

<p>1 (Thursday, 9 May 2024) 2 (10.06) 3 THE CHAIRMAN: Yes, Mr Neish. 4 MR NEISH: Good morning, Mr Chairman. 5 THE CHAIRMAN: Good morning. 6 MR NEISH: Before I start questioning Mr 7 Pyle, I have been asked by Mr Vikram 8 Nagrani to try and clarify something on his 9 behalf. You will recall that, giving evidence, 10 Mr Lavarello stated that on one occasion Mr 11 Nagrani gave substantial and lengthy legal 12 advice over and above the legal advice that 13 he normally gave to the Authority, and that 14 on that occasion payment was made. The 15 clarification which I have been asked to 16 make is that the payment was made to 17 Hassans, and not to Mr Nagrani personally. 18 And he would be obliged if this could form 19 part of today's transcript. 20 THE CHAIRMAN: Thereby making it clear 21 that, like everybody else, his membership of 22 the GPA was gratuitous. 23 MR NEISH: Yes, well on that particular 24 occasion he gave advice and Hassans -- 25 THE CHAIRMAN: Yes.</p> <p style="text-align: center;">Page 1</p>	<p>1 Q. -- but you are conscious of the fact that 2 minutes, proper minutes, have to be kept. 3 A. Correct. 4 Q. And you are conscious of the fact that if 5 you attend a meeting and you are not happy 6 with the minutes, it is open to you to object 7 to any part of the minutes that you do not 8 agree with. 9 A. It is. 10 Q. And equally, it is open to you to make the 11 point that something which you have said, or 12 want recorded, has not been recorded. 13 A. Correct. 14 Q. Now Mr Pyle, as Deputy Governor you 15 are the most senior official in the Gibraltar 16 Police Authority, are you not? 17 A. I haven't thought of that, to be honest. I 18 mainly (?) need to think the role the Chief 19 Secretary has. 20 Q. And of course, as Deputy Governor you 21 are in a position to receive information which 22 most of the rest of the Police Authority are 23 not privy to. 24 A. Yes, correct. 25 Q. So, given your combined position of</p> <p style="text-align: center;">Page 3</p>
<p>1 MR NEISH: -- was charged for it. 2 THE CHAIRMAN: Correct. 3 MR NEISH: I think it was probably clear 4 from the start that he... 5 THE CHAIRMAN: No, no, I understand the 6 clarification. 7 NICHOLAS PYLE, continued 8 Questioned by MR NEISH 9 Q. Good morning, Mr Pyle. 10 A. Morning. 11 Q. Mr Pyle, as a senior civil servant and 12 diplomat, would it be true to say that record 13 keeping is an important part of your 14 functions? 15 A. Yes, it is. 16 Q. And attending meetings is very much a 17 day-to-day occurrence of civil servants? 18 A. Yes, it is. 19 Q. And, you are obviously conscious of the 20 need to keep proper minutes and records of 21 those meetings. 22 A. Yes. The question is who keeps the 23 record of it. 24 Q. Well, we will come to that -- 25 A. Thank you.</p> <p style="text-align: center;">Page 2</p>	<p>1 Deputy Governor and having the benefit of 2 all this information which flows through to 3 the officer of the Governor, would you agree 4 with me that you are one of the most 5 influential persons in the Gibraltar Police 6 Authority? 7 A. I never saw myself as that, I saw myself 8 as a member of the Gibraltar Police -- 9 Q. Yes. 10 A. -- Authority with equal weight. 11 Q. But would you agree with me now, on 12 reflection, that you are one of the most 13 important persons in the Gibraltar Police -- 14 A. Yes. No, I can accept the point, but my 15 point is: I never actually saw myself in that 16 role. 17 Q. Thank you. Now if I may turn briefly -- I 18 will try and be as brief as possible, because 19 Counsel for the Inquiry has dealt with most 20 of the points. On the helicopter incident, 21 when did you first learn about this? 22 A. I think when it happened, and the day 23 after the assault, from somebody from the -- 24 somebody from British Forces Gibraltar. 25 Q. But you never mentioned anything to the</p> <p style="text-align: center;">Page 4</p>

<p>1 Gibraltar Police Authority, did you? 2 A. No. 3 Q. Did it not occur to you, as a member of 4 the Gibraltar Police Authority, that there had 5 been some deficiency in the police handling 6 of the helicopter incident which ought to be 7 brought to their notice? 8 A. Well, I didn't know for some while that, 9 you know, prosecutions weren't being taken 10 forward. And I think, just to clarify a little 11 bit, and again I'm not intending to repeat 12 what I said yesterday, but I believe that 13 incident was in the media, and on the basis of 14 that I would expect the GPA to at least 15 discuss... 16 Q. But you are a member of the GPA, Mr 17 Pyle. 18 A. This is what I say, my -- 19 Q. And this brings me to my next question. 20 If I can refer you to the selection process, and 21 your comment about the process being 22 "abject". Can we turn to that, please. I think 23 that is at B1439. If we look at the entry on 24 14 May 2020 at 9.58, you say in response to 25 the Chief Minister. "Agree. As we we</p> <p style="text-align: center;">Page 5</p>	<p>1 A. Yes. 2 Q. -- is a preference. It means that you 3 prefer somebody over another, not that you 4 rule somebody out. 5 A. Which we didn't. 6 Q. Which you did not. So, why would you 7 say the recruitment process "was abject"? 8 A. Because again -- 9 Q. You were part of the recruitment process, 10 Mr -- 11 A. May I? There is numerous questions 12 there, if I can just take the first one? About 13 the word "abject", which I have already 14 apologised for. I think I used the word 15 yesterday, "suboptimal". I won't go through 16 the reasons yesterday. I do remember one 17 other point, that when I conjured or I was 18 swayed by Commissioner Yome's 19 recommendation, the chair of the GPA stated 20 that we should disregard that 21 recommendation, and I can quote the words 22 pretty much verbatim: because they have 23 history. 24 Q. Let us get back to the process. The 25 process "was abject." You were part of the</p> <p style="text-align: center;">Page 7</p>
<p>1 thought at the time, wrong appointment. 2 Remind me to tell you about the recruitment 3 process which was abject. Should we meet 4 tomorrow after or before platinum?" Now, 5 those two sort sentences bear a lot of 6 scrutiny, Mr Pyle. Would you agree with me 7 that if an alien were to land on this planet and 8 look at that sentence he would think that you 9 had absolutely nothing to do with the 10 selection process? 11 A. No, I'm not sure I would agree with you. 12 Q. You do not agree. "As we we thought at 13 the time, wrong appointment." 14 A. As we thought. 15 Q. This was your contemporaneous thought 16 at the time of the appointment. 17 A. Yes, because I went into the meeting -- I 18 went into the recruitment process knowing 19 the preference of the Governor and the Chief 20 Minister. 21 Q. You went into the recruitment process 22 knowing the preference of the Governor and 23 the Chief Minister? 24 A. Yes, I believe I did know -- 25 Q. A preference...</p> <p style="text-align: center;">Page 6</p>	<p>1 process, you were one of the full Authority, 2 you were a member, you were in attendance 3 when the process was agreed were you not, 4 Mr Pyle? 5 A. Correct. 6 Q. And not only were you a member of the 7 GPA, but you were a member of the panel 8 which interviewed the candidates. Do you 9 recall that? 10 A. I do? Sorry, I thought you were making a 11 statement. 12 Q. No, no, I am asking. You were a member 13 of the... 14 A. Of course. Of course I remember. 15 Q. So, you were a full participant in the 16 process. 17 A. Correct. 18 Q. And when you apologised yesterday for 19 the use of the word "abject", you apologised 20 as I understood it for the intemperate nature 21 of the word, rather than for the feeling that 22 the process was inadequate. 23 A. Correct. 24 Q. And the only reason you have advanced 25 to this Inquiry for considering that the</p> <p style="text-align: center;">Page 8</p>

2 (Pages 5 to 8)

<p>1 process was inadequate was that you felt that 2 there should have been a system of marking, 3 which...</p> <p>4 A. No. I -- what I said was: there is 5 normally a standardised system of marking. 6 So, I am sure the members marked, you 7 know --</p> <p>8 Q. Yes, a standardised system of marking. 9 But there is no record of you having raised 10 that, Mr Pyle.</p> <p>11 A. I said yesterday, with respect, that I 12 arrived for the interviews expecting (which is 13 the best practice in the Foreign Office and the 14 civil service) a folder with all the relevant 15 documents, with a marking sheet and more 16 targetted questions.</p> <p>17 Q. Mr Pyle, do not wash your hands of the 18 process --</p> <p>19 A. I am not --</p> <p>20 Q. -- you agreed the process at a meeting 21 before the candidates were interviewed.</p> <p>22 A. I don't know how to --</p> <p>23 Q. And there is nothing on record to show 24 that you had the slightest dissenting view on 25 the process.</p> <p style="text-align: center;">Page 9</p>	<p>1 marked both candidates as credible and 2 suitable.</p> <p>3 A. Correct.</p> <p>4 Q. Well, how do you reconcile that.</p> <p>5 A. Because that's separate from the process 6 not being as good as I was used to. The 7 process of the interview, not the preceding 8 meetings.</p> <p>9 Q. Yes, but what I am asking you is: those 10 two statements are diametrically opposed. 11 You cannot be the wrong candidate, "As we 12 we thought at the time", and then: I marked 13 them both "as suitable and credible".</p> <p>14 A. I disagree.</p> <p>15 Q. You disagree with what?</p> <p>16 A. Well, your comment that they're contrary 17 statements.</p> <p>18 Q. Well, in what way are they not contrary? 19 Can you explain that?</p> <p>20 A. Yes. You can have the wrong 21 appointment and an abject process, you can 22 have the right appointment and an abject 23 process.</p> <p>24 Q. Yes. But, my question is not that. My 25 question is: how do you reconcile your</p> <p style="text-align: center;">Page 11</p>
<p>1 A. I think when we discussed the process I 2 was not fully aware of how the interview 3 panel would proceed. I made an assumption, 4 which with hindsight was the wrong 5 assumption.</p> <p>6 Q. Now, you are aware that Mr Richard 7 Ullger, who was the unsuccessful candidate, 8 described the process as fair.</p> <p>9 A. Yes, I am aware of that.</p> <p>10 Q. And if I may quote to you from the 11 transcript of Mr Ullger's evidence, "It's a 12 very fair process. It's a process that's 13 followed by the National Police Chiefs 14 Councils in the UK, United Kingdom, and 15 the College of Policing." So the Chairman 16 and the other members had not invented a 17 process, they were following a process which 18 was followed in the UK, which you had 19 agreed.</p> <p>20 A. Yes, I had.</p> <p>21 Q. I would come back to this point of 22 "abject". You considered, "wrong 23 appointment", "abject" process. Surely, Mr 24 Pyle, in your witness statement which you 25 made under oath you said that you had</p> <p style="text-align: center;">Page 10</p>	<p>1 statement that "As we we thought at the time, 2 wrong appointment", and then your witness 3 statement under oath that you had marked 4 both candidates "as suitable and credible"?</p> <p>5 A. I still don't really know the point you're 6 trying to make, you know, and I still --</p> <p>7 Q. I think it is very clear, Mr Pyle. It is very 8 clear, and I do not want to labour it because 9 we have limited time. The point is: here you 10 are, years after the appointment is made, 11 saying: oh, just as we thought, this 12 appointment was the wrong one, the other 13 guys got it wrong. But here you are, stating 14 under oath: I marked both candidates "as 15 suitable and credible".</p> <p>16 A. It's because they were.</p> <p>17 Q. They were. So then, it was not the wrong 18 appointment at the wrong time? Because 19 they can't be both "suitable and credible" and 20 be a wrong appointment.</p> <p>21 A. So if I can just add in (?), perhaps I 22 should have said: wrong appointment from 23 our position.</p> <p>24 Q. Ah, wrong appointment from your 25 position. And you had a preference for Mr</p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

<p>1 Ullger, but that doesn't mean it was the 2 wrong appointment. And, there is even less 3 reason for criticising the fellow members of 4 the GPA. Now the airport incident, which 5 became so serious afterwards. That was not 6 mentioned within the GPA process, was it? 7 A. Process of recruitment? 8 Q. The process of appointment, yes -- 9 A. No. 10 Q. -- and the interview stage. 11 A. No. 12 Q. But surely you, as Deputy Governor, 13 knowing the views of the Chief Minister and 14 the Governor (that they both wanted Mr 15 Ullger) would have stood up and said: look, 16 this guy is clearly an inappropriate 17 appointment for the simple reason that look 18 how he behaved during the airport incident. 19 You did not do any of that, did you? 20 A. No, I did not think it was necessary, it -- 21 Q. It was not necessary, but you think it 22 necessary ten years down the line to hold it 23 against Mr McGrail? 24 A. It was a factor in my -- 25 Q. For the purpose of making a case against</p> <p style="text-align: center;">Page 13</p>	<p>1 A. I did say that the MOD -- 2 Q. Where is it recorded. Nobody recalls 3 that. You do receive minutes, do you not, Mr 4 Pyle? 5 A. I do. I -- 6 Q. And, you never took issue and said: hang 7 on, I wanted to talk to the MOD about this, 8 this is manifestly unfair, you are carrying out 9 a process without talking to the MOD. There 10 is nothing on record about it, is there? 11 A. No. 12 Q. And, you never thought to take it up? 13 A. I mentioned it numerous times -- 14 Q. Yes, I am aware. 15 A. -- to the Governor and MOD afterwards. 16 No, there's no record of it. 17 Q. There is no record, and the minutes stand 18 unaltered. 19 A. They were -- I, about a year ago, went 20 through every single GPA minute. I went 21 down to the GPA office to do that, and I was 22 struck my how -- which is not a criticism, 23 because at some of the minutes I was taking 24 minutes, although as a senior person it wasn't 25 for me to take the minutes. I do get the point,</p> <p style="text-align: center;">Page 15</p>
<p>1 him, and criticising your fellow GPA 2 members in the process. Well, let us move 3 on to the airport incident. Again, criticism of 4 your fellow GPA members, the process was 5 "seriously flawed". Now what process was 6 agreed, Mr Pyle? 7 A. The process was agreed, it does not mean 8 I can't have an opinion which was flawed, 9 which I said so at the time. 10 Q. Yes, of course you can have an opinion. 11 In fact your opinion would be a very weighty 12 opinion, being that of the Deputy Governor. 13 There is no record of your opinion having 14 differed from the opinion having differed 15 from the opinion of the rest of the GPA. If 16 you look at the minutes of 15 May, that is 17 where it was agreed to have an inquiry 18 basically under section 19 of the Police Act. 19 Do you recall that? 20 A. I do. 21 Q. And, do you recall being present? 22 A. I do. 23 Q. And you did not raise any objection, or 24 say: hang on, we can still question the MOD 25 about this.</p> <p style="text-align: center;">Page 14</p>	<p>1 you are going to say that I could in -- sort of 2 add to them, or even object to parts of them 3 for omissions or other reasons, but we had 4 many meetings where under "any other 5 business" things were discussed, we certainly 6 discussed issues around media reporting, 7 particularly in the Panorama. You won't find 8 those in the minutes of the GPA meetings, 9 either. 10 Q. Yes, well we will come to that in a 11 minute. But, the section 19 process is 12 basically a provision of information to the 13 Authority, and the Authority under section 14 19(2) poses (?) a duty of the Commissioner, 15 amongst other things, "to produce or deliver 16 up to the Authority all such evidence and 17 other things so specified or described, as 18 appear to the Authority to be required by it 19 for the purposes of the carrying out of any of 20 its functions." And that is what the Authority 21 did: it required the Commissioner to give 22 both written evidence and oral evidence to 23 the Authority, or what had gone on in the 24 airport incident. Do you recall that? 25 A. Yes.</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 Q. And, did you dissent from that?</p> <p>2 A. No, but I made the suggestion -- or, I</p> <p>3 expressed surprise that nobody outside the</p> <p>4 RGP were going to be consulted.</p> <p>5 Q. You made a suggestion that nobody</p> <p>6 remembers, and that is in no way recorded.</p> <p>7 So, can we turn to B2119 and B2121. I do</p> <p>8 not propose to take you through that, but I</p> <p>9 just want you to identify that. If you look at</p> <p>10 the first document, that is a covering letter by</p> <p>11 the then Commissioner of Police, Mr Edward</p> <p>12 Yome, to the Gibraltar Police Authority. And</p> <p>13 the next document -- well, first of all, do you</p> <p>14 remember having seen that document?</p> <p>15 A. Yes.</p> <p>16 Q. And, can we go on to the next document.</p> <p>17 There, the full report by Mr McGrail. Do</p> <p>18 you recall having seen that particular</p> <p>19 document?</p> <p>20 A. That, that was handed to me by</p> <p>21 Commissioner Yome in the Governor's</p> <p>22 office, when I was Acting Governor.</p> <p>23 Q. And, did you read those documents?</p> <p>24 A. Of course I did.</p> <p>25 Q. Now, if you read those documents, was</p> <p style="text-align: center;">Page 17</p>	<p>1 A. No, I have just previously said that.</p> <p>2 Q. Now, at the GPA meeting what you did</p> <p>3 say was that the Governor wanted an</p> <p>4 independent inquiry.</p> <p>5 A. Correct.</p> <p>6 Q. And that is in fact what the GPA</p> <p>7 recommended, was it not?</p> <p>8 A. Correct.</p> <p>9 Q. So in fact, the GPA had open ears to</p> <p>10 whatever you had to say?</p> <p>11 A. Correct.</p> <p>12 Q. And when you said something that was</p> <p>13 heard, it was acted upon.</p> <p>14 A. Correct.</p> <p>15 Q. I think you say that the system was</p> <p>16 hugely flawed, are you suggesting that the</p> <p>17 wrong decision was reached?</p> <p>18 A. I'm still suggesting that the GPA could</p> <p>19 have gone to Commander British Forces and</p> <p>20 asked him to be part of their review, and I am</p> <p>21 absolutely sure that he would have said yes.</p> <p>22 Q. Yes. So, do you accept that the behaviour</p> <p>23 of the MOD officials was nothing short of</p> <p>24 appalling.</p> <p>25 A. I wouldn't put it that strongly, having</p> <p style="text-align: center;">Page 19</p>
<p>1 there anything about those documents which</p> <p>2 you found untrue?</p> <p>3 A. At the time I had no reason, other than</p> <p>4 what I was hearing from MOD, to question</p> <p>5 anything in the covering letter or the report.</p> <p>6 Q. So therefore you did not question any of</p> <p>7 those documents, and those documents are</p> <p>8 the documents upon which the GPA based</p> <p>9 the decision.</p> <p>10 A. Because that's the only information I (?)</p> <p>11 had.</p> <p>12 Q. Yes, but these are information that --</p> <p>13 surely you, as Deputy Governor, have</p> <p>14 different sources? You have different ears</p> <p>15 listening in different directions. You would</p> <p>16 have heard from the MOD, no doubt; you</p> <p>17 would have heard from the Governor; you</p> <p>18 word have heard from here, from there, from</p> <p>19 everywhere. And yet, you took no objection</p> <p>20 whatsoever to anything that was contained in</p> <p>21 those two documents. You did not?</p> <p>22 A. Sorry, I didn't hear the question.</p> <p>23 Q. It is a question: you did not object to</p> <p>24 anything that was contained in those two</p> <p>25 documents?</p> <p style="text-align: center;">Page 18</p>	<p>1 heard the other side from MOD official.</p> <p>2 Same as in the police complaints issue, with</p> <p>3 the two officers who've lodged complaints.</p> <p>4 So --</p> <p>5 Q. So, lying --</p> <p>6 A. -- there isn't --</p> <p>7 Q. -- so, lying to police and trying to fly off</p> <p>8 the jurisdiction a suspect is not appalling</p> <p>9 behaviour?</p> <p>10 THE CHAIRMAN: The suspect --</p> <p>11 Q. In your view --</p> <p>12 THE CHAIRMAN: The suspect was being</p> <p>13 taken back to the UK?</p> <p>14 A. Yes.</p> <p>15 THE CHAIRMAN: For law-enforcement</p> <p>16 proceedings in the UK.</p> <p>17 MR NEISH: Yes, but not --</p> <p>18 THE CHAIRMAN: Then the suggestion that</p> <p>19 he was a fugitive from justice seems to me to</p> <p>20 be completely misplaced.</p> <p>21 MR NEISH: Well if that is your view, Mr</p> <p>22 Chairman, I --</p> <p>23 THE CHAIRMAN: Yes, well it is --</p> <p>24 MR NEISH: -- we obviously bow to that.</p> <p>25 A. It is also the view of HMG.</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 THE CHAIRMAN: And, I might say that 2 keeping him in Gibraltar for an examination 3 of his devices led to the RGP completely 4 failing to find any images on his devices. 5 The devices had to be taken to the UK for the 6 images to be found. 7 MR NEISH: Yes. 8 THE CHAIRMAN: So that is, if I may say 9 so, not your best point. 10 Q. Yes, that is a second line. (?) Now, if we 11 move on to the complaints about Mr 12 McGrail. There were in fact no formal 13 complaints about Mr McGrail, were there? 14 A. As I stated yesterday, no formal 15 complaints. 16 Q. And in fact, none of the other members of 17 the GPA remember any formal complaints 18 being made. 19 A. Apart from Dr Britto, who did remember 20 meetings he and I had where I talked about 21 the need for the RGP to be modernised. 22 Q. Yes, and... 23 A. On numerous occasions, I think he said. 24 Q. Yes, Dr Britto says that there were 25 reports, and the surveys, which showed that</p> <p style="text-align: center;">Page 21</p>	<p>1 implying -- 2 A. I mean, of course -- (?) 3 Q. -- they were correct, and the vindication 4 is that the GPA did nothing to correct that. 5 A. And the persua-- 6 Q. Is it the fact that there were two sides to 7 the story? 8 A. There always is, hence -- 9 Q. And the -- 10 A. -- the GPA should have gone to the MOD 11 for a position on the airfield incident. 12 Q. Well, that is your subsequent view, which 13 you did not raise at any time -- 14 A. With respect, it was my view at the time. 15 Q. Yes, well I am not saying it was not; I am 16 saying it was not expressed. Mr Pyle, let us 17 turn to the meeting with Dr Britto on 18 May. 18 If I may take you to B1440 and B1441. 19 B1440 covers your conversation with the 20 Chief Minister on 15 May, are you agreed? 21 A. Sorry, yes I'm not used to a statement 22 being a question -- 23 Q. Yes. 24 A. -- with respect. 25 Q. Now, would it be correct to surmise from</p> <p style="text-align: center;">Page 23</p>
<p>1 there were allegations of bullying and so 2 forth, which were obviously considered. But 3 there was no formal complaint against -- as 4 you say, subsequently. 5 A. Correct. Issues were raised in a formal 6 setting, but not formally raised. 7 Q. I'll put the GPF. And you say that these 8 matters were raised with the GPA regularly, 9 but no member of the GPA has any 10 recollection of that. Are you sure that you 11 are correct in your statement, Mr Pyle? 12 A. I do believe in my statement, obviously, 13 as I swore it to be what it is. And as I said 14 yesterday, I'm trying hard not to repeat 15 myself, I think we had discussions perhaps 16 not as a specific agenda item (unless it was -- 17 we may have on, you know, Federation 18 survey or stuff like that), but if the GPA were 19 not discussing the issues that were in the 20 public domain then the GPA was failing in its 21 duty. I'm not saying the GPA did, because I 22 believe we did discuss them, albeit 23 informally. 24 Q. Yes. And you rely on the GPF allegations 25 in the case against Mr McGrail, sort of</p> <p style="text-align: center;">Page 22</p>	<p>1 those exchanges that by 15 May you were 2 already considering calling Mr McGrail to 3 account? 4 A. Yes. 5 Q. When we turn to B1441, on 16 May, 6 13.58. This is you. "Thinking about it quite 7 a lot. Need to discretely (sic) bring Joey 8 Britto into our thinking. I'm happy to do that 9 Monday." And the Chief Minister replies, 10 "Yes. Agreed. Shall we do so early? 11 Morning coffee the three of us in my or 12 yours?" And you say, "Let's do mine." 13 Fabian Picardo, "Yes. Agreed. Shall I ask 14 him or will you?" And you say, "I've just 15 asked him. I'll also try to speak to our OT 16 Police Advisor based in Miami. I'll update 17 you on my thinking before we meet". And 18 then the Chief Minister says, "Ok. I will try 19 to fair that draft I have prepared also for 20 discussion". Now, why use the word 21 "discretely"? 22 A. That was on the issue of a contingency 23 plan to bring somebody in to help stable -- 24 what I call stabilise the RGP, should Mr 25 McGrail leave as Commissioner.</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 Q. That was not the object of the meeting 2 with Dr Britto, was it? 3 A. No, but I was -- I was just having a 4 debate in my mind as to whether, separately 5 from the 34 process, I was going to be open 6 with Dr Britto that that was my thinking as to 7 how we would fill the gap. 8 Q. So, you were thinking whether to be open 9 with Dr Britto? 10 A. Yeah. I don't think I did raise it at that 11 meeting, as I said yesterday; I think I decided 12 not to. 13 Q. And why did you not tell Dr Britto by 16 14 May, when you already knew that you were 15 going to call him in on the Monday (in fact, 16 you had already arranged to call him in on 17 the Monday), why did you not call him and 18 say: Dr Britto, we are considering -- we are 19 in this position, we have lost confidence in 20 Mr McGrail and we need action to be taken. 21 Why did you not give him notice of that? 22 A. So as I said yesterday, I think with 23 hindsight I probably should have done that to 24 tip him off, but my assumption was -- which 25 he is, and I know -- Dr Britto knew fully well</p> <p style="text-align: center;">Page 25</p>	<p>1 issue of long hours again. I thought, you 2 know, it was too late by that stage. With 3 hindsight, what I should have done is perhaps 4 slipped the 9.30 meeting to later in the day, if 5 not the next day, and had a short pre-meeting, 6 perhaps on my own as Governor, cognisant 7 of where the majority of the powers lie, with 8 Dr Britto. 9 Q. This email was only sent at 18.47, it was 10 not sent at midnight or in the early hours of 11 the morning. There was plenty of time to tell 12 Dr Britto. 13 A. It was 18.47 on a Sunday. 14 Q. Yes, and why not tell him the details? 15 The Chairman of the Police Authority. 16 A. Because that was -- that was for the 17 main... If I did have a separate meeting the 18 details would come out. So I'd allude to the 19 issues, and go into the detail at the main 20 meeting. 21 Q. Yes, but surely if you were talking to Dr 22 Britto about the fact that(?) the GPA had to 23 take a very serious step (in fact an 24 unprecedented step), would it not have been 25 the fair thing to do to Dr Britto to have told</p> <p style="text-align: center;">Page 27</p>
<p>1 what the Police Act contained in terms of the 2 appointment or removal of the Commissioner 3 of Police. 4 Q. Well it was not hindsight, because you 5 knew that you were meeting Dr Britto. Can 6 we turn to C3947. Now, this is your 7 memorandum or your email -- it is C3947. 8 And the opening paragraph is, "Dear CM, As 9 promised, herewith my thoughts ahead of our 10 meeting tomorrow with the chair of the GPA, 11 Dr Joey Britto. Joey has confirmed his 12 attendance 9.30 at the Convent, but I have 13 not briefed him as to why we are meeting. I 14 am quite happy to do so, and can ask him to 15 come in fifteen minutes beforehand to give 16 him the sense, without mentioning any 17 details, of the ongoing cases. Or I could 18 prime him by email tonight. Thoughts 19 welcome on that point." So, you did consider 20 giving Dr Britto advance notice and you 21 decided against it. 22 A. I did. 23 Q. Why? 24 A. The time of that email, which was a 25 Sunday, is 18.47, and I won't get into the</p> <p style="text-align: center;">Page 26</p>	<p>1 him in advance what the meeting was about. 2 A. I agree now, with hindsight, as I said 3 yesterday. 4 Q. Now, the Chief Minister gave evidence 5 and said that Dr Britto was clearly nervous. 6 This is what he said, I am quoting from the 7 transcript, "and I absolutely accept that Dr 8 Britto might have felt that he had the 9 Governor and the Chief Minister in front of 10 him addressing him on a seminal issue, and 11 that that might have made him nervous." Dr 12 Britto was in fact nervous, was he not? 13 A. I hope Dr Britto won't mind me saying 14 this, but I suggest that's his disposition. 15 Q. That is his disposition. So, knowing his 16 disposition, you sprung on him this very, 17 very serious problem without any prior 18 notice. That is what you did. 19 A. That is what happened. 20 (10.38) 21 MR NEISH: Thank you, Mr Pyle. (Pause). 22 Questioned by MR CRUZ 23 MR CRUZ: Good morning, Mr Pyle. 24 A. Good morning, Mr Cruz. 25 Q. We would like to clarify a few matters</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 that you said in evidence before I ask you 2 a few questions about the Police Act and the 3 way that you have gone about or you went 4 about enforcing those provisions at the 5 relevant time. There are a few matters I 6 would like to ask you about. Can you tell me 7 what your relationship with Mr Walliker, the 8 former CBF, was? 9 A. Yes, it was professional. It was 10 courteous. We slowly got to know each 11 other well and I would say we became 12 friends towards the end of his assignment 13 here. 14 Q. Right. And when you say friends, 15 socially as well? 16 A. Yes, I'm Chairman of Trustees of the 17 Duke of Edinburgh Cup. Mr Walliker is 18 a clerk to a livery company. Given the 19 connection of the charity work I suggested to 20 trustees that he become a trustee and he is. 21 Q. I see. Are you golf buddies as well? 22 A. Yes, golf, yes. 23 Q. Because you mentioned about learning 24 things on the golf course yesterday. Can I 25 ask you to go to your statement, or can I ask</p> <p style="text-align: center;">Page 29</p>	<p>1 right on Mr Collins, um, but I do remember 2 hearing it from others. I think there is a little 3 point I need to make, if I may. 4 Q. Of course. 5 A. Is that when Colonel Green was arrested 6 it was the day that his wife was due to be 7 driven by Colonel Green to Malaga to catch 8 a plane and it was my wife that stepped in 9 and took Colonel Green's wife to Malaga. 10 Um, and I think we then had a friendship 11 with Colonel Green and his wife on the back 12 of that. So my friendship with members of 13 the MOD went beyond CBF. 14 Q. Yes, so Mr Green and Mr Collins are two 15 of the individuals that were arrested but 16 fundamentally at the end of the day, if I can 17 summarise it, thanks to an apology it was all 18 dropped. 19 A. Could you just repeat that again? 20 Q. Well, if I understand it correctly, 21 Mr Green was one of the individuals 22 arrested, as was Mr Collins, and the matter 23 concluded with an apology, a solution that 24 was brokered by the MOD to resolve issues. 25 A. Correct.</p> <p style="text-align: center;">Page 31</p>
<p>1 Mr Triay to put the statement on paragraph 2 21.5. Now, you see at ... sorry, we have not 3 got there yet, do excuse me. At paragraph 4 21.5 you talk about the incident or the events 5 that happened, the arrests following the 6 airport incident, and you describe at the end 7 you say the manner of the arrests was 8 unpleasant. I would have thought you would 9 agree that all arrests are unpleasant. 10 A. Yes, correct. I suspect they are. 11 Q. Yes. And at 21.7 you describe being 12 advised by senior MOD people that the 13 behaviour was a cross between the Sweeney 14 and Life on Mars. Was that from 15 Mr Walliker? 16 A. It was and I think it took hold because it 17 wasn't just Mr Walliker that told me that. 18 But that certainly is the first, that was 19 Mr Walliker's or Commander Walliker's 20 description of it. 21 Q. Right. And in your evidence yesterday, I 22 mean I can take you to the point, but you also 23 said it came from Mr Collins. 24 A. Yes, that's what I said. I think it was 25 possibly said by, and I may not have that</p> <p style="text-align: center;">Page 30</p>	<p>1 Q. Correct, okay. And can I ask you, or can 2 I ask Mr Triay, could you go to 3 Mr Walliker's statement, and that is A1387, 4 and go to paragraph 61, please. (Pause). 5 Sorry, did I say 61? Yes, I did, paragraph 8 I 6 meant. This description here is 7 Mr Walliker's description of what happened. 8 He talks about high fives outside the Tower. 9 Did you see any of these things? The answer 10 is no, but, you know, do you have any 11 experience beyond Mr Walliker's statement 12 that would support that? 13 A. Um, just the reflection from others who 14 were there, um, including a good friend of 15 mine who I still play golf with who was with 16 I think the regiment at the time. So not just 17 from Mr Walliker through his statement. 18 Q. These are the MOD sources that you have 19 alluded to. 20 A. Yes, I mean, I am a member of an MOD 21 golfing society which has 40 members. 22 Q. So before this Inquiry, let me just be 23 clear, in other words, in front of this Inquiry, 24 beyond Mr Walliker's statement and that of 25 Mr Collins, and obviously what you have</p> <p style="text-align: center;">Page 32</p>

