

Witness Expenses Protocol

Purpose of the Protocol

1. The purpose of this Protocol is to:
 - A) Set out what is covered by this Protocol and what is not;
 - B) Explain what types of expenses can be claimed by Inquiry witnesses attending to give evidence at Inquiry hearings;
 - C) Set out the rates at which the Inquiry will pay expenses for such witnesses and how to claim; and
 - D) Provide relevant contact details.
2. As with all of the work of the Inquiry, this Protocol and the procedures and policies set out in it should be read in the context of the [Inquiry's Statement on Protocols and Principles](#). In particular, the Chair may deem it appropriate to change or update the contents of this Protocol in accordance with the provisions of that Statement.
3. Further, this Protocol and the procedures and policies set out in it should be read in the context of the Inquiry's [Legal Expenses protocol](#).

A) What is covered by this Protocol

4. The Inquiry wishes to ensure that those who are asked to provide oral evidence to the Inquiry at its public hearings are able to and that they are not financially disadvantaged by doing so.
5. Under section 40 of the Inquiries Act 2005, the Chair can make an award to reimburse any expenses which a witness may properly and reasonably incur.
6. Witness expenses are separate to claims for legal costs, which are dealt with in the Inquiry's [Legal Expenses Protocol](#), and to costs for attending the Inquiry's public hearings in a role other than as a witness called to give oral evidence, for example to watch the public hearings in person from the public gallery.
7. The Inquiry's approach to the award of witness expenses, and its application of this Protocol, will be in accordance with the provisions of the Inquiries Act 2005 and the Inquiries (Scotland) Rules 2007.
8. As the Chair has committed to this Inquiry being patient-centred and trauma-informed Inquiry, these important principles will be taken into consideration when making decisions in relation to witness expenses.
9. The expenses of corporate bodies and of individuals who could reasonably expect their witness expenses to be met by such bodies will not generally be met by the Inquiry, though applications for the Inquiry to meet such expenses will be considered in accordance with the provisions below and will be met by the inquiry in exceptional circumstances.

B) What expenses can be claimed by oral witnesses

10. Expenses can be claimed for travel, subsistence, childcare or care fees, and any other necessary and proportionate costs incurred.
11. The Inquiry recognises that some individuals may require someone, such as a carer, friend or family member, to support them when meeting with the Inquiry in connection with giving oral evidence to it or attending a hearing as a witness. Where this is the case, reimbursement for the travel and subsistence costs of this additional individual can also be claimed.

C) Rates of expenses and how to claim

12. The following rates and rules will apply to the reimbursement of witness expenses which will be paid by the Inquiry.:

(a) Travel: when attending a hearing or meeting with the Inquiry in connection with giving evidence as an oral witness, witnesses are entitled to claim for their return travel. The Inquiry can assist with booking tickets for public transport on behalf of witnesses upon request.

- Standard class travel expenses on public transport.
- Petrol costs for travelling by car (at a rate of 45p per mile) and by motorcycle (at a rate of 24p per mile); and
- Taxi costs will be permitted if there is no reasonable alternative public transport or if the witness is registered disabled, has impaired mobility; or another issue preventing safe travel by public transport.

(b) Subsistence: when attending a hearing or meeting with the Inquiry in connection with giving evidence as an oral witness, witnesses are entitled to claim up to £10 for a meal. Claims for alcohol are not permitted.

- (c) Overnight accommodation: on some occasions it may be necessary for a witness to stay overnight close to the hearing or meeting venue. If this is required, the Inquiry will book appropriate accommodation on your behalf. Any requests for such accommodation to be booked should be made using the contact details below.
- (d) Childcare or caring costs: witnesses may claim for the reasonable cost of childcare or other care fees related to a dependent that they care for, if that is necessary to allow them to attend a meeting with the Inquiry in connection with giving oral evidence or an Inquiry hearing to give oral evidence.
- (e) Other costs: witnesses may incur other expenses not covered by this Protocol because of their need to attend a meeting with the Inquiry in connection with giving oral evidence or an Inquiry hearing to give oral evidence. To ensure witnesses are not left out of pocket, witnesses should make the Inquiry aware of these costs in advance of costs being incurred using the contact details below.

D) Support for witnesses and how to claim expenses

- 13. The Inquiry's Witness and Engagement Manager, Tracy Millar, can be reached at Enquiries@eljamelinquiry.scot to answer any questions regarding this Protocol or the support available to witnesses. Information on the Inquiry's emotional support offer for witnesses can also be found on the Inquiry's website - [Emotional and Participant Support | The Eljamel Inquiry](#)
- 14. A witness who wishes to claim for expenses should fill in the [expenses form](#), published along with this Protocol. Receipts must be provided for all expenses when the expenses form is submitted, otherwise the claim cannot be processed.
- 15. All claims for expenses should be submitted to the Inquiry within 30 days of costs being incurred (subject to the provisions above about accommodation costs). Expense claims submitted outside of this time frame may not be paid, although the Inquiry will

consider the individual circumstances of the claim and the reason for any delay when making a decision in this regard.

16. [Claims for expenses](#) can be submitted in person to the Witness and Engagement Lead at the public hearing or can be submitted along with copies of any receipts via email to expenses@eljamelinquiry.scot or by post to:

Eljamel Inquiry – Expenses Support

LG2 Floor

Waverley Gate

2-4 Waterloo Place

Edinburgh

EH1 1AA

Issued under the authority of the Chair on 23 July 2026.