

INQUIRY INTO THE RETIREMENT OF THE FORMER COMMISSIONER OF POLICE
FOURTH PRELIMINARY HEARING - OPEN OUTLINE SUBMISSIONS for Paul Richardson

The Data Breach

1. Mr Richardson is unlikely to have any submissions on this subject.

Outstanding disclosure and witness statements

2. Mr Richardson has provided his second statement and exhibits to the Inquiry. It attempts to answer the questions directed to him by the Inquiry in its letter dated 14th July 2022. It reflects that part of the contemporaneous material which the RGP had by 16th June 2023 been able to let him revisit, but not any disclosure provided by the Inquiry to CPs after April 2023. The process of inspection and disclosure and copying of contemporaneous RGP material was interrupted but now continues.
3. Mr Richardson expects to be able in good time before 28th August 2023 to provide a third statement which will
 - (a) reflect the remaining part of the contemporaneous material of his which the RGP will have let him revisit [the Commissioner's order dated 21st June 2023],
 - (b) respond, if necessary, to any significant error in the statements and exhibits disclosed by the Inquiry to the CPs and
 - (c) answer any specific questions directed to him by the Inquiry arising from the accounts of other witnesses in that disclosure [none has yet been received].
4. In the meantime, and by 19th July 2023, as ordered, Mr Richardson will have notified STI and the RGP if he intends to rely on or use in the proceedings any of the additional documents or footage described in the Commissioner's order dated 21st June 2023.

Procedure at the Main Inquiry Hearing

5. Mr Richardson expects to be able to comply with the timetable proposed by CTI.

6. Mr Richardson agrees with the witness examination procedure suggested by CTI, including the use of the traditional model for the seven suggested ‘unrestricted witnesses’, with one caveat: the traditional questioning of unrestricted witnesses should be limited to those representing other unrestricted witness CPs. It would not be fair or balanced, and it would not be seen to be fair or balanced, for CPs giving oral evidence under the hybrid model, thus largely shielded from the pressures of examination by other CPs, to be allowed nevertheless freely and traditionally to examine the unrestricted witnesses. Even more strikingly, by any CP not giving oral evidence.

7. May we suggest that the witnesses De Vincenzi and Grech in due course be further considered for oral examination. Mr De Vincenzi, Senior Crown Counsel, has been described as present at a meeting between Mr Llamas and Mr McGrail on 7th April 2020, when it is alleged that Mr McGrail provided an assurance to Mr Llamas that he would not take any further action in Operation Dehli without a further meeting with him. Mr De Vincenzi does not address this in his statement, and it may be helpful to the Inquiry were he to give evidence. Both Mr Llamas and Mr De Vincenzi refer to Mr Richardson attending the meeting, but Mr Richardson has no record of it.

8. Mr Grech, Chief Secretary, gave a statement of complaint on behalf of the Government to the police about the NCIS platform and then retracted it. He suspended Caine Sanchez, and it is not clear whether any disciplinary investigation followed, or why Mr Sanchez was allowed to return to work. The Inquiry has not yet disclosed Mr Grech’s statement.

Finalisation of the list of issues and consideration of agreed facts

9. Neither the Assault Investigation [#2] nor the Alcaidesa Claims [#7] has any significant bearing on Mr Richardson’s evidence. He makes no submissions about whether they merit inclusion in the final list of issues.

10. Mr Richardson agrees that lists of agreed facts for each live issue would be helpful. He endorses CTI’s suggested process for agreeing those lists in advance of the main hearing.

GBC Broadcasting Application

11. Mr Richardson supports CTI's proposal that the Inquiry be broadcast subject to the safeguards set out in paragraph 34 of CTI's written submissions.

Restriction orders

12. Mr Richardson makes no submissions about the Government's application for a restriction order.

The 19 witness statements

13. Please see separate Closed Submissions.

14th July 2023

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