

Commissions of Inquiry Act

INQUIRY INTO THE RETIREMENT OF THE FORMER COMMISSIONER OF POLICE

Convened by a Commission issued by His Majesty's Government of Gibraltar on 4th February 2022 in Legal Notice No.34 of 2022

SUPPLEMENTARY WITNESS STATEMENT OF DETECTIVE SERGEANT PAUL CLARKE

1. My name is Paul Clarke. I am a Detective Sergeant with the Royal Gibraltar Police ("the RGP"). I joined the RGP in March 2018. I was promoted to my current rank in November 2019. Prior to joining with RGP, I served with the Metropolitan Police Service between 2005-2018.
2. I write this supplementary statement in answer to the question posed by Triay Lawyers in their letter dated 14th June 2023 entitled "*RE: Inquiry into the Retirement of the Former Commissioner of Police – Further Matters to be Addressed in Responsive Statements.*"
3. This supplementary statement is prepared (on advice from my lawyers) without attaching the documents referred to, to avoid delay. The said documents are currently subject to a document review ("Document Review") by the RGP and our lawyers in accordance with the Document Protocol and when that is concluded they will form part of a document bundle ("RGP Bundle") where possible and this statement will be updated by references to the RGP Bundle.

I. Please can he provide details as to why two applications were made for the warrant in respect of the OP Delhi suspects. Please provide details as to what the earlier application was for and why the variation was sought.

4. As detailed in paragraphs 4-6 of my initial statement, two applications were made for the application for the Search Warrants in relation to Jaime Levy. Following the initial application being made to the Stipendiary Magistrate, I attended a meeting with former Detective Supt Richardson, DI Goldwin, and the Officer in Charge of the Investigation ("OIC") Detective Inspector Mark Wyan (now Superintendent), who attended the meeting remotely. During this meeting I was instructed to apply to the Magistrates Court to have the material sought on the warrants amended.
5. The initial application stipulated the material sought to be "*Electronic devices (including but not limited to mobile telephones, laptop computers, servers) capable of sending and receiving text messages, instant messages and/or electronic mails, owned and/or used by Jaime Levy and any device capable of storing any of the aforementioned messages.*"

6. The second application detailed the above material and in addition to this "*Any documentation relating to 36 North Limited, Astelon Limited and/or Icode Limited whether held digitally or otherwise.*"
7. Icode Limited was beneficially owned by Thomas Cornelio. Astelon Limited was beneficially owned by Hassans International Law Firm, and 36 North Limited was beneficially owned by John Perez, Icode Limited and Astelon Limited.
8. The decision to vary the material sought subject to the Search Warrants was made by the Senior Investigating Officer former Detective Supt Richardson.

STATEMENT OF TRUTH

I believe the contents of this witness statement to be true.

Personal Data

.....

NAME: PAUL CLARKE

DATE: 26/06/23