

GISTED

HN16 – further written submissions to Inquiry in support of restriction order application

1. In a letter from the Inquiry to ‘non-state RLR’s’ dated 25 September 2017 disclosed to N16’s legal representatives on 9 October 2017, the Chairman indicated that he wishes N16 to ‘clarify the basis of the application for the restriction order sought’.
2. N16’s application is for a restriction order in terms set out in the draft order. N16’s application is for anonymity – that neither N16’s real or cover name be disclosed or published by the Inquiry.
3. The basis of the application is that the publication of N16’s real or cover name would give rise to (i) a real and immediate risk of physical harm to N16; (ii) a real risk of harassment falling short of physical harm to N16; (iii) a real risk of loss of N16’s employment and reputation; (iv) a real risk of harassment or even physical harm to N16’s immediate family.
4. *Submissions regarding the threats resulting from public campaigns. References a bundle of press articles to demonstrate types of direct action which have blighted the lives and careers of those affected in recent years.*
5. Accordingly, N16’s application is made under section 19(3)(a) of the Inquiries Act 2005 (as required by ECHR article 3 and article 8) and section 19(3)(b) (conducive to the Inquiry fulfilling its terms of reference and necessary to prevent risk of harm).

The submissions continue and deal with:

- i. The public interest in HN16’s case
- ii. The risk of ‘jigsaw’ identification
- iii. Possible harm under Article 8 of the European Convention on Human Rights
- iv. Possible harm to third parties
- v. The effectiveness or otherwise of possible mitigation measures

11th October 2017