<p>1 said now, there is not any other evidence of 2 high fiving or Sweeney/Life on Mars type of 3 behaviour. 4 THE CHAIRMAN: I am not going to 5 making findings of fact about doing high 6 fives, Mr Cruz. 7 MR CRUZ: I thank you, sir, for the 8 guidance. Now, paragraph 22, that is page 9 248, you refer to the helicopter incident. But 10 we can stay here, but I am just making that 11 point. In this witness statement of 12 Mr Walliker, can we go to paragraph 13? 13 This is the helicopter incident and he says: 14 "Turning to the incident involving the 15 investigation into an assault on a helicopter 16 pilot, the irony is that there is no evidence of 17 any investigation being conducted 18 whatsoever. At the time, there were rumours 19 that an assailant had been arrested, but 20 allowed to go home to change his clothes, 21 and that he was released without charge only 22 a few hours later. When I spoke to 23 Mr McGrail about the incident, I was told 24 that whilst the RGP was investigating the 25 incident, there was evidence that the</p> <p style="text-align: center;">Page 33</p>	<p>1 reported this conversation back up my 2 command chain. That is a very brave thing 3 to do by anybody in the military hierarchy 4 should that statement not be true. 5 Q. You say exceptionalism generally is 6 understood to be treating people 7 exceptionally. 8 A. Yes, I mean, I can -- 9 Q. In other words, in a different way to 10 everybody else. 11 A. Yes, I can look at that in different ways. 12 Q. Yes. Can I just ask, would it be fair to 13 say that you gave more weight to information 14 that was coming from your MOD sources to 15 the weight that you gave from other people? 16 In other words, you seem to have given more 17 importance to the evidence of Mr Walliker or 18 Mr Green or Mr Collins or your golf 19 association friends. 20 A. I had no reason to doubt what they were 21 telling me. The same reason that the Police 22 Complaints Board took the word of the RGP 23 officers when they effected a search warrant 24 that was not extended to houses and cars. 25 Q. Do I treat that as a yes?</p> <p style="text-align: center;">Page 35</p>
<p>1 helicopter pilot was drunk and abusive and 2 therefore deserved what he got. I reported 3 this conversation back up my chain of 4 command as further evidence that the RGP 5 was operating to a standard far below that 6 which the general public should expect. It 7 gave me further ammunition to request 8 an Inquiry and this time, for it to be 9 broadened to include the systemic cultural 10 issues including that of exceptionalism, 11 rather than just focus on operational 12 judgment." 13 What do you understand by exceptionalism? 14 A. I don't know, to be honest. Um, I hadn't 15 really taken much note of that. But I will say 16 that Commander of the British Forces, and as 17 he does with the Governor and also with me, 18 has a very close relationship. So I remember 19 the Commander of the British Forces, 20 Commander Walliker, telling me at some 21 stage, I couldn't remember when, that the 22 comments that Mr McGrail are alleged to 23 have made, I'm struck in the evidence 24 because I don't remember Commander 25 Walliker telling me this at the time, that he</p> <p style="text-align: center;">Page 34</p>	<p>1 A. Um, yes. 2 Q. Is that not somewhat discriminatory in its 3 nature? 4 A. No. It's a judgment. Judgments don't 5 need to be discriminatory. 6 Q. Okay. Now, yesterday, referring to the 7 incident on 8 March, where tragically two 8 people died, you said with reference to I 9 think it was a meal with the Attorney General 10 on the evening of that day, you said: 11 "Trying to explain the actions of the RGP, all 12 I could come up with was the idea of a boat 13 deciding to go and have some fun, to try, you 14 know, bring some interest into what I suspect 15 must have been a dreary night shift." 16 That is at page 78 of the transcript as a matter 17 of record. I am going to put another 18 statement to you and then ask you a question 19 about these. A question that was put to you 20 by CTI was: 21 "This was however well after the incident 22 scene and you received the report. Were you 23 still not starting to lose confidence?" 24 You said: 25 "So the incident at sea alone is the only issue</p> <p style="text-align: center;">Page 36</p>

<p>1 that, with respect, matters to me in terms of 2 losing confidence. Look at the airfield 3 incident, the helicopter, the Federation, the 4 bullying reports and this sort of stuff on their 5 own would not cause me to lose confidence. 6 I believe they could be rectified and put right. 7 The incident at sea could not be put right. 8 And if you allow me a second to speak, it is 9 that we have an issue where two innocent 10 people were killed in an illegal chase by 11 a vessel that had been weaponised that took 12 place X number of miles, exact location, 13 inside Spanish waters, for yet it is still to be 14 justice and there is yet to be accountability. 15 And I do not think and still do not think that 16 that is right. And the question I occasionally 17 ask myself is whether that level of 18 accountability and responsibility would have 19 been different had, for example, everybody 20 in that incident been killed or those on the 21 boat had not been Spanish and had been 22 Gibraltarian." 23 Now, dealing with this matter, this statement, 24 this you put together in the same context of 25 that evening, you said it is a sort of in some</p> <p style="text-align: center;">Page 37</p>	<p>1 that. Paragraph 4, perhaps subparagraph (a) 2 it says: "At 0238Hrs on the 8 March". 3 MR SANTOS: Sorry to interrupt Mr Cruz 4 again, but we have it. It is at B1271. 5 MR CRUZ: Okay. At paragraph 4(a): 6 "At about 0238 hours [2.38 in the morning] 7 on 8 March RGP section officers received 8 a verbal report from Windmill Hill signal 9 station concerning a suspect vessel in the 10 vicinity of British Gibraltar Territorial 11 Waters. As a result of this report police 12 motorboat crew deployed on motor vessel Sir 13 John Chapple to the eastern side of 14 Gibraltar." 15 Now, that is an MOD station, is it not? 16 A. The eastern side of Gibraltar? 17 Q. No, Windmill Hill station. 18 A. Yes, sorry. 19 Q. Yes. So this is not a question of some 20 bored officers deciding to go off on a jolly 21 with their weaponised boat. This is 22 a reaction to a report from an MOD signal 23 station alerting them to a suspect vessel. 24 Would you agree with that? 25 A. I do, but of course they should have</p> <p style="text-align: center;">Page 39</p>
<p>1 way related to the Sweeney and Life on Mars 2 and Miami Vice, you connected those. 3 A. Yes. 4 Q. So your suggestion is that officers that 5 are bored one evening on a dreary night shift 6 adopted a Miami style approach and shoot 7 off with weaponised boats to have fun. 8 A. That was the thought I had at the time in 9 struggling how I could explain what had 10 happened to myself. 11 Q. Let us unpack that. Can we go to A848, 12 this is the section 15 letter. It was an exhibit 13 to Mr Field's ... yes, paragraph 4. 14 THE CHAIRMAN: Sorry, what is this? 15 MR CRUZ: This is the section 15 letter, 16 Mr Chairman. 17 THE CHAIRMAN: Yes. 18 MR CRUZ: And it is an exhibit to Mr Field's 19 witness statement and might be somewhere 20 else. (Pause). I understand. Yes, my learned 21 friend points out it is not of great legibility. 22 We have to kind of ... there is a better version 23 at B1429 apparently. There we go. No, I do 24 not think it is. (Pause). So I think we need 25 to probably go back. So if we can look at</p> <p style="text-align: center;">Page 38</p>	<p>1 stopped on the eastern side of Gibraltar at the 2 edge of BGTW and if they had gone any 3 further called in the chase and not turned off 4 their AIS. 5 Q. That is a different point, Mr Pyle. I am 6 just asking you whether you agree this is not 7 a frolic of their own. They were reacting to 8 a report from an MOD signal station in the 9 course of their duties. Would you agree with 10 that? 11 A. They followed their duties up to that 12 point, yes. 13 Q. And you see at (b) that the crew made 14 direct contact by telephone with the Guardia 15 Civil Central Operativa de Servicios, central 16 station, and it was confirmed by the latter 17 that they were also, if we could just go down, 18 monitoring the said vessel. So they get 19 a report from the MOD, they confirm the 20 information with the Guardia Civil, who are 21 now in the know, and they proceed to be 22 deployed. Is that correct? 23 A. Yes. 24 Q. And then: 25 "At sea there were a number of exchanges</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 and mobile telephone communications 2 between the RGP crew and the Guardia Civil 3 which included the positioning and 4 movement of the suspect vessel." 5 Would you agree with that? 6 A. Yes. 7 Q. So quite apart from whether or not, well, 8 it is not a whether or not, we all agree, the 9 chase and the incident entirely happened 10 outside British Territorial Waters in breach 11 of the protocols and procedures, quite apart 12 from that, this was not a question of two 13 bored officers deciding to go off on a Miami 14 Vice style to, you know, make their evening 15 less dull or dreary. Would you accept that? 16 A. No. I can't think of any reason why, and 17 I am struck by your words "apart from that". 18 That is quite significant. 19 Q. No, but my point is this. The impression 20 you gave yesterday was that their decision 21 making in terms of being deployed going out 22 there was a way to alleviate boredom and I 23 am suggesting to you whether or not they 24 then did things wrong, that is a matter that is 25 currently a Coroner's Inquest that has been</p> <p style="text-align: center;">Page 41</p>	<p>1 from me, sir. Can I ask that to be put on the 2 screen? Specifically the letter attached. 3 (Pause). Sorry, the letter is what we are 4 after, Mr Triay. Yes, that is it. So, this is 5 a letter, 4 June, so it is the material time, if I 6 can say that, to the Chief Minister from the 7 Assistant Commissioner of Police in 8 response to a request for clarification about 9 Sir John Chapple as a result of some 10 reporting. And in the second paragraph he 11 says: 12 "The accessory in question is sold and 13 marketed by the manufacturer of the vessel, 14 Safe Boats International of Bremerton, 15 Washington State USA. The feature is 16 designed to offer bow protection from 17 floating debris and is fitted to the crafts of 18 other law enforcement agencies, both in the 19 US and internationally. Safe Boat is 20 a reputable company that prides itself in 21 building highly reliable and extremely 22 durable vessels that enable professional 23 crews to excel in their jobs while keeping 24 them safe. The sole purpose of this protector 25 is naturally to protect the bow section from</p> <p style="text-align: center;">Page 43</p>
<p>1 now, well, there has been a Coroner's 2 Inquest, as you know, it has gone up to Court 3 of Appeal and it is now going back probably 4 to a Coroner's Inquest, so that is another 5 matter. Whether or not what happened after 6 that, this was not officers chewing their 7 boredom by coming up with something of 8 their own. I mean, they -- 9 THE CHAIRMAN: The witness has made 10 his position very clear. We have the point. 11 MR CRUZ: You have the point, thank you, 12 sir. 13 THE CHAIRMAN: Up to the point that they 14 left British Territorial Waters. 15 MR CRUZ: Indeed, thank you. 16 THE CHAIRMAN: British Gibraltar 17 Territorial Waters. 18 MR CRUZ: Thank you. And can we just 19 now explore this issue about weaponised. 20 Now, can I ask you to, there is a witness 21 statement that I know that you have had sight 22 of because you have discussed it with your 23 lawyer this morning. 24 THE CHAIRMAN: With my leave. 25 MR CRUZ: And certainly, and no objection</p> <p style="text-align: center;">Page 42</p>	<p>1 floating debris, such as tree trunks, 2 submerged sunken vessels and other small 3 but solid objects regularly found floating at 4 sea." 5 Going down a sentence or two: 6 "We have had experience of this in the past 7 at substantial cost [that is damage]. The bow 8 protectors, which are blunt, were fitted by 9 a safety boat technician to both our safety 10 boat vessels in October 2018 together with 11 push knees. They are two strengthened thick 12 vertical rubber pads fitted to the bow of 13 vessels." 14 And further down, two paragraphs down: 15 "When the vessel is involved in a collision 16 with an object submerged in the sea, the 17 blunt serrated front will have a rationing 18 effect thus preventing the vessel from riding 19 over it and will instead push it away from the 20 vessel. Equally, the accessory will not 21 protect the vessel in a high-speed collision 22 with another vessel or prevent the police 23 vessel from sustaining serious damage, as 24 been in the recent case. Therefore the 25 suggestion that its use is other than intended</p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 is in itself absurd as serious damage to the 2 patrol craft is more like uncertain. 3 Furthermore, officers' training does not 4 consist of disabling any vessels through 5 contact." 6 A little bit further down on that paragraph: 7 "There is also argument that the vessel's 8 speed will be reduced significantly by the 9 serrated edge in travelling over surface and 10 other vessels causing less damage." 11 And the next paragraph: 12 "We have sought the advice from Captain 13 Meikle on the accessories. He is a marine 14 accident investigator and agrees that the 15 serrated blunt edge has an innocent quality to 16 defend the bow of our vessels from any 17 floating debris while travelling in open seas. 18 He does nevertheless also accept that it could 19 easily be perceived by others as an offensive 20 tool to disable other vessel engines." 21 And over the page: 22 "Andrew Watson our marine engineer is also 23 subject matter expert on marine capabilities. 24 Highly recognised by suppliers and partners, 25 his knowledge and expertise of over 40 years</p> <p style="text-align: center;">Page 45</p>	<p>1 remember it correctly, I think it is C5314. 2 (pause). May I look at my phone to get the -- 3 THE CHAIRMAN: I am sure someone can 4 do it by some other more conventional route. 5 MR CRUZ: Are you looking for the Solis 6 report? 7 A. I'm looking for the Solis report and in 8 particular the section that addresses the issue 9 of the log defender. 10 Q. Yes, I was going to take you to that now. 11 So I think that is an exhibit to Mr Field's 12 evidence. 13 A. Because it doesn't support the evidence 14 that the person who fitted the log defender 15 agrees that it ... I mean, he questioned why it 16 was needed in Gibraltar. 17 Q. Yes, he does. 18 A. So, if I was the Chief Minister having 19 received a letter that was not -- 20 Q. But let us go to it. It is an exhibit to 21 Mr Field's report. I can give you the ... 22 (pause). 23 THE CHAIRMAN: Do you have the 24 reference? 25 MR CRUZ: I will have it, sir, in a moment.</p> <p style="text-align: center;">Page 47</p>
<p>1 in the marine environment had been 2 invaluable when purchasing vessel engines 3 and safety features for our vessels. He 4 supports the advice provided by Captain 5 Meikle, claiming that the accessories have 6 been a vital tool to protect our vessels as 7 safety features and not as a tool to cause 8 harm or injury. When purchasing items he 9 did not seek GMA's advice and there was no 10 requisite to do so because it was promoted as 11 a safety feature." 12 Now, would it be fair to say that the use of 13 the language "weaponised" is incorrect? 14 A. No, as an individual I still struggle, um, 15 and I think the Commissioner of Police in his 16 letter to the Chief Minister has again not 17 provided the full evidence. It is not the full 18 picture. And I can explain that, if I may. I 19 am struck by something that is serrated but 20 blunt, but I think I understand what that 21 means. But certainly looking at photographs 22 in the Solis report of the saw, as it is known 23 as, it certainly looks as if it could be used as 24 a weapon. Um, and I think the ... can I call 25 for evidence to be shown to screen? If I</p> <p style="text-align: center;">Page 46</p>	<p>1 I think it is page A941. I think that is 2 probably where ... (pause). A941. 3 MR SANTOS: The witness is looking at his 4 phone. 5 THE CHAIRMAN: Yes, I know he is. I do 6 not think that is a very good idea. I think I 7 would rather do it my way. 8 A. Okay, it is paragraph 314 of the Solis 9 report. 10 MR CRUZ: Indeed, it is in front of you. I 11 was going to take you there next. 12 A. Thank you. 13 Q. In fact, before you answer the question, 14 sorry, to answer the question, perhaps I can 15 ask the question. If one looks at this report, 16 and of course this is the one that has some 17 sort of typos problems, but it basically 18 concludes, if I can suggest -- 19 MR SANTOS: Please just ask the witness to 20 stop looking at his phone. 21 THE CHAIRMAN: Yes. 22 A. Sorry, I was just getting the reference, 23 that's all. 24 MR CRUZ: The judge has -- 25 A. Sorry, yes.</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 MR SANTOS: The chairman has said that 2 he preferred you not to look at your phone. 3 A. Sorry, yes. 4 THE CHAIRMAN: I think you are too 5 engrossed in your phone, which is another 6 good reason for doing it my way. 7 A. Yes, and I accept that. I apologise. 8 MR CRUZ: So at 3.4.1: 9 "Safe Boat International requested by 10 Metropolitan Police to provide their response 11 to the following request for information." 12 And we saw this when Sir Peter put it to, I 13 think it was Dr Britto, but he said he put it to 14 someone: 15 "It would also be helpful to know how the 16 design protects the vessel and how many 17 other vessels, I appreciate you may not be 18 able to give a definitive number on this, the 19 log defenders have been fitted and the 20 purpose of these vessels, they have been 21 fitted to our ... they are common in other law 22 enforcement vessels." 23 And then it goes down below that and it talks 24 about: 25 "Log defenders on storm vessels to aid and</p> <p style="text-align: center;">Page 49</p>	<p>1 therefore the opportunity to identify the 2 safety risk was missed." 3 Now, would you agree that, whilst it does 4 question whether or not they were suitable 5 for Gibraltar waters, it does not say anything 6 about weaponising. 7 A. No, I accept, and again it may be, I can't 8 think of whatever, what other word to use, 9 but, you know, when teeth bite into 10 something, you know, that is not a blunt 11 object in my opinion. 12 Q. But would you not appreciate that the 13 context of using the bored evening, the 14 Miami Vice style, the weaponising of boats, 15 does give a suggestion that somebody was 16 creating a weapon on the front of a boat in 17 order to go out and cause damage to craft or 18 people. 19 A. No. I think the Miami Vice is 20 a behavioural issue. I am not for one 21 moment suggesting that the action was 22 deliberate. 23 Q. So would you accept, you know, if you 24 do not, you do not, that this was not fitted for 25 weaponising purposes? Whether it was</p> <p style="text-align: center;">Page 51</p>
<p>1 push log and debris. The teeth on the log 2 defender bite into the log and prevent it from 3 sliding under the hull and into the vessel's 4 propellers. Log defenders are very common 5 in the logging industry where logging vessels 6 manoeuvre logs into position for recovering 7 and processing by catching them with log 8 defenders. Safe Boats has installed log 9 defenders on law enforcement vessels other 10 than Gibraltar boats, specifically in the US, 11 Pacific north-west region where floating logs 12 and debris is common." 13 And if I can just scroll down a little bit, the 14 paragraph that perhaps, well, I can read them 15 all: 16 "Gibraltar is not associated with logging 17 industry [I think we all know that] and is not 18 known to have specific issues with floating 19 logs or similar debris other than that which 20 could be routinely found at sea. The 21 rationale for installing log defenders into the 22 stem of Sir John Chapple is not fully 23 understood. The implications of fitting log 24 defenders onto the stem of Sir John Chapple 25 were not properly considered by the RGP and</p> <p style="text-align: center;">Page 50</p>	<p>1 suitable for Gibraltar or they have logs or we 2 do not have logs, but it was not the intention 3 to weaponise a boat. 4 A. Correct, yes, I accept that. 5 Q. Thank you, that is really where I am 6 trying to get you and I am sure that is what 7 you meant. Now, let us deal with that other 8 suggestion in the paragraph that I read out in 9 your statement, that may suggest it is a little 10 extraordinary. And I am assuming that you 11 are limiting the suggestion to the RGP and let 12 me explain this. 13 A. Could you just remind me what? 14 Q. Yes, I am going specifically to the: 15 "And the question I occasionally ask myself 16 is whether that level of accountability and 17 responsibility would have been different had, 18 for example, everybody in the incident been 19 killed or the other people in the incident, two 20 I think, were not Gibraltarian and all the 21 others were, or those on the boat had not 22 been Spanish and had been Gibraltarian. 23 [One was Portuguese, by the way. I know 24 detail but it is important.] That is 25 a suggestion."</p> <p style="text-align: center;">Page 52</p>

<p>1 So if we could just explore that. Are you 2 suggesting that the police would have 3 behaved operationally different to this 4 tragedy if the victims were Gibraltarian? 5 A. I'm suggesting that there may have been 6 a greater acceptance of accountability for the 7 head of the organisation. It pains me to say 8 that, I have to say. 9 Q. So let me just understand that. My 10 question was: are you suggesting the 11 operational, let us start there. There are two 12 aspects to this, operational and prosecutorial. 13 But let us start with the first one. Are you 14 something the operational reaction would 15 have been different if they were 16 Gibraltarians? 17 A. I think it might be, yes. I think it might 18 have been. I am suggesting that. I think 19 there would have been a public outcry for 20 accountability. A greater public outcry, 21 sorry. 22 Q. Is that part of the exceptionalism whereby 23 some people are treated differently? 24 A. Um ... 25 Q. So dead Spaniards and dead Gibraltarians</p> <p style="text-align: center;">Page 53</p>	<p>1 casualties and not Spanish casualties? 2 A. No. 3 Q. No, so operational response the same. 4 A. Correct. 5 Q. Thank you. And if we go to paragraph 38 6 ... no, sorry, apologies, sir, I am looking 7 specifically for, I think it is, 58. Yes, so are 8 you aware that one of the recommendations 9 made was to bring out experts from the Met 10 to investigate this matter? 11 A. Yes, it was something I helped facilitate. 12 Q. You helped facilitate that. 13 A. Correct. 14 Q. So that example would not have changed 15 depending on the casualties. 16 A. No. 17 Q. And at 58 you see it says: 18 "The Met team continued with the 19 investigation and returned to Gibraltar on a 20 number of occasions. They provided a 21 summary for proposed charges 22 [Manslaughter and Merchant Shipping Act 23 Sec 27] to the DPP. After several MS Team 24 meets and discussions these proposed 25 charges were discontinued as the DPP was of</p> <p style="text-align: center;">Page 55</p>
<p>1 are treated differently? 2 A. No, I think it comes down to the issue of 3 accountability and having, I mean, I can only 4 repeat myself, with apologies, you know, 5 having been a High Commissioner, 6 Ambassador, I fully understand the 7 responsibilities of accountability. 8 Q. Okay, let us go to John Field's evidence. 9 This is at A803. Let us go to paragraphs 58 10 to 60. (Pause). Before we get to that point, 11 let me just go very quickly to paragraph 31. 12 (Pause). In fact, I apologise, Mr Triay, can I 13 ask you to start at 26? So Mr Field gives 14 evidence here about the reaction, the reaction 15 to the incident, and the steps that were taken, 16 and you see that at paragraphs 26, and the 17 roles that were given, the establishment of 18 gold command. And then, as we go down 19 that we can go to paragraph 31, you see the 20 following actions that are identified there. 21 So those are the steps that were taken, the 22 operational steps. And then at 32 you see 23 another list of steps that were taken. Are you 24 suggesting that those steps would have been 25 different had there been Gibraltarian</p> <p style="text-align: center;">Page 54</p>	<p>1 the opinion that the evidence did not support 2 these." 3 Are you aware that for jurisdictional reasons, 4 in other words the incident was in Spain -- 5 A. Yes. 6 Q. -- the matter did not progress? 7 A. Yes. 8 Q. So, would it be fair to say therefore that 9 the prosecutorial process would not have 10 been altered had they been Gibraltarians who 11 had died? 12 A. Yes, I would accept ... I mean, yes, they 13 would be the same. 14 Q. Yes. And following those criminal 15 charges we have the coroner's process. Now, 16 you are aware of the coroner's process. 17 There was deemed to be unlawful killing in 18 the first instance, upheld at the Supreme 19 Court -- 20 A. Yes. 21 Q. -- and now the Court of Appeal has 22 turned that saying there was a misdirection 23 and in essence have sent it back. 24 A. Yes. 25 Q. Yes. So there is, just to finish this point,</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 not to labour it, there is no steps that would 2 have been taken differently, I suggest to you, 3 if the nationality of those that had died had 4 been different. 5 A. I agree. 6 Q. Thank you. So -- 7 THE CHAIRMAN: I agree. I do not think 8 he suggested otherwise. 9 MR CRUZ: With due respect, Mr Chairman, 10 I think there is a lot of people, and certainly 11 the RGP, who have understood this question 12 of accountability being -- 13 THE CHAIRMAN: Accountability is 14 different. 15 MR CRUZ: Well, okay, understood the 16 point. So ... 17 THE CHAIRMAN: I am not saying it is 18 different, but that is the witness's response. 19 MR CRUZ: I understand. Clearly you are 20 not giving, I would hope you are not giving 21 evidence of judgment, sir. 22 Insofar as anybody were open to interpret 23 this matter in the way that I have suggested it 24 might be interpreted, would you agree that on 25 balance it is not something that you want to</p> <p style="text-align: center;">Page 57</p>	<p>1 you make a decision about if someone is 2 accountable or not, whoever they are, any 3 Commissioner of Police, not Mr McGrail, 4 an investigation has to take place and that has 5 to conclude in order to be informed as to 6 what you do next? 7 A. I don't think they always have to be 8 concluded if what you have seen to date 9 provides sufficient evidence in your mind for 10 action to be taken. 11 Q. But the Solis report was not concluded 12 until 4 January 2021 so you had not seen the 13 final version of that, had you? 14 A. I had not seen the final version and I had 15 no reason to doubt most if not all of what 16 was in the draft version, though I do accept 17 there were some changes. 18 Q. Yes. And the Met decisions and the 19 DPP's decisions, none of that was available 20 to you at the relevant time. 21 A. Um, apart from the initial report from 22 Mr Smith via my colleague, Phil Culligan. 23 Q. Yes. So my point is simply that would 24 you not, to have decided accountability, need 25 to have the information and a definitive</p> <p style="text-align: center;">Page 59</p>
<p>1 signal. In other words, it is not your view 2 about this treatment of operational or 3 prosecutorial matters in a different way. 4 That is not your view. I am just giving you 5 the opportunity to -- 6 A. To withdraw what I said yesterday in 7 effect? 8 Q. Yes. 9 A. No, I am not going to. 10 Q. Okay, that is fine. That is the opportunity 11 you have. Can I just ask, these matters in 12 regards the Met police report, prosecutorial 13 reports, the Solis report, the final report, 4 14 January 2021, which would go to 15 accountability, the reporting process, the 16 investigations and reporting process, would it 17 be fair to say that none of these concluded 18 when you were making decisions about the 19 Commissioner of Police in that April, May, 20 into June period? 21 A. Yes, I would, but the reports are the 22 reasons why the incident happened. The 23 reports are separate from accountability, in 24 my opinion. 25 Q. Yes, but would you accept that before</p> <p style="text-align: center;">Page 58</p>	<p>1 information because, as you say, reports can 2 change? 3 A. Well, given the criminal case into the 4 accident at sea has now been reset, is the 5 word I will use, we would still be in 6 a position four years on, which is the point I 7 made yesterday, that four years on in my 8 opinion there still has not been any 9 accountability for what happened. 10 Q. Right, moving on, Mr Pyle, I am going to 11 ask you a series of questions. I expect them 12 to be relatively quick-fire in the answers, but 13 it is of course up to you. Do you accept that 14 the rule of law applies to everyone? 15 A. Yes. 16 Q. Yes. Do you accept that the guardians of 17 that rule of law include the Police Authority, 18 the Royal Gibraltar Police, the government, 19 the Governor, including Interim Governors, 20 everybody, all of those people I have 21 mentioned? 22 A. And the Chief Minister. 23 Q. And the Chief, yes, as government he 24 reminded me when I put that question that he 25 is part of the government, but yes, and the</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 Chief Minister. Would you accept that 2 section 48, I think you said yes yesterday to 3 this, but just to confirm it, that section 48 of 4 our Constitution emphasises the importance 5 of the independence of the Police Authority? 6 THE CHAIRMAN: We covered this, yes. It 7 is no good examining witnesses on the law of 8 Gibraltar. That is not going to help us. I 9 have made that point before and I will make 10 it again. 11 MR CRUZ: Understood, Mr Chairman. Let 12 me put the question slightly differently, not 13 with reference to the law. Previous 14 Chairman of the GPA, Mr Gonzalez, 15 identified the mission statement of the GPA 16 to be as follows: 17 "The overarching mission statement, as it 18 were, was a safeguarding of the 19 independence of the RGP and to protect and 20 ensure the effectiveness, efficiency and 21 probity of the RGP. High at the top end of 22 the mission statement was our powers to call 23 the Commissioner to account if the need 24 arose." 25 Would you agree with that?</p> <p style="text-align: center;">Page 61</p>	<p>1 Q. A fairness issue. 2 A. Yes. 3 Q. Yes, a sort of natural justice point. 4 People need to have a chance to explain 5 themselves. 6 A. Correct. 7 Q. Okay. 8 Q. Would you accept that section 34 of the 9 Police Act is a sort of last resort, sort of call 10 it the nuclear option. 11 A. Yes. 12 Q. You would. It is as close to a sort of 13 firing exercise or dismissal. 14 A. Yes. 15 Q. Well, would you not say the same 16 principle that you thought important in that 17 GPA process should be applied? By which I 18 mean a chance for the Commissioner of 19 Police, forget it is Mr McGrail, any 20 Commissioner of Police accused of 21 wrongdoing, to be given an opportunity to 22 have all the facts in front of him, all the 23 evidence in front of him, and a chance to 24 address all of the issues and then engage in 25 a process which may or may not reach</p> <p style="text-align: center;">Page 63</p>
<p>1 A. Yes. 2 Q. Yes. Mr Lavarello said in his evidence: 3 "The Authority is there to, I suppose, act as 4 an independent party so that the Chief 5 Minister and the Governor cannot exercise 6 undue influence over the Commissioner." 7 What is your view on that? 8 A. Correct. 9 Q. Thank you. Now, a lot of this has been 10 covered so I am going to try, Mr Chairman, 11 you will be pleased to hear, not to go over it 12 in any great detail, save to the extent I think 13 it has not. 14 THE CHAIRMAN: Well, you have failed so 15 far, Mr Cruz. 16 MR CRUZ: Thank you. Just to go back to 17 one point about the airport incident and the 18 subsequent review, you were asked about 19 that this morning and I think the point you 20 made was under the GPA review you were 21 not, the MOD were not, given a chance to 22 explain themselves. 23 A. Correct. 24 Q. So that to you is a fairness issue. 25 A. A what, sorry?</p> <p style="text-align: center;">Page 62</p>	<p>1 an undecided conclusion? 2 A. Yes. 3 Q. I mean, to be ambitious, at least 4 a conversation. 5 A. I have agreed with you. 6 Q. So, were they not options available to you 7 under your role as Governor, your role as 8 Governor, forget the Chief Minister's role, 9 were there not other alternatives available to 10 you, such as exercising your power to call 11 him in, present information, ask him for 12 explanations? 13 A. So, I had, um, the letter from Mr Gomez 14 setting out very clearly Mr McGrail's 15 position. 16 Q. I am talking before then. In other words, 17 when you had these complaints that you 18 have. Let us do it in stages. When you had 19 these complaints that we heard yesterday in 20 evidence materialised after 30 April, you had 21 feelings but they did not materialise after that 22 date. 23 A. Yes. 24 Q. So it is after 12 May, I think the 15th 25 when you were approached. So before the</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 Gomez letter, as of 15 May when you formed 2 this view and you then crystallised this view, 3 did you not have powers to say to the 4 Commissioner, "Come to see me, I want to 5 talk to you about things that I think are very 6 important"?</p> <p>7 A. Yes, I do, but I had agreed that that 8 process was going to be carried forward by 9 the GPA, through section 34.</p> <p>10 Q. We, but the point is you have agreed that 11 you had other alternatives. Is that --</p> <p>12 A. I did, yes. There were.</p> <p>13 Q. Yes, thank you. And given that we have 14 agreed that that power, the sort of last resort, 15 is it right to say that normally and usually in 16 order to meet that fairness, you would have 17 an escalation, warning, further warnings, 18 engagement, before you get to that last 19 resort?</p> <p>20 A. So, the last resort I think was why I 21 resisted the suggestion from the Chief 22 Minister that we conclude matters pretty 23 much immediately, I being firm in my 24 position that I needed to take all the papers 25 away, reflect on all the evidence, including</p> <p style="text-align: center;">Page 65</p>	<p>1 subject to those processes of fairness, natural 2 justice, in other words, that does not take 3 away that engagement.</p> <p>4 A. Yes. Yes, there is an element of fairness 5 there.</p> <p>6 Q. Yes. So, what I am now going to suggest 7 to you is my last question. I think you have 8 a right to address it. It is: did you not on 9 reflection, now, on reflection, do you not 10 think that the process, the expedited process, 11 including the engagement of Mr Britto that 12 my learned friend took you, did it not go 13 a long way to breach the rule of law and were 14 you not one of its primary assailants?</p> <p>15 A. Absolutely not.</p> <p>16 MR CRUZ: Thank you, Mr Pyle.</p> <p>17 THE CHAIRMAN: I think it is time to have 18 a break. And we need to review the 19 timetable. 20 (11.23) 21 (Adjourned for a short time) 22 (11.37) 23 QUESTIONED BY MR WAGNER 24 MR WAGNER: Good morning, Mr Pyle. 25 A. Good morning.</p> <p style="text-align: center;">Page 67</p>
<p>1 Mr McGrail's representations through his 2 solicitor, which I would study over the 3 weekend, probably take advice from London 4 and inform Mr McGrail of my decision on 5 the Monday.</p> <p>6 Q. Yes, but I suppose what I am asking, 7 Mr Pyle, is even before you got to that 8 section 34, I think you have agreed there 9 were other alternatives and I think my 10 question to you is why did you not exercise 11 those alternatives given you only formulated 12 this view, at least this definitive view, in 13 May, why did you not exercise those 14 alternatives before you got to 34?</p> <p>15 A. I think part of my evidence given 16 yesterday is in effect that discussion with the 17 Chief Minister, and perhaps even the 18 Attorney General, where I did state that I 19 think we had to go straight to the Governor's 20 powers in terms of 31(f).</p> <p>21 Q. 13(f).</p> <p>22 A. 30(f), sorry, that is my decision.</p> <p>23 Q. Okay, well, on 13(f), would you accept 24 that even if you had decided that that is what 25 you were going to exercise, they still are</p> <p style="text-align: center;">Page 66</p>	<p>1 Q. I want to start where you finished 2 yesterday with Mr Santos, with your current 3 employment. Is it right that you currently 4 have a position advising the Chief Secretary 5 on a reform program in the Civil Service?</p> <p>6 A. Correct.</p> <p>7 Q. Is that a paid position?</p> <p>8 A. It is.</p> <p>9 Q. I just want to clarify the chronology of 10 how you came by that role. Now, the events 11 that you were involved in relating to Mr 12 McGrail leaving his post happened in May 13 and June 2020, correct?</p> <p>14 A. Correct.</p> <p>15 Q. The Chief Minister announced in 16 parliament that he would accept Mr 17 McGrail's request that there would be a 18 public inquiry at the end of July 2020. Were 19 you aware of that?</p> <p>20 A. Yes.</p> <p>21 Q. Were you aware of it at the time?</p> <p>22 A. Yes.</p> <p>23 Q. Your time in Gibraltar was due to end in 24 September 2021, is that correct?</p> <p>25 A. Yes. It was slightly extended to</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 December '21 at the request of my then 2 successor, who -- 3 Q. Yes. 4 A. - subsequently didn't turn up. 5 Q. In the autumn of 2021, you applied for 6 three jobs elsewhere, but were not successful. 7 A. Correct. 8 Q. You then had a period of ill health for 9 seven months - I am sorry to hear that - but 10 was that from the autumn to the spring? 11 A. Pretty much, yes. 12 Q. To the spring 2022? 13 A. (No audible response) 14 Q. That must have been a difficult period for 15 you. 16 A. Yes. It was. 17 Q. Yes. In October 2021 you said, I think, 18 that the Attorney General approached you. 19 A. Yes. 20 Q. What was the context? What were you 21 doing when he approached you? 22 A. I think it was: I'm leaving soon, you're 23 leaving soon, as we said, we were good 24 friends, we got on well, we had supper 25 regularly. You know, what are you doing</p> <p style="text-align: center;">Page 69</p>	<p>1 A. -- I think it was daylight, so it might have 2 been a meeting rather than in one of our 3 suppers. 4 Q. So, that must have come as quite a relief 5 when you had just had ill health and had 6 applied for jobs unsuccessfully. 7 A. No. I took it, to be honest, as one of 8 those sort of offhand remarks that I've had in 9 previous postings where, as you come 10 towards the end, and people thing you may 11 have something to offer, wherever you are, 12 that have you thought of staying on and 13 working. I think the point I am going to 14 make is that at the time of Mr McGrail's 15 departure I was focusing on what would be 16 the next, and potentially last, part of my 17 career which involved over six postings. 18 Q. Yes. Did you find that bad at all that the 19 Attorney General was approaching you, not 20 someone with responsibility for Civil Service 21 reform? 22 A. No, not really. It was the sort of 23 discussion the Attorney General and I might 24 have had anyway; what I was doing next. 25 Q. When precisely were you offered the</p> <p style="text-align: center;">Page 71</p>
<p>1 next? It was an open question rather. 2 Q. What was the - what were you doing at 3 the time when you met him? 4 A. October '21? 5 Q. What was the meeting about? 6 A. Gosh. I can't remember. No. 7 Q. Now, the attorney general is the 8 government's legal advisor. Does he also 9 have a brief on civil service reform? 10 A. No. I think it was, you know, what are 11 you doing next. Sort of, I don't believe he 12 does have a brief on civil service reform. 13 Q. When he said, "What are you doing 14 next", did he offer you a - did he say there is 15 something available for you then? 16 A. No, he said: would I consider doing 17 something for the Government of Gibraltar. 18 Q. Doing something? 19 A. Yes. 20 Q. Was that how it was put? 21 A. I think it was put like that. 22 Q. Then -- 23 A. I can't recollect the exact phraseology is - 24 as I can't - 25 Q. Yes.</p> <p style="text-align: center;">Page 70</p>	<p>1 role, as you are now performing it? 2 A. Gosh, I mean, there were various 3 conversations. I said - I wouldn't say I 4 dismissed it, I was sort of, don't know, 5 pleased to receive such a request, you know, 6 when I consider was I open to, and I think it 7 was more of an off the cuff remark. It was 8 some months later, I think, when I was with 9 the Chief Minister, that the Chief Minister 10 and I discussed what next. 11 Q. Yes. So, we will come to that. The 12 inquiry began its work in February 2022 -- 13 A. Yes. 14 Q. - and you were assigned as a core 15 participant not long after that, I think. Do 16 you remember that? 17 A. Vaguely. I remember being assigned. I 18 just - I'm not sure of the timing. 19 Q. Were you then offered the role by the 20 Chief Minister? 21 A. No, it was a discussion, I think as I said 22 yesterday, I was undecided about whether I 23 wanted to remain in the office, try and wait 24 to get medical clearance and try again for an 25 overseas posting.</p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

