Protocol on the Questioning of Witnesses

This protocol sets out the Inquiry's processes and procedures for the questioning of witnesses

1. This protocol explains the Inquiry's approach to the questioning of witnesses at the oral hearings in accordance with the Inquiry Rules 2006. Under Rule 10, only Counsel to the Inquiry or the Inquiry Panel may ask questions of a witness giving oral evidence at an inquiry hearing. This is the general rule, reflecting the fundamentally inquisitorial nature of a public inquiry. It is particularly important in this Inquiry due to the overall sensitivity of the underlying subject matter, as well as both resourcing and time constraints imposed by the Terms of Reference.

2. In line with Rule 10, and in order to ensure that all witnesses are able to give their best evidence, the Chair will permit the recognised legal representatives of Core Participants to propose questions to be asked by Counsel to the Inquiry. This will help to avoid the need for formal applications to be made under Rule 10(3) and (4). This process will be approached as follows:

    a. All Core Participants will receive an Evidence Outline 14 days before a witness is due to give evidence. The Evidence Outline will include the topics proposed for examination and likely documents to be put to the witness.

    b. The recognised legal representatives of core participants / counsel should inform Counsel to the Inquiry of the issues / questions they consider a particular witness should be asked about, the relevance to the witness, and the documents which it is proposed should be put to a witness. This should be done in the form set out in the Annex to this Protocol by email to Counsel to the Inquiry (Rule10@grooming-gangs-independent-inquiry.uk) no later than 10 days before the date of the hearing at which the witness is scheduled to give evidence.

c. Counsel to the Inquiry will consider those submissions and revert to the recognised legal representative no later than 5 days before the date on which the witness gives evidence. Counsel's response will indicate which proposed issues or questions Counsel to the Inquiry will pursue.

3. The above timetable may be amended to accommodate public holidays and vacation periods.

4. During the course of a witness's evidence, the recognised legal representatives of Core Participants / counsel may also email Counsel to the Inquiry (Rule10@grooming-gangs-independent-inquiry.uk) in respect of any new question or issue arising from the oral evidence that they would like Counsel to the Inquiry to consider asking. Such topics must have arisen only from the oral evidence and must not repeat previously requested questions. This provision is to be used sparingly, only where there is compelling need for additional questions to be asked, in light of the impact on the efficiency and effectiveness of the Inquiry.

5. Should any Core Participant seek permission to ask a question of a witness outside of this process, this must be done by way of a formal application. Such questioning, if permitted at all, will be exceptional in light of the reasonable process outlined above and the need for the Inquiry to meet its Terms of Reference in a reasonable, proportionate and efficient manner.