



Director

26 APR 2013

PUBLIC PROSECUTION SERVICE
BELFAST CHAMBERS
93 CHICHESTER STREET
BELFAST
BT1 3JR

Sir Anthony Hart
Chairman
Historical Institutional Abuse Inquiry
HIA Inquiry
P O Box 2080
BELFAST
BT1 9QA

22 April 2013

Dear

A handwritten signature in cursive that reads "Tony".

I enclose an undertaking to witnesses to the Historical Institutional Abuse Inquiry.

I am content that this undertaking is published on the Inquiry's website.

Yours sincerely

A handwritten signature in cursive that reads "Barra McGrory".

Barra McGrory QC
Director of Public Prosecutions

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Director

UNDERTAKING:

1. This is an undertaking in respect of any person who provides evidence to the Inquiry into Historical Institutional Abuse 1922 to 1995 (the Inquiry), relating to a matter within its terms of reference.
2. "Evidence" includes oral evidence, any written statement drafted for or made by that person, including any statement made preparatory to giving evidence to the Inquiry or during the course of his or her testimony to the Inquiry, and any document or information produced solely by that person to the Inquiry.
3. No evidence a person may give before the Inquiry, as defined above, will be used in evidence against that person in any criminal proceedings or relied upon for the purpose of deciding whether to bring such proceedings against that person.
4. This undertaking does not apply to:
 - (a) A prosecution where the person is charged with giving false evidence in the course of the Inquiry or having conspired or procured others so to do, or
 - (b) Proceedings where the person is charged with any offence under section 16 of the Inquiry in Historical Institutional Abuse (Northern Ireland) Act 2013, or having conspired with or procured others to commit such an offence.
5. It is further undertaken that in any criminal proceedings brought against any person who provides evidence, as defined above, to the Inquiry, no reliance will be placed upon evidence which is obtained during an investigation as a result of the provision by that person of evidence to the Inquiry.
6. This undertaking does not preclude the use of documents, information and/or evidence identified independently of the evidence provided by that person to the Inquiry.


Barra McGrory QC
Director of Public Prosecutions



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Mr Patrick Butler
Historical Institutional Abuse Inquiry
PO Box 2080
BELFAST
BT1 9QA

11 May 2016

Dear Mr Butler

RE: HIAI – DPP UNDERTAKING

I refer to the above matter and to your letter of 6 April 2016.

Having reviewed the original undertaking I provided on 22 April 2013 and the terms of the undertaking provided by the Advocate General, I can confirm that the undertaking includes any potential offences arising under the Official Secrets Act.

Yours sincerely

A handwritten signature in black ink, appearing to read "Barra McGrory".

Barra McGrory QC
Director of Public Prosecutions