<p>1 A. Yes.</p> <p>2 Q. The point I need to make on that is, our</p> <p>3 overseas posting are what we call - they are</p> <p>4 put up on the board twelve months in</p> <p>5 advance.</p> <p>6 Q. Mmh.</p> <p>7 A. So, I would only - once I got my medical</p> <p>8 clearance, the postings I would be able to</p> <p>9 look at would be twelve months ahead of that</p> <p>10 --</p> <p>11 Q. Yes.</p> <p>12 A. - and I was just mindful of the timing</p> <p>13 that I wanted to retire, potentially, from the</p> <p>14 office, so I was getting my mind around to</p> <p>15 going back to the UK with the foreign office</p> <p>16 and working in London.</p> <p>17 Q. No, I understand. I am just trying to get</p> <p>18 the dates correct. So, you said yesterday in</p> <p>19 evidence that it was some time in, I think</p> <p>20 February 2022, you approached the Foreign</p> <p>21 Office with permission to take on the role.</p> <p>22 A. Yes.</p> <p>23 Q. So, would it make sense that you had</p> <p>24 been offered the role around that time. The</p> <p>25 final sort of role that you were going to do.</p> <p style="text-align: center;">Page 73</p>	<p>1 was created just for you?</p> <p>2 A. I can't answer that.</p> <p>3 Q. No. Was it publicly advertised?</p> <p>4 A. I don't believe so. I don't know.</p> <p>5 Q. Were you interviewed for it?</p> <p>6 A. Well, I certainly took the discussions I</p> <p>7 had with the Chief Minister and the Chief</p> <p>8 Secretary about the opportunity, I would take</p> <p>9 as - because I would certainly not take any</p> <p>10 role that I could not do properly, add value,</p> <p>11 and was meaningful.</p> <p>12 Q. Were you interviewed for the role?</p> <p>13 A. No. Not formally.</p> <p>14 Q. Did you submit an application?</p> <p>15 A. No.</p> <p>16 Q. Did anyone else apply?</p> <p>17 A. I don't know.</p> <p>18 Q. So, to sum up. After the inquiry was</p> <p>19 announced, whilst it was ongoing, you were</p> <p>20 offered a paid role by the Chief Minister, a</p> <p>21 co-core participant, which was - seems to</p> <p>22 have been designed for you, which was not</p> <p>23 advertised, you did not apply or interview</p> <p>24 for, and which nobody else was offered. Is</p> <p>25 that fair?</p> <p style="text-align: center;">Page 75</p>
<p>1 A. So, we hadn't got into any discussion</p> <p>2 about terms of conditions, but I thought if I</p> <p>3 was going to explore this, and develop it</p> <p>4 further, then I needed to get permission from</p> <p>5 the Foreign Office. Yes.</p> <p>6 Q. That was the same time, coincidentally,</p> <p>7 that the inquiry was set up.</p> <p>8 A. It is a coincidence. yes.</p> <p>9 Q. Yes. You say that contracts were signed</p> <p>10 in January 2023, and the role will continue</p> <p>11 until January 2026. Is that right?</p> <p>12 A. No. Not quite. The contract was signed</p> <p>13 in January '23 with a start date of 1 April '23.</p> <p>14 Q. Okay. Have you worked for the Gibraltar</p> <p>15 government before you were given this role?</p> <p>16 A. No.</p> <p>17 Q. Did you have a predecessor in the role?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Someone who was doing the same</p> <p>20 consultancy role?</p> <p>21 A. No, sorry. My role as Deputy Governor?</p> <p>22 Q. No. No, no. Your role as the advisor on</p> <p>23 Civil Service Reform.</p> <p>24 A. No.</p> <p>25 Q. No. so, would it be fair to say the role</p> <p style="text-align: center;">Page 74</p>	<p>1 A. That is fair. That is correct. Whether it is</p> <p>2 fair or not is....</p> <p>3 Q. Do you believe in the importance in</p> <p>4 observing proper boundaries in public life?</p> <p>5 A. Yes, I do.</p> <p>6 Q. You see no issue with that sequence of</p> <p>7 events at all?</p> <p>8 A. Well, I think that's why I applied early to</p> <p>9 the Foreign Office for permission to do so.</p> <p>10 Q. You referred to yourself yesterday as</p> <p>11 being professional a couple of times. Do you</p> <p>12 recall that?</p> <p>13 A. Yes. I like to think I am.</p> <p>14 Q. You referred to the importance of the</p> <p>15 following best practice.</p> <p>16 A. Yes.</p> <p>17 Q. Would you agree that being professional</p> <p>18 includes having attention to detail?</p> <p>19 A. Yes.</p> <p>20 Q. Would you agree it includes making sure</p> <p>21 that any allegations you make against an</p> <p>22 individual are supported by solid evidence?</p> <p>23 A. Yes.</p> <p>24 Q. Would it be unprofessional to make</p> <p>25 allegations without them being supported by</p> <p style="text-align: center;">Page 76</p>

<p>1 solid evidence? 2 A. Yes. 3 Q. Would it be unethical? 4 A. Yes. 5 Q. Do you agree this particularly applies to 6 allegations of dishonesty? 7 A. Yes. 8 Q. Because, is it not fair to say, that accusing 9 someone of dishonesty can be especially 10 damaging to them? 11 A. Yes. 12 Q. Accusations of dishonesty should not be 13 made without having solid evidence. Do you 14 agree? 15 A. I do. 16 Q. When they are made, they need to be 17 fully set out. Do you agree? 18 A. I do. 19 Q. And that the person being accused should 20 be given a proper opportunity to respond. Do 21 you agree? 22 A. I do. 23 Q. Do you agree that conflicts of interest 24 need to be carefully managed in public life? 25 A. I do.</p> <p style="text-align: center;">Page 77</p>	<p>1 explain the no? 2 Q. Well, I mean, I will take you through 3 some incidents. 4 A. Okay. Okay. 5 Q. Finally, are you rewriting history to make 6 it seem like you were dishonestly misled 7 about the incident at sea, when the reality is 8 you misremembered, or misunderstood? 9 A. No. 10 Q. Okay. Let us start at the end with the 11 incident at sea. On 14 May 2020 when you 12 met the Chief Minister, was that the first time 13 you had expressed your concern about 14 information sharing during the events of 15 March 2020? 16 A. No. 17 Q. Who had you expressed that concern to? 18 A. I would certainly have expressed it to the 19 Attorney General. I can't recollect 20 expressing it to the Chief Minister, but I 21 would be surprised if I had not. 22 Q. Do you accept that you have provided no 23 evidence to this inquiry, either written 24 evidence or in documentary evidence, which 25 shows that you expressed those concerns</p> <p style="text-align: center;">Page 79</p>
<p>1 Q. In the accounts that you have given to 2 this inquiry, are you attempting to rewrite 3 history? 4 A. No. 5 Q. Are you rewriting history to make out 6 that you had major concerns about Ian 7 McGrail before the Chief Minister 8 approached you on 14 May 2020? 9 A. Could you just repeat that again? So, I 10 might get the importance of it. 11 Q. Are you rewriting history to make out 12 that you had major concerns about Ian 13 McGrail before the Chief Minister 14 approached you on 14 May 2020? 15 A. The reason for asking it to be reread was 16 the word major. I had growing concerns. 17 They were - the depth of them - no, I had 18 major. Yes, I had strong concerns. 19 Q. No major concerns? 20 A. Well, major concerns is possible correct. 21 Yes. 22 Q. Are you rewriting history to make it seem 23 as if Ian McGrail was to blame for incidents 24 which had little or nothing to do with him? 25 A. No. I'm - no. Do you want me to</p> <p style="text-align: center;">Page 78</p>	<p>1 prior to 14 May 2020. 2 A. Yes. I accept that. 3 Q. Do you accept that is an important 4 omission in the context of that you are saying 5 about Ian McGrail? 6 A. No. No. I can see the point you are 7 making, but if I should have been more 8 thorough, then I apologise that I wasn't. 9 Q. When was the first time you committed 10 to writing what your concern was about 11 incident sharing? 12 A. Probably in my note to London, although 13 that would have been raised with London at 14 our weekly video conferences, as I said 15 yesterday. There may have been - which - 16 but I doubt, some WhatsApp exchanges 17 because I was very careful when I did my 18 WhatsApp. 19 Q. Mmh. 20 A. So, probably my - London would have 21 been aware from very early on after the 22 incident at sea that I believed I had not had 23 the full disclosure. I had been misled. 24 Q. We have got extensive emails between 25 you and the Foreign Office. Why is there no</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 mention in those detailed emails, of you 2 being concerned about being misled? 3 A. I don't know. I thought I had in one of 4 them. 5 Q. Well, we will look at them. Would you 6 agree that in terms of the evidence before this 7 inquiry, the first written record of your 8 specific concern about the information 9 sharing about the incident at sea, is the 3 10 June letter you sent to the GPA? 11 A. That is the first written - I will take your 12 word for that. I mean, I am surprised that that 13 is the case. 14 Q. I will take you to the documents later, but 15 would it be fair to say -- I suppose there is 16 nothing else you could say -- that that was 17 almost three months after the incident itself. 18 A. Yes, but I can only repeat that in my 19 multiple discussions with London, given the 20 importance of the incident at sea, I would 21 have without doubt, categorically mentioned 22 from very early on that I believed I had been 23 misled. 24 Q. But you have not provided the notes of 25 those --</p> <p style="text-align: center;">Page 81</p>	<p>1 Q. So, you agree that your memory would 2 have been less good three months later. 3 A. Okay. Yes. 4 Q. Now, you were particularly concerned at 5 the time about where the collision took place. 6 Is that fair? 7 A. Yes. 8 Q. Do you accept that the police were 9 investigating more than just where the 10 collision took place? They were also trying 11 to understand where the entire chase took 12 place. 13 A. Yes. 14 Q. Were you aware at this time, when you 15 were interacting with Mr McGrail, that the 16 police were investigating the wider issue as 17 well as the collision but of the entire chase? 18 A. Yes. 19 Q. Mr McGrail gave oral evidence that what 20 he considered to be the incident had two key 21 components. The pursuit and the collision - 22 and just for those noting, that is day 7, page 23 212, line 23. Now, before talking about 24 information sharing, do you have any 25 criticism of Mr McGrail for having</p> <p style="text-align: center;">Page 83</p>
<p>1 A. No, as I said yesterday, there were not 2 notes. 3 Q. The emails do not reflect that. 4 A. No. I am stating a - under oath that I 5 believe I would have raised them orally in 6 the phone calls or our weekly meeting. 7 Q. There is nothing in writing, is what I am 8 saying. 9 A. No. I agree. 10 Q. Yes. 11 A. I agree. 12 Q. Do you agree that by June 2020, your 13 memory would have been less clear about 14 what you were told, and exactly when, than it 15 was in March 2020? 16 A. No. Not on that issue. 17 Q. That your memory would have been 18 exactly the same three months later? 19 A. On that issue I would - yes. I mean, yes. 20 I think given the nature and the implications 21 of the incident, I'm pretty sure in the key 22 issues. I may not - because there was so 23 much information, I may not remember 24 everything, but I do remember the key facts - 25 the key aspects.</p> <p style="text-align: center;">Page 82</p>	<p>1 understood the word "incident" in that way? 2 A. No. 3 Q. You do not say he was doing so for any 4 malicious reasons? 5 A. No. 6 Q. No. That is just how he was thinking 7 about the incident. Is that fair? 8 A. As one would expect. 9 Q. Were you also aware that Mr McGrail 10 said in his evidence that as a police officer, 11 he would only confirm information if he was 12 sure? 13 A. I remember reading that in his evidence. 14 Q. Yes. I think you mentioned yesterday 15 that you understood there can be different 16 understandings of what "certain" means, 17 what "sure" means -- 18 A. Yes. Yes. 19 Q. - and that sort of thing. Do you criticize 20 his approach to confirmation as when you are 21 sure about something? 22 A. I think - I think on the issue of location 23 of the collision, bearing in mind what I 24 needed to know, then I don't think he got that 25 right.</p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 Q. I am not asking about that. I am asking 2 whether - do you have a criticism of Mr 3 McGrail, a 35-year police officer, saying that 4 he would not confirm that something was 5 certain unless he was sure? 6 A. I do have some criticism of that position 7 in that, beyond reasonable doubt which goes 8 back to the argument about certainty. 9 Q. What is the difference between beyond 10 reasonable doubt and being sure? 11 A. Well, beyond reasonable doubt may leave 12 one percent of doubt, but in this particular 13 issue, it was clearly - and we are going to 14 come to this I am sure -- the difference 15 between incident and start of the chase, and 16 location of the accident or the collision. 17 Q. Do you accept that when you referred to 18 the incident at the time, you meant something 19 different to Mr McGrail? 20 A. Yes. I meant the location of the -- 21 THE CHAIRMAN: Well, you have to 22 identify the particular occasion which the 23 exchange took place. 24 MR WAGNER: I am going to. 25 THE CHAIRMAN: Yes. Well, that is a</p> <p style="text-align: center;">Page 85</p>	<p>1 inside or on the cusp of BGTW. 2 Q. That is what it says, " It also seems that 3 part of the chase was within BGTW". 4 A. Yes. 5 Q. So, it is, but he is saying the incident was 6 outside BGTW, eastern side opposite 7 runway". Do you agree it looks like, there he 8 is also referring to the collision and the 9 incident? 10 A. Yes. Sorry, I thought you were trying to 11 put that the other way. 12 Q. No, no. I was not. I am sorry if I was not 13 clear. Now, that is the message that was sent 14 to Mr McGrail but not to - I think it was 15 meant for the Chief Minister, but it did not 16 get to him. Now, Mr McGrail gave evidence 17 about why it was important in those first few 18 hours and days for the RGP to establish 19 where the entire incident, as he defined it, 20 had occurred, including the chase and 21 collision. For the note, again, it is page 79, 22 on day 8. He said, "It was important to 23 establish whether there had been criminality 24 in Gibraltar and in consequence of that all the 25 management of the situation would have an</p> <p style="text-align: center;">Page 87</p>
<p>1 better way of approaching it. 2 MR WAGNER: (To the witness) Just so 3 that it is clear, B1345, this is not you, this is 4 the Attorney General. His message at 11:40 5 hours. This is the one on the 8th. "Been in 6 New Mole House for the last hour or so...", 7 will not read that bit, "...PR will not say 8 where incident occurred, but it is virtually 9 certain it was outside BGTW, eastern side 10 opposite runway. It also seems part of the 11 chase was BGTW". Obviously, you do not 12 know what is in the Attorney General's mind, 13 but I just want to point it out there, that it 14 does not - would you agree that it appears 15 that the Attorney General was also operating 16 on the point that "incident" meant the 17 collision? 18 A. I think at the time, just to put forward 19 another view, is that it was believed that the 20 start of the incident was inside BGTW, so 21 therefore at 11:40, certainly it was outside. 22 Q. No, the start of the chase was outside. 23 That is what he is saying there. 24 A. No, at this moment in time, with respect, 25 it was believed that the start of the chase was</p> <p style="text-align: center;">Page 86</p>	<p>1 impact. If there was criminality in Gibraltar, 2 then a lot of things fall into place." Then he 3 talked about coronial jurisdiction, and he also 4 talked about the fact that they were detaining 5 two individuals and if none of the incident, 6 chase and the collision, happened in Gibraltar 7 waters they would have no jurisdiction to 8 detain those individuals. Is that - I am not 9 asking a legal point, but can I just ask, do 10 you have any criticism of the RGP for seeing 11 that as important for those reasons? 12 A. Not at all. 13 Q. Would you agree it was important to 14 establish that? 15 A. Yes. 16 Q. Do you accept that various police 17 officers' evidence was this was a fast moving 18 and dynamic situation involving a lot of 19 interlocking factors? 20 A. Yes. 21 Q. Do you agree it was highly complex? 22 A. To a degree, yes. 23 Q. Yes. 24 Q. On the assumption that it would be quite 25 easy to use AIS etcetera, etcetera, the - I</p> <p style="text-align: center;">Page 88</p>

<p>1 mean, I thought that the more certainty of 2 information could have been arrived at, albeit 3 we're going to get into the argument of 4 certain. 5 Q. For sure. I mean, look. If the AIS was 6 on it would have been a lot more 7 straightforward. 8 A. Absolutely. 9 Q. But it was not. 10 A. Yes. 11 Q. That made it complex. Is that fair? 12 A. It was complex, yes. 13 Q. I do not think you are alleging that the 14 officers investigating the incident at sea were 15 behaving like there were in Miami Vice or 16 Life on Mars? 17 A. No. 18 Q. Are you? 19 A. No. 20 Q. No. Did you see any - did you get any 21 impression that they were doing anything 22 except seriously investigating -- 23 A. No, I told you I thought they were very 24 professional about it. 25 Q. Yes. Did you explicitly tell Mr McGrail</p> <p style="text-align: center;">Page 89</p>	<p>1 has said. 2 Q. Did you ever use the expression, "best 3 available information", when you were 4 discussing the matters with Mr McGrail or 5 anybody? 6 A. I can't remember the exact terminology, 7 but you know, whether I said, "best 8 information", or "information", or - I mean I 9 said - I remember, you know, all I need to 10 know is where the incident-- and I accept 11 that the incident was for me was the 12 collision, took place. 13 Q. Is best -- 14 A. Inside or outside the BGTW. 15 Q. Is "best available information", your 16 expression? Is it an expression you use, or 17 has it come from somewhere else? 18 A. I don't think I've used it. 19 Q. It has been used a lot in this inquiry, so I 20 was wondering whether it came from you, or 21 did it come - it obviously did not come from 22 you. 23 THE CHAIRMAN: I think it came from Sir 24 Peter Caruana, but it seems to me to be an 25 extremely helpful formulation.</p> <p style="text-align: center;">Page 91</p>
<p>1 at the time that you wanted all information, 2 even that which was not verified? 3 A. No. 4 Q. Did you tell him the most important piece 5 of information for you was the location of the 6 collision? 7 A. Yes. 8 Q. Do you have any evidence of that, apart 9 from saying it? 10 A. Nope. 11 THE CHAIRMAN: You probably took that 12 to be obvious. 13 A. Yes. Exactly. Thank you. 14 MR WAGNER: Did you ask for the police 15 to provide unverified coordinates when they 16 had them? 17 A. I didn't know they had them. 18 Q. Well, you came to know they had them, 19 but I am asking, did you -- 20 A. (Inaudible). 21 Q. - did you ask at any point and say: look, 22 if you have got unverified information just 23 give it to me and I will -- 24 A. No, I didn't. I would assume that the 25 information would be given, as the Chairman</p> <p style="text-align: center;">Page 90</p>	<p>1 MR WAGNER: It does not appear in any of 2 the contemporaneous documents, is why I 3 was asking whether -- 4 A. I think you have the answer, with respect. 5 Q. No, I have not heard your answer. I have 6 heard the judge's view. I am asking you, that 7 you do not know that it appeared at the time. 8 A. I don't - I would not have used that at the 9 time on the assumption that I was being 10 provided with all relevant information to 11 what I needed to know. 12 Q. All relevant information. Okay. So, your 13 first briefing on the matter was when you 14 went to New Mole House around midday on 15 8 March? We have heard a lot about that. 16 That is a few hours after the incident had 17 taken place. Now, you recall, I think you 18 said yesterday, you recalled Mr field being 19 there. Is that right? 20 A. Correct. 21 Q. Now, Mr Field was in the 22 Commissioner's office at some point that 23 morning to give a briefing about the 24 coordinates and said he brought a map with 25 coordinates on it and left it there. Do you</p> <p style="text-align: center;">Page 92</p>

1 recall being there - do you recall Mr Field
 2 saying anything when you were in the
 3 meeting?
 4 **A. No.**
 5 Q. You said in evidence yesterday that when
 6 later, on 29 May, you were shown a map of
 7 the collision you were surprised and you
 8 said, "I may have been swayed by the initial
 9 reference to one of the people on the boat
 10 saying it was off the other side of Europa
 11 Point, for want of a better word." So, sorry.
 12 I will just read that again. "...one of the
 13 people on the boat saying it was off the other
 14 side of Europa point, for want of a better
 15 word." When did you hear about "it" being
 16 off the other side of Europa Point? Do you
 17 recall?
 18 **A. I think it might have been when I was**
 19 **going through all the evidence from Mr**
 20 **McGrail on the back of the section 15 report.**
 21 Q. Might you have heard it in one of those
 22 early briefings, because it was certainly
 23 something that was being discussed by the --
 24 **A. No.**
 25 Q. - by the officers .

