

Emma Caldwell

INQUIRY

Transcript of Chair's video statement

Hello and welcome.

I am John Scott, Chair of the Emma Caldwell Inquiry. Today marks the formal start of the Inquiry.

On 28 February 2024, Iain Packer was convicted of the murder of Emma Caldwell, 19 years after her murder and an initial investigation by Strathclyde Police.

The Cabinet Secretary for Justice announced on 7 March 2024 that there would be an independent judge-led inquiry into the handling of this investigation and the length of time it took for justice to be served.

In this video I will explain:

- what the Inquiry will investigate;
- how I intend to conduct proceedings;
- work my team has done to date; and
- how you can keep up to date with developments.

I am very conscious that this Inquiry is of great importance to many individuals, as well as having a significant public interest.

Obviously, the Inquiry is of the greatest personal significance for Emma Caldwell's family. I would, therefore, firstly, like to extend my sincere condolences to Emma's family - in particular her mother Margaret Caldwell - and all those affected personally by her murder. I am aware that this Inquiry is starting at the end of a process that has already taken too long for them.

I am acutely conscious that there is a deep sense of frustration and that many of those affected by Emma's murder will still be living with trauma. I understand that trust has been lost. I understand that trust in this inquiry needs to be earned. My team and I are committed to building that trust.

The Inquiry takes very seriously its responsibility to ensure that we do not traumatise or re-traumatise Emma's family or anyone else affected by her murder as they participate in the work of the inquiry. We know some of the evidence that will be led and statements that need to be taken carry a risk of doing so. For that reason, I and my team are committed to taking a trauma-informed approach. I understand the demands of this approach, which has been an integral part of my work for several years, as a judge and before. As part of a trauma-informed approach, we will treat all those who come into contact with the Inquiry with respect and dignity, creating an environment in which they feel safe to contribute to the important work of the Inquiry.

The Cabinet Secretary has now published the Inquiry's terms of reference. The terms of reference are critically important to the work of the Inquiry. They set the parameters within which the Inquiry can operate and the broad areas the Inquiry can investigate. The terms of reference can be found on the Inquiry's website.

In broad terms the Inquiry will focus on the investigation carried out by Strathclyde Police, under the direction of the Crown Office and Procurator Fiscal Service, into the murder of Emma Caldwell, including:

- (i) the investigative strategy and decision making;
- (ii) the giving of direction by the Crown Office and Procurator Fiscal Service;
- (iii) any steps which could reasonably have been taken and, had they been taken sooner, might have resulted in the offender being apprehended and prosecuted at an earlier stage, in particular before he committed further serious crimes, creating more victims;
- (iv) the roles and responsibilities of those involved; and
- (v) any other factors relevant to the circumstances of the investigation and related prosecution.

I will also examine whether there were any deficiencies in training, procedures or systems of working that could have contributed to any failures by Strathclyde Police or the Crown Office and Procurator Fiscal Service.

These terms of reference do not attempt to present a definitive list of every issue the Inquiry will consider. They set out our areas of investigation but my team and I will interpret them flexibly. We will go where the evidence takes us. I am satisfied that the

terms of reference allow for a thorough investigation of all the important issues involved, including any we identify during our investigations.

The Inquiry is independent of government, the institutions being investigated and any other organisation. My team and I will follow the evidence wherever it leads. I want to stress to you that I will discharge my duties as Chair impartially and thoroughly.

While, obviously, the ordeal suffered by Emma's family is something we will have in mind throughout the work of the Inquiry, I want to reassure you that all core participants to this inquiry will be treated fairly and we will be transparent in our procedures to ensure everyone has confidence in the work of the Inquiry and me as Chair.

An important part of ensuring transparency in the work of the Inquiry is making it accessible to the public. To that end, hearings will be broadcast on the Inquiry's YouTube channel so that everyone can access and follow progress. The evidence referred to during those hearings will also be published on the Inquiry website. My team has been working to secure a space for hearings and will update the website when this has been finalised.

To assist me in carrying out a rigorous investigation, I expect the full co-operation of core participants. All relevant material should be made available to the Inquiry without delay.

While today is the official start of the inquiry, my team has already been working in the background since my appointment in April, putting in place some of the essential administrative building blocks required to support the Inquiry. This includes appointing key members of staff and work to obtain a hearing space.

From today, which marks the formal set-up of the Inquiry, the law allows my team to begin gathering evidence. We will also start to identify witnesses from whom we will need to take statements.

Following examination of this evidence and any further investigations we need to carry out, witnesses will be called and oral hearings will take place.

I cannot say at this stage say when hearings will be held. I can say, however, that my team and I are conscious of the length of time Emma's family, witnesses and others have waited. We will work with determination and focus to ensure the Inquiry is concluded as quickly and efficiently as possible.

From today, the Inquiry can also start to receive applications from those wishing to be designated a core participant in the Inquiry. A protocol explaining what a core participant is, the criteria that need to be met and how to apply can be found on the Inquiry website.

In the meantime, updates on progress and timescales will also be made available on the Inquiry website. Any questions, or information that may be relevant to the terms

of reference, should be drawn to the attention of my team via the email addresses on the website.

Thank you.