

**RESTRICTION ORDER FOR THE DISCLOSURE OF THE SENSITIVE WITNESS  
STATEMENT OF MOHAMMED EL-SAEITI DATED 12 NOVEMBER 2021**

**RESTRICTION ORDER PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005**

This Restriction Order is made pursuant to section 19(1) of the Inquiries Act 2005 ("the Act") and binds all members of the public and media, including Core Participants ("CPs").

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:**

**A. General**

1. This Order is made on 15 November 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.

**B. Documents**

4. Subject to this Order, no person may reveal, disclose, share or publish the content within paragraphs 4, 5 and 6 of the sensitive witness statement of Mohammed El-Saeiti dated 8 November 2021 ("the Sensitive Content") or the CLOSED Restriction Order application of James Horne, of Counsel dated 12 November 2021 ("the CLOSED application").
5. The restriction imposed by paragraph 4 above does not apply where publication or disclosure is required by law, or to:
  - a. The person who gave, produced or provided the document to the Inquiry.
  - b. Any member of staff of the Inquiry (which expression includes counsel to or instructed by the Inquiry, and is to be broadly construed), where the disclosure or publication is to another member or members of the staff of the

Inquiry, or to an expert to the Inquiry, or to any person carrying out processing of information on behalf of the Inquiry whilst and only whilst doing so, and is for the purposes of the Inquiry.

- c. Any individual(s) given permission to do so on behalf of the Chairman of the Inquiry.

### **C. Authorised Person and Core Participant access to the documents**

6. Authorised Person and Core Participant access to the Sensitive Content and the CLOSED application is subject to the provisions set out in paragraphs 9 and 10 the “TYPE 1 RESTRICTION ORDER: DISCLOSURE OF OPERATIONALLY SENSITIVE CONTENT TO CORE PARTICIPANTS (ACCESS ON MAGNUM)” dated 19 February 2020.

### **D. Authorised Person and Core Participant use of the SENSITIVE documents**

7. Authorised Person and Core Participant use of the Sensitive Content and the CLOSED application is subject to the provisions set out in paragraph 11 the “TYPE 1 RESTRICTION ORDER: DISCLOSURE OF OPERATIONALLY SENSITIVE CONTENT TO CORE PARTICIPANTS (ACCESS ON MAGNUM)” dated 19 February 2020.
8. Nothing in this Order prevents the Sensitive Content and the CLOSED application:
  - a. Being referred to in written submissions between an Authorised Person and the Inquiry Legal Team; or
  - b. Being referred to orally during a restricted hearing, subject to reasonable prior notice being given of the intention to do so.

### **E. Interpretation**

9. For the purposes of this Order see the interpretation section set out in paragraph 12 of the “TYPE 1 RESTRICTION ORDER: DISCLOSURE OF OPERATIONALLY SENSITIVE CONTENT TO CORE PARTICIPANTS (ACCESS ON MAGNUM)” dated 19 February 2020.

### **F. PENAL NOTICE**

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