Page 93

1 **A. When Mr McGrail said, could be in,**
 2 **could be out, on the cusp, I wasn't aware**
 3 **which part of the cusp of BGTW it was being**
 4 **referred to.**
 5 Q. What did you think "it" was? When you
 6 say "it" was off the end of Europa Point,
 7 what did you mean?
 8 **A. The suspect RIBs.**
 9 Q. No, but did you mean the start of the
 10 chase, part of the chase or the collision?
 11 **A. Certainly not - actually, at the time -**
 12 **that's a good point -- with the - which goes**
 13 **back to the - could be in, could be out. I**
 14 **didn't know whether the chase was**
 15 **immediately followed by a collision. I didn't**
 16 **know at the time how long the chase lasted.**
 17 Q. So, because I am going to suggest that the
 18 fact that when you eventually saw the
 19 coordinates on the map on the 29th, the fact
 20 that you said, "I was surprised because I
 21 thought it was off the..." I heard - that it was
 22 off Europa point --
 23 **A. Mmh.**
 24 Q. -- does that suggest that you meant "it"
 25 was the collision? You thought that you

Page 94

1 referred - what was off Europa Point was the
 2 collision.
 3 **A. Yes.**
 4 Q. Because that is why you were surprised.
 5 It was in a different part than you thought.
 6 **A. Yes. Yes. That is a -- One can assume**
 7 **that.**
 8 Q. Now, if we can just go to A801, this is
 9 John Field's statement. Paragraph 38, please.
 10 Just so you know, the way that this came into
 11 the officer's consideration, he said - this is on
 12 the day of the incident, the 8th -- "At
 13 11.05hrs, I briefed COP...", Richardson, AG
 14 and Mr Llamas. "I remember the discussion
 15 taking place and being asked if the chase had
 16 been plotted/ recorded as the coordinates
 17 were well out of BGTW, I was unable to
 18 answer this. Considering that the initial
 19 report was that PMB had been involved in a
 20 chase out at sea, approximately 3miles off
 21 Europa Point..." So, it had been the officer's
 22 evidence that when they were talking about
 23 being off Europa Point, it was the chase that
 24 they thought was off Europa Point, not the
 25 collision. Can we go to A251, at the end of

Page 95

1 paragraph 25.3. So, this is your account of
 2 the meeting, that you made in your affidavit
 3 of 2022. You say, just picking it up five
 4 lines down, "...my primary concern was to
 5 establish the location of the incident, and
 6 whether it had occurred in Spanish territorial
 7 waters." When you say "the incident" in this
 8 statement, do you mean the collision?
 9 **A. Yes.**
 10 Q. "I therefore asked Mr McGrail about the
 11 location and whether it was inside or outside
 12 BGTW. He replied with a slightly flippant
 13 waving of his hands, 'could be in, and could
 14 be out, it's difficult to tell at night.'" Is this
 15 based on your memory in 2022 of what
 16 happened?
 17 **A. No, that stuck with me ever since it**
 18 **happened.**
 19 Q. No, I am asking - but you did not base it
 20 on a written record. You have based it on
 21 what you remembered when you were
 22 writing your statement - your affidavit in
 23 2022?
 24 **A. Yes, but I also reported that, I believe, to**
 25 **London.**

Page 96

<p>1 Q. Fine. I understand. Now, if we can go to 2 - sorry, so just to - I am going to hammer 3 home this point a bit. You now understand 4 that Mr McGrail has given evidence that he 5 understood "incident" to mean the chase and 6 the collision. 7 A. Yes. 8 Q. Is it possible looking back now that when 9 you asked Mr McGrail about the incident, at 10 that time, just in the 8 March, thinking: I am 11 thinking of the collision. He gave you an 12 answer that was not about the collision alone, 13 it was about the whole incident. 14 A. Yes, that is possible. 15 Q. Can we go to B1346, please? Text at 16 13:33 hours there. Now, this is the message 17 you send to the Chief of Police - 18 Commissioner of Police to check. "Thanks 19 for the briefing. I'll do a quick note for 20 London for when it hits the press. Line will 21 be. Investigation ongoing. Spanish nationals 22 from Ceuta... [one was Portuguese] ... Not 23 sure in whose waters incident took place. 24 RGP seeking assistance from UK police 25 authorities..." Commissioner says - there</p> <p style="text-align: center;">Page 97</p>	<p>1 Q. Do you accept that the likelihood is that 2 he is distinguishing there? He is saying we 3 are trying to clarify exact position of the 4 collision, different from the incident? 5 A. I think that is correct but that was Mr 6 McGrail's opportunity to provide further 7 information he had -- 8 Q. Yes. 9 A. -- which he didn't disclose to me at - 10 earlier on in the meeting. 11 Q. We will come back to that. 12 THE CHAIRMAN: Well, hang on. It is all 13 very well saying come back to that, because 14 the witness has answered your question. 15 MR WAGNER: I mean, literally, next. I am 16 just going to finish this bit. 17 THE CHAIRMAN: Okay. 18 MR WAGNER: (To the witness) Now, do 19 you know whether the RGP had the exact 20 position of the collision at that point? Did 21 they know it to the point of being sure about 22 it? 23 A. I believe they did because I think by that 24 time, they'd had the coordinates from Guarda 25 Civil, even though Guarda Civil said it needs</p> <p style="text-align: center;">Page 99</p>
<p>1 was just a flash. 2 THE CHAIRMAN: The next one down, 3 "Yes, all correct." 4 MR WAGNER: Sorry, there was a flash 5 from over there, that I why I got a bit 6 startled. Now, do you accept from Mr 7 McGrail's perspective, just on his 8 understanding of the incident that when you 9 are saying - you are checking with him, "Not 10 sure in whose waters incident took place.", 11 from his perspective, just assume that is what 12 he meant by "incident", that would have been 13 accurate at the time. 14 A. From his perspective? 15 Q. I am just asking from his perspective. Do 16 you accept the possibility that that was -- 17 A. I do accept the possibility. 18 Q. Yes, and he actually then went on and 19 said, "Trying to clarify exact position of ... 20 collision." Would you have understood that 21 as, well he is just talking about the same 22 thing, the collision, the incident. 23 A. Yes. I was, yes. 24 Q. Yes. 25 A. That is how I read it at the time.</p> <p style="text-align: center;">Page 98</p>	<p>1 formally verifying, so we are into that debate 2 about exact and formal, and.... 3 Q. Yes, and do you agree that within that - 4 in that debate from a police officers' 5 perspective, it is legitimate to say, well they 6 are not - that is not verified until we verify it. 7 A. That's exactly the point. They should 8 have said, we have a suspicion, they may be 9 at this location, but it needs to be verified. 10 Q. Now, in that, in the evidence yesterday, 11 you were asked, "Knowing what you do now, 12 do you consider that the information in that 13 messages exchanges to the collision was 14 correct?" You said, "No, it was not correct. 15 Without doubt in my mind, Mr McGrail 16 knew in whose waters the incident took 17 place." I think you have now accepted that 18 your analysis, your conclusion that he was 19 giving you inaccurate information in the first 20 bit of the text message, relies on it being your 21 understanding of the incident, not his. 22 A. I take the point. My - the point is still the 23 information I needed, which I was quite clear 24 about, were in whose waters the incident. I 25 We go back to interpretation of incident. I</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 accept your - where you are coming from.</p> <p>2 Q. That is the point.</p> <p>3 THE CHAIRMAN: But what you wanted to</p> <p>4 know was what the latest information was,</p> <p>5 that it was highly likely the collision</p> <p>6 occurred in Spanish waters.</p> <p>7 A. Correct.</p> <p>8 THE CHAIRMAN: Yes.</p> <p>9 MR WAGNER: Well, that is not what the</p> <p>10 Commissioner of Police reported to the Chief</p> <p>11 Minister, but I will come to that text. He</p> <p>12 never said "highly likely". (To the witness)</p> <p>13 Did you then hear about the location of the</p> <p>14 collision that evening, or at the latest, early</p> <p>15 the next morning?</p> <p>16 A. Both.</p> <p>17 Q. That is the Windmill Hill point, is that</p> <p>18 what you are saying?</p> <p>19 A. Yes. Again, I - that is a vague</p> <p>20 recollection of --</p> <p>21 Q. Yes.</p> <p>22 A. - a discussion in the quadrangle of The</p> <p>23 Convent where somebody mentioned - for</p> <p>24 me, that was also information that it was a bit</p> <p>25 more public. That there had been an incident</p> <p style="text-align: center;">Page 101</p>	<p>1 said, "Yes, so I think that Mr McGrail made</p> <p>2 a statement. It must have been him and the</p> <p>3 Chief Minister and the AG who told me</p> <p>4 because only they knew, and that I'm afraid,</p> <p>5 isn't true." Are you standing by the fact that</p> <p>6 you are saying it is not true?</p> <p>7 A. Well, it isn't true that they were the only</p> <p>8 people that knew where the --</p> <p>9 Q. Yes.</p> <p>10 A. - incident, from my perspective, had</p> <p>11 taken place.</p> <p>12 Q. Because you think that Windmill Hill</p> <p>13 knew as well, because of the --</p> <p>14 A. Well, they did know.</p> <p>15 Q. - because of the thermal imaging.</p> <p>16 A. They did know.</p> <p>17 Q. All right. So, let us go to Mr Field.</p> <p>18 A802. Paragraph 46. He is talking about 12</p> <p>19 March, so three days later from the 9th. He</p> <p>20 said, "That same day we instigated the</p> <p>21 repatriation arrangements and also managed</p> <p>22 to secure the thermal imagery recording</p> <p>23 which captured the actual collision. The</p> <p>24 recording is not all that clear because of the</p> <p>25 time of the day and the distances involved.</p> <p style="text-align: center;">Page 103</p>
<p>1 inside Spanish waters.</p> <p>2 Q. What information, sorry?</p> <p>3 A. That the incident - that the collision --</p> <p>4 Q. Yes.</p> <p>5 A. - had taken inside - was outside BGTW.</p> <p>6 Q. So, if we just go to B1748, this is when</p> <p>7 you email the FCDO. "There may be</p> <p>8 complications around yesterday's incident. It</p> <p>9 may have happened as much as six miles</p> <p>10 inside Spanish waters." So, there you - when</p> <p>11 you refer to "incident" you are clearly talking</p> <p>12 about the collision. Is that fair?</p> <p>13 A. Absolutely.</p> <p>14 Q. So, you knew, by the absolute latest early</p> <p>15 morning on the 9th, information about the</p> <p>16 location of the collision which was the</p> <p>17 working theory in the RGP at the time but</p> <p>18 had not been confirmed. Do you agree?</p> <p>19 A. Yes.</p> <p>20 Q. You said it may not have been the</p> <p>21 Attorney General who told you about the six</p> <p>22 nautical miles on 8 March because it could</p> <p>23 have come from Windmill Hill. I just want</p> <p>24 to take you to Mr - and you refer to - I will</p> <p>25 just read out what you said yesterday. You</p> <p style="text-align: center;">Page 102</p>	<p>1 This was later brought to the attention of</p> <p>2 Supt. Richardson and [Commissioner of</p> <p>3 Police] McGrail." Now, do you accept that</p> <p>4 Mr Field, there, is saying the thermal</p> <p>5 imagery was not recovered -- I think from</p> <p>6 Windmill Hill, is that where it is from - until</p> <p>7 three or four days later.</p> <p>8 A. It wasn't secured by Mr Field until days</p> <p>9 later, but of course, I know the imagery was</p> <p>10 recorded as it happened, so available to</p> <p>11 Windy Hill at that time.</p> <p>12 Q. So, you have got a clear memory of</p> <p>13 Windmill Hill providing you --</p> <p>14 A. No. no.</p> <p>15 Q. - proving somebody with the imagery on</p> <p>16 the morning of the 9th?</p> <p>17 A. I think they would have known. They</p> <p>18 didn't have to provide the imagery, not to</p> <p>19 know where it was.</p> <p>20 Q. How do you know that? This is four</p> <p>21 years later. How do you know the exact</p> <p>22 timing?</p> <p>23 A. Well, that is why I am sort of - I have a</p> <p>24 firm, but not exact memory around this.</p> <p>25 Q. Can I suggest to you that you are wrong</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 about the Windmill Hill, and you must be 2 wrong because if you had remembered it, 3 you would have put it somewhere in all of 4 your statements. You would have at the very 5 least, sent it up to your superiors. 6 A. Sorry, I think, as I said yesterday, it is 7 inconceivable that the Attorney General and I 8 didn't discuss location -- 9 Q. Yes. Fine. 10 A. - on the Sunday night, and I'd also said 11 yesterday, when one goes through evidence 12 and information, memory comes back which 13 was my point, that my memory is not exact. 14 Q. No. 15 A. It's not bad in certain areas and I 16 remember certain aspects more clearly than 17 some. 18 Q. So, it is an unclear memory? 19 A. Yes, it is. I can't be precise about it. 20 Q. But it was clear enough for you to say, 21 actually, Mr McGrail's statement is not true. 22 A. Which statement? 23 Q. Yesterday. You said that, well, Mr 24 McGrail, what he says is not true. 25 A. That? Can you remind me of...</p> <p style="text-align: center;">Page 105</p>	<p>1 "Exact coordinates of collision still to be 2 determined." You were asked by Mr Santos 3 yesterday, "Would that suggest that there was 4 a more high-level discussion as to the rough 5 location of the collision in the meeting?" and 6 you said, "So again, a question I have not 7 thought of until now, I think undoubtedly 8 that must be the case so the same point is it 9 says a ten minute chase in and around British 10 Gibraltar Territorial Waters," but you are 11 now accepting, I think, although you do not 12 remember it, that there must have been some 13 discussion of the coordinates because Mr 14 Richardson was talking about exact 15 coordinates still to be confirmed? 16 (12.16) 17 A. I don't remember any figures being 18 mentioned in terms of coordinates at all. The 19 word "coordinates" might have been used but 20 not any coordinates given to me. 21 Q. But you do not remember? 22 A. I remember that --- I would remember if 23 they were, I believe, but in the absence of not 24 remembering that they were, I can only 25 conclude that they were not.</p> <p style="text-align: center;">Page 107</p>
<p>1 Q. "Yes, I think so. Mr McGrail made a 2 statement that it must have been him. It must 3 have been him and the Chief Minister and the 4 AG who told me because only they knew, 5 and that I'm afraid, isn't true." 6 A. Well, no. The port authority knew, the 7 Spanish knew, and Windy Hill knew, as I 8 said yesterday. 9 Q. Well, that is what you say when you talk 10 about Windmill Hill. Would it be fair to say 11 you were quite quick to accuse Mr McGrail 12 of not saying true things, when you do not 13 have clear evidence to support the allegation? 14 A. Well, I think there is clear evidence to 15 that allegation from the time log of contact 16 between Windy Hill - Windmill Hill and the 17 evidence there of the GDP officers knowing 18 that the incident took place. I think it is 19 inconceivable that Windy Hill from the 20 camera and imagery were not discussing: oh 21 gosh, that is quite a way off outside BGTW. 22 Q. If we go to B5736. So, you had another 23 briefing on 9 March and Mr Richardson's 24 notes were at the bottom of the page, and one 25 of the things he says, the second point is,</p> <p style="text-align: center;">Page 106</p>	<p>1 Q. But you came in knowing that the --- you 2 had been told that the collision took place six 3 miles outside of BGTW although it was 4 actually six miles from the coast? 5 A. Yes. 6 Q. Is it not inconceivable that the first thing, 7 given how important it was, you said when 8 you went into that meeting is, "I've heard that 9 it's six miles off the coast, what's the current 10 information"? 11 A. Yes, I accepted that yesterday. 12 Q. Do you accept that --- I do not think you 13 were accusing Mr Richardson or other people 14 in the meeting of being evasive, do you 15 accept that the police are likely to have said, 16 "Yes, these are what we've got, this is the 17 information we have," and then Mr 18 Richardson notes, "Coordinates of collision 19 still to be determined." 20 A. Yes, I accept that. 21 Q. So to sum up so far, on 8 March, the day 22 of the incident, you were briefed that --- 23 although there may have been a bit of 24 confusion about it, that the working theory 25 was that the incident, that is the collision and</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 the chase, were partly in and partly out of 2 Gibraltar Territorial Waters. Is that fair? 3 A. Yes. 4 Q. And that the location of the collision was 5 still to be confirmed? 6 A. Yes. 7 Q. Those facts were accurate. I know you 8 say you would have wanted the coordinates 9 but those facts in themselves were accurate? 10 A. Those facts, those self-standing facts 11 were accurate. 12 Q. And by the evening of 8 March you 13 accept that the Attorney General must he told 14 you about the six nautical miles point? 15 A. Yes, I accept that. 16 Q. So the thermal imaging point is slightly 17 peripheral because you would already have 18 known? 19 A. Yes. 20 Q. You accepted yesterday that you did not 21 raise any concerns about being misled or lied 22 to or not being fully informed at the time? 23 A. Because I didn't know I had been misled 24 or less than fully informed. 25 Q. Well, you did not raise any concern days</p> <p style="text-align: center;">Page 109</p>	<p>1 it say that the collision definitely happened in 2 Spanish waters? 3 A. It doesn't. 4 Q. Does that not strike you as rather odd? 5 A. It does a bit. I mean, that --- I think the 6 key point that I remember from that meeting 7 was - and I say this carefully - some relief 8 from the Attorney General with the still 9 belief that part of the chase or interception 10 happened inside Gibraltar Territorial Waters 11 and I still can't get an absolute clarity of that 12 meeting that I didn't know of the coordinates, 13 I wasn't shown a map at that meeting, let 14 alone on the Sunday. 15 Q. That was going to be my next question, 16 did anyone produce a map? 17 A. No. 18 Q. On the 9th? 19 A. No, they did not. 20 MR WAGNER: (To the witness): But I 21 think what you are saying is that the 22 important point --- the impression you got 23 from the meeting was that although the 24 collision was likely to have happened in 25 Spanish waters, some of the chase probably,</p> <p style="text-align: center;">Page 111</p>
<p>1 later or even weeks later, did you? 2 A. No, I accept that as well. 3 Q. On 9 March, this is the final bit of 4 summary, you were briefed again in person 5 and you now accept that the coordinates of 6 the collision must have been discussed, 7 certainly at a high level? 8 A. Yes. 9 THE CHAIRMAN: (To the witness): If that 10 is right, you would surely have asked what 11 the coordinates were? 12 A. I think by that time, because I was aware 13 that the collision, incident, the collision, had 14 happened inside Spanish waters, which was 15 my subsequent point, I didn't need to know 16 the exact coordinates. I just needed 17 confirmation, you know, that it had happened 18 inside Spanish waters 19 Q. Did you receive that confirmation? 20 A. I can't remember if I did but I think we 21 were all at that stage assuming that the 22 incident from my perspective was inside 23 Spanish waters. 24 Q. You were being cross-examined on that 25 brief note by Mr Richardson but where does</p> <p style="text-align: center;">Page 110</p>	<p>1 potentially or whatever it was, happened 2 inside British waters? 3 A. Yes, that was the view on the Monday. 4 Q. So at that point, that is where you were? 5 A. Yes. 6 Q. And that was the important information 7 from your perspective? It did not really 8 matter exactly where, it was the point that it 9 was in Spanish waters, the collision? 10 A. That is correct. 11 Q. I want to take you to the 3 June letter 12 because I want to show you what the concern 13 you had at the time as recorded in that letter 14 was, C4680, the paragraph that begins 15 "furthermore," so you can take it from me 16 that this is the most you articulated the 17 concern before Mr McGrail left office. I 18 know you did not really see this letter before 19 he sent the email in but this is at the time 20 what you said, you said, "I suspected at the 21 time of the immediate aftermath of the 22 incident that the CoP's disclosure of 23 information to me was evasive, in particular 24 in relation to the critical issue of whether or 25 not the incident had happened in BGTW." I</p> <p style="text-align: center;">Page 112</p>

<p>1 am sorry to sound like a broken record, but</p> <p>2 the incident there, you mean the collision? Is</p> <p>3 that fair?</p> <p>4 A. Yes, I can state now for the rest of this</p> <p>5 hearing that when I refer to the "incident," I</p> <p>6 mean the collision.</p> <p>7 Q. Yes, and I probably will not ask you</p> <p>8 again.</p> <p>9 A. Thank you.</p> <p>10 Q. We will just take it as read.</p> <p>11 A. Yes, take it as read.</p> <p>12 Q. "I know that when the CoP was telling</p> <p>13 me it was not clear where the incident had</p> <p>14 occurred," so just pausing there, is that you</p> <p>15 referring to the part of it in, part of it out</p> <p>16 comment?</p> <p>17 A. Yes.</p> <p>18 Q. So that is on the 8th?</p> <p>19 A. I mean I know now --- I should perhaps</p> <p>20 have put "now." It was not clear where the</p> <p>21 incident from my perspective is the collision</p> <p>22 ---</p> <p>23 Q. Yes, of course. Do not make me ask you</p> <p>24 again what you mean by "incident." He was</p> <p>25 informing the Chief Minister that the incident</p> <p style="text-align: center;">Page 113</p>	<p>1 off the runway of Santa Barbara beach." Do</p> <p>2 you accept that he does not refer to</p> <p>3 "incident"?</p> <p>4 A. Well, it's stated as fact, so, yes, I accept</p> <p>5 it.</p> <p>6 Q. He refers to "collision"?</p> <p>7 A. That is correct.</p> <p>8 Q. Do you accept that he does not say</p> <p>9 anything as clear, he says "the information</p> <p>10 suggests"?</p> <p>11 A. Well, I would read that, if I was the Chief</p> <p>12 Minister, as telling me that the collision took</p> <p>13 place outside BGTW.</p> <p>14 Q. But do you accept he does not say that, he</p> <p>15 says "the information suggests"?</p> <p>16 A. Yes, no, well, that his --- the WhatsApp</p> <p>17 is the WhatsApp.</p> <p>18 Q. That is a careful statement though,</p> <p>19 "information suggests" otherwise it would</p> <p>20 say "clear" or "sure" or something like that?</p> <p>21 A. Yes, I accept that.</p> <p>22 Q. If we go back to the June letter, please,</p> <p>23 which is C4680, this is your complaint at the</p> <p>24 time, this is what was in your mind about</p> <p>25 why you thought the Commissioner of</p> <p style="text-align: center;">Page 115</p>
<p>1 had indeed occurred outside BGTW. Now</p> <p>2 this I think relates to a text message that the</p> <p>3 Chief Minister was sent on the 8th. Is that</p> <p>4 what you recall?</p> <p>5 A. Yes.</p> <p>6 Q. So let us just go --- is it fair that the</p> <p>7 interpretation of that is that you thought Mr</p> <p>8 McGrail was telling you that the incident had</p> <p>9 occurred part in, part out, but was telling the</p> <p>10 Chief Minister that the incident had occurred</p> <p>11 outside BGTW? Is that your complaint?</p> <p>12 A. Yes.</p> <p>13 Q. And you thought that that is evidence of</p> <p>14 evasiveness because at the same very time as</p> <p>15 he is telling you that it is in and out ----</p> <p>16 A. Yes.</p> <p>17 Q. --- he is telling the Chief Minister that it</p> <p>18 is in?</p> <p>19 A. Yes.</p> <p>20 Q. Sorry, that it is out. Okay, so let us go to</p> <p>21 the text message at B1345 and this is</p> <p>22 Commissioner of Police to the CM at 0949</p> <p>23 hours on the 8th. CM, "The information</p> <p>24 suggests that the collision took place outside</p> <p>25 BGTW, approximately six nautical miles east</p> <p style="text-align: center;">Page 114</p>	<p>1 Police, not just had accidentally misled you,</p> <p>2 but had deliberately misled you, you say, "I</p> <p>3 know that when the CoP was telling me it</p> <p>4 was not clear where the incident had</p> <p>5 occurred, he was informing the Chief</p> <p>6 Minister that the incident had indeed</p> <p>7 occurred outside BGTW." Do you accept</p> <p>8 now the possibility that what you thought</p> <p>9 was evidence of evasiveness was actually</p> <p>10 evidence of a misunderstanding of when you</p> <p>11 asked about the incident and when he said to</p> <p>12 the Chief Minister, "The collision"?</p> <p>13 A. I accept the possibility. My view on it is</p> <p>14 slightly different and I think I may need just</p> <p>15 to --- I don't think and I think I said this</p> <p>16 yesterday, I did say I didn't know whether the</p> <p>17 lack of full disclosure was deliberate or an</p> <p>18 oversight.</p> <p>19 Q. You said you suspected that the</p> <p>20 disclosure of information was evasive, "I find</p> <p>21 this evasiveness on a key issue to</p> <p>22 demonstrate a total lack of respect to the</p> <p>23 office of Governor, particularly since the</p> <p>24 CoP knew that this was the crucial issue for</p> <p>25 me and for both the UK and Gibraltar</p> <p style="text-align: center;">Page 116</p>

29 (Pages 113 to 116)

<p>1 governments as far as diplomatic relations 2 with Spain were concerned." Do you accept 3 that this paragraph is a clear allegation that 4 he was being evasive? 5 A. Well, it is, that is --- yes. The issue I am 6 trying to suggest is --- whether it was 7 deliberate or oversight is not for me to 8 answer. 9 Q. You do not say, "I am not sure whether it 10 was deliberate or oversight." You say, "This 11 evasiveness on a key issue ..." you are 12 making an allegation that is very clear. Do 13 you accept that? 14 A. I believe there was evasiveness. Yes, I 15 accept that. 16 Q. But now, looking back and understanding 17 that what you were told about the incident, it 18 could be in, it could be out, and what the 19 Chief Minister was told about the collision 20 were two different things? 21 A. I can accept that interpretation. 22 Q. Is it fair to say that yesterday is the first 23 time in four years that you accepted 24 anywhere that it could have been in fact an 25 oversight rather than a deliberate</p> <p style="text-align: center;">Page 117</p>	<p>1 I remember and what I thought and I think 2 that a lot of it, some of it certainly comes 3 from my reporting to London. 4 Q. But this bit that says, "I find this 5 evasiveness on a key issue to demonstrate a 6 total lack of respect to the office of 7 Governor," I have read quite a lot of your 8 emails and you also said yesterday that you 9 are quite a temperate communicator and this 10 seems quite --- it is quite heavy language for 11 you. Is that your language? 12 A. The elements of it that it is --- because 13 what I found in writing my statements and 14 getting my evidence together, it brought up 15 that sort of --- I use the word "carefully." I 16 found that my passion and commitment to 17 make sure that I was absolutely clear and 18 precise --- 19 Q. Yes, but you were not looking back 20 absolutely clear or precise, were you? 21 A. On? 22 Q. Because there were reasonable alternative 23 scenarios to you being misled deliberately? 24 A. Which I said yesterday I have only really 25 now --- it has only really now come into my</p> <p style="text-align: center;">Page 119</p>
<p>1 concealment? 2 A. Yes. 3 Q. So you accept, first of all, that the reason 4 for the difference could have been an 5 oversight; is that fair? 6 A. It is a possibility. 7 Q. And now you also accept that your 8 interpretation, the sort of basic factual 9 understanding you had may have been 10 wrong? 11 A. I can see the point. I have to accept the 12 point. Perhaps Mr McGrail could have seen 13 it from my perspective as much as I could 14 have seen it from his. 15 Q. No, I do not think it is a matter of 16 perspective, it is just that you were talking 17 about different things? 18 A. We were talking about different things. 19 Q. In the heat of the moment, do you agree? 20 A. I don't think it was in the heat of the 21 moment. I think they were sort of careful, 22 considered briefings. 23 Q. Can I ask whether you wrote this 24 paragraph? 25 A. Most of it I think was --- I wrote out what</p> <p style="text-align: center;">Page 118</p>	<p>1 mind. 2 Q. All of this information and evidence was 3 available to you --- the evidence that I have 4 just taken you through was available to you 5 at the time, was it not? 6 A. Yes, but I have never explored the 7 difference in the word "incident." 8 Q. Did you do a thorough review of your 9 text messages and emails before writing this 10 letter? 11 A. Yes, I did. 12 Q. And you accepted at the beginning that 13 before you make an allegation of dishonesty 14 it has to be supported by solid evidence. Do 15 you remember agreeing to that? 16 A. Yes, I do. 17 Q. Do you agree, looking back now, and 18 understanding a bit more about the 19 communications and how they progressed 20 that there was no solid evidence that Mr 21 McGrail had been evasive, deliberately, 22 towards you? 23 A. No, I accept the word "deliberate," but on 24 the basis again of the different interpretation 25 or the word "incident."</p> <p style="text-align: center;">Page 120</p>

<p>1 Q. That is correct, but evasiveness is 2 deliberate? There is no --- I do not think you 3 can be accidentally evasive. You are saying 4 that he is dishonest? 5 A. Evasive, accidentally evasive? 6 Q. No. 7 A. No, I take the point on that. 8 Q. Just for clarity, you said that you wrote 9 some of this, did somebody else write other 10 bits of this paragraph? 11 A. No, but of course once I had written my 12 statement I would have gone into Sir Peter 13 Caruana's office and sat down and --- I think 14 I remember writing it out, handing it in and 15 of course the benefit or the purpose of 16 seeking legal advice is to perhaps --- 17 Q. I will not ask you about legal advice but 18 did the Chief Minister see this before it went 19 out? 20 A. No, he did not neither did I see his. 21 Q. Do you regret making this allegation of 22 dishonesty when there was a valid alternative 23 explanation of a misunderstanding? 24 A. I was very careful never to use the word 25 that Mr McGrail had lied to me.</p> <p style="text-align: center;">Page 121</p>	<p>1 Police, do you regret, just on this allegation, 2 making an allegation of dishonesty without 3 the evidence behind it being solid? 4 A. No, at the time I still --- and to this day I 5 still believe there were elements of 6 evasiveness on the Sunday in what Mr 7 McGrail told me. 8 Q. But not that you put in that paragraph? 9 A. No, no, I accept that. 10 Q. So do you accept that that paragraph was 11 insufficient to be the foundation of an 12 allegation of dishonesty on its own? 13 A. No, I still think that there were elements - 14 -- and I think we're going to just go back and 15 forth on this a little bit, there were elements 16 of evasiveness and a link of evasiveness, 17 dishonesty at the time. You asked me to, you 18 know, comment now today on this 19 paragraph. I wrote the paragraph at the time 20 and I would still write it if I was re-writing it. 21 I suspect I would still write it very much in 22 the same terms. 23 Q. You would not add anything else like, 24 "This could also have been a 25 misunderstanding"?</p> <p style="text-align: center;">Page 123</p>
<p>1 Q. Well, I am going to suggest to you that 2 that amounts to exactly the same thing; if you 3 are calling him evasive, it amounts to the 4 same thing? 5 A. No, evasive is withholding information 6 and not providing full information rather than 7 providing information that is not true. 8 Q. But do you agree that it is an allegation of 9 dishonesty? 10 A. There are elements of dishonesty in that, 11 yes. 12 Q. Do you regret making that allegation and 13 using it to found the removal of the 14 Commissioner of Police when there was an 15 alternative valid explanation which was 16 nothing to do with dishonesty? 17 A. No, no, I don't and I think I need to make 18 a point here that the evasiveness, lack of full 19 disclosure, is secondary to my point of losing 20 confidence in that, as I said yesterday, this 21 discussion around accountability for the loss 22 of life at sea. 23 Q. I am not asking you about that. I am 24 asking you about this allegation of 25 dishonesty against the Commissioner of</p> <p style="text-align: center;">Page 122</p>	<p>1 A. I would probably have added that now, 2 yes. 3 Q. Because it is a quite different allegation, 4 is it not? 5 A. No, I agree. 6 Q. B1351, please, two days later on 11 7 March, at 1858 hours, "Ian, good to hear 8 about progress, are we any clearer as to 9 where the collision took place?" Do you 10 accept that that is the first time in the text 11 messages or the emails - sorry, this is an 12 email - that you ask him specifically about 13 the collision? 14 A. Yes, it is. 15 Q. And then there is an email response eight 16 or nine minutes later, "Nic, we're getting 17 there and establishing coordinates where the 18 collision took place, tying up some loose 19 ends and probing further," and that is from 20 Windmill Hill, I think, "and should be able to 21 confirm soon. It is highly probable that it did 22 occur outside BGTW, we're getting it plotted, 23 will provide a better understanding in terms 24 of distance from BGTW." Do you accept 25 that when you asked him about the collision</p> <p style="text-align: center;">Page 124</p>

<p>1 specifically, he replied within nine minutes 2 saying that it was highly probable that it did 3 occur in BGTW, which was the information 4 available to him at the time? 5 A. Yes, I accept that. 6 Q. And then just to finish it off, on 12 March 7 you received an update by telephone from Mr 8 McGrail that the chase and collision as in the 9 entire incident from his perspective took 10 place in Spanish waters. Is that right? 11 A. As I said yesterday I don't remember the 12 details of the call but I don't doubt Mr 13 McGrail's word on that. 14 Q. You have never offered a potential 15 motive for Mr McGrail misleading you, have 16 you? 17 A. No. 18 Q. And you have never provided any 19 evidence to the Inquiry that you had 20 complained about Mr McGrail being evasive 21 or dishonest before May 2020, have you? 22 A. No. 23 Q. You have never provided any evidence 24 that you raised any concerns about his 25 honesty, have you?</p> <p style="text-align: center;">Page 125</p>	<p>1 BGTW. 2 Q. Did Mr McGrail --- did he pilot that boat? 3 A. No, he didn't. 4 Q. No. 5 A. I am just giving you another example of 6 where in answering the question, if some of it 7 goes through my mind, but events happened. 8 Q. It did not just go through your mind, you 9 used it as one of the reasons why the 10 Commissioner of Police had to be removed? 11 A. As I have stated, I did believe that he was 12 evasive. 13 Q. You have already said that you did a 14 thorough review of your WhatsApp messages 15 and your emails before you put to writing 16 that the Commissioner of Police had been 17 evasive, is that correct? 18 A. Yes. 19 Q. But you knew that the Chief Minister was 20 making a section 15 request, did you not? 21 A. Yes, I did. 22 Q. Did you wait to see the response before 23 accusing Mr McGrail of evasiveness? 24 A. I think I had already made my mind up 25 that there were elements of evasiveness in Mr</p> <p style="text-align: center;">Page 127</p>
<p>1 A. No. 2 Q. You have not provided any evidence to 3 this Inquiry of anyone else complaining 4 before 14 May about Mr McGrail being 5 evasive or dishonest. Is that fair? 6 A. No. Yes, it's fair. 7 Q. So you had no evidence before you made 8 this serious allegation of dishonesty, of past 9 dishonesty in your dealings with Mr McGrail 10 or anyone else. Is that fair? 11 A. That's fair, yes. 12 Q. Did it never concern you that you could 13 not even think of a motive why the 14 Commissioner of Police of 35 years' standing 15 as a police officer would deliberately conceal 16 information like that from you? 17 A. Could you just repeat the first part of that 18 question? 19 Q. It was a long question. Did it not concern 20 you that you could not even think of a motive 21 as to why the Commissioner of Police would 22 conceal information deliberately from you? 23 A. I think there was a concern, and certainly 24 a worry --- it's a bit like the incident at sea, I 25 couldn't quite understand why they left</p> <p style="text-align: center;">Page 126</p>	<p>1 McGrail's approach. 2 Q. You had already made your mind up? 3 A. Yes. 4 Q. If we can just go to B1441, at 1215, this 5 is on 19 May, Deputy Governor mobile, "I 6 am sure or hopes that CoP has done his own 7 internal investigation and, therefore, has an 8 internal report." Just pausing there, on a 9 slightly different topic, did you know at that 10 stage that the Commissioner had called in the 11 Metropolitan Police to independently 12 investigate the incident at sea? 13 A. Yes. As I said yesterday or earlier, 14 because I helped facilitate that. 15 Q. Did you not realise that the police cannot 16 do their own internal investigation because 17 the Metropolitan Police are doing the 18 independent investigation? 19 A. I don't think the two are mutually 20 exclusive and perhaps investigation, an 21 internal report, record, analysis, thinking as 22 to what caused the incident. 23 Q. You say that you could ask (inaudible) on 24 the basis of the claim being filed, was a peg, 25 wait until Friday to see what Joey comes up</p> <p style="text-align: center;">Page 128</p>

