

Protocol on the Questioning of Witnesses in Oral Hearings under Rule 10 of the Inquiry Rules 2006

Introduction

1. This Protocol sets out the approach to questioning witnesses at the Inquiry's hearing in **July 2025**. The Inquiry's aim is to ensure a fair, effective, and transparent questioning process in line with Rule 10 of the Inquiry Rules 2006.
2. This Protocol should be read in conjunction with the updated hearings page for July, which can be found on the Inquiry's website.

Rule 10 of the Inquiry Rules 2006 - who can ask questions?

3. Under Rule 10(1) of the Inquiry Rules 2006, as a general rule, only Counsel to the Inquiry or the Inquiry panel (in this case, the Chair) may ask questions of a witness giving oral evidence at an Inquiry hearing. This is because a public inquiry is not a trial where two sides are presenting arguments; it is an investigatory process.
4. In the vast majority of cases, witnesses will therefore be asked questions by Counsel to the Inquiry and, on some occasions, by the Chair. However, in line with Rule 10, the Chair *may* permit the Recognised Legal Representatives (RLRs) of Core Participants and witnesses to ask some further questions of witnesses at the end of Counsel to the Inquiry's questions. This will be determined by the Chair on a case-by-case basis. For example, the Chair *may* allow further questioning by an RLR where she has decided that such questioning will allow a particular witness to give their best evidence.
5. Any such questioning, if permitted, may be subject to time limits or to other conditions to be decided by the Chair. The questioning will be limited to the

particular issue(s) or lines of questioning for which permission has been granted. If the Chair permits one RLR to ask questions, it does not follow that all RLRs will be granted permission. As such, where more than one RLR considers, for example, that an issue has been insufficiently addressed, the Chair may only give permission for one of them to pose questions.

Provision of Evidence

6. Before each Hearing, Core Participants will receive a Hearing Bundle containing relevant witness statements that may be referred to within the Hearing. These Bundles will be available electronically via a secure document-sharing platform.
7. The Inquiry intends to provide the Hearing Bundle on **12 June 2025**, allowing Core Participants and their RLRs sufficient time to review the evidence and prepare their questions.

Submission and Review of Questions

8. If RLRs do wish to submit lines of questioning or issues that they consider a particular witness should be asked about, these must be submitted to the Inquiry no later than **7 days** before the hearings commence.
9. Lines of questioning should be submitted in the form set out at the Annex to this protocol by email to the Inquiry Solicitors team legal@lampardinquiry.org.uk. Pursuant to Rule 10(5), the form is to include:
 - a. A clear, succinct description of the issues to be raised with the witness.
 - b. A clear explanation of the relevance of those issues to the particular witness.
 - c. Where applicable, a list identifying any document(s) and specific parts of documents to be shown to the witness in relation to each issue or line of questioning. These should be identified by reference to Inquiry

document identification numbers or, in the case of a transcript of a previous hearing, by date, page and line numbers.

- d. Questions should directly relate to the evidence in the witness hearing bundles. Each question must reference the relevant evidence within the hearing bundle.
10. Questions submitted for consideration less than 7 days before the Hearing, will only be considered in exceptional circumstances, and must be accompanied by an explanation for the late submission and a justification. In instances of late applications, the Chair will not permit the recovery of costs for preparing the late questions or for making the late application. The process for questions in relation to matters arising during the Hearing itself is outlined below.
 11. Safe receipt of proposed lines of questioning will be acknowledged by email. Counsel to the Inquiry will consider all such questions carefully to assess their relevance and appropriateness but will not revert to the RLR unless there is a particular need to do so, for example to clarify a matter raised. Counsel may recommend questions to the Chair, who has sole discretion over whether any will be posed to the witness. The questioning of witnesses will proceed in accordance with the Chair's determinations.
 12. This Protocol does not apply to unrepresented Core Participants. However, the Inquiry is keen to ensure that those who engage with it can participate meaningfully. Any unrepresented Core Participant who wishes to raise matter of concern or questions in respect of a witness who is providing evidence to the Inquiry should contact the Inquiry by email at contact@lampardinquiry.org.uk or by leaving a voicemail on 0207 972 3500. A member of the Inquiry team will be in touch to discuss the issues and ensure that these are drawn to the attention of Counsel to the Inquiry. This support is procedural and is intended to assist unrepresented Core

Participants in engaging with the process but does not extend to providing advice or advocacy.

Questioning During the Hearing

13. During the Hearing, Counsel to the Inquiry will ask any approved questions on behalf of the Core Participants. The Chair may also ask questions.

Submission of Rule 10 questions during the course of the Hearing

14. The Inquiry recognises that during the course of oral evidence, new information may emerge which prompts Core Participants to identify further areas on which they consider questions should be asked of a witness.
15. To facilitate this, should the Chair consider it is necessary and appropriate, a ten-minute break may be scheduled at the end of each witness' evidence to allow Counsel to the Inquiry to consider follow up Rule 10 questions arising from that live evidence.
16. All further Rule 10 questions should be submitted by completing a new version of the form at the Annex to this Protocol and then sent directly to the Inquiry's legal inbox at legal@lampardinquiry.org.uk.
17. This opportunity is intended for **new questions** arising from **live oral evidence only**. It remains a matter for the Chair and the Inquiry's Legal Team to determine which questions will be asked, having regard to their significance and relevance.
18. If Core Participants' legal representatives wish to ask questions directly of a witness, they can make a request in writing during the hearing. The Chair will then decide whether or not to allow the questions and whether it is

appropriate for Core Participants to ask these directly or Counsel to the Inquiry.

Questioning by the Witness' Own Legal Representative

19. Under **Rule 10(2)**, if a witness is represented, the Chair *may* allow the witness' own legal representative to ask further questions after Counsel to the Inquiry has concluded. This opportunity is for clarifying the witness' oral evidence and is not for introducing new material or for asking leading questions. A leading question is one that suggests the answer, often prompting the witness to agree rather than to provide their own response.
20. If significant new issues arise from questions asked by the witness' own legal representative, the Chair may instruct Counsel to the Inquiry to question the witness further to clarify those new points.

Proforma for Rule 10 Questions

21. To facilitate the submission of questions, Core Participants should use the form annexed to this Protocol which contains relevant guidance on how to complete the form and submit it to the Inquiry.

Conclusion

22. The Chair will periodically review this approach to ensure it remains effective and fair. Any necessary adjustments will be communicated to Core Participants in advance of future hearings.

05 June 2025