

## **Engagement Protocol**

### Purpose of the protocol

1. The purpose of this protocol is to:
  - explain how the Inquiry legal team will engage and meet with recognised legal representatives; and
  - explain the circumstances in which the Chair may meet with core participants.

### Preamble

2. This protocol should be read alongside the [core participant protocol](#) in relation to the designation of core participants by the Chair and the appointment of core participants' recognised legal representatives.
3. The Chair is committed to openness and transparency. Core participants' participation in the Inquiry is a key part of that. It is important that core participants can communicate and engage with the Inquiry team on an equal basis. This protocol sets out how such communication and engagement will take place.

## Engagement between the Inquiry legal team and recognised legal representatives

4. Core participants will primarily communicate with the Inquiry team through their recognised legal representatives. Recognised legal representatives will correspond with the Inquiry legal team via the legal team mailbox at [legal@emmacaldwellinquiry.scot](mailto:legal@emmacaldwellinquiry.scot). The Inquiry legal team will not correspond directly with core participants, unless a core participant has chosen not to be legally represented.
5. The Inquiry encourages recognised legal representatives to meet with the Inquiry legal team at mutually agreed times throughout the course of the Inquiry. These meetings are an opportunity for the Inquiry legal team to provide recognised legal representatives with regular updates on the progress of the Inquiry and to answer any questions they may have. Any issues or concerns that core participants may have should be raised by their recognised legal representatives at these meetings.
6. Following the designation of an individual, organisation or entity as a core participant, and confirmation of the identity of the core participant's recognised legal representative, the Inquiry legal team will write to the core participant's recognised legal representative offering to arrange meetings with the Inquiry legal team on a recurring basis throughout the course of the Inquiry. The regularity of such meetings will be mutually agreed between the Inquiry legal team and the recognised legal representative.

## Meetings between the Chair and core participants

7. There are times when it is appropriate for the Chair to meet with core participants directly. Given the role the Chair has and his obligation to be impartial, it is important that the Inquiry sets out the parameters to these meetings. The Chair considers that if such meetings are to take place it is more appropriate that these take place after the Inquiry's terms of reference have been published and prior to the Inquiry's evidential hearings commencing.

8. Where a core participant requests a meeting with the Chair prior to the commencement of the Inquiry's evidential hearings, the Chair will agree to meet with that core participant when there are matters that the Chair considers should properly be addressed with the core participant directly.
9. To enable all core participants to access the Inquiry on an equal basis, where a core participant has requested a meeting with the Chair prior to the commencement of the Inquiry's evidential hearings and the Chair has agreed to meet with that core participant, the Solicitor to the Inquiry will write to other core participants' recognised legal representatives to confirm if their clients also wish to meet with the Chair prior to the Inquiry's evidential hearings and in accordance with this protocol.
10. In advance of a meeting between the Chair and a core participant, meeting agenda items will be prepared by the Inquiry legal team, shared and agreed with the core participant's recognised legal representative in writing. A list of attendees at the meeting will also be agreed between the Inquiry legal team and the core participant's recognised legal representative. Other core participants will be informed in writing by the Inquiry legal team that the meeting between the Chair and the core participant will take place.
11. A core participant may be accompanied by their recognised legal representative when they meet with the Chair. The Chair will be accompanied by members of the Inquiry team at meetings with core participants.
12. Whilst a recognised legal representative may offer advice and support to their client during a meeting with the Chair, these meetings are not a forum for a recognised legal representative to discuss legal issues with the Chair. Such issues should be raised with the Inquiry legal team in accordance with the earlier provisions of this protocol. Any matters touching on evidence to be led at the Inquiry are not permitted to be discussed by a core participant or their recognised legal representative at a meeting with the Chair.

13. Full minutes will be taken by a member of the Inquiry team at any meeting between the Chair and a core participant. Following the meeting, the minutes will be shared with the core participant's recognised legal representative by a member of the Inquiry legal team for approval.

Meetings between the Chair and core participants after the commencement of evidential hearings

14. The Chair will meet with a core participant following the commencement of the Inquiry's evidential hearings only in exceptional cases.
15. In circumstances where a core participant wishes to meet with the Chair following the commencement of the Inquiry's evidential hearings, the core participant's recognised legal representative will write to the Solicitor to the Inquiry to outline in detail the reasons why such a meeting with the Chair is being requested.
16. The Chair will only meet with a core participant following the commencement of the Inquiry's evidential hearings when the Chair considers it fair and appropriate in all the circumstances to do so, taking account of the reasons outlined by the core participant's recognised legal representative. If the Chair needs more information to make a decision, the core participant's recognised legal representative may be asked to provide further information in support of their client's request for a meeting.
17. Where the Chair agrees to meet a core participant following the commencement of the Inquiry's evidential hearings, other core participants will be informed of the Chair's decision prior to the meeting taking place. The other core participants will be informed, in broad terms and respecting confidentiality, why the Chair has agreed to meet with the core participant at that stage of the Inquiry.
18. Where the Chair agrees to meet a core participant following the commencement of the Inquiry's evidential hearings, any matters touching on

evidence to be led, or that has been led, at the Inquiry are not permitted to be discussed at that meeting.

#### Amendment

19. This protocol may be amended from time to time, in which case an amended version will be published on the Inquiry website.

Issued under the authority of the Chair on 9 December 2025.