32 (Pages 125 to 128)

<p>1 with, slight preference to leave this with the 2 GPA, so you were willing at that stage for 3 Mr McGrail to be forced to retire before even 4 finding out the true position in relation to the 5 allegation of dishonesty? 6 A. No, I don't see the connection with that -- 7 - can you explain? 8 Q. Because the whole point of the section 15 9 report was that you were worried you had not 10 been given enough information? 11 A. That's correct. 12 Q. But you did not wait for the section 15 13 report before striking out and saying, 14 "You've been dishonest with me"? 15 A. I can see the point but I still believe that 16 at the time, on the evidence I had and nothing 17 subsequently would change my mind that 18 there were elements of Mr McGrail 19 withholding information for whatever reason. 20 Q. I just want to show you the other places 21 you made the allegation, C3991, this is the 22 note of the meeting with Joey Britto, the 23 Chief Minister drafted this note. Is that 24 correct? 25 A. Yes, he did.</p> <p style="text-align: center;">Page 129</p>	<p>1 accusation, lacking in probity and integrity? 2 A. Yes, I do. The note of the meeting 3 doesn't reflect the full discussion we had with 4 Dr Britto. 5 Q. But you approved the note? 6 A. Yes. 7 Q. And this was the note that was going to 8 found the discussions at the GPA which you 9 hoped would be the end of the matter? 10 A. That is correct --- the start of the matter, 11 the start of the process. 12 Q. The start of the matter but then you spoke 13 quite a bit yesterday about how you thought 14 that Mr McGrail would have an opportunity 15 to respond? 16 A. That is correct. 17 Q. To what? 18 A. To the questions that the GPA would put 19 to him. 20 Q. But how would they put a question about 21 this very serious allegation of dishonesty 22 without it being particularised? 23 A. So I suspected at the time that Dr Britto 24 might have come back and asked for that, 25 although we did go through in the meeting ---</p> <p style="text-align: center;">Page 131</p>
<p>1 Q. And you did not make any amendments 2 to it? 3 A. I think I did minor --- 4 Q. Some typographical amendments? 5 A. Minor grammatical amendments rather 6 than the substance of it. 7 Q. But no substance. 8 A. But I did read it through. 9 Q. In the first paragraph on that page, "Both, 10 being the Governor and the Chief Minister, 11 feel that their respective dealings with the 12 Commissioner of Police have left them with 13 the sense that he is lacking in both probity 14 and integrity in his dealings with them." Do 15 you agree that that is an allegation of 16 dishonesty if someone lacks probity? 17 A. Yes. 18 Q. You said earlier that when an allegation 19 of dishonesty is made, it is particularly 20 important to set out what the allegation is. 21 Do you remember that? 22 A. I do. 23 Q. Do you agree that in this document there 24 is no information at all about what the 25 allegation is? It simply makes a bold</p> <p style="text-align: center;">Page 130</p>	<p>1 - 2 Q. You suspected that he would come back 3 and ask? 4 A. I am thinking now as opposed to then. 5 Q. You are thinking now? 6 A. Yes. 7 THE CHAIRMAN: (To the witness): That 8 is not the sort of question that Dr Britto asks, 9 though, is it? 10 A. No, but I think I am certain in my mind 11 that I explained to him why I felt that it had 12 been misled. 13 MR WAGNER: (To the witness): But you 14 approved this note? 15 A. Yes, I know, I accept --- 16 Q. This is a very serious process, you are 17 moving the Commissioner of Police, so do 18 you not agree that that should have been 19 particularised? 20 A. I can now see with hindsight that the note 21 should have been a full reflection of the 22 discussion. Thinking back now, I think 23 maybe we could have even done a transcript 24 of it. 25 Q. Do you agree from a procedural</p> <p style="text-align: center;">Page 132</p>

<p>1 perspective making an allegation of 2 dishonesty and not particularising it is, for 3 want of a better expression, abject? 4 A. It is less than perfect. 5 Q. Well, it is abject, is it not? 6 A. No, I wouldn't go that far. 7 Q. It is a breach of natural justice, is it not, 8 to make such a serious allegation without 9 saying what is behind it? What could be 10 more abject than that? 11 A. I accept the point. 12 Q. A1443 now, please, this is to show you 13 that at 2039 Fabian Picardo emails you 14 something and he says, "Nic, per the letter 15 Joey is sending to the Commissioner, he's 16 drafted it from our notes. He asked me to 17 read it over and confirm it sets out the 18 position re communications accurately. I felt 19 it did." You do not respond directly but did 20 you read that letter? It is the ---- 21 THE CHAIRMAN: This is the second letter. 22 MR WAGNER: It is the more detailed --- it 23 must be, yes, the more detailed 22 May letter. 24 (To the witness): Did you read it when he 25 sent it to you?</p> <p style="text-align: center;">Page 133</p>	<p>1 incident," and then it says, "Additionally, the 2 Governor expressed the view that he feels he 3 has been misled by you about this most 4 serious incident which has resulted in loss of 5 life." Does that set out a second opportunity 6 --- does that set out any particulars of why 7 you are saying that the Commissioner misled 8 you? 9 A. No, it doesn't. 10 Q. Is that an allegation of dishonesty? 11 A. Yes, 12 Q. Do you accept that the allegation of 13 dishonesty was not particularised? 14 A. Yes. 15 Q. Do you accept it should have been? 16 A. Yes. 17 Q. Do you accept that this part of the process 18 in terms of the allegation of dishonesty is 19 also for the same reasons abject? 20 A. With the same --- yes, I can argue about 21 the word "abject" but I won't. 22 THE CHAIRMAN: I think the word "abject" 23 is probably best avoided. 24 MR WAGNER: It is what, sorry? 25 THE CHAIRMAN: I think it is not helpful</p> <p style="text-align: center;">Page 135</p>
<p>1 A. Yes, of course I would have done. 2 Q. So B1365, this is your direct 3 communication, this is not the note to the 4 GPA, this is a letter that is going directly to 5 Mr McGrail, end of the third paragraph, who 6 wrote those yellow bits? I will tell you that it 7 is the Chief Minister? 8 A. Yes, it is the Chief Minister because I 9 don't remember writing it. 10 Q. No, no, so he wrote them and here we 11 have at the very end, "Additionally, the 12 Governor expressed the view that he feels he 13 has been misled by you about this most 14 serious incident which has resulted in loss of 15 life." 16 THE CHAIRMAN: I am sorry, where are 17 you reading from? 18 MR WAGNER: The final line of that 19 paragraph. 20 THE CHAIRMAN: Okay, thank you. 21 MR WAGNER: (To the witness): So he 22 explains about the incident, the Chief 23 Minister says, "He has no confidence in you 24 having been provided with information 25 expeditiously about this very serious</p> <p style="text-align: center;">Page 134</p>	<p>1 using the word "abject." 2 MR WAGNER: (To the witness): Would 3 you agree that it is not fit for purpose? 4 A. Suboptimal. 5 Q. I am not going to ask --- I think 6 suboptimal is a bit of a fudge. Would you 7 agree that it is not fit for purpose? You 8 cannot make an allegation of dishonesty 9 without setting out the particulars in a 10 disciplinary process? 11 A. This was the beginning of a disciplinary 12 process. 13 Q. Do you agree that if this is going to be it - 14 --- 15 A. This was not fit for purpose. 16 Q. --- that it was not fit for purpose? I am 17 asking if this is going to be it, there is going 18 to be no further allegations, there is no 19 further particularisation, is this fit for purpose 20 as a process? 21 A. If this was going to be it, then I accept 22 that more information should have been 23 provided or explanation. 24 Q. Do you accept that it is not fit for 25 purpose?</p> <p style="text-align: center;">Page 136</p>

34 (Pages 133 to 136)

<p>1 A. I can accept that, yes. 2 Q. Now B1251, this is the section 15 request 3 which went out the evening before, I think, 4 with a seven day deadline, and at the bottom 5 of the page, did you see this before --- I 6 cannot remember whether you said you did 7 or you did not see it? The request, did you 8 see the request? 9 A. I don't think I did. 10 Q. The Chief Minister says, "I have no 11 confidence that either the Government or the 12 office of Governor with whom I have 13 discussed this matter at length have had the 14 timely candour and transparency we would 15 have expected from you in the circumstances 16 arising in respect of the incident." Do you 17 agree that that, accusing the Commissioner of 18 Police of a lack of candour, is an allegation 19 of dishonesty? 20 A. Yes. 21 Q. And do you agree that it is not 22 particularised? You can go a bit further 23 down to see that it is not? 24 A. Yes, it is not particularised. 25 Q. Do you know who drafted this letter?</p> <p style="text-align: center;">Page 137</p>	<p>1 been? 2 A. Yes, with hindsight. 3 Q. Would it not have been obvious to you at 4 the time? You were a very, very experienced 5 senior diplomat? How could you not know 6 that you have to set out the particulars of 7 allegations of dishonesty when you are 8 making them? 9 A. I can't quite answer that. I can claim various things but at the time I thought that that was enough, and what I said yesterday, to start a process where the positions of all sides would be further explored. 12 THE CHAIRMAN: (To the witness): Of 13 course the letter of the 22nd was not starting 14 the process at all? That was after the GPA 15 meeting, was it not? 16 A. Yes, it was trying to --- yes, that is a fair point, Mr Chairman. 19 MR WAGNER: (To the witness): You said 20 today in your defence that by the time you 21 got to June you had the letter from Mr 22 Gomez setting out very clearly Mr McGrail's 23 position. Do you remember saying that? 24 A. I do. 25</p> <p style="text-align: center;">Page 139</p>
<p>1 A. No. I assume it was the Chief Minister perhaps with help from the Attorney General. It is not for me to make assumptions. 2 Q. Do you agree that all of those three 3 documents I have shown you were all at least 4 in part drafted by the Chief Minister? 5 A. Yes. 6 Q. And do you agree that none was drafted 7 by you? 8 A. Yes. 9 Q. Do you agree that that is not quite 55/45, 10 it is rather 100/0 in terms of who is taking the 11 lead of setting out the particulars of the 12 allegations? 13 A. Yes. 14 Q. Do you agree? 15 A. Yes, I was happy for the Chief Minister to take the lead on that. 17 Q. And do you accept that nowhere in any of 18 those three documents were the serious 19 allegations of dishonesty you were making 20 supported by any evidence of 21 particularisation at all? 22 A. I accept that. 23 Q. And do you accept that they should have 24 25</p> <p style="text-align: center;">Page 138</p>	<p>1 Q. But do you accept now that there was no 2 way it could set out the position on the 3 allegation of dishonesty because Mr 4 McGrail, as he pointed out in the letter, did 5 not know what the particulars were? 6 A. I accept that. 7 Q. You have criticised the GPA processes 8 for the recruitment of the Commissioner and 9 for the investigation of the airport incident, 10 have you not? 11 A. Yes, I have. 12 Q. Your criticism of the airport incident 13 report is that they should have heard from 14 both sides. Is that fair? 15 A. It is. 16 Q. Do you agree that it is just as bad to make 17 allegations in a process that is going to 18 potentially lead to the removal of the 19 Commissioner of Police without giving him 20 an opportunity to respond? 21 A. I expected the Commissioner of Police to be given the opportunity to respond. 23 Q. I am not asking you whether you 24 expected that, I am asking you if it is just as 25 bad to not give him the opportunity to</p> <p style="text-align: center;">Page 140</p>

35 (Pages 137 to 140)

<p>1 respond?</p> <p>2 THE CHAIRMAN: I am not sure that the</p> <p>3 comparison is a very good one because it</p> <p>4 seems to me to be far worse.</p> <p>5 MR WAGNER: I am sorry. I will not take it</p> <p>6 any further than the chair is taking it. (To the</p> <p>7 witness): No, in fact I will ask you the</p> <p>8 question, do you believe ----</p> <p>9 THE CHAIRMAN: Was the comparison of</p> <p>10 the airport incident and this far worse?</p> <p>11 MR WAGNER: Yes. (To the witness): Do</p> <p>12 you agree with the chairman that in</p> <p>13 effectively a disciplinary process, it is much</p> <p>14 worse to not give the person being</p> <p>15 disciplined any sight of what they are being</p> <p>16 disciplined for in relation to dishonesty?</p> <p>17 A. I can agree with that.</p> <p>18 MR WAGNER: Sir, it is five to one and I</p> <p>19 was about to start a new section.</p> <p>20 THE CHAIRMAN: No, I entirely agree. I</p> <p>21 am only asking for information but when do</p> <p>22 you anticipate or when do you hope to</p> <p>23 finish?</p> <p>24 MR WAGNER: I have got two and three</p> <p>25 quarter hours and I have done I think an hour</p> <p style="text-align: center;">Page 141</p>	<p>1 have some fun, Miami Vice style." That was</p> <p>2 your evidence yesterday. The "Miami Vice"</p> <p>3 comment arose during a conversation with</p> <p>4 the Attorney General, did he agree with you?</p> <p>5 A. No, I don't think he did. It was a</p> <p>6 comment I made as we were leaving, and he</p> <p>7 was going his way and I was going my way.</p> <p>8 Q. Did he say: Nick, that's outrageous, how</p> <p>9 could you say such a thing?</p> <p>10 A. No, it was -- and I don't mean to belittle</p> <p>11 it, and I have to say that, you know, I have</p> <p>12 admiration for the many decent people in the</p> <p>13 RGP. So I apologise if that's causing offence,</p> <p>14 but it was my parting comment to the</p> <p>15 Attorney General.</p> <p>16 Q. If you've got admiration for the many</p> <p>17 decent people in the RGP, why consistently</p> <p>18 refer to them as "The Sweeney", "Life on</p> <p>19 Mars", "Miami Vice"? All TV programs that</p> <p>20 involve corrupt coppers.</p> <p>21 A. No, that's not strictly true. I don't think</p> <p>22 Miami Vice and the Sweeney does involve</p> <p>23 corrupt coppers. But, you know -- and I</p> <p>24 don't think I did it -- was your word</p> <p>25 repeatedly, or consistently?</p> <p style="text-align: center;">Page 143</p>
<p>1 and 20, so ----</p> <p>2 THE CHAIRMAN: Will we finish at quarter</p> <p>3 past three?</p> <p>4 MR WAGNER: Yes, so if we stop --- I have</p> <p>5 not done the maths, to be honest, but ----</p> <p>6 THE CHAIRMAN: No, but ----</p> <p>7 MR WAGNER: Whatever I have got left, I</p> <p>8 will take and I will stop.</p> <p>9 THE CHAIRMAN: You are okay for time,</p> <p>10 are you, Sir Peter?</p> <p>11 SIR PETER CARUANA: Yes.</p> <p>12 THE CHAIRMAN: It will be an hour?</p> <p>13 SIR PETER CARUANA: I asked for that.</p> <p>14 THE CHAIRMAN: Okay, that is fine.</p> <p>15 (12.55)</p> <p>16 (The short adjournment)</p> <p>17 (13.57)</p> <p>18 THE CHAIRMAN: Yes.</p> <p>19 Q. An hour and 20 left sir, according to the</p> <p>20 oracles of timing, and I will stick to it. "what</p> <p>21 I do remember about the dinner is a comment</p> <p>22 I made to the Attorney General as we were</p> <p>23 leaving, which was my opinion that 24 suspect activity was reported by the 25 RGP decided to go and have a look and</p> <p style="text-align: center;">Page 142</p>	<p>1 Q. Well you've done it in your Inquiry</p> <p>2 evidence, and you did it in your oral</p> <p>3 evidence.</p> <p>4 A. Yes, because it's in my evidence. So</p> <p>5 that's twice, I don't think that's repetitive.</p> <p>6 Q. Did you at the time have a contemptuous</p> <p>7 attitude towards the Royal Gibraltar Police?</p> <p>8 A. Not at all.</p> <p>9 Q. Was your attitude towards the Royal</p> <p>10 Gibraltar Police based on rumours, anecdotes</p> <p>11 and golf-course chatter?</p> <p>12 A. Not at all?</p> <p>13 Q. It was not based on those things?</p> <p>14 A. No.</p> <p>15 Q. But, you said in your evidence that that is</p> <p>16 where you heard quite a lot of rumours,</p> <p>17 anecdotes and chatter?</p> <p>18 A. And, my evidence also states that I</p> <p>19 dismissed that.</p> <p>20 Q. I am not sure it does state that you</p> <p>21 dismissed it.</p> <p>22 A. I will --</p> <p>23 Q. Actually. (?)</p> <p>24 A. I didn't catch (?) you on it.</p> <p>25 Q. I will come back to it, but I do not think it</p> <p style="text-align: center;">Page 144</p>

36 (Pages 141 to 144)

<p>1 does say that you dismissed it.</p> <p>2 A. Well, can I just say that there are</p> <p>3 examples I could have put in where I worked</p> <p>4 extremely collaboratively with the RGP, for</p> <p>5 instance in providing funding from the FCO</p> <p>6 and helping them meet deadlines on that for -</p> <p>7 - I think one of them was providing kennels</p> <p>8 for the dogs, and training. We had a fund of</p> <p>9 money that I had oversight of, and I worked</p> <p>10 very closed with current Commissioner</p> <p>11 Ullger on using that money effectively.</p> <p>12 Q. Yes, so in relation to the rumours of bad</p> <p>13 practice you said, "They nevertheless</p> <p>14 contributed to my growing sense of unease."</p> <p>15 And then you were asked about that in your</p> <p>16 statement, you said, "there were numerous</p> <p>17 reports on social media; there were numerous</p> <p>18 media reports; it would be talked about on</p> <p>19 the golf course, in the bars and in the</p> <p>20 restaurants with people I was engaging with."</p> <p>21 So they contributed to your unease, you did</p> <p>22 not discount them.</p> <p>23 A. Well as I said: I can't unread what I read,</p> <p>24 and I can't unhear what I heard.</p> <p>25 Q. Yes, but you can check whether it is true</p> <p style="text-align: center;">Page 145</p>	<p>1 that you were prejudiced in some way against</p> <p>2 the RGP?</p> <p>3 A. I don't think I am or was prejudiced</p> <p>4 towards the RGP.</p> <p>5 Q. You said this morning that you thought</p> <p>6 there might have been greater acceptance and</p> <p>7 accountability from the head of the</p> <p>8 organisation if they (as in, the people who</p> <p>9 had died) had been Gibraltarian. I just want</p> <p>10 to be very clear about what you are alleging.</p> <p>11 When you say, "the head of the</p> <p>12 organisation", do you mean Ian McGrail?</p> <p>13 A. Yes, as Commissioner of Police at the</p> <p>14 time.</p> <p>15 Q. Yes. Are you alleging that Ian McGrail</p> <p>16 discriminates against non-Gibraltarians?</p> <p>17 A. No.</p> <p>18 Q. Well, you said there would have been</p> <p>19 "greater acceptance of accountability for the</p> <p>20 head of the organisation" if they had been</p> <p>21 Gibraltarians, so what else do you mean?</p> <p>22 A. So I think -- I mean, I think this has been</p> <p>23 mentioned before and it's not right to</p> <p>24 compare, but if an incident of such</p> <p>25 magnitude with such tragic consequences had</p> <p style="text-align: center;">Page 147</p>
<p>1 or not, can you not?</p> <p>2 A. Yes, yeah, absolutely.</p> <p>3 Q. But you did not.</p> <p>4 A. I think to some degree when the surveys</p> <p>5 and Federation survey came out that, as I</p> <p>6 said, on their own they were, you know, quite</p> <p>7 minor. And, you know, it was only as I was</p> <p>8 trying to bring my thought process together</p> <p>9 that they came back.</p> <p>10 Q. On the evening of 8 March, when you</p> <p>11 had dinner with the Attorney General, did</p> <p>12 you know the details about how the incident</p> <p>13 at sea had occurred?</p> <p>14 A. No, I didn't.</p> <p>15 Q. No, but your instant reaction was: I think</p> <p>16 they were out for fun, like the officers from</p> <p>17 Miami Vice.</p> <p>18 A. I think the second part of the incident, to</p> <p>19 use the Commissioner of Police's reference to</p> <p>20 what an incident is, was perhaps driven by --</p> <p>21 because I can't explain it.</p> <p>22 Q. Yes, but you could not explain it, you had</p> <p>23 no evidence either way, but your immediate</p> <p>24 reaction was: they were out for "some fun,</p> <p>25 Miami Vice style." Does that not suggest</p> <p style="text-align: center;">Page 146</p>	<p>1 happened in the UK, I suspect that the</p> <p>2 acceptance of responsibility and</p> <p>3 consequences from that by the head of the</p> <p>4 organisation may have caused them to reflect</p> <p>5 on whether their position was tenable.</p> <p>6 Q. I am sorry, that is a different point. That</p> <p>7 is about it being in a different country. You</p> <p>8 said you thought there would have been</p> <p>9 "greater acceptance of accountability for the</p> <p>10 head of the organisation", Mr McGrail, if the</p> <p>11 people who had died had been Gibraltarian.</p> <p>12 Are you alleging that Mr McGrail</p> <p>13 discriminates against non-Gibraltarians?</p> <p>14 A. No, I'm not, and I apologise if I didn't get</p> <p>15 that quite right. What I'm saying is: I think</p> <p>16 there would have been a public outcry, there</p> <p>17 would have been pressure, people would</p> <p>18 have wanted accountability. And my point</p> <p>19 is: I don't believe that to this stage there has</p> <p>20 been accountability.</p> <p>21 Q. Would you agree that what you said this</p> <p>22 morning was a baseless and inflammatory</p> <p>23 slur on Mr McGrail?</p> <p>24 A. This is not about Mr McGrail, this is</p> <p>25 about an organisation --</p> <p style="text-align: center;">Page 148</p>

37 (Pages 145 to 148)

<p>1 Q. That comment was about Mr McGrail. 2 A. No, it was about accountability. I don't 3 believe I mentioned Mr McGrail by name. I 4 stand to be corrected. 5 Q. Well, was your allegation against Mr 6 Ullger? 7 A. No, it's about the accountability, as the -- 8 as I think I said, is -- you know, the leader 9 has to be -- is accountable for the actions of 10 the people below them. 11 Q. Was that attitude towards Mr McGrail on 12 your mind when you were deciding to 13 remove him from office? 14 A. No, I don't think it was. 15 Q. So, you have -- 16 A. So -- 17 Q. -- come up with it now? 18 A. -- there was the element of accountability, 19 there was an element of evasiveness, there's 20 the element of the incident at sea and the 21 seriousness of it. 22 Q. Yes. Well, I am not going to propose to 23 you that the incident at sea was not serious. 24 What was one of the first things the 25 Commissioner of Police did after the incident</p> <p style="text-align: center;">Page 149</p>	<p>1 much of him, and when the opportunity arose 2 to remove him you took it? 3 A. No, and I resent that suggestion. 4 Q. And, is it fair to say that by contrast you 5 had a high opinion of Fabian Picardo? 6 A. I have a high for the Chief Minister. 7 Q. You trusted him implicitly at the time, did 8 you not? 9 A. Yes, I do. Still do. 10 Q. And when he came to you and suggested 11 it was time to remove the Commissioner, you 12 were a wide-open door, were you not? 13 A. I was. 14 Q. In fact, you say at paragraph 26.5, at 15 A256, "now I've got that off my chest, what 16 is on your mind?" I state that as I was 17 without doubt both frustrated and deeply 18 annoyed. I was as close to anger as I have 19 been. The Chief Minister told me that he 20 shared my concerns". And I think yesterday 21 you said you were close to anger, there was 22 an element of outpouring? 23 A. Yes, from me. 24 Q. I just want to ask you about the incident 25 at sea itself, and on the premise that I am not</p> <p style="text-align: center;">Page 151</p>
<p>1 happened, in terms of investigations? 2 A. I think he recognised that he needed help 3 from the UK authorities. 4 Q. Well, he requested help -- 5 A. I think he had -- I think he had no option. 6 Q. -- in an independent investigation from 7 the Metropolitan Police, did he not? 8 A. Yes, I suggest there was no option to that; 9 I was expecting that. 10 Q. Is that the action of somebody who was 11 avoiding accountability? Bringing in an 12 independent police force to investigate. 13 A. No. 14 Q. Would you have wanted him to do 15 anything different, in terms of achieving 16 accountability when the incident happened? 17 A. No. 18 Q. Did you wait for that report before taking 19 steps to remove the Commissioner from 20 office? 21 A. No. 22 Q. Is it fair to say that you were prejudiced 23 against Mr McGrail at that time? 24 A. No, it -- yes, it is unfair to say that. 25 Q. Is it fair to say that you never thought</p> <p style="text-align: center;">Page 150</p>	<p>1 at all asking you to say it was not serious. 2 Was Mr McGrail involved directly in the 3 incident at sea? 4 A. No. 5 Q. Was he piloting the vessels? 6 A. No. 7 Q. Did he order the officers to take those 8 vessels out? 9 A. No. 10 Q. Did he know about the incident when it 11 happened? 12 A. No. 13 Q. Did he condone the incident to you, or 14 the officers' behaviour? 15 A. No. 16 Q. Was there an independent process to 17 ascertain the facts and assign blame? 18 A. Fault, yes, yes, fault. 19 Q. Blame, fault; same thing. Did you know 20 in May and June 2020 that the Metropolitan 21 Police were independently investigating the 22 incident at sea? 23 A. Yes, I did. 24 Q. And, you knew that they had been asked 25 to investigate any faults from the</p> <p style="text-align: center;">Page 152</p>

38 (Pages 149 to 152)

<p>1 organisation?</p> <p>2 A. Yes, I did.</p> <p>3 Q. And, they had not reported by the time</p> <p>4 you decided you had lost confidence in Mr</p> <p>5 McGrail.</p> <p>6 A. The final report had not been published.</p> <p>7 Q. No, no, they had not reported. Well I will</p> <p>8 take you: B1445, please. 28 May, 16.50.</p> <p>9 This is a conversation between you and</p> <p>10 Fabian Picardo. "Ian has sent me the factual</p> <p>11 report I asked for, I've tried to download it</p> <p>12 but can't. I'll try (?) to forward it to you, not</p> <p>13 getting through. Very strange. And I think</p> <p>14 no Met report, unless it's part of their</p> <p>15 response and in the same document." Just to</p> <p>16 pause there, you were hoping to receive some</p> <p>17 sort of version of the Met report, were you</p> <p>18 not, at that stage.</p> <p>19 A. Yes, I was.</p> <p>20 Q. You replied, "There's no Met report, more</p> <p>21 a record of some actions taken and not of</p> <p>22 what more is needed. Not particularly</p> <p>23 satisfactory. I'll forward what I", something,</p> <p>24 "but I've not studied in depth. End of year</p> <p>25 audit deadlines tomorrow", and sign off so</p> <p style="text-align: center;">Page 153</p>	<p>1 A. I held him accountable.</p> <p>2 Q. Held him accountable for an incident that</p> <p>3 you did not have an understanding of what</p> <p>4 happened.</p> <p>5 A. I think by that time I had a pretty clear</p> <p>6 understanding of what happened.</p> <p>7 Q. Does that not just fit with your general</p> <p>8 slipshod and rushed approach to this process?</p> <p>9 A. No.</p> <p>10 Q. If you can go to C6238. This is part of</p> <p>11 the independent report by Detective</p> <p>12 Superintendent Gary Smith, it was received</p> <p>13 quite a lot later. Did you ever see this report?</p> <p>14 A. I think only when it was... I can't</p> <p>15 remember, I can't recollect.</p> <p>16 Q. Yes.</p> <p>17 A. I do remember seeing it, but I can't</p> <p>18 recollect when.</p> <p>19 Q. Were you aware that there were</p> <p>20 recommended misconduct charges in respect</p> <p>21 of two officers for disobeying standing</p> <p>22 orders?</p> <p>23 A. Yes.</p> <p>24 Q. Do you not think that if you had waited</p> <p>25 for this report you would have had an</p> <p style="text-align: center;">Page 155</p>
<p>1 that is "PUS". So, you accept there was no</p> <p>2 Met report on 28 May, or indeed at any time</p> <p>3 before Mr McGrail left post?</p> <p>4 A. Correct.</p> <p>5 Q. And, you knew by 28 May that there</p> <p>6 would be no Met report.</p> <p>7 A. Correct.</p> <p>8 Q. But, you were demanding the</p> <p>9 Commissioner of Police be removed on the</p> <p>10 basis of the incident at sea.</p> <p>11 A. Incorrect.</p> <p>12 Q. But was the incident at sea not one of the</p> <p>13 major reasons that you cited for your loss of</p> <p>14 confidence?</p> <p>15 A. Yes, but it again goes back to the GPA</p> <p>16 process, which I know by then had fallen</p> <p>17 down. But the, you know, the reason there</p> <p>18 was no Met report is they could not stay to</p> <p>19 continue a lot of their investigation, so they</p> <p>20 had to leave because of the Covid situation.</p> <p>21 Q. But, they had not said that they were not</p> <p>22 going to report?</p> <p>23 A. No, correct.</p> <p>24 Q. But you still blamed the Commissioner of</p> <p>25 Police, before you knew who was to blame.</p> <p style="text-align: center;">Page 154</p>	<p>1 understanding of where to pin the blame, and</p> <p>2 particularly whether it was justified to use as</p> <p>3 a reason to remove the Commissioner of</p> <p>4 Police?</p> <p>5 A. Could you repeat the question part of</p> <p>6 that?</p> <p>7 Q. Sorry.</p> <p>8 A. The first -- just the first.</p> <p>9 Q. Do you agree that if you had waited for</p> <p>10 this report you would have been able to</p> <p>11 assign blame appropriately, rather than</p> <p>12 rushing to use the incident at sea to remove</p> <p>13 the Commissioner of Police?</p> <p>14 A. No, I don't agree.</p> <p>15 Q. I want to take you to B1777 please, and I</p> <p>16 am moving on to the process. Bottom</p> <p>17 paragraph -- sorry, if you just go to the top,</p> <p>18 sorry. Just to show you that this is an email</p> <p>19 from you to your superiors on Thursday 21</p> <p>20 May, 17.57. If we can go to the bottom</p> <p>21 paragraph, now. This is you describing the</p> <p>22 meeting that you and the Chief Minister have</p> <p>23 on the 15th. "The Chief Minister was visibly</p> <p>24 angry during our meeting on Friday, and is</p> <p>25 clearly worried at the political, financial and</p> <p style="text-align: center;">Page 156</p>

39 (Pages 153 to 156)

