquiry's approach to gathering and disclosing evidence, and to how the public hearings will be run, including how broadcasting and livestreaming will take place. The Inquiry acknowledges however, that giving evidence may be challenging for many people. Vulnerable or intimidated witnesses may therefore require special measures to assist them to give evidence in a way that is appropriate for them.
- 4. Pursuant to section 19 of the Inquiries Act 2005 ("the Act"), the Chair has the power to impose restrictions on attendance at an inquiry and on the disclosure or publication of any evidence or documents given, produced or provided to an inquiry. In weighing up the matters set out in section 19(4), the Chair has issued the Special Measures Order. The order imposes special restrictions on the livestreaming of the following categories of evidence:
 - a. Evidence of the Bereaved Families;
 - b. Evidence of the Survivors;
 - c. Evidence of non-professional witnesses whose contact with VC was in a purely personal capacity, such as his fellow students and neighbours;
 - d. Evidence by any witness concerning the wider context insofar as that evidence requires express consideration of the private medical information and treatment of persons other than VC.
- 5. The Special Measures Order also provides non-professional witnesses with partial anonymity upon request in that only one of their names (either a forename or a surname) will be used to address them in the course of their oral evidence and redactions will be made to ensure such protection in documents seen by the public.
- 6. It is anticipated that the Special Measures Order will address the vast majority of concerns regarding the giving of evidence to the Inquiry.

7. This protocol sets out the approach which will be taken on any applications for specific special measures by witnesses, over and above those general special measures set out in the Special Measures Order.
8. The Chair has the discretion to grant additional special measures, and applications will be considered on a case-by-case basis. Examples of special measures may include:
 - a. Suspension of livestreaming (and thus variation of the permission to broadcast) beyond the sensitive evidence defined in the Special Measures Order;
 - b. The exclusion of the public from the public gallery in the Hearing Room;
 - c. Suspension of the live-link to the Media and/or other CPs, or making the livelink audio-only (“remote screening”);
 - d. Anonymity for witnesses or other persons;
 - e. Screening of a witness so they cannot physically be seen save by the Chair and Counsel to the Inquiry and the Inquiry legal team and other staff and/or Core Participants who are in the Hearing Room;
 - f. Giving oral evidence remotely by video-link;
 - g. Being accompanied to the witness box by another person during the giving of oral evidence (the person must be identified in the application, including their relationship to the witness, and whether or not they are a lawyer).

Form of applications

9. Each application for special measures must be in the form of a statement from the witness or their legal representative. The statement must clearly explain the reasons for seeking special measures and set out the specific special measures that are sought.
10. Each statement should be accompanied by any relevant documentary evidence that supports the application.
11. Applications, including any accompanying documents, must be submitted to Solicitor@NottinghamInquiry.uk by no later than 14 January 2026.

Disclosure of applications

12. Any application for special measures will be subject to Rule 12 of the Inquiry Rules 2006 and may need to be disclosed in confidence to lawyers for the Core Participants (CPs) and editorial lawyers of accredited media only for the purposes of allowing them to make submissions on whether the specific special measures should be granted.
13. Any application which the applicant considers should not be shared with lawyers for CPs or editorial lawyers of the accredited media (whether in whole or merely parts of the evidence) should include such written representations under Rule 12(4)(b) within their application.

Determination of applications

24. Upon receipt of an application, the Inquiry will follow the general process set out in paragraph 5 of the Special Measures Order and above prior to reaching a determination. However, the Chair may vary the procedure as appropriate.