

## **Scottish Covid-19 Inquiry Guidance**

### **1. Supplemental Rule 9 procedure for the Justice Sector impact hearings commencing 18 February 2025, the Worship and Life Events impact hearings commencing 29 April 2025 and the Equalities and Human Rights impact hearings commencing 10 June 2025**

- 1.1. As a general rule the questioning of witnesses will be conducted by Counsel to the Inquiry ("Counsel"), or the Chair. It is expected that Legal representatives of Core participants approach Counsel to the Inquiry on an informal basis in the first instance should they have relevant questions or topics they wish to have put to a witness.

### **2. Informal procedure**

- 2.1. Approaches to Counsel on an informal basis must be made no later than one week in advance of the witness giving evidence. Such approaches should be made via the following mailbox [coreparticipants@scotland19inquiry.scot](mailto:coreparticipants@scotland19inquiry.scot).

### **3. Formal procedure**

- 3.1. If Counsel is not minded to ask the question suggested using the informal procedure and it is insisted upon, the legal representative should make a written application to the Chair as per Rule 9(4) of the Inquiries (Scotland) Rules 2007.
- 3.2. Applications of this kind must:-
  - 3.2.1. be submitted to [coreparticipants@scotland19inquiry.scot](mailto:coreparticipants@scotland19inquiry.scot)
  - 3.2.2. be made no later than two working days before the relevant witness is scheduled to give oral evidence and
  - 3.2.3. fully address matters set out in Rule 9(5)(a)-(c) Inquiries (Scotland) Rules 2007.
- 3.3. Once an application is received the Chair may choose to be addressed and if so, a hearing will be arranged and will take place as soon as possible after the application is received.

### **4. Questions at the hearing**

- 4.1. While the Chair will consider applications to question a witness from Legal Representatives at the conclusion of a witness' oral evidence to the Inquiry, he will require a satisfactory explanation as to

why the procedure described above has not been followed. Such questions will be restricted to information that has arisen during the course of a witness' evidence that is material, relevant and new. An explanation on why the applicant considers the information arising during the course of witness evidence was not foreshadowed in the witness statement must be provided.

- 4.2. Where an application is granted such that a Legal Representative of a Core Participant is permitted to put questions to the relevant witnesses directly, it is expected that questioning will not exceed 15 minutes. At the end of any questioning by the Legal Representative of the Core Participant, Counsel to the Inquiry may put further questions to the relevant witnesses and this will not exceed a period of 15 minutes.

## **5. Version control**

This is the first version of the Scottish COVID-19 Inquiry's Guidance Note - Supplemental Rule 9 procedure for Justice impact hearings commencing 18 February 2025, Worship and Life events impact hearings commencing 29 April 2025 and Equalities and Human Rights impact hearings commencing 10 June 2025 is dated 21 January 2025.