<p>1 sovereignty damage the fatal collision 2 incident could do to Gibraltar. Invoking 3 Governor's powers will not go down well, 4 and is likely to provoke a backlash. The CM 5 and I recognise the difficulties that lie ahead, 6 and have agreed we must be completely as 7 one on this. The Police Act was carefully 8 written shortly after the Constitution was 9 revised and gives us each powers with some 10 overlap, but I agree with the CM and it's 11 important we are seen to be as one on this 12 issue." What did you mean by "completely 13 as one"?</p> <p>14 A. Well, I think given that we'd both lost 15 confidence the important thing was to ensure 16 that that position was maintained, and that 17 everything we did was in accordance with the 18 process, moving it on to the GPA, etc, etc. 19 But that we, in our wish to see a change our 20 leadership, that we were as one on that. 21 That's what the issue on this issue is.</p> <p>22 Q. So by this point, really, on the 15th, you 23 decided on the outcome you both wanted and 24 you decided you would act as one. Is that 25 fair to say?</p> <p style="text-align: center;">Page 157</p>	<p>1 small team, I didn't have a massive team 2 behind me, I think because of Covid there 3 was no extra support sent out by London. So 4 in terms of (and I apologise, this is a longer 5 answer than I intended) to be seen as one also 6 meant ensuring that, you know, the 7 separation of responsibilities, we were both 8 clear with what we were going to do. And 9 therefore, in exception because of the reasons 10 I've just started, who actually took the lead 11 was a decision we take at the time. One final 12 point, if I may: this is an example of where I 13 would have pulled together notes from 14 WhatsApps in my little book, etc, etc, and 15 sent it to London. I believe this was a 16 Thursday and I know that on the Wednesday, 17 in our weekly meeting with London I'd fully 18 briefed them. I didn't say this in this email, 19 but that email would have -- I suspect would 20 have also been at the request of London, to 21 set this all out in writing. And, what is there 22 gave the very large team we have in London 23 the opportunity to come back and challenge, 24 which they did not.</p> <p>25 Q. Do you agree the Gibraltar Constitution</p> <p style="text-align: center;">Page 159</p>
<p>1 A. So we'd agreed that we would, and we 2 had done, put our concerns to the GPA, and 3 we'd left it -- or I'd left it in my mind, I can't 4 speak for the Chief Minister, for the GPA to 5 take the process forward. And as I said 6 yesterday, I played some scenarios over in 7 my mind that the GPA might not agree with 8 us.</p> <p>9 Q. Your roles are different under the 10 Constitution, yours and the Chief Minister's, 11 are they not?</p> <p>12 A. Yes, they are.</p> <p>13 Q. And you had different and in some cases 14 contrasting responsibilities?</p> <p>15 A. Correct.</p> <p>16 Q. So was it not a bit risky to decide, at the 17 beginning of the process, that you would act 18 as one? Or, to agree that you would act 19 as one, rather than agreeing that you would act 20 separately, each fulfilling your different 21 constitutional responsibilities?</p> <p>22 A. No, I think given the context of Gibraltar, 23 what was going on at the time, the work we 24 were doing; my comment again that the 25 Convent was one person short with a very</p> <p style="text-align: center;">Page 158</p>	<p>1 sets out certain lines between politicians and 2 the police?</p> <p>3 A. Yes.</p> <p>4 Q. Is another way of describing this that 5 there are boundaries which need to be 6 respected?</p> <p>7 A. Yes.</p> <p>8 Q. Do you agree there is a red line, which is 9 that politicians should not attempt to 10 influence live criminal investigations?</p> <p>11 A. Yes.</p> <p>12 Q. Do you agree there is a red line, perhaps 13 an even redder line, that politicians should 14 not interfere in live criminal investigations?</p> <p>15 A. Yes, I think I've -- sorry, was that separate 16 to the first question (inaudible)?</p> <p>17 Q. The first question was, "attempt to 18 influence" --</p> <p>19 A. "attempt", sorry, yes.</p> <p>20 Q. -- the second question is intervene.</p> <p>21 A. Yes.</p> <p>22 Q. Sorry, "interfere".</p> <p>23 A. Can I just qualify --</p> <p>24 Q. Yes.</p> <p>25 A. -- the answer to that. I think sometimes</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)

<p>1 on occasion, and I can perhaps -- I can't 2 really, for obvious reasons, go into detail, but 3 I am reflecting on the Grace 1 issue, where 4 for part of that I was also Acting Governor, 5 those same lines -- because Grace 1 was 6 perhaps more of an international, foreign 7 affairs, external affairs issue, I think that sort 8 of flexibility -- and I know you're going to 9 pick on that word, and challenge it, and come 10 up with other words that mean the same 11 thing, so I would hate to say the word, you 12 know: there's an element of grey. But I think 13 in the relationship the Chief Minister has and 14 has with Governors, and Governors with 15 Chief Ministers, that that type of collegiate, 16 cooperative style of working sometimes 17 serves a greater purpose.</p> <p>18 Q. Well is the point not that in the Grace 1 19 incident, and I guess in the airport incident as 20 well, they are international incidents which 21 involve the Governor and the Chief Minister 22 because they are actually interacting with the 23 international players involved. Is that fair? 24 A. Correct. 25 Q. Yes. Do you agree that politicians should</p> <p style="text-align: center;">Page 161</p>	<p>1 where the suspect is a close friend? 2 A. Well, yes, I agree. 3 Q. What about if the suspect is a business 4 partner? 5 A. I agree. 6 Q. Do you agree that, under section 11 of the 7 Police Act, the Governor has ultimate 8 responsibility for the integrity, probity and 9 independence of policing in Gibraltar? 10 A. Yes, I do. 11 Q. Do you agree that one of the ways the 12 independence of policing in Gibraltar can be 13 undermined is if a politician intervenes in a 14 live criminal investigation? 15 A. I do. 16 Q. Do you therefore agree that it is the 17 Governor's ultimate responsibility to prevent 18 that happening? 19 A. I do. 20 Q. The Chief Minister gave evidence that he 21 was entitled to call the Commissioner into a 22 meeting on 12 May, where he angrily 23 criticised (and he accepted that description) 24 the Commissioner of Police, relating to the 25 warrant against Mr Levy as it was being</p> <p style="text-align: center;">Page 163</p>
<p>1 not attempt to interfere or intervene in live 2 criminal investigations where the suspect is 3 someone who is personally close to that 4 politician? 5 A. I mean, it shouldn't matter who the 6 person is. 7 Q. But in that particular instance, do you 8 agree? 9 A. Yeah, I can only restate: it doesn't matter 10 who it is. 11 Q. Do you agree the Chief Minister has no 12 constitutional role in relation to live police 13 investigations, leaving aside his finance hat? 14 A. I do, in terms of the Constitution. I do 15 also think that, again, sometimes with the 16 powers of the Governor, it wouldn't stop me 17 having a view and marking before (?), if you 18 passed from the Chief Minister to me. I'm 19 not -- 20 Q. Well, I am not suggesting to you that you 21 are not allowed, or anyone is not allowed, to 22 have a view. It is what they do with a view 23 that I am asking you about. Do you agree 24 that the Chief Minister of Gibraltar should 25 not interfere with live criminal investigations</p> <p style="text-align: center;">Page 162</p>	<p>1 executed because (and these are his words), 2 there is "a jurisdictional risk as a result of the 3 execution of that search warrant. Gibraltar's 4 reputation was in play". He also said that he 5 called Mr McGrail into his office about the 6 search warrant because "Gibraltar's 7 reputation was potentially going to be 8 tarnished by this action, carried out in this 9 way." Considering what we have just 10 discussed, and the constitutional boundaries, 11 do you agree with the Chief Minister that 12 whenever Gibraltar's reputation is in play the 13 Chief Minister is entitled to involve himself 14 in operational actions taken by the Royal 15 Gibraltar Police? 16 A. I do agree with the Chief Minister on 17 that. 18 Q. You do? 19 A. I do. And I think it was after the event, I 20 think the warrant had been executed. 21 Q. The meeting happened whilst the police 22 were at Hassans. 23 A. Okay, I'm corrected. 24 Q. Did you not know that at the time? 25 A. Well, I did, but I'm -- no, I didn't know</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

1 **that at the time.**
 2 Q. What if the suspect in those operational
 3 actions is the Chief Minister's close friend?
 4 **A. Well I can only restate it, you know, there**
 5 **were elements of this that it doesn't matter**
 6 **who it is, the -- you know, the Chief Minister**
 7 **has to be very careful --**
 8 Q. Yes.
 9 **A. -- as to where he goes. It doesn't meant --**
 10 **and there's a point here on the crossover of**
 11 **the responsibilities between HMG and the**
 12 **Government of Gibraltar. So, in terms of**
 13 **reputation and external affairs there are**
 14 **elements of external affairs, in the broadest**
 15 **sense, that are quite appropriate for the**
 16 **Government of Gibraltar to be involved in.**
 17 Q. Yes, but let us be very clear here what I
 18 am asking you. Are you saying it could be
 19 appropriate for the Chief Minister to
 20 intervene in a police investigation, a live
 21 police investigation, where the suspect is his
 22 close friend, because the reputation of
 23 Gibraltar will be at risk?
 24 **A. I think it was appropriate for him to be --**
 25 Q. I am not asking you that, I am asking you

Page 165

1 the general proposition. Close friend, live
 2 criminal investigation, Chief Minister
 3 intervenes. Is that appropriate in any
 4 circumstances?
 5 **A. It can be in some.**
 6 Q. Do you not see the dangers of what you
 7 have just said?
 8 **A. Yes, I do.**
 9 Q. Did you see them at the time?
 10 **A. I'd be surprised if it it wouldn't have**
 11 **crossed my mind, which is possibly why in**
 12 **my report to London I talked about the**
 13 **responsibilities between the Chief Minister**
 14 **and I. I accept that with -- more in general**
 15 **terms than specific terms. That's an example**
 16 **of what I mean about: sometimes**
 17 **circumstances dictate courses of action that**
 18 **are novel and bespoke.**
 19 Q. On 14 May, did Mr Picardo tell you that
 20 Mr Levy was a suspect in the police
 21 investigation that he had become involved
 22 in?
 23 **A. He did in a slightly different way, when**
 24 **he said that there was a search warrant in --**
 25 **executed against James at his office.**

Page 166

1 Q. Yes, so you assumed he was a suspect?
 2 **A. Well, he can only be a suspect if there's a**
 3 **warrant, is -- can't you?**
 4 Q. At the time, did you know the Chief
 5 Minister was a close personal friend of Mr
 6 Levy?
 7 **A. Yes, I did.**
 8 Q. And, did you know the Chief Minister
 9 and Mr Levy were business partners?
 10 **A. Yes, I did.**
 11 Q. Did you know about the meeting on the
 12 12th, where the Chief Minister angrily
 13 criticised the Commissioner of Police about
 14 the warrant whilst officers were at Hassans
 15 attempting to execute it?
 16 **A. Not until the meeting.**
 17 Q. Which meeting.
 18 **A. On the Friday, between the Chief**
 19 **Minister and I.**
 20 Q. So, you knew on the 15th that that's what
 21 happened on the 12th.
 22 **A. I believe so. As I said yesterday (and this**
 23 **goes back to your point on memory): there**
 24 **are some things that I remember that are**
 25 **clearer and sharper, there are some that are**

Page 167

1 **less so; and there are some that I may not**
 2 **recall, but it doesn't mean they don't happen**
 3 **(?).**
 4 Q. But was it not a very, very important
 5 moment when you realised the Chief
 6 Minister had called the Commissioner of
 7 Police into a meeting about a warrant being
 8 executed against his close friend? Did that
 9 not stick in your mind?
 10 **A. It did a bit, yes.**
 11 Q. I want to ask you about the allegations
 12 that were being made by Mr McGrail. I am
 13 going to start with B1780. This is an email
 14 you sent on 22 May, so seven days after your
 15 first meeting with the Chief Minister. Fifth
 16 bullet point down, "The Commissioner
 17 believes this", being the GPA process, "is in
 18 part driven by the ongoing investigation. The
 19 high-profile person referred to below is
 20 James Levy!" And then C4359, which is an
 21 email on the same day, "Very interesting, it's
 22 the James Levy angle as well that's
 23 interesting. I'm also a touch nervous that the
 24 CM has firmly taken the lead on a
 25 competence that is more towards us than

Page 168

<p>1 them." Now, I want to ask you about what 2 was going through your head. The 3 Commissioner of Police, I think you have 4 said -- you were not prejudiced against him, 5 were you? 6 A. No. 7 Q. You had no reason to think he was lying 8 about this allegation? 9 A. No. 10 Q. So he said, "The GPA process is in part 11 driven by ongoing investigations, and you 12 know those ongoing investigations are about 13 James Levy!" Were you not concerned when 14 you heard that allegation, that there may be 15 political interference in a police 16 investigation? 17 A. So I don't think the issue, as I read it and 18 remember it at the time, was about the 19 investigation. And that is -- I think been also 20 stated by others. My sort of issue was the 21 statement that the Chief Minister had made to 22 me that he had been -- and he used the word 23 "lied to" by the Commissioner of Police, and 24 that the Commissioner of Police had gone 25 against the advice of the Attorney General</p> <p style="text-align: center;">Page 169</p>	<p>1 A. Yes. 2 Q. So, it rang no alarm bells. 3 A. Well I think, as I've said, you know, my 4 reporting to London I did consider. I'm a 5 touch nervous, means I thought about it and 6 reported it back to London. They could have 7 said: we are really nervous, don't go down 8 this line. But, they didn't. We have agreed 9 this approach, which again is that collegiate 10 working I had with the Chief Minister. 11 Q. Well, it is not -- 12 A. On balance, I believe it to be right. 13 Q. The responsibility to protect the 14 independence of the RGP does not vest in 15 these individuals you are emailing, does it? 16 A. No, but as I said, the role -- the role of 17 any Governor or Ambassador is that on key 18 issues, and issues that are likely to be 19 contentious and come under the scrutiny, of 20 course, you know, advice -- guidance is 21 sought from London. London could have 22 quite easily instructed me to stop this, thrown 23 a barge of lawyers at it, and come up with the 24 conclusion that you're heading in the wrong 25 direction.</p> <p style="text-align: center;">Page 171</p>
<p>1 and the DPP. So it was around that, rather 2 than the investigation itself, which I knew no 3 detail -- or very little detail of. 4 Q. Well, you knew the Commissioner of 5 Police was telling you that the disciplinary 6 process against him, or whatever you want to 7 call the GPA process, was in part driven by 8 the investigation itself. 9 A. That's what -- that was the Chief -- the 10 cause of the Chief Minister's loss of 11 confidence (inaudible) results -- 12 Q. But that is what the Chief of Police is 13 saying to you. Did that not concern you, at 14 that stage? 15 A. I can only repeat what I said: I was 16 interested in the process and the reasons why 17 the Chief Minister had lost confidence, not 18 the investigation itself. 19 Q. And you trusted the Chief Minister 20 implicitly -- 21 A. Yes. 22 Q. -- not to have done anything 23 inappropriate. 24 A. Yes. 25 Q. Is that fair?</p> <p style="text-align: center;">Page 170</p>	<p>1 Q. Are you not just passing the buck? 2 A. No. 3 Q. Because you were, were the Governor. 4 A. I know. 5 Q. And you did not tell anyone in London 6 about the angry meeting on 12 May, did you? 7 A. Because I did not know about it at the 8 time I did my first reporting. 9 Q. You did not tell them that James Levy 10 was a suspect. 11 A. I suspect I would have told them -- again, 12 and I hate to labour this point, in one of our 13 weekly -- which was the high-level where we 14 looked at all the policy aspects of what was 15 going on, but I can't tell you (because they 16 were too numerous) the number of meetings, 17 calls, Teams meetings, Zoom meetings I had 18 with London on the issues of the day, and 19 specifically at the moment -- at that moment, 20 around this issue. 21 Q. So, this was just one issue amongst 22 many? 23 A. Absolutely. 24 Q. Yes, but you have not given any evidence 25 of the notes and meetings --</p> <p style="text-align: center;">Page 172</p>

43 (Pages 169 to 172)

1 **A. Well, because this is not about what -- the**
 2 **workload I had on my mind; this is an**
 3 **inquiry into why the Commissioner of Police**
 4 **sought early retirement.**
 5 Q. You knew the Chief Minister was angry,
 6 and described him in those emails as having
 7 "the bit between his teeth". Did that not raise
 8 a little alarm bell with you, given that his
 9 close personal friend was involved in the
 10 police investigation?
 11 **A. Not at all. As I said in my note, I was**
 12 **frustrated and angry -- well, frustrated and**
 13 **came close to anger.**
 14 Q. You said there was an outpouring.
 15 **A. Yes.**
 16 Q. What did you do to investigate the serious
 17 allegation that was being made there by the
 18 Commissioner of Police against the Chief
 19 Minister.
 20 **A. I thought that was something that the**
 21 **GPA would investigate, but again I need to**
 22 **stress that it wasn't for me to look into an**
 23 **investigation that was ongoing by the RGP.**
 24 Q. Sorry, so you are passing the buck again
 25 now to the GPA? Are you passing the buck

Page 173

1 to the GPA?
 2 **A. No, the GPA had a responsibility --**
 3 Q. Yes.
 4 **A. -- to take representations from Mr**
 5 **McGrail.**
 6 Q. And, did that discharge your
 7 responsibility under the Constitution to
 8 protect the independence of the RGP?
 9 (14.30)
 10 **A. I think it is. I think it was for the GPA to**
 11 **take forward.**
 12 Q. B1367, this is the letter sent on 29 May
 13 from Mr Gomez on behalf of Mr McGrail. If
 14 we just go to paragraph 3:
 15 "We will explain below why the exercise of
 16 the section 34 power vested in the GPA
 17 would be wholly unjustified and grossly and
 18 procedurally improper. Moreover, there is
 19 an extremely troubling aspect to this of
 20 which the chair is fully aware and which
 21 concerns the rule of law in Gibraltar and
 22 which touches on the fundamental principle
 23 of the freedom of the RGP to carry out
 24 criminal inquiries without interference from
 25 politicians or the Attorney General."

Page 174

1 I just want to take you to a few other
 2 paragraphs, please, 1376. (Pause).
 3 Paragraph 28:
 4 "It was made clear to Mr McGrail that the
 5 issue of his handling of the investigation
 6 referred to above was an important factor in
 7 the decision making by the Governor and the
 8 Chief Minister. He said the Attorney
 9 General had lost all confidence in him
 10 because he had lied about a particular
 11 operation, which he strenuously denied."
 12 And then paragraph 33, the vanishing reason
 13 and the invitation to retire:
 14 "We indicate at the outset when addressing
 15 the preliminary matter of recusal there is
 16 a sensitive matter concerning an ongoing
 17 criminal investigation, the detail of which
 18 Mr McGrail does not address herein. The
 19 relevance of the issue to the invitation to
 20 retire is as follows. The matter was
 21 discussed at the 22 May meeting as forming
 22 part of the reasoning behind the Chief
 23 Minister and the Governor informing the
 24 GPA Chair that he should invite Mr McGrail
 25 to retire. Mr McGrail indicated at the

Page 175

1 meeting that he understood it to be the real
 2 and central reason for the request. However,
 3 the reason is oddly not cited in the 22 May
 4 letter."
 5 And then just 36:
 6 "On 12 May out of courtesy Mr McGrail
 7 notified the Chief Minister, the AG and the
 8 Minister of Justice of a certain operational
 9 action which was taken by the RGP in this
 10 case. Both the Chief Minister and AG
 11 immediately messaged him to say in no
 12 uncertain terms they disapproved of the
 13 action. He was immediately called into
 14 a meeting with the Chief Minister and the
 15 AG. He was very severely criticised for the
 16 action that had been taken. The Chief
 17 Minister told him that in his view
 18 Mr McGrail handled the investigation very,
 19 very wrongly. He was told by the AG that he
 20 had to this point approved his work and from
 21 that day he could not entertain Mr McGrail
 22 again. The emotional response from both the
 23 Chief Minister and the AG is startling."
 24 And then just one more paragraph, the next
 25 one, 37:

Page 176

<p>1 "This was followed by two subsequent 2 meetings with the AG and DPP on 13 and 15 3 May where the pressure was put on 4 Mr McGrail by the AG to change the RGP's 5 investigative approach to the operation and 6 he was given the strong impression the AG 7 was primarily concerned with protecting the 8 Chief Minister and Gibraltar plc." 9 And then there is a paragraph about the rule 10 of law, separation of powers. Now, I am not 11 asking you to say whether these paragraphs 12 were true. If they were true, do you agree 13 they were extremely serious allegations of 14 political interference in an ongoing police 15 investigation? 16 A. Yes, that would be the case. 17 Q. And did you know at the time, did you 18 when you read this letter, did you realise this 19 investigation must be the investigation into 20 James Levy? 21 A. Yes. 22 Q. Yes. And did you know those facts 23 before you received this letter? 24 A. No, and this is the letter you said the 25 other day that I shouldn't have received in the</p> <p style="text-align: center;">Page 177</p>	<p>1 a motive for removing the Commissioner 2 which was different to the one he was telling 3 you? 4 A. So, yes, but I can only go back to my 5 position. I can't sort of say what the Chief 6 Minister's drivers were. 7 Q. But do you agree that if the Chief 8 Minister's drivers were not the lie but in fact 9 the underlying investigation which he wanted 10 to intervene in, that would be extremely 11 serious and would need serious investigation 12 itself? 13 A. It would be and it would, but I don't 14 believe that was the Chief Minister's 15 position. 16 Q. Is that not circular though? Because you 17 are saying you did not believe it. 18 A. Well, you have asked me if these are true. 19 I don't know whether they are true. 20 Q. So you did not know they were true, but 21 you automatically did not believe them. 22 A. No, I'm not saying I didn't believe them. 23 I didn't know. 24 Q. Well, if you did not know, what did you 25 do to investigate these very serious</p> <p style="text-align: center;">Page 179</p>
<p>1 first place. 2 Q. I am -- 3 A. Which is -- 4 Q. I am not -- 5 A. So this letter was addressed to the GPA. 6 Q. I am not asking you whether you should 7 have received it. You did receive it. 8 A. I did receive it, correct (inaudible). 9 Q. Did you know about these allegations 10 before? 11 A. Um, no. No, only in a broad outline. I 12 mean, my position is not on the investigation 13 itself. It is on the fact that the Chief Minister 14 told me, and I had no reason to doubt his 15 word, and I have apologised for repeating 16 myself, that the Commissioner of Police had 17 lied to him and that he had, you know, misled 18 or gone against the advice of the Attorney 19 General and the DPP. 20 Q. But do you not agree that if these 21 allegations are true and the Chief Minister 22 and the Attorney General had inappropriately 23 intervened in a live criminal investigation 24 relating to Mr Levy, the Chief Minister's 25 close friend, it would give the Chief Minister</p> <p style="text-align: center;">Page 178</p>	<p>1 allegations of political interference? 2 A. Um, I'm not sure it was ... I'm not sure I 3 can answer that without spending a great deal 4 of time thinking about that. I don't think it's 5 for me to investigate accusations from 6 Mr McGrail on an investigation. The 7 investigation was ongoing, I think it's 8 concluded without any evidence or without 9 any charges being raised. As I said, my 10 position, my drivers, were the Chief 11 Minister's loss of confidence was because he 12 had been lied to, not because of any 13 investigation. 14 Q. You were a neutral party. I am not going 15 to ask you again your powers. You were 16 involved directly in the process at the time to 17 remove the Commissioner of Police. 18 Correct? 19 A. Correct. 20 Q. And the main reason the Chief Minister 21 was telling you was that he had been lied to 22 in the midst of this intervention into the live 23 criminal investigation. Is that fair? 24 A. That is fair. 25 Q. Yes. And the Commissioner of Police</p> <p style="text-align: center;">Page 180</p>

45 (Pages 177 to 180)

<p>1 was saying to you that actually what is 2 happening is the Chief Minister is doing this 3 to intervene on behalf of his friend. Is that 4 fair? 5 A. That's what the Commissioner of Police 6 was saying. 7 Q. But you were satisfied that you could 8 proceed with the process of removing 9 Mr McGrail without deciding whether these 10 allegations were true or not. 11 A. Yes, that's how it transpired. 12 Q. How is that protecting the independence 13 of the Royal Gibraltar Police? 14 A. I, um, can only go back to my comment 15 that never for a moment had I thought that I 16 would be looking to use the powers I had and 17 when the process started, um, my hope and 18 my expectation was the Gibraltar Police 19 Authority would have carried out a thorough 20 review, um, investigation, looking at all the 21 aspects of the case, including Mr McGrail's 22 representations. 23 Q. But they did not, did they? 24 A. They did not. 25 Q. So who did it fall back to?</p> <p style="text-align: center;">Page 181</p>	<p>1 investigation? 2 A. So your colleague raised the point of the 3 letter, and again just for Mr Gomez, 4 Mr Gomez sent the letter to the Chair of the 5 GPA, I think, at 17.30 on the Friday. I think 6 your colleague suggested in opening 7 statement that this should have caused me to 8 pause, reflect, etc, etc. Well, I did pause and 9 reflect. I received it at 18.00. I sent it to the 10 Foreign Office, the big group, at 20.00. I 11 asked to see the Chief Minister and the 12 Attorney General on the Monday. I took 13 advice. I replied on the Wednesday. I sent 14 my reply on the Wednesday at 4.30 in the 15 afternoon, to be admonished by Mr Gomez 16 because I had sent it out of hours. 17 Q. And at no point in that period of 18 reflection did you think to correct the 19 procedural errors that you have now 20 identified were rife in the GPA process. 21 A. I think I had, um, I had recognised the 22 GPA procedural errors, I had looked at the 23 options I had, which I had gone through with 24 London, and I decided on a course of action. 25 You can disagree with the course of action,</p> <p style="text-align: center;">Page 183</p>
<p>1 A. To me. By default. 2 Q. So whose responsibility, when it fell back 3 to you, was it to investigate these serious 4 allegations? 5 A. Um, you are asking me to say mine. I 6 can see why that would be the case from the 7 Constitution, but at that moment in time and 8 my approach was, as I can only repeat 9 myself, um, I don't think it was for the 10 Governor. I don't know how I would do it 11 without calling in an independent external 12 body to investigate Mr McGrail's claims on 13 this matter. 14 Q. Well, have you not just given the answer? 15 A. Yes, I could have done that. 16 Q. Should you have done that? 17 A. Um, I obviously didn't do that so, no. 18 Q. Should you have done that? 19 A. No. It is a question about whether I -- 20 Q. Looking back now, should you, rather 21 than rushing into concluding the process 22 before the new Governor arrived, should you 23 have taken stock and decided what to do 24 about these very serious allegations of 25 political interference in a police</p> <p style="text-align: center;">Page 182</p>	<p>1 um, and I ... absolutely I am the first person 2 to say I may not have got everything right 3 through my career. 4 Q. Yes. Did you get this right? 5 A. I think I did. 6 Q. You still think you did? 7 A. Yes, I do. 8 Q. When you received that letter, the only 9 reaction you appear to have had, and if I just 10 go to 244, 17.2, sorry, A244, yes, you have 11 got it. And I think you mention this also in 12 your dispatches, the middle of the paragraph, 13 the letter of 27 May, I think you mean the 14 29th: "Written to the GPA by Charles Gomez 15 on his behalf, and to which I had taken some 16 offence." Is it fair to say that you took 17 personal offence from that letter and that was 18 one of the reasons you could not see the 19 wood from the trees in responding to it? 20 A. No, not at all. I have had many offensive 21 letters that have not prevented me from 22 seeing the wood from the trees. I separate 23 tone and content but it's something on my 24 mind, um, that ... no, I think that is an unfair 25 statement to put to me. That's not the case.</p> <p style="text-align: center;">Page 184</p>

46 (Pages 181 to 184)

<p>1 Q. The incident at sea happened on 8 March. 2 Correct? 3 A. Correct. 4 Q. And you knew within a few days where it 5 had happened and the sort of essential basic 6 details. Is that fair? 7 A. Correct. 8 Q. And the seriousness. 9 A. Absolutely. 10 Q. And the fact that legal claims were 11 possible would have been clear. 12 A. Absolutely, yes. 13 Q. The HMIC report was dated 30 April. If 14 we can just go to ... sorry, there is an email 15 dated 30 April, 3344. I think it may probably 16 be B3344. (Pause). Sorry, it must be C3344. 17 (Pause). This is the email you have been 18 shown already about dealing with the HMIC 19 report. Without going through it again, at 20 this stage, 30 April, you were willing to work 21 with Mr McGrail to address the 22 recommendations in the HMIC report. Is 23 that fair? 24 A. I was willing to work with anybody in 25 order to implement the recommendations in</p> <p style="text-align: center;">Page 185</p>	<p>1 the ones that came in a couple of days ago. 2 (Pause). It has gone a bit dark. Yes, if we 3 can just turn to page, at the bottom of page 1, 4 sorry, the top of page 2. So this is a message 5 from 10 May, Fabian Picardo: 6 "Where does that leave us on the arrive of Sir 7 David on 10 June? He is not a diplomat. He 8 is not a governor until he is sworn in. Do we 9 set the right example with exemptions?" 10 Is it fair, I know it is a joint code but it is 11 clearly what is being discussed, but is it fair 12 to say that by 10 May you had a date for his 13 likely arrival, which was 10 June? 14 A. Potential and hoped for arrival. 15 Q. Yes, but you, as far as you were aware, 16 he was on his way. 17 A. No, at some stage, but as I think I said 18 yesterday, and of which the chairman is 19 aware, I went into the meeting on the 15th 20 with the Chief Minister and the first thing I 21 briefed him on was an issue around Sir 22 David's arrival. 23 Q. Just in the final page, 19 May 2020, 24 11.34, Deputy Governor on mobile: 25 "Morning, announcement states that Sir D</p> <p style="text-align: center;">Page 187</p>
<p>1 the HMIC report. 2 Q. I am asking were you willing to work 3 with Mr McGrail. 4 A. Yes, of course. 5 Q. But the incident that you say led to your 6 loss of confidence happened almost two 7 months earlier. How is it possible that you 8 had lost confidence and you were willing to 9 work with Mr McGrail on the HMIC report 10 on 30 April? 11 A. Um, I hadn't, I was losing confidence, as 12 opposed to lost it at the time of the incident 13 at sea. The HMIC report is a report that 14 needed to be implemented. The person in the 15 position at the time that would drive this 16 forward was the Commissioner of Police. 17 The Commissioner of Police was 18 Mr McGrail. 19 Q. Yes. In mid May you knew that you had 20 less than a month before the new Governor 21 was likely to begin his post. Is that fair? 22 A. No, it's not true. Mid May I didn't know. 23 Q. We have some WhatsApp messages 24 between you and the Chief Minister. I do not 25 know whether they can be put up. They are</p> <p style="text-align: center;">Page 186</p>	<p>1 will take up his appointment in June." So the 2 announcement actually goes out on 19 May. 3 A. Yes. 4 Q. So you were quibbling with mid May, but 5 the point is by 19 May -- 6 A. No, no. No, I stand by that there was 7 a discussion I had with London about, um, 8 when the formal announcement could be 9 made because Sir David had asked for 10 a delay to that formal announcement. 11 Q. But it was made on 19 May. 12 A. I know, and I am saying on 15 May and 13 on 18 May I was still not certain when Sir 14 David was due to arrive. Admittedly, on the 15 19th the announcement was made and I think 16 it was a few days later that we had confirmed 17 the date that we had identified previously as 18 being a good date for Sir David to arrive. 19 Q. By 19 May you were aware he was 20 arriving -- 21 A. Yes, but my point is that -- 22 Q. -- about three weeks later. 23 A. My point is before the meeting with the 24 Chief Minister on the 15th and Dr Britto on 25 the 18th, I did not have that certainty.</p> <p style="text-align: center;">Page 188</p>

47 (Pages 185 to 188)

