

Submissions on behalf of the Independent Clinical Review ("ICR") for Eljamel Inquiry, Opening Statement Hearing on 26-27 November 2025

Professor Wigmore, as Chair of the ICR, is grateful to the Inquiry's Chair for this further opportunity to address the Inquiry and makes the following points:

Since the last hearing, substantial progress has been made. The ICR is now established, and has been pleased to receive registration of many former patients of Mr Eljamel. This submission sets out in more detail some of that progress, and of the anticipated procedure in the near future.

By definition, the ICR is an independent process. Both the ICR and the Inquiry work independently of one another, though are committed to cooperating with one another as is set out in the Memorandum of Understanding agreed between them. The purpose of the ICR is set out in its Terms of Reference.

Registrations with the ICR

By way of an update, as at noon on (21 November 2025):

- 474 former patients (or family members of patients) have now registered with the ICR; and
- 345 consent forms have been received back from registrants, of the 474 consent form packs sent out to them.

The ICR is still receiving registrations. The volume of registrations has slowed in the past month to around a handful each week.

The ICR is grateful to all former patients (and family members) who have participated so far.

The closing date for registrations is 1 December 2025. This closing date, made public on 27 October this year, has been set to enable the ICR to plan its work effectively, and make progress within reasonable timescales. However, in the event extenuating

(i.e. unforeseen) circumstances have delayed registration until after 1 December, sympathetic consideration will, of course, be given to enable late registrants to receive a review as well.

Support for patients

There is some reference to the support the ICR has arranged within the Note by Counsel to the Inquiry for the Opening Statement Hearing of the Eljamel Inquiry on 26th and 27th November 2025. The ICR clarifies what support they have procured.

- (a) Legal support: The Scottish Government will fund legal support for those participating in the ICR to include assisting them with completion of the Applicant Statements. This funding is available to individuals who are currently legally represented and those patients who are not currently legally represented but who may seek legal representation.
- (b) PASS service: The Patient Advice and Support Service (PASS) is available for those participating in the ICR. PASS is a service which already exists, provided by Citizens Advice Scotland to the NHS in Scotland. PASS can assist patients who do not have legal representation with completion of their applicant statement. Today the ICR are providing training to PASS to ensure that their staff understand the applicant statement process, and are able to provide an effective and trauma-informed support service for patients. The ICR has engaged with stakeholders to ensure that the PASS service is both available and effective. The ICR has no involvement in the funding of PASS.
- (c) Psychological support: The ICR has procured confidential and independent psychological support for former patients via the Association of Clinical Psychologists UK. The ICR understands that the cost of this support will be underwritten by NHS Tayside. However, the ICR has no involvement in any funding arrangements.

The ICR has worked with stakeholders to articulate what support might be beneficial to patients. The support that is being provided is considered to be most likely to support patients effectively and enable their participation in the ICR.

Future procedure

As set out above, the ICR already has many patients registered with it. Shortly, the ICR will share guidance with those patients on how to complete their applicant statements. That guidance will also be published on the ICR's website.

Once the applicant statements and medical records are available, the expert neurosurgeons will be instructed to prepare their reports on each case. The public inquiry has set out (at paragraph 35(e)) the issue of the identification of priority cases. This will inform in what order the ICR instructs its reports.

The terms of the letters to be sent to the neurosurgeons instructing reports, and the statements to be completed by those who have registered with the ICR, were finalised on 28 October 2025. The ICR is grateful to the Inquiry's legal team for the ongoing assistance provided with reaching this milestone.

Conclusion

The ICR is prepared for the next phase of work, having made significant progress since the last hearing. It has received a large number of registrations already, and is now in a position to support those patients, and any other patients who register in the future, to understand more about what took place when Mr Eljamel was responsible for their care and treatment

The ICR also understands the important role which it plays in assisting the public inquiry to fulfil its Terms of Reference. The ICR will continue to assist the inquiry in any way it can and does look forward to working alongside the Inquiry in the future.

Morton Fraser MacRoberts LLP
24 November 2025