

Update from the Chair of the Eljamel Inquiry regarding the Inquiry's hearings

As core participants will be aware, the Inquiry held a procedural hearing in relation to the progress of its work on 14 May 2026. The main focus of that hearing was on the building safety issues which had arisen with our hearings venue, which resulted in me requiring to postpone the section 1 hearings which had been due to take place in April and May of this year. As those who attended virtually or otherwise followed the proceedings will be aware, I had asked the Scottish Government to be represented at the hearing in its capacity as sponsor of the Inquiry and the tenant of the hearings venue in which the Inquiry holds its hearings at Waverley Gate in Edinburgh. I did so in order that a full public explanation could be given on behalf of Scottish Government, in those capacities, about the issues which had affected our ability to use the building as we had intended for those section 1 hearings, but also in the hope that they would, by mid-May, be in a position to provide an assurance that the building, or a suitable alternative, would be available to accommodate the Inquiry's revised plans. Those plans involve hearings in section 1 being scheduled for the 4 weeks from 7 September 2026 and in section 2 in the 3 weeks from 30 November 2026.

The Scottish Government instructed Senior Counsel to represent them in that capacity at the procedural hearing. In the submission, he explained that, although he was unable at that time to provide the assurance which had been sought on behalf of the Inquiry (namely that the Waverley Gate venue or a suitable alternative would be made available to the Inquiry for its September and December hearings), an urgent explanation would be provided to the Inquiry on the following matters:

- (a) Plans for the offending shaft wall at Waverley Gate to be repaired to meet with statutory safety requirements;
- (b) An explanation as to the possibility (intimated to the Inquiry only in connection with the procedural hearing) that another venue may be able to be made available namely the venue used by the Scottish Child Abuse Inquiry ("SCAI") in Edinburgh (the so-called "Plan B"); and
- (c) An explanation as to why no further checks had been done as to the suitability of the hearings and office premises at Waverley Gate for the use of the Inquiry

when arrangements were made for them to be made available to us for that purpose.

It is necessary for me now to issue a public notice as to what has happened since that time. I do so in accordance with our principles of clarity and co-operation, in particular with our core participants, as well as with regard to the need for our work to be conducted in a way which is trauma-informed.

I received a letter from the Scottish Government sponsor team on 27 May 2026, which suggested that the SCAI hearings venue at Mint House, Edinburgh was in a “ready-to-use position”. I contacted that Inquiry in order to ascertain if that was a possibility for the section 1 hearings, but unfortunately that turns out not to be the case.

As regards matters (a) and (b) above, which were and are integral to our section 1 hearings planning and beyond, the letter I received from the sponsor team on 27 May informed me that at a meeting which took place on 13 May the landlord had confirmed that in order to ensure compliance with the required fire safety standards a shaft wall was required along the whole corridor serving both Inquiry spaces, which serves as a fire escape route. The City of Edinburgh Council had also indicated that a full corridor shaft wall remedy would be acceptable to meet fire safety standards. I was also informed that the landlord had indicated that, subject to agreement on funding, it was willing to undertake the required works, and had engaged contractors to explore practical delivery of this proposed solution. I was informed that a further meeting took place on 26 May to ensure that the landlord and contractors remained committed to the urgency of the works. Finally, I was told that other options were being looked at, on which I would be updated as early as possible.

This was helpful, in as much as it revealed that a potential solution had been identified and was apparently being pursued with urgency. However, on 11 June 2026, members of my team received intimation from the Scottish Government sponsor team that an alternative solution to the building safety issues had been identified. A paper was provided with some description of that proposal. It involves what appears to be to be a conveyancing-based solution, involving the existing leases over the premises being

redrawn. As that proposal involves no substantive works being done on the property at all, and as the proposal contained no explanation of how the new solution would resolve the building safety issues which had previously been identified, I wrote to the sponsor team on 17 June 2026 seeking further clarification of those matters and others, including how the intimated estimate of 8 weeks for the necessary arrangements to be completed, and for the hearings venue to be available to us, had been calculated. Ultimately, I require to be satisfied that there is a reasonable prospect that the building will indeed be indeed safe for members of the public and others to attend for our hearings in September. For the avoidance of doubt my commitment remains to the default position being that those hearings should take place as they are planned, with the public in attendance.