<p>1 Q. But you did on the 19th.</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Before 14 May you had no</p> <p>4 intention to remove the Commissioner of</p> <p>5 Police before the new Governor arrived, did</p> <p>6 you?</p> <p>7 A. Um, it was an option that I had</p> <p>8 considered. It was a thought I had. Um, I</p> <p>9 can't remember what I was thinking on the</p> <p>10 Thursday, 14 May.</p> <p>11 Q. Yes.</p> <p>12 A. I do remember, as I said yesterday, um,</p> <p>13 concluding in my own mind that the RGP</p> <p>14 needed a change of leadership and, as I said</p> <p>15 yesterday, which I will restate today, um, I</p> <p>16 wasn't 100 per cent first of all that the Chief</p> <p>17 Minister would necessarily agree with that to</p> <p>18 the degree that I had it in my mind. And</p> <p>19 certainly on the Monday, and as I have said</p> <p>20 previously, having set out a GPA process,</p> <p>21 when I said to the Chief Minister that I'm</p> <p>22 losing sleep over all of this, part of it was the</p> <p>23 scenario of the GPA disagreeing with the</p> <p>24 Chief Minister's view and I for various</p> <p>25 reasons which I outlined yesterday.</p> <p style="text-align: center;">Page 189</p>	<p>1 arrived. As I have said previously in my</p> <p>2 statement yesterday, I had a view or a sort of</p> <p>3 ... that the GPA process would take quite</p> <p>4 a long time and that Sir David would have</p> <p>5 potentially arrived before they had come to</p> <p>6 any determination and then it would fall --</p> <p>7 Q. But that view was after the 14th, was it</p> <p>8 not?</p> <p>9 A. What view, sorry?</p> <p>10 Q. That view, you had that view after the</p> <p>11 14th.</p> <p>12 A. Which view?</p> <p>13 Q. About the GPA process lasting a while.</p> <p>14 A. No, no, no. Of course I knew that, you</p> <p>15 know, having looked at the options, and as I</p> <p>16 said they were not crystal clear in my mind at</p> <p>17 the time, um, I thought, although I still</p> <p>18 remain of the position that the ideal thing to</p> <p>19 do was to try and conclude this before Sir</p> <p>20 David arrived, that there was a possibility</p> <p>21 that it may not.</p> <p>22 Q. Is this not another example of you</p> <p>23 rewriting history to show that your actions</p> <p>24 were carefully planned and thought through,</p> <p>25 whereas in fact the reality is they were</p> <p style="text-align: center;">Page 191</p>
<p>1 Q. But you have not provided any evidence</p> <p>2 that you were intending to do anything about</p> <p>3 it, to actually remove the Commissioner</p> <p>4 before 14 May, have you?</p> <p>5 A. Um, evidence, what evidence would that</p> <p>6 be? A note to myself?</p> <p>7 Q. Text messages, emails, witness evidence</p> <p>8 that says: I spoke to X, Y or Z that I was</p> <p>9 going to try and remove the Commissioner of</p> <p>10 police before Sir David Steel arrives.</p> <p>11 A. No, I --</p> <p>12 Q. There is nothing of that sort.</p> <p>13 A. No, there is no evidence. There is no</p> <p>14 evidence.</p> <p>15 Q. There is no evidence. Is not the reality</p> <p>16 that, given how soon Sir David was arriving,</p> <p>17 if the Chief Minister had not approached you</p> <p>18 on the 14th, you would not have taken action</p> <p>19 independently to remove the Commissioner</p> <p>20 of Police before he arrived?</p> <p>21 A. So, there are two points to that question.</p> <p>22 Would I have taken action to remove the</p> <p>23 Commissioner of Police? Yes, I would. The</p> <p>24 timing of it, um, in my mind was to try, as I</p> <p>25 said, and get this done before Sir David</p> <p style="text-align: center;">Page 190</p>	<p>1 prompted by what happened on 14 May?</p> <p>2 A. No, that's not true, and it was 15 May.</p> <p>3 Q. You had done nothing since March,</p> <p>4 absolutely nothing, to deal with your</p> <p>5 concerns, had you?</p> <p>6 A. Um, no, I was still getting them together</p> <p>7 in my mind.</p> <p>8 Q. Yes.</p> <p>9 A. Of how to do that.</p> <p>10 THE CHAIRMAN: Sorry, you were still?</p> <p>11 A. Collecting in my mind how I would</p> <p>12 approach an issue I could see, I will use the</p> <p>13 word storm brewing.</p> <p>14 MR WAGNER: So it took you eight weeks,</p> <p>15 nine weeks, to pull together the strands and</p> <p>16 four weeks to remove the Commissioner. Is</p> <p>17 that a fair description?</p> <p>18 A. Yes, I think that I wouldn't object to that.</p> <p>19 Q. You had an aim that the RGP</p> <p>20 Commissioner role should be opened up to</p> <p>21 candidates from outside of Gibraltar, did you</p> <p>22 not?</p> <p>23 A. I did.</p> <p>24 Q. Would it be fair to describe it as a policy</p> <p>25 aim?</p> <p style="text-align: center;">Page 192</p>

<p>1 A. I thought it would be best practice, yes.</p> <p>2 Q. Yes. How long had you had that aim?</p> <p>3 A. What for Gibraltar Police Commissioner?</p> <p>4 Q. For there to be an external</p> <p>5 Commissioner.</p> <p>6 A. No, no. No, you misunderstand.</p> <p>7 Q. Sorry, to open up the application process</p> <p>8 to candidates not from Gibraltar.</p> <p>9 A. I just think having a broad field and</p> <p>10 a wide field of candidates would ensure that</p> <p>11 Gibraltar got the best candidate.</p> <p>12 Q. How long had you had the aim for?</p> <p>13 A. Um, from my first engagement when I</p> <p>14 knew they were recruiting a new</p> <p>15 Commissioner of Police.</p> <p>16 Q. Back in 2017/2018.</p> <p>17 A. Yes.</p> <p>18 Q. So by that time it was two or three years.</p> <p>19 A. Yes.</p> <p>20 Q. Would it be fair to say that appointing</p> <p>21 non-Gibraltarians to key posts like the</p> <p>22 Commissioner of Police generates strong</p> <p>23 views in both directions in Gibraltar?</p> <p>24 A. I think probably in Gibraltar only one</p> <p>25 direction, to be honest.</p> <p style="text-align: center;">Page 193</p>	<p>1 and that gap of senior leadership needed</p> <p>2 filling.</p> <p>3 Q. That is not what I asked. I asked you</p> <p>4 would not have expected before this day,</p> <p>5 before the 16th, for him to support you in</p> <p>6 looking to an external candidate, would you?</p> <p>7 A. I think the Chief Minister quite often</p> <p>8 supports me when I put a reasoned argument</p> <p>9 to him, on issues that previously he may not</p> <p>10 have.</p> <p>11 Q. Had he expressed a view to you about</p> <p>12 appointing an external candidate before the</p> <p>13 16th?</p> <p>14 A. I think we had the discussion, um, before</p> <p>15 the recruitment of Mr McGrail. I certainly</p> <p>16 remember having that discussion with the</p> <p>17 Governor. I might have had it, or the</p> <p>18 Governor might have had it, with the Chief</p> <p>19 Minister. But, you know, I think there is</p> <p>20 a danger of conflating issues of very</p> <p>21 long-term permanent recruitment for</p> <p>22 a Commissioner of Police and a short-term</p> <p>23 measure to fill a gap.</p> <p>24 Q. But why were you surprised if you did</p> <p>25 not think he would be against it?</p> <p style="text-align: center;">Page 195</p>
<p>1 Q. Would it be fair to say it is not a view</p> <p>2 that you had managed to persuade the GPA</p> <p>3 of by May 2020?</p> <p>4 A. So it was my view. It's not, you know,</p> <p>5 my position to persuade the GPA. They can</p> <p>6 consider the view and accept it, reject it,</p> <p>7 debate it, as they wish.</p> <p>8 Q. Did you share that view with Mr Picardo</p> <p>9 before 14 May?</p> <p>10 A. Um, yes, I think I did.</p> <p>11 Q. B1441. (Pause). This is at the top of the</p> <p>12 page, 16 May, Fabian Picardo:</p> <p>13 "My pillow always gives me the best advice.</p> <p>14 If we are going to do this we do it very</p> <p>15 discreetly at your end, line someone up. We</p> <p>16 cannot have it headless."</p> <p>17 You must have been surprised to hear</p> <p>18 Mr Picardo suggesting this.</p> <p>19 A. I was to some degree, yes.</p> <p>20 Q. Yes, because you would not have thought</p> <p>21 Mr Picardo would be in support of looking to</p> <p>22 an external candidate.</p> <p>23 A. He was certainly in support or we shared</p> <p>24 the position that should Mr McGrail be</p> <p>25 relieved of his duties that assistance, help,</p> <p style="text-align: center;">Page 194</p>	<p>1 A. Because he has previously been against</p> <p>2 bringing in people from overseas to --</p> <p>3 Q. That is what I was getting at.</p> <p>4 A. And I have to just stress again, this for</p> <p>5 me was not about the UK because of the</p> <p>6 history.</p> <p>7 Q. B1781, the third paragraph from the</p> <p>8 bottom. Comment: "The CM was visibly</p> <p>9 angry." Sorry, it is the final line:</p> <p>10 "When discussing this the CM rather</p> <p>11 surprisingly said we should look externally</p> <p>12 for a replacement. I was shut down by the</p> <p>13 former GPA Chair when I recommended this</p> <p>14 in early 2018."</p> <p>15 Would you agree that you were pleasantly</p> <p>16 surprised that he was proposing this, that had</p> <p>17 been a long-term aim of yours?</p> <p>18 A. Pleasantly, greatly, enormously, I don't</p> <p>19 think it really matters. I was surprised.</p> <p>20 Q. Which one is it?</p> <p>21 A. It doesn't matter. I wrote here: "Rather</p> <p>22 surprisingly". I was surprised.</p> <p>23 Q. Were you pleasantly surprised?</p> <p>24 A. Um, again the context is different. And</p> <p>25 please do not misunderstand me. I am not</p> <p style="text-align: center;">Page 196</p>

49 (Pages 193 to 196)

<p>1 trying to not answer the question, but this 2 was to fill a gap on a short-term basis rather 3 than have a substantive appointment as 4 Commissioner of Police with a four or 5 potentially eight-year term. 6 Q. And then B1444, 27 May. So the middle 7 text, the longer one, middle and third line 8 down: "Had a good meeting with Gerry who 9 agrees to our approach re secondment." So 10 there you spoke to Mr Britto about it and he 11 agreed to your approach. Is that fair? 12 A. Yes, and I think the word "secondment" 13 there is quite key. 14 Q. But you must have thought once we 15 opened the door to an external person that 16 will itself potentially open the door either to 17 that person to stay or to open it up to external 18 candidates in future. Is that fair? 19 A. I think it has been, so that sort of rather 20 proves the point. I think, if I misheard I 21 apologise, but I thought there was 22 a statement earlier, perhaps by Dr Britto, um, 23 actually it may not have been. 24 THE CHAIRMAN: I think it was Dr Britto. 25 A. It was Dr Britto, that said that they are</p> <p style="text-align: center;">Page 197</p>	<p>1 Q. You say: "The CM has backtracked 2 slightly." It must have been disappointing 3 that this long-term aim of yours had been 4 opened up and then shut down as soon as 5 Mr McGrail left. 6 A. Not at all. And I can only say that the 7 process is now open. So my long-term aim, 8 which I would argue against because I never 9 have a long-term aim on issues like this, it is 10 an individual situation, if you want to say my 11 long-term aim has been met, it has by 12 Dr Britto telling us that the next recruitment 13 will be open. 14 Q. Did you feel you had been somewhat 15 duped by the Chief Minister? 16 A. No, not at all. Why would I think the 17 Chief Minister had duped me? Because he 18 has backtracked slightly and agrees that we 19 should look at -- 20 Q. He had backtracked completely, had he 21 not? 22 A. On the basis I believe of Commissioner 23 Ullger's, or Acting Commissioner Ullger's, 24 um, bid/pitch/letter to us that we should 25 consider allowing him and his leadership</p> <p style="text-align: center;">Page 199</p>
<p>1 indeed opening the applications to replace 2 Commissioner Ullger to external candidates. 3 MR WAGNER: 1843, please, B1843. 4 (Pause). Sorry, it must be C1843. You have 5 done 1483. There. This is an email that you 6 sent on 12 June, so after Mr McGrail has 7 gone: 8 "The GPA met today, briefed them on how 9 we got where we were. The CM has 10 backtracked slightly on the suggestion that 11 we parachute someone in. Acting 12 Commissioner Richard Ullger has proposed 13 he remains at the top and help is sent in 14 below him." 15 So as soon as Mr McGrail left the Chief 16 Minister went back on that proposal, did he 17 not? 18 A. Because Commissioner Ullger and I think 19 Cathal Yeats had written to us, or certainly to 20 me, having heard that we were looking to 21 parachute somebody in on a secondment, 22 setting out a case why they believed that this 23 should not happen. And I think, and again it 24 is possibly after or before, that was a view 25 shared by the Federation.</p> <p style="text-align: center;">Page 198</p>	<p>1 team to continue. 2 Q. I just want to ask you about 1786, please, 3 B1786: 4 "At my request the Chief Minister set out the 5 issues of concern [so I am on the second 6 paragraph], namely the damning HMIC 7 report, the fatal collision, Police Federation 8 allegations of bullying, the mishandling of 9 a high-profile ongoing investigation in which 10 the Commissioner apparently went against 11 the advice of the Attorney General and 12 Director of Public Prosecutions." 13 Did anybody ever correct you that nobody 14 had gone against the advice of the DPP? 15 A. Not for some time. 16 Q. What do you mean not for some -- 17 A. I can't remember anybody correcting me 18 on that, but I can't believe that they didn't. 19 So just because I don't remember doesn't 20 mean it didn't happen. 21 Q. You have mentioned it in your oral 22 evidence a number of times that the Chief 23 Minister's concerns were that the 24 Commissioner of Police went against the 25 advice of the DPP. Do you accept now that</p> <p style="text-align: center;">Page 200</p>

50 (Pages 197 to 200)

<p>1 because that had been a mistake that you 2 were taking into account in your 3 consideration a reason that was simply 4 factually wrong? 5 (15.00) 6 A. I do accept that that was factually wrong. 7 Q. And do you accept that it was a serious 8 error? 9 A. It was an error. I think in terms of --- if I 10 had it rank the issues of the Chief Minister 11 told me, lying to the Chief Minister on its 12 own is probably sufficient for me to --- 13 Q. But the lie that he was presenting to you 14 was that the Commissioner of Police, and 15 correct me if I am wrong, had said that the 16 DPP had advised on the warrant and in fact 17 the DPP had advised against, it was the same 18 thing? 19 A. It was the same thing but --- 20 Q. Do you accept that --- 21 A. I do accept that, yes, I do. 22 Q. And do you accept that that was a 23 fundamental flaw in the reasoning because of 24 that mistake? 25 A. I can see that being the case.</p> <p style="text-align: center;">Page 201</p>	<p>1 as I said, I can't --- given the relationship and 2 engagement we had I would be very 3 surprised if --- and it may be something that 4 slipped my mind or my memory at the time, 5 having said that my memory isn't 100 per 6 cent perfect, that I didn't myself correct that 7 in any future correspondence or within my 8 statement. 9 Q. You would have corrected it, would you 10 not, because it was a serious error? 11 A. Yes, I would have. 12 Q. So the likelihood is that you were not 13 corrected? 14 A. No, I make mistakes like everybody else. 15 Q. It is good of you to take that one for the 16 Chief Minister, but I am ---- 17 A. To repeat, no, I am not taking anything 18 for the Chief Minister. 19 Q. Do you agree that that is another serious 20 flaw in the process that was used in relation 21 to Mr McGrail? 22 A. It is a flaw in the process as it is set out. 23 Q. But it is a serious flaw, is it not? 24 A. It is. 25 Q. You did not lose confidence in Mr</p> <p style="text-align: center;">Page 203</p>
<p>1 Q. You have been very critical of the 2 Commissioner of Police for being evasive or 3 misleading you or however you want to put 4 it, are you also critical of the Chief Minister 5 for causing you to continue to believe that 6 the fundamental error, even after he knew it 7 was an error? 8 A. Critical? I would perhaps not use that 9 word. I would be surprised and I would also 10 be surprised if the Chief Minister - and I am 11 sure he did - has not spoken to me about that 12 since but again that is not an issue or a detail 13 I can bring to my mind. 14 Q. But he says he knew by 14 May at the 15 latest that the DPP had not advised against 16 the warrant, Are you applying a different 17 standard to Mr McGrail who you deeply 18 criticise about the information provided at 19 the incident at sea, but to Mr Picardo who 20 made a very similar error, it seems, it not 21 worse? 22 A. No, I can accept your point on that. 23 Q. But you are applying a different 24 standard? 25 A. No, sorry, that the Chief Minister --- and,</p> <p style="text-align: center;">Page 202</p>	<p>1 Picardo when you found out about that 2 mistake? 3 A. No. 4 Q. I want to ask you about some errors in 5 your statement to the Inquiry and how they 6 got there. At A245, paragraph 20, the 7 heading is, "My loss of confidence in Mr 8 McGrail," and you say that it had been 9 progressive over a period of time by reason 10 of a number of incidents and matters." You 11 accept that what follows in that statement 12 were incidents and matters which you took 13 into account in relation to your loss of 14 confidence? 15 A. Yes, as I explained yesterday. 16 Q. At 21.5, this is the unnecessary drama of 17 the arrests, you said, "One of them, the 18 Provost Marshal, was, with quite unnecessary 19 drama, removed from a civilian" 20 THE CHAIRMAN: This was gone over this 21 morning, was it not? 22 MR WAGNER: I am sorry? 23 THE CHAIRMAN: I think this paragraph 24 has been read once already today. 25 MR WAGNER: I have not done it, it was</p> <p style="text-align: center;">Page 204</p>

51 (Pages 201 to 204)

1 yesterday but ----
 2 THE CHAIRMAN: It was yesterday, was it?
 3 MR WAGNER: Yes, but I take the point.
 4 (To the witness): You accept now that he
 5 was not removed from the flight?
 6 **A. Yes, but not --- I mean, as soon as it**
 7 **landed is the expression I used. I didn't say**
 8 **he was taken from the flight, so as soon as it**
 9 **had landed, add two minutes in the arrivals**
 10 **hall.**
 11 Q. At 21.9, it says in relation to the airport
 12 incident that you were aware that two of the
 13 three MOD service police whose equipment
 14 was confiscated, some which after the
 15 incident you were considering instigating
 16 formal complaints procedures against the
 17 RGP, via the police complaints board, "I
 18 believe one decided not to but the other, who
 19 was taken to her home by the RGP who then
 20 took possession of her personal phone, did
 21 submit a formal complaint. I do not know
 22 now what the status of that complaint was,"
 23 so when did you know that?
 24 **A. I can't remember. I mean, that is**
 25 **something, as we have now realised, that is**

Page 205

1 **not correct but not --- I don't believe through**
 2 **any fault or deliberate actions on my part, the**
 3 **information I had that one person decided to**
 4 **but the other didn't, we can now see from the**
 5 **evidence that they both did.**
 6 Q. And do you know what happened to
 7 those complaints?
 8 **A. They were dismissed for lack of**
 9 **evidence.**
 10 Q. Now B2709, this is the outcome of the
 11 police complaint board of 29 May 2020, so
 12 this is allegations against --- this is
 13 complaints made against Mr McGrail and Mr
 14 Tunbridge, "The police complaints board has
 15 considered the finding of the subcommittee
 16 and finds the RGP did not act
 17 unprofessionally in the execution of their
 18 duties and, therefore, the complaint has not
 19 been sustained. The complaint made against
 20 the Commissioner of Police, Ian McGrail,
 21 and Superintendent Wayne Tunbridge is,
 22 therefore, dismissed." I am not going to ask
 23 you about the content of the dismissal but
 24 what I want to know is if you were very
 25 concerned about Mr McGrail's conduct

Page 206

1 during the airport incident, during the arrests,
 2 did you do anything to check in on the
 3 complaint process to see whether your
 4 concerns were well-founded?
 5 **A. I don't think I had the right to do so.**
 6 Q. But you did not ask the question?
 7 **A. I don't think I had the right to do so.**
 8 Q. Did you not ask the question?
 9 **A. Because I don't have the right to do so.**
 10 Q. But is this not another example that there
 11 was an independent process that was
 12 examining your concerns or the basis of your
 13 concerns and you just did not wait to see
 14 what that independent process would
 15 conclude before taking the actions you did
 16 against Mr McGrail?
 17 **A. I am sorry, can you just repeat that?**
 18 Q. Is this another example of there being an
 19 independent process, ongoing considering the
 20 very concerns you had about Mr McGrail and
 21 you did not wait for the independent process
 22 to conclude before taking action against Mr
 23 McGrail?
 24 **A. No, I can accept that.**
 25 Q. Do you accept that Mr McGrail was not

Page 207

1 the Commissioner of Police during the
 2 airport incident?
 3 **A. I do.**
 4 Q. And you accept that Commissioner Yome
 5 was in charge at the time?
 6 **A. I do.**
 7 Q. I am just going to ask you briefly about
 8 the helicopter pilot incident and we do not
 9 have to go back to the statement because you
 10 have seen it, but this is where you say, "The
 11 widely held belief in MOD circles is that the
 12 RGP did not investigate the crime correctly
 13 to protect those involved in the attack." That
 14 is a hugely serious allegation. Do you agree?
 15 **A. I do.**
 16 Q. It is an allegation of corruption?
 17 **A. Yes.**
 18 Q. And you included that issue in your
 19 sworn affidavit to this Inquiry as one of the
 20 issues which led you to lose confidence in
 21 Mr McGrail, did you not?
 22 **A. Yes.**
 23 Q. What steps did you take to verify that
 24 extremely serious allegation before including
 25 it in your sworn affidavit?

Page 208

<p>1 A. I didn't but I had no reason to doubt the -- 2 - when I was told about it, including by my 3 now friend, Commander Ritchie --- 4 Commander Walliker. 5 Q. So it was hearsay that you based your 6 allegations on? 7 A. Well, it was hearsay from the commander 8 of British Forces so I suspect --- I suggest it 9 is more than hearsay. 10 Q. But do you agree now that before 11 including that as a relevant issue in your loss 12 of confidence in Mr McGrail you should 13 have done even a basic check as to whether, 14 what you were told, was correct? 15 A. Well, as I said yesterday, some of the 16 incidents before are me giving examples of 17 where my early concerns on their own were 18 not sufficient and would not be sufficient for 19 me to lose confidence in Mr McGrail. 20 Q. But they fed into your consideration, did 21 they not? 22 A. They did. 23 Q. On reflection, should you have excluded 24 those factors from your consideration 25 because you had not investigated them?</p> <p style="text-align: center;">Page 209</p>	<p>1 that was. I knew Mr McGrail had a contrary 2 view to that and was looking to put the blame 3 for the fractured relationship firmly in the 4 hands of the Federation. 5 Q. Did you ask the other senior leaders in 6 the RGP what their opinions were? 7 A. Not formally at the time. In fact I don't 8 think I did. It was subsequently perhaps. 9 Q. So again based on a one sided account 10 and conjecture; is that fair? 11 A. I can accept why you would say that. 12 Q. Because it is right; is that fair? 13 A. Yes. 14 Q. I have just a short point on the handing 15 over of the letters at A244, at 17.2, this is the 16 point about you said you handed over the 17 letters on the Friday but in fact it turns out, 18 according to your emails, that you gave them 19 to him on the Monday. Do you agree that 20 that is an important error for you to have 21 made in your statement? 22 A. I do and actually my mind is still that I 23 handed them over on the Friday at the same 24 time that Mr McGrail was saying that he 25 came in and we went --- I said I didn't use the</p> <p style="text-align: center;">Page 211</p>
<p>1 A. Yes, I think there is the issue of the 2 remarks that Mr McGrail made to 3 Commander Walliker that he reported up the 4 chain of his command. 5 Q. Yes, but you did not even ask Mr 6 McGrail if that was true, did you? 7 A. I would be --- I had no reason to doubt 8 the commander --- I take the point but I had 9 no reason to doubt the commander of British 10 Force's word plus he had put it in writing to 11 his chain of command. 12 Q. It was just another example of conjecture, 13 was it not? 14 A. It could be seen as that, yes. 15 Q. Does that not also apply to the fractured 16 relationship with the GPF? You said that Mr 17 McGrail's management style resulted in a 18 fractured, almost hostile relationship between 19 him and the GPF. What did you do to satisfy 20 yourself that it was indeed Mr McGrail's 21 management style which had resulted in the 22 fractured relationship as opposed to other 23 factors? 24 A. I did not check with Mr McGrail about 25 his management style and what his view on</p> <p style="text-align: center;">Page 210</p>	<p>1 Governor's office, or went into the 2 Governor's office and --- 3 THE CHAIRMAN: You are muttering very 4 loudly. 5 SIR PETER CARUANA: I am very sorry, 6 sir. 7 THE WITNESS: So for meetings, Mr 8 McGrail said, "I have a letter or a note for 9 you," and I accept and apologise if I have not 10 --- obviously I have not got that correct, but I 11 was under the impression in my mind that I 12 had given him the three letters at the time. 13 MR WAGNER: (To the witness): And do 14 you agree that as well as being a mistake in 15 your statement, it was a serious error in the 16 process that you did not give him the letters 17 to respond to before you met with him on the 18 Monday? 19 A. Yes, it was but because the letter was 20 addressed to Mr Gomez. You know, I 21 thought --- and I think I said that to Mr 22 McGrail, I had expected the letters to be 23 passed on to him by his lawyer. 24 Q. I am sorry, I have lost you. 25 A. Well, I think I either sent my letters in</p> <p style="text-align: center;">Page 212</p>

53 (Pages 209 to 212)

<p>1 response to the Gomez letter to --- 2 Q. That was --- it was not --- the letter was 3 from Charles Gomez but it was on behalf of 4 Mr McGrail and the responses were to Mr 5 McGrail's allegations, so is that not --- 6 A. But sent to his lawyer, I believe. 7 Q. It was sent to the GPA? 8 A. Okay, to the GPA. 9 Q. They were all sent to the GPA? 10 A. Okay, who forwarded me the letter from 11 Mr Gomez, so I think it's a reasonable 12 assumption to ensure --- or to sort of --- to 13 wish or hope that the GPA would have done 14 a similar thing and forwarded the letters if 15 not direct to Mr McGrail then to Mr Gomez. 16 Q. You said that Governor Davis had 17 concerns about Mr McGrail I think for the 18 first time yesterday. Is that fair? 19 A. That is not fair. 20 Q. No, you said it for the first time 21 yesterday? 22 A. Yes, in terms of the recruitment, 23 preference for Mr Ullger. 24 Q. Can we go to B142, this is a letter from 25 Governor Davis on his appointment, "I am</p> <p style="text-align: center;">Page 213</p>	<p>1 sort of letter I would have written had I been 2 governor. 3 Q. In early June the new governor was 4 arriving imminently ---- 5 THE CHAIRMAN: How are you doing for 6 time? 7 MR WAGNER: I am on it, three minutes. 8 THE CHAIRMAN: Three minutes? 9 MR WAGNER: Yes. (To the witness): The 10 vacancy of the officer of governor under 11 section 22, you have obviously given this 12 some thought, it says, "Any such person 13 [which is the person fulfilling the office] 14 shall not continue to perform the functions of 15 office of governor after the governor or some 16 other person having prior rights to perform 17 the functions of that office has notified him 18 he is about to assume or resume those 19 functions." Would you agree that as at 6 20 June Governor Davis had notified you that he 21 was about to assume the functions of his 22 office? 23 A. Governor Steel? 24 Q. Governor Steel, sorry. 25 A. Yes.</p> <p style="text-align: center;">Page 215</p>
<p>1 delighted to inform you that you have been 2 selected for appointment as Commissioner of 3 Police on the advice of the GPA and the 4 Chief Minister. Both the Chief Minister and 5 I have noted the support, your vision 6 statement and associated action plan for your 7 tenure. It aligns with our collective 8 assessment. Accordingly, we have requested 9 the GPA review process and would wish to 10 assure you of my personal support in the 11 conduct of your vital duties as Commissioner 12 of Police, a sentiment that I have no doubt 13 will be fully reflected across the whole 14 Gibraltar community. I look forward to 15 working closely with you as we all do, to do 16 our utmost to protect, progress and promote 17 the rule of law in Gibraltar." Do you accept 18 that this is a very --- and then it is signed, 19 "very respectfully, Edward Davis." Do you 20 accept that this is a very nice letter for a 21 governor to send who had serious concerns 22 about Mr McGrail? 23 A. I didn't say he had serious concerns. I 24 said he had a preference in the recruitment 25 for Richard Ullger. That is exactly the same</p> <p style="text-align: center;">Page 214</p>	<p>1 THE CHAIRMAN: (To the witness): He 2 certainly was not the governor at the time? 3 A. And he was not governor at the time, no. 4 MR WAGNER: (To the witness): It says, 5 "The governor or some other person having 6 prior rights to perform the functions of that 7 office has notified him he is about to assume 8 or resume those functions," did you consider 9 whether this provision 22(3) might preclude 10 you from exercising powers of the governor, 11 particularly section 13 of the Police Act on 12 the Monday just before he arrived? 13 A. Yes, I did. As I stated yesterday, you 14 have to have a governor in situ, a governor 15 can only be governor by asking the oath, the 16 same as an ambassador, high commissioner 17 abroad. When I first went to Botswana for 18 the first two weeks I could not take any 19 action or attend any functions because I had 20 not handed over to the President of Botswana 21 my letters of credence which gave me the 22 authority to do my work. 23 Q. Did you consider this point at the time? 24 A. I am absolutely sure I did, with London 25 as well.</p> <p style="text-align: center;">Page 216</p>

54 (Pages 213 to 216)

