



Order of the Chair relating to Inquiry hearings

Introduction

- a) Evidence given or information disseminated in live sessions at Inquiry hearings will be available to those who are in attendance at such hearings or who are granted access to a live electronic feed of the Inquiry's proceedings ("recipients"). On occasions, it will be necessary for the Inquiry to restrict access to or publication of such evidence or information transmitted to those recipients, in accordance with the provisions of the Inquiry's General Restriction Order dated 7 May 2025 or other Restriction Orders made by the Chair of the Inquiry and in force from time to time.
- b) In terms of section 17(1) of the Inquiries Act 2005 ("the Act"), subject to any provision of the Act or of the Inquiries (Scotland) Rules 2007, the procedure and conduct of the Inquiry are to be such as the Chair of the Inquiry may direct.
- c) In addition, the Chair has the power under section 19 of the Act to make orders restricting disclosure or publication of evidence and documents given, produced or provided to the Inquiry.
- d) For the avoidance of doubt, the Chair wishes to clarify aspects of the use of such evidence or information by those recipients.

Therefore, in exercise of the powers contained in Sections 17 and 19 of the Act, the Chair orders that:

General

1. This Order is made on 2 September 2026 and remains in force indefinitely, unless the Chair orders otherwise.
2. The Chair may vary or revoke this Order by making a further order at any point during the course of the Inquiry.
3. Any person affected by this Order may apply for it to be varied or discharged by giving by emailing the Solicitor to the Inquiry at legal@eljamelinquiry.scot.
4. The contents of this Order are without prejudice to and apply in addition to the rules and obligations imposed by the Inquiry's First Order dated 7 May 2025 and the Inquiry's General Restriction Order dated 7 May 2025.
5. Terms defined in the Inquiry's First Order dated 7 May 2025 bear the same meaning in this Restriction Order as they bear in that First Order, unless otherwise defined in this Order.

Restriction relating to evidence given or information disseminated at Inquiry hearings

6. Unless express permission is given by the Chair of the Inquiry, or the Solicitor to the Inquiry acting on his behalf, evidence given to the Inquiry in oral hearings and information which is disseminated in live sessions at Inquiry hearings, which is communicated in person or broadcast by live feed must be kept confidential and must not be disclosed or published in any form unless and until such evidence or information is broadcast on the Inquiry's time-delayed YouTube platform and/or a transcript containing such evidence or information is published on the Inquiry's website. Any evidence or information that is redacted from the time-delayed feed and/or the transcript of proceedings must not be repeated, disclosed or duplicated to any third party.

Enforcement

7. Where a recipient of such evidence or information (a) fails to comply with or acts in breach of this Order; or (b) threatens to do so, the Chair may certify the matter to the Court of Session under Section 36 of the Act. After hearing evidence or representations on the matter, the Court of Session may make such order or otherwise as if the failure to comply with, breach or threatened breach of, this Order had occurred in proceedings before that court.

The Right Hon Lord Weir
Chair of the Eljamel Inquiry
2 September 2026