

**Protocol for Applications for Anonymity
or other Protective Measures in Part 1 of the Leveson Inquiry**

1. Any person who believes that he or she has relevant evidence to give to the Inquiry but who believes that there is a need to provide such evidence anonymously is invited to contact the Inquiry. It would assist the Inquiry if such a person voluntarily submits a witness statement, or alternatively a summary of the evidence that he or she can give. The Inquiry believes that there are likely to be such persons with important evidence to give.
2. The Inquiry Team will, in the first instance, discuss with any such person the nature of the evidence which that person can give to the Inquiry, the measures sought to protect anonymity and the reasons for seeking anonymity. If following this preliminary stage the Chairman considers the evidence to be of sufficient relevance as to be of interest, and he accepts that there is a prima facie case for anonymity, then he will invite a formal paper application for protective measures to be submitted. If a witness statement has not been provided voluntarily already then he will request one in writing at this stage.
3. In the case of a legally unrepresented applicant the Inquiry Team may provide or arrange assistance for the applicant in the preparation of the application.
4. A formal application for anonymity or other protective measure should be made in writing. There will be three aspects to an application: (i) a statement setting out the protective measures sought; (ii) an open aspect; and (iii) a closed aspect. Accordingly, applications should consist of three parts (which may be contained in a single document supported by a statement of truth in relation to the factual content, provided that the closed and open aspects of the document are easily divisible as the open aspects will be made public at some stage).
 - (i) A simple statement of the protective measures which the person seeks.
 - (ii) Open submissions and evidence. This material will be distributed to the Core Participants for them to consider and to make submissions on. The evidence in support of the application for anonymity should consist of a witness statement from

the applicant in support of the application for anonymity or other protective measures and any other factual material relied on. This should contain as much material as is possible, save for that information which it is said cannot be disclosed to other participants in the Inquiry or to the public at large without undermining the purpose of the application itself.

(iii) Closed submissions and evidence. This material will be viewed by the Chairman and the Inquiry legal team and will not be disclosed to other participants in the Inquiry or to the public. The closed submissions and evidence will contain information relating to the personal and professional circumstances of the applicant which it is said support the application for protective measures but which cannot, without undermining the purpose of the application, be disclosed to other participants in the Inquiry or to the public at large. The evidence should consist of a witness statement from the applicant and any other factual material relied on.

5. Collectively, the material submitted should set out each and every ground relied on by the applicant, which it is submitted warrant the making of an order granting anonymity or the protective measures sought.
6. The Inquiry will distribute the open parts of the applications to Core Participants in the Inquiry and invite representations. If it is possible without defeating the purpose of the application then the Inquiry will also circulate the applicant's substantive witness statement but in a redacted form, agreed with the applicant, which does not defeat the purpose of the application. For the avoidance of doubt, a witness statement will only be withheld if there is a compelling reason to do so.
7. The Chairman will consider all of the material generated in relation to each application and determine each application. In all cases where the Chairman concludes that the balance lies in a protective measure, the Chairman will give careful consideration to how best to draw on and explain in public what was covered in the closed aspect. This will be done in consultation with the applicant.
8. Where the Chairman has granted some form of protective measure, the precise terms of the protection given will be recorded in an order which will be published on the Inquiry's

website.

9. Where any person gives anonymous evidence about a particular media company, or title, except for the News of the World, then the Inquiry will usually expect that the identity of the company or title will be redacted and will not be referred to in evidence.
10. Where the Chairman decides to refuse the application for protective measures either in whole or in part, then the Chairman will not ordinarily expect to compel the applicant to give evidence in Part 1 of the Inquiry although he reserves the right to do so in an exceptional case (for example, if this procedure is deliberately abused).
11. Where the Chairman decides to refuse the application and the witness' evidence is not adduced in public then the Chairman will put the contents of the applicant's substantive witness statement completely out of his mind.

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