

Scottish Child Abuse Inquiry

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Protocol on Redaction

Introduction

“Redaction” is the process of removing information from documents. It usually means blacking out any words which would reveal a person’s identity.

Redaction is used to protect people who say they were abused (and their relatives), people accused of abuse, and some others, as described in the protocol on [Information](#) and in the General Restriction Orders made by the Chair of the Inquiry.

Redaction is also used to protect other people whose personal data is in documents being published by the Inquiry. The meaning of “personal data” is explained below.

The Inquiry is collecting documents and expects, ultimately, to have collected thousands of them. Many will have to be shared with witnesses and with the lawyers representing core participants and with those granted leave to appear. Many documents will be published on the Inquiry’s website or when the Inquiry reports.

The Data Protection Act 1998 and the Human Rights Act 1998 mean that we have to protect people’s personal data, and their privacy.

To do this we will look at documents before we share, disclose or publish and we will carry out any redaction that is needed.

Personal data and sensitive personal data

“Personal data” means information from which a living person can be identified. Identification could be done using the information alone, or by combining it with other information held by the Inquiry. Personal data includes a person’s name, address and date of birth.

“Sensitive personal data” includes information which relates to a person’s physical or mental health, sexual life, religious beliefs, political opinion or whether a person has committed any crime.

Information Protocol

The Inquiry has published a protocol on [Information](#).

That protocol explains what types of information we hold and what we do with it. It also explains how to make a request for any information we may hold about you.

Protocol on Anonymity

The Inquiry has published a protocol on [Anonymity](#).

That protocol gives information about restriction orders and an application form to apply for one. A restriction order can do various things including protecting a person's identity.

General Restriction Orders

The Chair of the Inquiry has, to date, issued three orders to protect the identities of certain groups of people. These are called "General Restriction Orders Nos. [1](#), [2](#), and [3](#)". They provide, in general, for the protection of the identity of the people described in them, including those who tell us they were abused ("applicants"), those who are alleged to have been abusers, the friends and family members of applicants, the friends and family members of those now deceased who could have been applicants, those who have complained of abuse but are not applicants and their friends and family members.

Redacting documents to protect people's identity

If someone's identity has to be protected the following information will be removed from witness statements and other documents before we share, disclose or publish those documents:

- name;
- date of birth;
- other dates which might identify the person;
- address(es);
- names of family members (and their addresses, dates of birth etc);
- events from the person's life which might identify them.

Witness statements will be redacted to remove information (including names) about other people mentioned in the statements. For example this would include information which might identify:

- other children in care;
- staff at care institutions, whether or not alleged to be abusers;
- family members.

Information which will not be redacted

Unless their identity is protected by a restriction order, the names of senior members of staff of bodies with legal responsibility for the care of children will not generally be redacted.

This will be the case particularly where the person's name and role is, or was, a matter of public record (for example, chief executives, trustees, chairs, head teachers and their equivalents).

Information which will always be redacted

Other personal data about a person (whether or not their name is redacted) will be protected by the Inquiry. For example, this includes a person's addresses, date of birth, phone number, email address and any sensitive personal data.

This redaction process will be carried out by the Inquiry as a matter of course before we share, disclose or publish any documents. It is not dependent on there being a restriction order in place.

Documents recovered from organisations

Documents recovered from organisations – for example, care providers – can contain large amounts of personal data.

The Inquiry asks the current holders of these documents to provide them to us. We expect to be provided with unredacted original documents. We accept that we are responsible for protecting the personal data in the documents.

Anyone providing documents can suggest proposed redactions to us where there are things that they feel particularly strongly about, or which they think we might not recognise as being sensitive. However, the decision about what information requires to be redacted will, ultimately, be ours.

Some of the documents collected by the Inquiry will not be shared or disclosed to anyone else. These documents will, accordingly, not require to be nor will they be redacted.

All members of the Inquiry team must comply with the Inquiry's protocol on [Information](#) and other internal policies to ensure that any personal data in the documents we handle are protected at all times.