



HOUSE OF LORDS

**Statutory Inquiries Committee**

House of Lords

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Brian Altman KC

The Chambers of Brian Altman KC and Jim Sturman KC

2 Bedford Row

London

WC1R 4BU

Friday 16<sup>th</sup> February 2024

Dear Mr Altman,

Thank you for so kindly appearing as a witness at the evidence session on Monday 12<sup>th</sup> February. The information you gave us will be very useful for our inquiry and final report. I write to request your written response to some further questions. These seek to clarify or solicit further information on the evidence you gave. These questions are listed overleaf.

I would be very grateful if you could send your reply to the email address above by Friday 1<sup>st</sup> March. You should bear in mind that your response will be published on the Committee's website and treated as formal evidence.

To assist you with your response, I have enclosed a copy of the transcript for the session.

Thank you in advance for your continued assistance to the Committee.

Yours sincerely,

Lord Norton of Louth

Chair of the Statutory Inquiries Committee

## Questions

1. Have you had any involvement in any formal sharing of best practice for running an inquiry? If so, which body coordinated this?
2. In addition to the use of Restriction Orders, can you list any other situations where a non-legal inquiry chair would require legal advice from the counsel to the inquiry?
3. Please could you briefly summarise the process of devising “question plans”, which you referred to in your oral evidence? What is the advantage of this approach and what is it an alternative to?
4. How can a chair ensure that the inquiry is following an inquisitorial rather than adversarial approach? Does the chair have power over this?
5. In your evidence to the Committee, you said that:

*“The committee’s recommendation at the time was the revocation of those rules [13-15], to be substituted by one simple rule. I have looked at that, and I have looked again at Rules 13 to 15. However cumbersome they appear to be, they have an important part to play in identifying not only when a warning letter might be sent by the chair to a particular individual but the information that needs to be sent to the individual so that they individual can properly respond to the explicit or significant criticism that is to appear in the report. If you oversimplify the rule, if I may say so, the opportunity for an individual to respond adequately and, as Sir John said, open the chair’s eyes to the possibility that they might have got something wrong or misunderstood the evidence, is something that ought not to be entertained. The rules, however difficult they appear to be, have a proper part to play in the warning letter process in order that everybody understands what the criticism is and what the proper response to be made to it is.”*

Please could you elaborate on why Rules 13-15 should remain unchanged?