

INQUIRY INTO THE RETIREMENT OF THE FORMER COMMISSIONER OF POLICE

ISSUE OF COMMISSION

1st PRESS NOTICE

COMMISSION OF INQUIRY UPDATE: PRELIMINARY HEARING

Introduction

The Commission of Inquiry was announced on 4 February 2022. This Inquiry will examine into the reasons and circumstances leading to Mr Ian McGrail ceasing to be Commissioner of Police in June 2020 by taking early retirement. The Commissioner is to inquire, as he shall in his absolute discretion consider appropriate, into such matters, ascertain the facts and report to the Government (“the Inquiry”). The Inquiry was set up by His Excellency Vice Admiral Sir David Steel KBE, DL, Governor of Gibraltar, for the Government of Gibraltar, at the request of the Chief Minister on 4 February 2022. Sir Charles Peter Lawford Openshaw is the sole Commissioner.

The Inquiry has appointed Stephen V. Catania, of Attias & Levy, as Solicitor to the Inquiry. Stephen Catania is assisted by Sunil Chandiramani and Jemma Emmerson. As Solicitor to the Inquiry, Stephen Catania together with his team, is initially involved in drafting procedures, and gathering and reviewing evidence. He will also manage the process of taking statements and liaise with participants and their legal representatives.

Familiarisation Visit to Gibraltar

In line with the Commissioner’s intention that the Inquiry should operate correctly and maintain its progress, the Commissioner attended Gibraltar from 4 to 7 May 2022 to take the oath before a Justice of the Peace under the Commissions of Inquiry Act. During his visit, the Commissioner also held meetings with Counsel and the Solicitor to the Inquiry and familiarised himself with Gibraltar.

Website

The Inquiry is launching its website shortly to assist it in keeping the public informed of news relating to the Inquiry, forthcoming hearings and other information.

Next Steps

Over recent weeks, the Inquiry has sent out letters of request to parties to the Inquiry seeking information and documents relevant to its Terms of Reference. These process continues. While the requests have resulted in statements and exhibits being lodged with the Inquiry, for which the Commissioner is grateful, he considers that a Preliminary Hearing is now required to deal with procedural and administrative matters and to put in place directions to progress the Inquiry. The first Preliminary Hearing will therefore take place in public at the Garrison Library on the 22 and 23 June 2022 commencing at 10am, and an agenda will be announced shortly and will be posted on the

Inquiry website. The Commissioner expects that further hearings will be necessary over the coming months.

The Inquiry is conscious of the need to complete its work as soon as is practically possible and will continue to do all it can to avoid unnecessary delays. However, the timetable for completing its work inevitably depends to a significant extent on the information and documents provided by potential witnesses, which will have an impact on the time required to prepare for and complete the main hearing.

The Inquiry has recently published a 'Protocol relating to Legal Representation at Public Expense'. This will be available on the website shortly.

The Inquiry will issue further press notices as necessary to update the public as to the timetable and nature of future hearings.

Maurice Turnock
Secretary to the Inquiry
19 May 2022