

*Although marked private, the author subsequently requested that this correspondence be published.*

19 December 2018

Dear Sir Terence and Sir Geoffrey,

I talked to Kristy McDonald yesterday afternoon and she suggested that I explain to you in writing what is happening with the source referred to in Minute No 7.

I request that this letter not be given to others nor placed on the Inquiry website, so that I can explain the situation to you openly and fully. The reason I don't want to have it published is that I think it would further worry my source, as set out below.

As I explained to Kristy, I have been encouraging the person for months to take part in the Inquiry. It is the source who got me going on writing the book. As I wrote to you earlier, this person has been undecided about taking part in the Inquiry. He feels vulnerable: that he would like to participate but that it risks his career and relationships. I thought we were heading towards him taking part.

Unfortunately, when I made contact this week he said no. He said he felt pressured by the order and saw it as a heavy handed way of dealing with him. He also felt unsettled by seeing Minute No 7 and my letter discussing him placed on the Inquiry website. He apologised for the decision but said he doesn't feel safe enough.

I think there is a possibility that, with some time, he may change his mind. That is what I hope. But as of now he has stated he will not take part. Any order will not cause him to participate – quite the reverse due to his fears. The best chance of having his participation is through his cooperation, which I really want to try and facilitate. I think it could take some time for this to occur, many weeks or in the coming months.

But in the meantime I have an order over my head that I cannot fulfil. You will understand the obligation I have to journalistic sources and also, according to my reading, the protection this gives me under the Evidence Act (s68) and Inquiries Act (s27(1)). However I really don't want to clash with the Inquiry. We have a long way to go yet. I am doing my best to help the Inquiry and will keep doing that.

Therefore I am wondering if there is some way that the order can be extended to give me more time to try to speak with the source, on the understanding that I am trying to be facilitative to the Inquiry and to ensure this source will participate. Or perhaps what I have written above could be seen as fulfilling the purpose of the order.

I again request that this correspondence is not published. As explained above, the reason for this is to not further dissuade my source from participating with the Inquiry. The publication of my previous correspondence to the Inquiry about this source has unfortunately served to do this and I wish to continue to try and convince the source to participate with the Inquiry.

Yours sincerely,

Nicky Hager