

PUBLIC INQUIRY INTO THE DEATH OF JERMAINE BAKER

RESTRICTION ORDER PURSUANT TO SECTION 19 INQUIRIES ACT 2005 ORDERS FOR A CLOSED HEARING TO MAKE AN APPLICATION UNDER SECTION 19 RELATING TO EVIDENCE GIVEN ON 23 JUNE 2021

This Restriction Order is made pursuant to section 19(2)(b) of the Inquiries Act 2005 (“the Act”), read with section 19(3) of the Act.

Any threat to break such an order, or any breach of it, can be certified to the High Court or Court of Session under section 36 of the Act, and the Court will deal with it as though the breach had occurred in proceedings before that Court.

IT IS ORDERED THAT:

1. This Order is made on 23 June 2021 and remains in force indefinitely.
2. The Chairman may vary or revoke this Order by making a further order at any point.
3. Any breach of this Order by any means whatsoever shall be notified in writing to the Solicitor to the Inquiry (STI) immediately upon identification of the breach.
4. Pursuant to an application by the Metropolitan Police Service I heard submissions in CLOSED session in relation to an application for a restriction order over a passage of evidence given on the morning of 23 June 2021.
5. For the purposes of this Restriction Order, ‘CLOSED session’ is defined as follows:
 - a. A hearing conducted at premises accredited to handle evidence relating to material of the security classification of the NCA Material.
 - b. A hearing attendance at which is restricted to:
 - i. the Chairman;
 - ii. Counsel to the Inquiry;
 - iii. Solicitor(s) to the Inquiry;

- iv. Inquiry personnel and court staff who hold appropriate security clearance and whose attendance is necessary for the administration of the hearing; and
 - v. Core participants and their legal representatives.
6. For the avoidance of doubt, on this occasion, and with the agreement of all the Metropolitan Police Service and the National Crime Agency, the application was made in the presence of all core participants and their legal representatives, including members of Mr Baker's family. This represents an exception to this Inquiry's normal definition of 'CLOSED session' for the purposes of this single session only.
7. Any recording of the application on 23 June 2021 (whether by way of transcription or otherwise) is to be subject to the restrictions set out below:
- a. There shall be no disclosure of any part of the recording by the Inquiry to the Core Participants, the media, or the public.
 - b. The recording shall be held securely by the Inquiry and the Inquiry will ensure that access to the material is restricted only to those Inquiry personnel who hold appropriate security clearance.
 - c. Any documents created by the Inquiry which contain any reference to the contents or substance of the shall be subject to appropriate security marking and shall be subject to the same.

PENAL NOTICE

8. The High Court and the Court of Session have the power to imprison or fine for any breach of this Order.

HH Clement Goldstone QC

Chairman, Jermaine Baker Inquiry

23 June 2021