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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 560**

**The Inquiries (Scotland) Rules 2007**

*Manner of proceedings etc.*

**Oral evidence**

**9.—(1)** Subject to paragraphs (2) to (5), where a witness is giving oral evidence at an inquiry hearing, only—

- (a) the inquiry panel;
- (b) counsel to the inquiry;
- (c) if counsel has not been appointed, the solicitor to the inquiry; or
- (d) persons entitled to do so under paragraphs (2) to (4),

may examine that witness.

(2) Where a witness, including a core participant, is being examined at an inquiry hearing, the chairman may direct that the recognised legal representative of that witness may examine the witness.

(3) Where—

- (a) a witness has been examined at an inquiry hearing by counsel to the inquiry, or by the inquiry panel; and
- (b) that witness' evidence relates directly to the evidence of another witness,

the witness to whom the evidence relates or the recognised legal representative of that witness may apply to the chairman for permission to examine the witness who has given oral evidence.

(4) A core participant or the recognised legal representative of a core participant may apply to the chairman for permission to examine any witness giving oral evidence.

(5) When making an application under paragraph (3) or (4), the core participant or recognised legal representative must state—

- (a) the matters or issues in respect of which a witness is to be examined;
- (b) whether the examination will raise new matters or issues; or
- (c) where no new matters or issues are likely to be raised, reasons why the examination should be permitted.

(6) Where the chairman so directs, oral evidence may be given at an inquiry hearing by a live television link or other such arrangement by which the witness is able to be seen and heard in the proceedings and is able to see and hear the proceedings while at a place outside the room where the hearing is held.