I was due to receive a response on those matters on Tuesday 23 June and for a discussion of it to take place between me and my senior team on Wednesday of this week. I was then informed that that response would be delayed and that it would be received by the end of this week.

As far as the Inquiry's planning for the September hearings is concerned, my team now requires to contact witnesses who appear on our provisional witness list to tell them when they are due to be called to give evidence and to iron out any pressing availability issues. This work is scheduled to happen during this week and next. As was intimated at the procedural hearing, core participants are due to be sent the completed provisional witness list in the week commencing 6 July 2026, for their input. Thus, hearing-specific work is about to be undertaken which will involve commitments being agreed and work being undertaken by and on behalf of the Inquiry team and core participants in the pre-hearing period which commences next week.

As presently advised, I am again faced with the dilemma of having to make a decision about whether the hearings scheduled for September and the considerable body of work associated with it can reasonably be allowed to go ahead. I have been provided with a proposed solution to the building safety issues, which appears to be very different to the one which I was told by Senior Counsel would be progressed urgently in May and which was being progressed (I was told) as a matter of urgency on 27 May. I have been given a timetable which appears to me on the current evidence to be

aspirational and, as things currently stand, without clear basis or explanation. I have sought that explanation in writing in order to be able to provide core participants with as much information as I am able about the proposal and its likelihood of success and, ultimately, to be able make an informed decision about the September hearings. It remains outstanding at the time of writing.

I am not prepared to allow the hearings to progress without the assurances which the Inquiry team has responsibly sought that the Waverley Gate hearings venue or suitable alternative would be made available for the September hearings. Those assurances are required now to allow the Inquiry's pre-hearings work to proceed as planned.

As has been publicised previously, the impasse which has been reached rests with the Scottish Government to resolve. The assurances which have been sought are, in my view, entirely reasonable. No suggestion otherwise was made on the Scottish Government's behalf at the procedural hearing. I have repeatedly stated that the work of this Inquiry is both challenging and important. It cannot be conducted without reasonable support from the Scottish Government.

Although I am prepared to await the information and assurances I have sought from the Scottish Government, our planning will not enable me to wait much longer. It would be irresponsible of me to instruct preparatory work to be undertaken which gives the impression that hearings will take place in September without a clear basis for thinking that they will be able to proceed at that time. As presently advised, I do not have that assurance. If that assurance is not available to me by close of business on Wednesday next week (1 July), I will require again to take a view on whether based on the latest information available to me at that time, the section 1 hearings can proceed as planned in September. I intend to provide core participants with an update on any progress and any decision about the hearings shortly after that deadline. I have also sought a meeting with the new Cabinet Secretary for Health to discuss this and other ongoing issues with the Scottish Government's sponsorship of the Inquiry, some of which were touched on at the procedural hearing. No date has yet been offered.

I have little doubt that this update will be frustrating to some. Others will inevitably be angry. I entirely understand those responses. I and the Inquiry team share them. It will, I am sure, also be distressing for some who have put their faith in the Inquiry that the current position is shrouded in such uncertainty. That, too, is an entirely understandable response. In the meantime, I continue to urge Scottish Government to do all it can to resolve the immediate situation over the hearing suite. I offer reassurance that the Inquiry team continues to work tirelessly on the investigation of our Terms of Reference. I also remind those who may need it that emotional support services are available from The Spark which can be accessed via the support section on the Inquiry's website - [Support Hub | The Eljamel Inquiry](#). The Inquiry team is also contactable to deal with any queries and offer what assistance they can.

The Hon. Lord Weir
Chair of the Inquiry
26 June 2026