

RESTRICTION ORDER PURSUANT TO SECTION 19 OF THE INQUIRIES ACT 2005

The Chair has the power under section 19 of the Inquiries Act 2005 (“the Act”) to make orders restricting the disclosure or publication of evidence and documents given, produced or provided to the Inquiry.

This Restriction Order is made pursuant to section 19(1) of the Act. It binds all members of the public and media, witnesses, legal representatives, core participants and all members of the Inquiry team.

Any threat to breach such an order, or any breach of it, can be certified to the Court of Session or the High Court under section 36 of the Act, and the Court will deal with it as though the breach had occurred in proceedings before that Court.

IT IS ORDERED THAT:

1. General

- 1.1. This Order is made on 17 July 2024 and remains in force indefinitely, unless otherwise ordered.
- 1.2. The Chair may, by Order, vary or revoke this Order by at any point during the course of the Inquiry.
- 1.3. Any breach of this Order by any means whatsoever must be notified in writing to the Solicitor to the Inquiry immediately upon identification of the breach.

2. Interpretation

- 2.1. “Protected material” has the meaning given by paragraph 19.5 of the Scottish COVID-19 Inquiry’s General Restriction Order.
- 2.2. “Recipient” has the meaning given by paragraph 19.6 of the Scottish COVID-19 Inquiry’s General Restriction Order.
- 2.3. “The Inquiry” means the Scottish COVID-19 Inquiry.

3. Order

- 3.1. This Order is made in respect of any protected material relating to the following witnesses:
 - 3.1.1. HSC0027
 - 3.1.2. HSC0209
 - 3.1.3. HSC0208
 - 3.1.4. HSC0211

3.2. Any protected material disclosed to the Crown Office and Procurator Fiscal Service in respect of the witnesses identified at 3.1 above may be disclosed by the Crown Office and Procurator Fiscal Service to Police Scotland.

3.3. The Inquiry may disclose any protected material to Police Scotland in respect of the witnesses identified at 3.1 above where a request is received in writing by Police Scotland.

3.4. For the purposes of this Order, Police Scotland are deemed a “recipient” in terms of the Scottish COVID-19 Inquiry’s General Restriction Order in respect of any protected material that is disclosed to them by the Inquiry or by the Crown Office and Procurator Fiscal Service.

4. Penal notice

4.1. The Court of Session and the High Court have the power to impose a custodial sentence or fine for any breach of this Order.

A handwritten signature in black ink, appearing to be 'L. Brailsford', with three dots below it.

Lord Brailsford
Chair of the Scottish COVID-19 Inquiry
17 July 2024