

**INQUIRY INTO THE RETIREMENT OF THE FORMER COMMISSIONER OF
POLICE**

5th PRESS NOTICE

**COMMISSION OF INQUIRY UPDATE: IMPACT OF DATA BREACH ON
INQUIRY HEARING**

On 6 December 2022, the Inquiry issued a press release notifying the public of a likely data breach in Gibraltar affecting the Inquiry's documents. The situation continues to be treated with the utmost seriousness and urgency.

As previously stated, the Inquiry has commissioned an investigation by an expert IT forensics/security firm. The investigation is ongoing, but the Inquiry hopes to provide a detailed update on the investigation when it is completed in the new year.

Since discovering the suspected breach, the Inquiry's focus has been on ascertaining the nature and extent of, and responding to, the suspected breach. However, we have now had an opportunity to consider the viability of the existing Inquiry timetable, which was already very tight and ambitious.

Responding to the suspected data breach took up nearly all of the Inquiry team's time and resources during November and December, and substantive work has not yet resumed. The Inquiry has also had to inform several witnesses that it cannot accept disclosure at present, meaning that disclosure from several witnesses has not yet been received. Given that the Inquiry Team had intended to dedicate all of November and December on the disclosure process, the Inquiry is not in a position to give disclosure to Core Participants by the 21 December 2022 deadline. This, in turn, means that various other deadlines will also have to be extended. Regrettably, it will therefore no longer be possible to hold the Main Inquiry Hearing in March 2023.

The Commissioner is now exploring all alternative options for a replacement date for the Main Inquiry Hearing, and has requested diary availability from the Core Participants. This date will be announced as soon as possible, and in any event before the Third Preliminary Hearing, which will proceed as scheduled on 8 February 2023.

**Sir Peter Openshaw
22 December 2022**