

# The Fingerprint Inquiry | Scotland

## Core Participants

### What is a core participant?

The chairman may decide that a person should be a core participant for all or part of the inquiry. He cannot make a person a core participant without that person's consent.

A core participant or his lawyer has the right to apply to the chairman for permission to examine any witness who is giving oral evidence to the inquiry.

Some of the matters that will be relevant to the chairman's decision as to whether a person should be a core participant are:

- Whether the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates
- Whether the person has a significant interest in an important aspect of the matters to which the inquiry relates
- Whether the person may be subject to significant or explicit criticism during the inquiry or in any report by the inquiry.

### Legal representation of core participants

Where more than one core participant wishes to appoint a lawyer to act on his behalf, the chairman can consider whether they should be jointly represented. He may direct that they should be jointly represented by a single lawyer if:

- Their interests in the inquiry are similar;
- The facts they are likely to rely on during the inquiry are similar; and
- It is fair and proper for them to be jointly represented

### Public funding of legal representation

Core participants can apply for an award of funding for legal representation. People who are not core participants can also apply for an award of funding for legal representation.

A person is eligible for an award only if they are

- Attending the inquiry to give evidence or to produce any document or other thing, or
- A person who, in the opinion of the chairman, has such a particular interest in the proceedings or outcome of the inquiry as to justify such an award.

**Core participants cannot receive funding for legal work that has been done for them without the prior approval of the Inquiry Chairman.**

# The Fingerprint Inquiry | Scotland

In making any decision as to the procedure or conduct of the inquiry, including a decision about an award of this type, the chairman must act with fairness and with regard to the need to avoid any unnecessary cost, whether to public funds or to witnesses or others.

When the chairman is considering any application for funding, he will take into account the financial resources of the applicant and the public interest so far as relating to the making of an award.

The chairman cannot make an award of more than the amounts set out in the Ministers' Determination of 5 June 2008.