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Sir George Newman
Inspector
The Iraq Fatalities Investigation
HQ London District
Horse Guards
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4th August 2014

Dear Sir George

Thank you for your letter of 14th May, addressed to the Attorney General, seeking an undertaking limiting the use of any evidence given by a witness to the Investigation in any future criminal investigation or prosecution.

The Attorney General has considered your request in consultation with the Director of Public Prosecutions and the Director Service Prosecutions. With their agreement, and on the basis that an undertaking is needed in the following terms in order to allow you to carry out your Investigation, the Attorney General provides the following undertaking:

This is an undertaking in respect of any person who provides evidence to the Iraq Fatalities Investigations (IFI) relating to a matter within its terms of reference. "Evidence" includes oral evidence, any written statement made by that person preparatory to giving evidence to the IFI or during the course of his or her testimony to the IFI, and any document or information produced to the IFI solely by that person.

No evidence a person may give before the IFI, nor any evidence as defined above, will be used in evidence against that person in any criminal proceeding save that this undertaking does not apply to any proceedings in which it is alleged that a person has wilfully misled the IFI or conspired with others so to do.

It is further undertaken that in any criminal proceedings brought against any person who provides evidence, as defined above, to the IFI, no reliance will be placed on evidence which is obtained during an investigation as a result of the provision by that person of evidence to the IFI. This undertaking does not preclude the use of information and/or evidence identified independently of the evidence provided by that person to the IFI.

The Attorney General is happy for you to use this letter to draw attention to the undertaking in any way you find convenient.

Yours sincerely

Kevin McGinty
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