



**The Attorney General**  
HM Government of Gibraltar

Sir Charles Peter Lawford Openshaw DL  
Chairman  
Inquiry into the Retirement of the Former Commissioner of Police  
c/o Triay Lawyers  
28 Irish Town  
Gibraltar

05 April 2024

Dear Sir Peter,

**Ref: Undertakings by me in my capacity as His Majesty's Attorney General for Gibraltar**

1. In this undertaking, "Inquiry" means the Inquiry into the Retirement of the Former Commissioner of Police convened by commission issued by the Government on 4<sup>th</sup> February 2022 in Legal Notice No. 34 of 2022, of which you are the Chairman.
2. Pursuant to every power thereby enabling me to do so, I, Michael Llamas, His Majesty's Attorney General for Gibraltar, hereby undertake to the Inquiry, subject to paragraph 3 below, in respect of any person who has given or gives evidence to or makes or has made any statement or affidavit preparatory to giving evidence or provides or has provided discovery or disclosure to the Inquiry, as follows:
  - 2.1 I will not institute or undertake criminal proceedings before any court of law, nor, where it is required, give my consent for such criminal proceedings to be instituted or undertaken, against a person who has given or shall give evidence to the Inquiry for or in respect of any statement or discovery made by such person concerning any matter connected with the Inquiry.
  - 2.2 If any criminal proceedings are instituted by any other person empowered to do so before any court of law against a person who has given or shall give evidence to the Inquiry for or in respect of any statement or discovery made by such person concerning any matter connected with the Inquiry I shall exercise my power under section 59(2) of Annex 1 to the Gibraltar Constitution Order to take over and discontinue any such criminal proceedings.
  - 2.3 No evidence or discovery, including any statement in answer to any question in the course of the Inquiry, given by a person shall be used in evidence against that person in criminal proceedings.

The Attorney General

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3. My undertakings in paragraph 2 above shall not apply to criminal proceedings for offences:

3.1 under Section 12 of the Commissions of Inquiry Act;

3.2 under Section 27 of the Inquiries Act 2024; or

3.3 for or relating to perjury committed in answer to any question in the course of giving oral evidence in the Inquiry.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Llamas', with a horizontal line drawn underneath it.

Michael Llamas CMG KC  
His Majesty's Attorney General for Gibraltar