

SCOTTISH HOSPITALS INQUIRY

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Finance and Public Administration Committee
The Scottish Parliament
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Friday 23 May 2025

Dear Convenor,

Finance and Public Administration Committee Cost-effectiveness of Scottish public inquiries

I refer to your letter to the Chair of the Scottish Hospitals Inquiry, the Right Honourable Lord Brodie KC PC, in respect of your inquiry. He has asked me to reply in my capacity as Secretary to the Scottish Hospitals Inquiry.

As your letter narrates, the Scottish Hospitals Inquiry was announced in September 2019 and set up on 3 August 2020, with a remit to investigate the construction of the Queen Elizabeth University Hospital Campus, Glasgow, and the Royal Hospital for Children and Young People, and Department of Clinical Neurosciences, Edinburgh.¹ Preliminary work on the infrastructure that supports any public inquiry had begun in February 2020. A decision was taken early in the work of the Inquiry to publish our costs on a quarterly basis under four headings. Whilst not disaggregated in the same way as the Scottish Covid-19 Inquiry, these headings cover all the areas you have asked for. The costs of the Inquiry to date have recently been updated for the period to the end of March 2025, and are as follows:

Heading	Costs (rounded to nearest £100)
Inquiry staffing	£13,465,300
Inquiry Counsel, Experts and Specialists	£3,719,000
Core Participant and Witness costs	£3,000,300
Running costs, including accommodation and IT:	£5,257,500
Total	£25,442,100

It may assist the Committee if I explain what falls under each of these headings and provide some commentary on the mechanisms used to manage costs.

¹ The full text of the Inquiry's Remit and Terms of Reference are available at <https://hospitalsinquiry.scot/remit-terms-reference>

Inquiry staffing

In addition to the Chair, the Inquiry is staffed by legal professionals with the range of skills necessary to progress the investigation of the material relevant to the remit and terms of reference. They are supported by document and evidence managers, researchers, witness support teams and a secretariat. The team is made up of staff on differing terms and conditions (for example, permanent Scottish Government employees on assignment; Fixed Term Appointment contracts and Contingent Workers). Their rates of pay are aligned to Scottish Government pay scales. The Chair was appointed separately, and his fee rate has remained constant since 2020. The Inquiry team grew from nothing to a maximum size of sixty staff and is already beginning to reduce as the Inquiry begins its final planned set of hearings.

Inquiry Counsel, Experts and Specialists

Counsel to the Inquiry are instructed by the Chair and reimbursed at rates set out in a determination by Ministers made under Section 39 of the Inquiries Act 2005. The Inquiry website sets out the current counsel team as being:

Senior Counsel to the Inquiry, Fred Mackintosh KC
Senior Counsel to the Inquiry, Craig Connal, KC
Junior Counsel, Graham Maciver, Advocate
Junior Counsel, Neil Morrison, Advocate
Junior Counsel, Graham Horn, Advocate

The Inquiry has heard expert evidence in specialist areas such as ventilation, water, infection control, epidemiology. Nine experts have contributed their skills to the Inquiry so far. The reports, papers and transcripts of that expert evidence is available on the Inquiry website. Rates for specialists vary widely depending upon their area of expertise. Where possible, the Inquiry has sought fixed-price fees for discrete pieces of work or reports, with hourly rates for attendance at hearings. Expenses associated with giving evidence in person are contained within this heading.

Core Participant and Witness costs

A call for anyone wishing to be considered as a core participant was issued in 2020, with a closing date of 31 December 2020. The Inquiry's core participants consist of: patients and families affected by their experience at the hospitals; publicly funded bodies including NHS Boards, and private-sector companies. Core Participants are represented by their own legal teams, for which they pay. The Inquiry website sets out the protocols for a core participant, or group of core participants, to apply to the Inquiry for funding of their legal team.

Applications for core participant status and applications for funding have been considered by the Chair on their merits, with the result that a number of the individual core participants' legal teams are funded by the Inquiry. In granting this funding, patients, families and individuals affected by the issues being investigated by the Inquiry benefit from legal representation. This means they can both contribute to the work of the Inquiry and have the workings explained to them via their legal teams. The rates of reimbursement of those legal teams are set out in a determination by Ministers under Section 40 of the Inquiries Act 2005. Claims are subject to scrutiny by the Solicitor to the Inquiry.

Out of pocket expenses of witnesses incurred in attending a hearing to give their evidence are reimbursed according to the same rules as Scottish Government employees. An early decision was to create the facility to hear from witnesses remotely, thereby reducing costs associated with travel and accommodation. This, together with providing a livestream of a hearing on YouTube, has meant that others, including journalists, can follow along without the need to travel and be present in the hearing itself. The Inquiry YouTube channel has over 900 subscribers.

Running Costs, including accommodation and IT

A management agreement exists between the Inquiry and the Directorate within the Scottish Government that sponsors the Inquiry. Although not legally binding, this captures the importance of both the Chair of the Inquiry and the Accountable Officer in the Scottish Government whose budget provides the funding for the Inquiry being mindful of one another's responsibilities in respect of public money.

The Inquiry began looking for accommodation space in Edinburgh during the summer of 2020. The Inquiry's space requirements and the design of its office and hearing room were in part driven by the need to provide for 2m social distancing, that being the rule in place at that time. The Inquiry's premises are in central Edinburgh and within easy walking distance of trains, trams, and buses. As with most other organisations, the Inquiry has a hybrid work pattern which reduces the cost of commuting for staff.

Where possible, the Inquiry uses Scottish Government frameworks for the provision of goods and services; these having already been benchmarked as providing best value. These goods and services include facilities management of the office; cleaning; booking of accommodation and travel for staff and witnesses; temporary staff; and stationery. Scottish Government frameworks have also been used to run mini competitions to appoint providers of transcription services, website design, maintenance and hosting, and media services.

The Inquiry came to the view that it did not require its own large-scale document management system, and so it uses the same document and records management system as the Scottish Government. The Inquiry has a separate part of the system that cannot be accessed by those outside the Inquiry.

[Inquiry into the construction of the Queen Elizabeth University Hospital Campus, Glasgow and the Royal Hospital for Children and Young People and Department of Clinical Neurosciences, Edinburgh](#)

Looking at the headings provided, I would offer the following observations on how this Inquiry has addressed these:

- The Inquiry has adopted the Scottish Government policies and rates for expenses.
- The transcription service used by the Inquiry was appointed via competitive tender, run jointly with the Sheku Bayoh Inquiry. The costs of this are captured in the Running Costs heading. The transcription service does not undertake redactions; those being determined and applied by the Inquiry team.
- One of the first teams to be set up in the Inquiry was the witness engagement and support team. When announcing the Inquiry to Parliament on 15 June 2020, the then Cabinet Secretary made note of the Chair's intention to have such support. Many witnesses have expressed their thanks to the team over the course of preparing for and appearing at hearings. The costs of this team are captured within the Inquiry Staffing heading.
- No external legal advice has been sought in connection with the investigations by the Inquiry.
- Most of the content production for the website, the circulation of newsletters and other communications is undertaken by staff within the Inquiry team, and therefore those costs are included within the Staffing Costs heading.

Whilst not following exactly the format you requested I trust that I have demonstrated where those headings are captured, and the measures this Inquiry has adopted in respect of the obligation on the Chair under the Inquiries Act 2005 to "act with fairness and with regard also to the need to avoid any unnecessary cost (whether to public funds or to witnesses or others)."

Yours sincerely,

David Anderson
Secretary to the Scottish Hospitals Inquiry