

INQUIRY INTO THE RETIREMENT OF THE FORMER COMMISSIONER OF POLICE

Call for Evidence

1. The Inquiry into the Retirement of the Former Commissioner of Police has already contacted a number of individuals who may be in a position to provide evidence and assistance to the Inquiry. The Inquiry now wishes to give the public an opportunity to place before it any information or documents of potential relevance to its work.
2. The Inquiry accordingly invites individuals and organisations to respond with any information or documents that may assist the Inquiry in investigating **the reasons and circumstances leading to Mr Ian McGrail ceasing to be Commissioner of Police in June 2020 by taking early retirement**. The Inquiry is particularly interested in any information on the following matters:
 - a. The actions of the Royal Gibraltar Police (“**RGP**”) on: (i) 8 February 2017 in obstructing an aircraft at Gibraltar airport to remove an employee of the UK Ministry of Defence who was under arrest by the UK Service Police; and/or (ii) 1 March 2017 in arresting three senior Ministry of Defence members of staff and seizing and removing service personnel equipment from HM Naval Base and an officer’s home.
 - b. The RGP’s investigation into an assault on a helicopter pilot and crew member in Gibraltar in March 2017.
 - c. The collision at sea on 8 March 2020 outside British Gibraltar Territorial Waters involving an RGP vessel and resulting in two deaths and the RGP’s subsequent handling of it. In particular:

Did faults or failings in the operational instructions or procedures of the RGP cause or contribute to the collision at sea, and, if so, was Mr McGrail as Commissioner of Police, responsible or accountable for those faults or failings?
 - d. The findings of the Report by Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services into the RGP dated 9 April 2020 and/or Mr McGrail’s response in addressing the findings of the previous report by HMIC published in 2016.
 - e. The investigation into the alleged hacking and/or sabotage of the National Security Centralised Intelligence System and alleged conspiracy to defraud (“**the Conspiracy Investigation**”), and the RGP’s handling of the same, including but not limited to the RGP’s execution of search warrants as part of that investigation on 12 May 2020 (“**the Search Warrants**”). In particular, did the AG and/or CM place any or any inappropriate pressure on Mr McGrail regarding the investigation or otherwise interfere with the investigation, and in particular the decision to execute the Search Warrants?

- f. Any complaint(s) made by the Gibraltar Police Federation and/or its members to the Gibraltar Police Authority about Mr McGrail.
 - g. The RGP's involvement in and/or handling of the Alcaidesa claims.
 - h. Mr Pyle's stated intention as to his powers under section 13 of the Police Act. This will include consideration of the relevance (if any) of Sir David Steel's imminent commencement as Governor, and particularly the date on which NP learned of the date on which that was expected to occur ("**the Section 13 Issue**").
 - i. The Gibraltar Police Authority's process and decision in relation to Mr McGrail and its purported compliance with Section 34 of the Police Act, and subsequent withdrawal of that decision ("**the GPA Process**").
3. However, any other matters, not expressly mentioned above, that may be critical to investigating **the reasons and circumstances leading to Mr Ian McGrail ceasing to be Commissioner of Police in June 2020 by taking early retirement** can be submitted for the Inquiry's consideration.
4. Responses do not need to be in the form of an affidavit or sworn statement at this stage, although any relevant documents in support should be provided as attachments. If, after reading the response, the Inquiry considers that it would be assisted by an affidavit or sworn statement, it will contact the relevant person or organisation.
5. The responses and any documents in support should be sent in writing to the Solicitor to the Inquiry, either by email to svc@attlev.gi, sgc@attlev.gi and ilc@attlev.gi, or by post to:

Stephen V Catania
Attias & Levy
First Floor Suites
39 Irish Town
Ref: SVC/I82

6. Responses must be received by no later than **21 October 2022**. Responses which are not received by that date may not be considered by the Inquiry.
7. Organisations are asked to include in their response a summary of the people they represent and their aims and objectives. The person signing the response must state his or her office or position in the organisation or the capacity in which the response is being made.
8. All written responses including evidence provided to the Inquiry may in due course be made public unless specifically requested otherwise or unless publication is unlawful. If a respondent would like any of the information provided to be treated confidentially this should be indicated clearly, identifying the relevant information and explaining why it is

considered that confidentiality is appropriate. It should however be noted that the Inquiry cannot at this stage guarantee that confidentiality will be maintained in all circumstances where such requests are made, in particular if disclosure is required by law. Attention is drawn to the Inquiry's Documents and Vulnerable Witnesses Protocols, available on the Inquiry website.

9. The Inquiry's Privacy Notice is available on its website coircomp.gi. The Notice sets out how the Inquiry will use your personal data, who it may be shared with, and your rights.

Maurice Turnock

Secretary to the Inquiry

23 September 2022