

Salmon Process – Frequently Asked Questions

What is the Salmon process and why are we applying it?

The Salmon process takes its name from Lord Justice Salmon, who first set out the Salmon principles in 1966. The principles apply to the publication of reports from public inquiries and other statutory processes where individuals and/or organisations are criticised.

As the Hillsborough investigations' report may contain information that amounts to criticism of some individuals and organisations (both policing and non-policing), we have chosen to apply this process, the principles of which dictate that each person or body facing criticism should be given the opportunity to respond prior to publication.

The Salmon process principles have been applied to a number of investigations across the IOPC. As our Hillsborough investigation is the largest into alleged police misconduct and criminality in England and Wales, we have sought advice from bodies and individuals who have been involved in recent, high-profile inquiries to ensure best practice.

When will the process begin and how long will it take?

The Salmon process is due to begin in early 2023, which means we will start sending notifications in an incremental approach to those we propose to criticise. More than 2,300 individuals and/or organisations feature in our investigation but only some of these will form part of the Salmon process.

Only those we propose to name and criticise in our Hillsborough investigations' report will form part of this process, and how we identify those individuals and organisations is under constant review.

Due to the considerable size of this task, we can't predict exactly how long the process will take to complete, but we will provide progress updates when we are able to do so.

How will you inform those who are criticised?

The individuals and organisations we propose to criticise in the Hillsborough investigations' report will receive a 'Salmon letter', which explains the process, provides a summary of the proposed criticisms made, and asks whether they wish to make any representations to us about the criticisms we intend to publish.

How long does a person have to respond?

An individual or organisation will have 28 days from the date written on the letter to respond. Applications to extend the response time can be made for the Hillsborough decision maker, Sarah Green, to consider.

We are reliant on others involved in the process responding in a timely manner. However, we will endeavour to ensure that the process runs as smoothly as possible while offering people a reasonable amount of time to respond.

What if someone doesn't respond?

It is an individual's or organisation's choice whether they respond to notification that we propose to criticise them in the investigations' report. If they respond after the allocated time they have been given, their responses are unlikely to be considered.

What happens to someone's response?

Once individuals and organisations have had an opportunity to consider any proposed criticism, they may then respond to the Hillsborough decision maker who will determine what—if any—action to take. This may include whether any amendments to the investigations' report need to be made or whether the responses should be published alongside the report.

Aren't people already aware they've been criticised?

A number of former officers were made aware of proposed criticisms and had the opportunity to respond earlier in our investigations, having been served a formal notice, been interviewed as a subject or witness, or been previously sent a letter.

We are applying the Salmon principles to include those who have previously been served with a notice that they are being investigated for actions that could amount to alleged misconduct or criminality. This is to ensure they are clear about the proposed criticisms we intend to publish.

Can someone appeal the decision maker's ruling?

No. There is not an opportunity to appeal a decision. Any representations must be made during the allocated time given in the 'Salmon letter' or otherwise agreed with the IOPC.