<p>1 Q. But there is nothing in the emails to 2 London about it, including the advice emails? 3 A. There are lots of things where there is no 4 evidence or emails, so if you want to make 5 the suggestion that there is no evidence of 6 that, please do so, and I will agree with you. 7 Q. The final question, you have not provided 8 any WhatsApps to this Inquiry, did you? 9 A. No. 10 Q. When did you delete them? 11 A. I explained this yesterday again that the 12 Foreign Office policy which I provided ---- 13 Q. I am not asking you about policy ---- 14 A. Oh, when? 15 Q. I am asking --- let us just talk about the 16 Chief Minister's WhatsApps, when did you 17 delete them? 18 A. I normally deleted WhatsApps within a 19 week of receiving them. 20 Q. So you will have deleted them a week 21 after receiving them? 22 A. Yes, I think so. Sometimes a bit later but 23 in order to clear an inbox and to adhere to 24 Foreign Office guidance and instructions, I 25 was quite --- I mean, I could have brought in</p> <p style="text-align: center;">Page 217</p>	<p>1 Q. Good afternoon, Mr Pyle, despite 2 spending many years arm wrestling with the 3 Foreign Office I have never got my head 4 around the grading structure. Can you just 5 explain in not more than 15 seconds what the 6 grade structure is and where you sit in it? 7 A. Yes, the grade structure is split into two 8 elements. There is what we call the higher 9 level senior management part of the civil 10 service. I have to say that just as I was 11 leaving they changed the grading system and 12 I think this was part of the ---- 13 Q. At the time that you were there in 15 14 seconds? 15 A. The junior, senior --- you know, that type 16 of --- I have been ---- 17 Q. Were there numbers attached to the 18 grades? 19 A. Yes, they are. 20 Q. Let me cut to the quick, where were you 21 in relation to the ambassador level grade? 22 A. Well, I was High Commissioner to 23 Botswana which is ambassador but there are 24 of course different seniorities of 25 ambassadors.</p> <p style="text-align: center;">Page 219</p>
<p>1 one of my black books which transcribes 2 dates and messages and meetings, but I can't 3 say I may not have deleted everyone but 4 certainly most of them and the policy issues, 5 which is the important bit for anything which 6 is highly sensitive to HMG, I am pretty sure I 7 would have deleted. 8 Q. Have you deleted messages after the 9 Inquiry was announced on 31 July 2020? 10 A. No, I don't believe I did. I am sorry, no, 11 could you ask that again? 12 Q. The Inquiry was announced that there 13 was going to be an Inquiry on 31 July 2020. 14 A. Yes. 15 Q. Did you delete any relevant messages 16 after that date? 17 A. Ah, good point, yes, I probably did. 18 MR WAGNER: Thank you. Sir, I should 19 have just taken instructions, so I will be just 20 one moment. 21 THE CHAIRMAN: You can do that during 22 the break. 23 (Short adjournment) 24 NICHOLAS PYLE (Continued): 25 Questioned by SIR PETER CARUANA:</p> <p style="text-align: center;">Page 218</p>	<p>1 Q. So there is a grade that makes you 2 eligible to be an ambassador or high 3 commissioner in the case of a 4 Commonwealth country? 5 A. That is correct. 6 Q. And were you in that grade, somewhere 7 in it? 8 A. Yes, because I was High Commissioner 9 to Botswana before I came to Gibraltar. 10 Q. So you were effectively an ambassador 11 and before that, very briefly? 12 A. Very briefly I spent seven years working 13 in Somalia, five of which were in Nairobi 14 with a title called Political Counsellor which 15 is, you know, in charge of the policy, 16 certainly for the five years in Nairobi. 17 Q. Ambassador, so accepting that it is 18 attributed to Oscar Wilde that he said that 19 ambassadors are honourable men sent abroad 20 to lie for their countries, would you ---- 21 THE CHAIRMAN: That does not sound like 22 Oscar Wilde, I do not think. 23 SIR PETER CARUANA: I am sorry? 24 THE CHAIRMAN: I do not think it is Oscar 25 Wilde.</p> <p style="text-align: center;">Page 220</p>

55 (Pages 217 to 220)

<p>1 SIR PETER CARUANA: It is attributed to 2 him, sir. 3 THE CHAIRMAN: Ah, yes. (To the 4 witness): Well, whoever said it, the poor 5 chap has been attributed many things that he 6 probably did not say. You heard my learned 7 friend, Mr Cruz, so I just want to ask you a 8 few questions around credibility, my learned 9 friend, Mr Cruz, asked you a series of 10 questions designed to establish that you were 11 friends with Mr Walliker, the then 12 Commander of British Forces, Gulf chums, I 13 think it all ended up in. Do you agree you 14 said that? 15 A. Yes. 16 Q. Are you aware of Commissioner Ullger's 17 evidence that Mr McGrail was his best 18 friend? 19 A. Yes, I am. 20 Q. Does that lead you to impugn his 21 credibility here? 22 A. Absolutely not. 23 Q. Would you lie on oath --- are you aware 24 of what the consequences are of lying on 25 oath?</p> <p style="text-align: center;">Page 221</p>	<p>1 whether it happened? 2 A. No, no, it isn't and if I had to write 3 minutes and notes of every meeting I had I 4 wouldn't be able to do my day job. 5 Q. Did the GPA meet to consider the 6 appointment to choose between Mr Ullger 7 and Mr McGrail for the post of 8 commissioner? 9 A. Yes, it did. 10 Q. Were there minutes of that meeting? 11 A. There would have been or I assume so. 12 Q. Are you aware that there are minutes of 13 the meeting? The evidence is that they 14 cannot be found. 15 A. Well, I can make a statement on that 16 because just as I said previously that there 17 was an occasion where, with Dr Britto's 18 permission, I went down to the GPA and 19 went through every single minute of every 20 GPA meeting recorded to refresh my 21 memory, bearing in mind I didn't have any 22 records of my own. 23 Q. My learned friend, Mr Neish, then asked 24 you a series of questions designed to suggest 25 that when you have given evidence on oath,</p> <p style="text-align: center;">Page 223</p>
<p>1 A. Absolutely. 2 Q. In this Inquiry? 3 A. Absolutely. 4 Q. And of the consequences of swearing a 5 false oath in an affidavit? 6 A. Absolutely, yes. 7 Q. Have you lied on oath? 8 A. Absolutely not. 9 Q. In this Inquiry? 10 A. Absolutely not. 11 Q. Would you lie for your friend, best or 12 otherwise? 13 A. I wouldn't lie for anybody, Sir Peter. 14 Q. So my learned friend, Mr Neish, put to 15 you that --- well, he asked you whether you 16 were aware of the importance of taking 17 minutes and all that, do you remember? 18 A. Yes, I do. 19 Q. And that he put to you the suggestion that 20 you might be lying? 21 A. About not taking minutes? 22 Q. Look, do you think that things that are 23 not recorded in minutes means that they did 24 not happen or that the person that cannot 25 prove to a minuted decision is lying about</p> <p style="text-align: center;">Page 222</p>	<p>1 leaving to one side the business of formal or 2 informal, that there were complaints about 3 bullying, are you lying when you said that? 4 A. No. 5 Q. And similarly as to whether there were 6 discussions by the GPA about bullying, were 7 you lying about that? 8 A. I was not. 9 Q. Were there discussions by the GPA about 10 bullying? 11 A. As I said, if there were not, we were not 12 doing our job. 13 Q. Are there minutes about it? 14 A. I don't believe there are. 15 Q. Does that mean that the GPA never 16 discussed bullying allegations in all the years 17 you sat on it? 18 A. No, it doesn't mean that. 19 Q. Is it plausible, despite not being reflected 20 in any minutes, that the GPA never discussed 21 at one of its meetings the bullying issue in 22 one shape, form or another? 23 A. To me that is implausible. 24 Q. Is it your position, given that you have 25 been asked so frequently whether you have</p> <p style="text-align: center;">Page 224</p>

56 (Pages 221 to 224)

<p>1 made a note of this or whether you have 2 given evidence of that, when we have 3 documentary evidence, is it your position that 4 you invite this Inquiry to disbelieve the 5 evidence of every police officer who did not 6 make a note of an important meeting? 7 A. That is not my position at all. 8 Q. My learned friend, Mr Wagner, accused 9 you of re-writing history. Do you recall that? 10 A. I do. 11 Q. Do you believe, Mr Pyle, that the 12 intentional rewriting of history is lying? 13 A. It is. 14 Q. I wonder whether we might have on 15 screen paragraph 30 of Mr McGrail's written 16 opening submissions in this Inquiry, I think it 17 is fair to say that the history that he put to 18 you that you had intentionally rewritten was 19 the history as to the reasons for your loss of 20 confidence, would you read out paragraph 30 21 until I ask you to pause because we do not 22 need it all. 23 A. MP says that his loss of confidence was 24 primarily due to the incident at sea in the 25 HMIC FRS report. We do not say that MP is</p> <p style="text-align: center;">Page 225</p>	<p>1 A. There are I believe my predecessor's 2 predecessor, Leslie Pyett was subsequently 3 engaged by the Government of Gibraltar. 4 Q. I was suggesting to you are you aware 5 that your predecessor, or one, this Leslie 6 Pyett, was engaged on similar terms to 7 yours? 8 A. Yes. 9 Q. By this Government? 10 A. Yes. 11 Q. Not by mine but by this Government? 12 A. Yes, I was aware of that. 13 Q. Are you aware that Colonel Stuart Green 14 --- do you know who Colonel Stuart Green 15 is? 16 A. Yes, I do. 17 Q. What position did he hold in Gibraltar? 18 A. Well, most recent or now or --- 19 Q. No, no, when he was in the military here? 20 A. I couldn't say with certainty, Sir Peter. 21 Q. But he held a senior post in the 22 command? 23 A. Yes. 24 Q. And he was retained by the Government 25 in a press capacity --- are you aware of that?</p> <p style="text-align: center;">Page 227</p>
<p>1 lying but we do say that MP was manipulated 2 and allowed himself to be manipulated by 3 FP. 4 Q. Thank you. So can you find a way of 5 reconciling the suggestion put to you today 6 for the first time that you have rewritten 7 history as to the reasons for your loss of 8 confidence whilst at the same time arguing 9 when it suits that they do not say that you are 10 lying about the reasons for which you 11 primarily lost your confidence? 12 A. That is a correct statement. 13 Q. Can you find a way of reconciling those 14 two positions? 15 A. No, I cannot. 16 Q. So in respect of --- do you recall my 17 learned friend, Mr Wagner, putting to you 18 questions about the job offers? 19 A. Yes. 20 Q. Do you know whether it is unusual for 21 the Gibraltar Government to tap into 22 otherwise departing talent like you? 23 A. Thank you. No, in fact there are --- 24 Q. There are grades of talent like grades of 25 ambassadors, I suspect?</p> <p style="text-align: center;">Page 226</p>	<p>1 A. Yes, I am. 2 Q. Before he left? 3 A. I believe so. 4 Q. And are you aware --- 5 A. Can I say I now believe he is with the 6 RGP. 7 Q. Yes, and are you aware that Chris Perkiss 8 whom I recruited as our director of aviation, 9 was recruited upon his retirement as the RAS 10 station commander in Gibraltar? 11 A. Yes, I am aware of that. 12 Q. And are you aware that Governor Ed --- 13 Lieutenant Ed Davis, that this Inquiry has 14 heard from, what he himself contracted --- 15 admittedly because of Covid he could not 16 take up a position but he was contracted to 17 remain and perform a job for the Gibraltar 18 Government? 19 A. Yes, I was aware of that. 20 Q. And are you aware that in all of those 21 instances, except perhaps Stuart Green and 22 Chris Perkiss, that they all had to be 23 approved by the --- in the case of ex- 24 Governor Davis, by the cabinet office in 25 London. Were you aware of that?</p> <p style="text-align: center;">Page 228</p>

57 (Pages 225 to 228)

<p>1 A. Yes, I am.</p> <p>2 Q. It is also true to acknowledge that none of</p> <p>3 those were likely to be participants in a</p> <p>4 convened public inquiry. That is true, is it</p> <p>5 not? The point that I am trying to put is that</p> <p>6 this is not an extraordinary or unusual event.</p> <p>7 Do you agree?</p> <p>8 A. I do agree,</p> <p>9 Q. So can I just ask you, because I cannot</p> <p>10 help thinking that you might have got</p> <p>11 confused, can we put on the screen C4680,</p> <p>12 the letter of 5 June. Do you remember that</p> <p>13 paragraph that is on the screen and my</p> <p>14 learned friend asked you some questions, and</p> <p>15 I cannot help thinking --- I am just offering</p> <p>16 you the opportunity of whether you are</p> <p>17 confusing your position, this is a letter of 3</p> <p>18 June, your letter of 3 June, do you know what</p> <p>19 it is?</p> <p>20 A. Yes, I do.</p> <p>21 Q. He then quickly asks you questions about</p> <p>22 your witness statement and I want you to</p> <p>23 consider whether you thought you were</p> <p>24 answering about one when you thought it</p> <p>25 was the other. Is it your evidence that your</p> <p style="text-align: center;">Page 229</p>	<p>1 other reason for it.</p> <p>2 Q. Whose mobile phone number was yours?</p> <p>3 Is it yours or the Convents?</p> <p>4 A. No, it's the Convents.</p> <p>5 Q. And your successor takes the same</p> <p>6 number. Is that correct?</p> <p>7 A. Correct.</p> <p>8 Q. So if WhatsApps had not been deleted</p> <p>9 they are still in the WhatsApp account</p> <p>10 attributable to that number. Is that correct?</p> <p>11 A. They should be, yes, that's a good point.</p> <p>12 Q. But you deleted them --- sorry.</p> <p>13 A. I was going to say that they should be but</p> <p>14 of course my successor should be following</p> <p>15 the same procedures, assuming they stayed</p> <p>16 the same, that I was following.</p> <p>17 Q. So no Foreign Office employee should</p> <p>18 have WhatsApp on their phone. Is that</p> <p>19 correct?</p> <p>20 A. No Foreign Office employee should have.</p> <p>21 THE CHAIRMAN: There is probably some</p> <p>22 simple answer to this. (To the witness):</p> <p>23 What is the policy reason behind that?</p> <p>24 A. I think that WhatsApps are not as safe as</p> <p>25 people believed them to be.</p> <p style="text-align: center;">Page 231</p>
<p>1 lawyers --- let me put it to you this way</p> <p>2 because that was the clear innuendo in the</p> <p>3 question, did you consult me or anybody in</p> <p>4 my firm about the drafting of this letter?</p> <p>5 A. No.</p> <p>6 Q. Did I or anybody in my firm see this</p> <p>7 letter?</p> <p>8 A. Not until I provided it to you.</p> <p>9 Q. Were we representing you at that time?</p> <p>10 A. No.</p> <p>11 Q. Just before you finished answering</p> <p>12 helping my learned friend, Mr Wagner, he</p> <p>13 asked you about the deletion of your</p> <p>14 WhatsApps and yesterday you explained</p> <p>15 what the policy was in the Foreign Office</p> <p>16 about the deletion of WhatsApps, do you</p> <p>17 recall that?</p> <p>18 A. Yes, I do.</p> <p>19 Q. So when you said "yes, I have deleted</p> <p>20 WhatsApps," the innuendo in the question is</p> <p>21 obvious, is that because of the chronology of</p> <p>22 dates between your retirement and the</p> <p>23 announcement of this Inquiry or is there</p> <p>24 some other reason for it?</p> <p>25 A. Just chronology of dates. There is no</p> <p style="text-align: center;">Page 230</p>	<p>1 THE CHAIRMAN: Okay, that is very likely,</p> <p>2 all right.</p> <p>3 SIR PETER CARUANA: (To the witness):</p> <p>4 So the innuendo behind the question that</p> <p>5 somehow you deleted these WhatsApps in</p> <p>6 the context of this impending Inquiry, is</p> <p>7 there any truth in that innuendo?</p> <p>8 A. No.</p> <p>9 Q. Mr Wagner asked you a long, long list of</p> <p>10 questions all based on the premise that the</p> <p>11 Chief Minister had interfered or intervened in</p> <p>12 a live criminal investigations. Do you</p> <p>13 remember that?</p> <p>14 MR WAGNER: I did not. I asked general</p> <p>15 questions of principle not questions about</p> <p>16 this Chief Minister. That was a separate set</p> <p>17 up.</p> <p>18 SIR PETER CARUANA: I see. (To the</p> <p>19 witness): So in the context of an Inquiry in</p> <p>20 which his position is that the Chief Minister</p> <p>21 has indeed intervened or interfered, the</p> <p>22 suggestion now is that the innuendo was not</p> <p>23 intended to be limited to that, but, never</p> <p>24 mind, but bearing Mr Wagner's clarification</p> <p>25 in mind, are you aware whether the Chief</p> <p style="text-align: center;">Page 232</p>

58 (Pages 229 to 232)

<p>1 Minister interfered or intervened in a live 2 criminal investigation? 3 A. I don't believe he did. 4 Q. Is that not one of the facts that this 5 Inquiry has been looking into? 6 A. Surrounding the retirement of the 7 Commissioner of Police? 8 Q. Yes. 9 A. Yes. 10 Q. Are you aware of whether he intervened 11 or interfered in any live criminal 12 investigation or one in relation to his friend? 13 A. No. 14 Q. I think you have just answered this, I was 15 about to ask you whether you have any view 16 as to whether he did but ---- 17 THE CHAIRMAN: Yes, that is ---- 18 SIR PETER CARUANA: Yes, I understand 19 that, thank you. (To the witness): Do you 20 think that --- do you believe that there is any 21 difference between criticism and 22 interference? 23 A. Yes, there is. 24 Q. Do you think that the RGP is 25 operationally independent?</p> <p style="text-align: center;">Page 233</p>	<p>1 advised at all? What was the relevance to 2 you of the nature of the lie? 3 A. I hope I made that point earlier on. 4 Q. I will see if can motor on and clear some 5 ground. I think on weaponised, you have 6 dealt with this and I do not want to cover 7 other ground, but I got the impression that at 8 some point in your evidence earlier today 9 you were wanting to be taken to some 10 photographs. Do you still want to do that? 11 We now have the references in case you want 12 them, it is A294 and A912, but I will not take 13 you to them. I think you also dealt with the 14 question of accountability, have you 15 suggested ever to anybody that the RGP or 16 even Mr McGrail has discriminated in the 17 way that they carry out their duties against 18 anybody based on their nationality or any 19 other criteria of discrimination? 20 A. No. 21 Q. Is it your evidence that you felt that --- 22 well, do you feel that the head of an 23 organisation like the RGP is accountable in a 24 wider and in a sense more political (with a 25 small P) sense?</p> <p style="text-align: center;">Page 235</p>
<p>1 A. I believe it is. 2 Q. Do you think that that operational 3 independence immunises them from criticism 4 in respect of operationally independent 5 actions? 6 A. Absolutely not. 7 Q. In respect of the Chief Minister's loss of 8 confidence in Mr McGrail, was your own 9 loss of confidence in Mr McGrail based on 10 your reasons or on his reasons for losing 11 confidence? 12 A. Only my reasons. 13 Q. But the Chief Minister explained to you 14 what his reasons were, did he not? 15 A. Yes, he did. 16 Q. He mentioned to you this business that he 17 had lost confidence because he thought he 18 had been lied to by Mr McGrail. Did he 19 explain that to you? 20 A. Yes, he did. 21 Q. And given that this was not a reason for 22 you losing confidence in him, did it make 23 any difference to you what might have been 24 the exact wording of the alleged lie, whether 25 it was advise strongly against or had not</p> <p style="text-align: center;">Page 234</p>	<p>1 A. Yes, I do. 2 Q. Is that what you mean when you say that 3 if the two deceased had been two citizens of 4 a community of 30,000 people, which is what 5 we are, 35,000 people, that the outcry for 6 accountability might have been stronger than 7 it proved to be? 8 A. That's correct. 9 Q. Do you know what the purpose of the 10 Met report was? 11 A. It was to explore the reasons for the - and 12 I use the word in its broadest context - 13 incident at sea. I also think it was also to - 14 and I may not have this right - make 15 recommendations to ensure it couldn't 16 happen again. 17 Q. Was it not primarily because the police 18 had to investigate whether officers of itself 19 may have committed criminal offences? 20 A. Oh, yes, sorry, yes, I see, yes, yes, an 21 element of that, yes. 22 Q. So when you invite an external force to 23 conduct an investigation, is that the primary 24 reason? 25 A. It is and that is why I made the comment</p> <p style="text-align: center;">Page 236</p>

59 (Pages 233 to 236)

<p>1 --- and sorry for not making myself clearer, 2 that I fully expected that request to come in 3 because I saw no option. 4 Q. In fact did the Met eventually recommend 5 the prosecution or criminal charges be 6 brought against ---- 7 A. Yes, it did. 8 Q. --- a number of officers? 9 A. Yes, it did. 10 Q. In terms of accountability, did you 11 already in May know that two citizens, not of 12 Gibraltar but two people had suffered deaths? 13 A. Yes, I did. 14 Q. At the hands of the Royal Gibraltar 15 Police? 16 A. Yes. 17 Q. Operating outside of British territorial 18 waters? 19 A. Yes. 20 Q. In Spanish territorial waters? 21 A. Yes. 22 Q. Had you seen the Solis report or its draft? 23 A. Yes. 24 Q. And had you expressed concern already 25 about the waters issue, operating outside our</p> <p style="text-align: center;">Page 237</p>	<p>1 to do. My view is my view and my view can 2 be accepted and taken in any way by 3 anybody. 4 Q. You were also asked why you had not --- 5 I cannot read my own handwriting, whether 6 you had taken the opportunity to have all the 7 facts, the evidence and issues in front of you 8 to ensure a fair process. Do you remember 9 that? 10 A. On the recruitment, yes, I do remember. 11 Q. Are you aware that it is the RGP's case as 12 articulated by my learned friend, Mr Cruz, 13 almost whenever he gets to his feet, that the 14 RGP are accountable only to the GPA and 15 that the Government should not interfere? 16 A. So I --- yes, I mean the Governor has the 17 ability to interfere --- well, interfere is 18 possibly too strong a word but under the Act, 19 as we know, the Governor does have certain 20 powers. 21 Q. What powers do you think you have, and 22 I will debate it with you, so I will just ask 23 you the question and move straight on. 24 A. But the GPA is independent which is why 25 my point is that when I started the process, I</p> <p style="text-align: center;">Page 239</p>
<p>1 waters and also the AIS having been 2 switched off? 3 A. Yes. 4 Q. Are those the reasons why you thought 5 the Commissioner of Police should be 6 accountable? 7 A. Yes. 8 Q. Did you need the Met report to tell you 9 any of that? 10 A. No, I didn't. 11 Q. My learned friend, Mr Cruz, or I think it 12 was and he will correct me if I am wrong, it 13 may have been Mr Neish, put to you --- 14 asked you whether you had exercised undue 15 influence on the GPA, so it was probably my 16 learned friend, Mr Neish, do you recall being 17 asked that? 18 A. I do. 19 Q. Do you consider that you exercised undue 20 influence over the --- or what conduct on 21 your part do you think might fairly rank as 22 undue influence on the GPA? 23 A. I suspect that was more than --- in my 24 view, it was given with --- in some way or 25 other an instruction that this is what they had</p> <p style="text-align: center;">Page 238</p>	<p>1 expected the whole process to be taken 2 forward by the GPA. 3 Q. It is the whole case for the RGP that the 4 Governor does not have powers, so would 5 you like an opportunity to say what powers 6 you think you have other than the ones in 7 section 13 to, for example, haul in the 8 Commissioner of Police in what Mr Cruz 9 called some other alternative before the last 10 resort of exercising your section 13 powers? 11 What other process is there available to you? 12 A. I would have to, so late in the day and so 13 on ---- 14 Q. Yes, I understand, yes. I think I have 15 caught up with my notes now, so I can --- I 16 would just like to cover --- we may have to 17 spend a few minutes on this, so please do 18 bear with me, I would like to give you an 19 opportunity so that the Inquiry in general and 20 the chairman in particular can assess to what 21 extent the rapid fire questioning to which you 22 were subjected by Mr Wagner may have 23 caused you to become confused around the 24 incident at sea ---- 25 MR WAGNER: I am sorry, is that a</p> <p style="text-align: center;">Page 240</p>

60 (Pages 237 to 240)

<p>1 question or ----</p> <p>2 SIR PETER CARUANA: I withdraw it, I</p> <p>3 withdraw it, I withdraw it.</p> <p>4 (16.00)</p> <p>5 THE CHAIRMAN: It is no good being too</p> <p>6 sensitive, Mr Wagner, for these...</p> <p>7 SIR PETER CARUANA: I was in jest.</p> <p>8 MR WAGNER: I think that was just</p> <p>9 sensitive enough --</p> <p>10 THE CHAIRMAN: Yes, yes, yes.</p> <p>11 MR WAGNER: -- to be fair.</p> <p>12 Q. Okay. Is it your evidence to this Inquiry</p> <p>13 that the occasion of the collision is what was</p> <p>14 most important to you on 8 March, is that</p> <p>15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. At the meeting on 8 March at New Mole</p> <p>18 House police station, were you told that it</p> <p>19 was virtually certain or highly probable that</p> <p>20 the collision had taken place in Spanish</p> <p>21 waters?</p> <p>22 A. No, I was not.</p> <p>23 Q. Were you told that the Guardia Civil had</p> <p>24 provided coordinates to the RGP from their</p> <p>25 CVAY (?), whatever that stands for</p> <p style="text-align: center;">Page 241</p>	<p>1 about the use of the word "incident" and</p> <p>2 whether it includes collision as well as</p> <p>3 pursuit, do you remember that?</p> <p>4 A. Yes, I do.</p> <p>5 Q. Did the then-Commissioner, Mr McGrail,</p> <p>6 ever draw this distinction when he was</p> <p>7 giving you or not giving you information?</p> <p>8 A. No, he did not.</p> <p>9 Q. In respect of the 9 March meeting, were</p> <p>10 you told it was virtually certain or highly</p> <p>11 probable that it was in Spanish waters? The</p> <p>12 collision, I am speaking about the collision</p> <p>13 now.</p> <p>14 A. No, I was not.</p> <p>15 Q. And about the fact that the Guardia Civil</p> <p>16 had provided coordinates from their radar</p> <p>17 system?</p> <p>18 A. No, I was not.</p> <p>19 Q. Or that the collision had occurred six</p> <p>20 nautical miles of Santa Bárbara beach, it was</p> <p>21 thought?</p> <p>22 A. No, I was not.</p> <p>23 Q. Did you again ask, in the meeting of 9</p> <p>24 March, about the location of the collision?</p> <p>25 A. Yes, I did.</p> <p style="text-align: center;">Page 243</p>
<p>1 (acronyms) radar system?</p> <p>2 A. No, I was not.</p> <p>3 Q. Were you told that the collision is thought</p> <p>4 to have occurred six nautical miles off Santa</p> <p>5 Bárbara beach?</p> <p>6 A. No, I was not.</p> <p>7 Q. Did you ask about the location of the</p> <p>8 collision.</p> <p>9 A. Yes, I did, and whether it was -- it wasn't</p> <p>10 the location, it was whether it was inside or</p> <p>11 outside...</p> <p>12 Q. Yes. Exactly, of British marine (?)...</p> <p>13 A. -- BGTW.</p> <p>14 Q. Were you shown a map? Sorry, I am</p> <p>15 covering ground -- I expect to be rapped over</p> <p>16 the knuckles in just a moment because you</p> <p>17 have answered this question actually,</p> <p>18 frequently --</p> <p>19 THE CHAIRMAN: Several times.</p> <p>20 SIR PETER CARUANA: It was put to you</p> <p>21 by you, sir, directly.</p> <p>22 THE CHAIRMAN: Yes.</p> <p>23 Q. You were not shown a map?</p> <p>24 A. I was not shown a map.</p> <p>25 Q. Now, we have heard a lot this morning</p> <p style="text-align: center;">Page 242</p>	<p>1 Q. And, were you shown the map on that</p> <p>2 occasion?</p> <p>3 A. No, I was not.</p> <p>4 Q. Was the distinction between incident</p> <p>5 meaning collision and/or pursuit explained to</p> <p>6 you?</p> <p>7 A. No.</p> <p>8 Q. Or alluded to?</p> <p>9 A. No.</p> <p>10 Q. So, if I could just now take a moment or</p> <p>11 two to put some of your emails to the Foreign</p> <p>12 Office to you. Can we have on screen</p> <p>13 C3286. Yes, just the paragraph that reads</p> <p>14 "CoP confirms". So, "CoP confirm that the</p> <p>15 exact location is still to be", you remember</p> <p>16 being taken to this?</p> <p>17 A. Yes, I do.</p> <p>18 Q. "CoP confirmed" etc, "still has to be</p> <p>19 determined, as were the details of the chase,</p> <p>20 which lasted ten minutes. I said that it was</p> <p>21 important that (?) for Thursday's meeting in</p> <p>22 London we had one single and agreed</p> <p>23 version of facts. I welcomed the fact that</p> <p>24 there had been communication between the</p> <p>25 Guardia Civil and the RGP", and then there</p> <p style="text-align: center;">Page 244</p>

61 (Pages 241 to 244)

<p>1 is, "The AG said it was clear with the entry at 2 some point of the vessel that the law had 3 been broken, and that the chase was 4 legitimate (?). He said it is important we are 5 able to present this to the Spanish as 6 cooperation", etc, etc. So, that was on 9 7 March; that was your email on 9 March, after 8 you had said in the morning to the Foreign 9 Office that, B1346... I will not dwell on 10 these, because I think we are all now pretty 11 familiar with them, "There have been 12 complications around yesterday's incident, it 13 might have happened as much as six miles 14 inside Spanish waters." Do you recall 15 reporting that -- 16 A. Yes, I do. 17 Q. -- on the night -- this was the very early 18 morning -- 19 A. Yes, I do. Eight o'clock, or... 20 Q. Now, can you go to 3265. No, I am 21 going to curtail this; I am just going to do it 22 to the latter ones, otherwise I am going to 23 take too long. I do beg your pardon, Sir; I 24 am going to cut out some of this. Can we go 25 to B1351, at 18.58. "Ian, Good to hear about</p> <p style="text-align: center;">Page 245</p>	<p>1 collision took place. We are tying up some 2 loose ends and probing further from WHSS 3 and should be able to confirm soon. It is, 4 highly probable it did occur out BGTW." Is 5 this the first time that you hear this from Mr 6 McGrail? 7 A. Yes, it is. 8 Q. And is that consistent with having been 9 told on the 9th allegedly more than this? 10 MR WAGER: I am sorry, I have got to 11 intervene, because that is not what was put to 12 him and it is not what he said in evidence, so 13 if you have got a part of the oral evidence to 14 put him to then fine, but -- 15 SIR PETER CARUANA: B -- 16 MR WAGER: -- that is misleading. 17 SIR PETER CARUANA: No, it is not 18 misleading. The essence of your questions 19 was to suggest that Mr Pyle... Sorry, I will 20 address the chair. Sir, the essence of the 21 questions was to imply that Mr Pyle already 22 knew on the 9th information that he wrongly 23 attributes as evasiveness to Mr McGrail, by 24 suggesting that Mr McGrail had failed to 25 provide it to him sooner than the 12th. That</p> <p style="text-align: center;">Page 247</p>
<p>1 progress re Met help. Are we any clearer as 2 to where the collision took place? London 3 are keen to know whether it was inside or 4 outside BGTW and if the latter, 5 approximately by how far." Is it conceivable 6 that on 11 March you could have sent such a 7 message to Mr McGrail if, as has been the 8 premise of the questions put to you by Mr 9 Wagner, you had even better than that 10 information already by the 9th? 11 MR WAGER: Sorry, that is not what I put to 12 him 13 SIR PETER CARUANA: Sorry? 14 THE CHAIRMAN: I think that what you are 15 asking is: would he have sent that message 16 and asked that question if he already knew 17 the answer? 18 Q. Exactly, sir. It speaks about where the 19 collision took place, why are you asking 20 that? 21 A. Because I want confirmation, rather than, 22 than "might", rather than... 23 Q. Yes. And at 19.07 on the same day Mr 24 McGrail replies, "we are getting there on 25 establishing exact co-ordinates of where</p> <p style="text-align: center;">Page 246</p>	<p>1 was the essence of the questions, and I am 2 putting to the witness whether the answers 3 that he gave this morning are to be 4 understood in the context of the effect of that 5 being true on what he appeared not to know 6 in subsequent communications, both in his 7 favour and by you. 8 A. The point that I hope I got across is that I 9 believed Mr McGrail was evasive to me from 10 the Sunday morning up until he confirmed, 11 which is the information I wanted to hear 12 from the Commissioner of Police, until I got 13 this WhatsApp response from him. 14 Q. I will take you just to one more: the 15 exchange between Mr McGrail and Mr 16 Llamas at 19.09. "HE (Nick) is asking for 17 confirmation of where collision took place as 18 London are keen to know. I have informed 19 him along the same lines that you advised 20 CM ie that it is highly probable that it 21 happened outside BGTW." So even then, Mr 22 McGrail was saying that he was then on that 23 day telling you "highly probable", agree? 24 A. Agree. 25 Q. And "outside BGTW", anything about</p> <p style="text-align: center;">Page 248</p>

62 (Pages 245 to 248)

<p>1 inside Spanish waters there?</p> <p>2 A. No. And I think the -- if I may, "I have</p> <p>3 informed him along the same lines that you</p> <p>4 advised CM" is the AG's email -- the</p> <p>5 WhatsApp he erroneously sent to the</p> <p>6 Commissioner of Police.</p> <p>7 Q. And you say to Mr McGrail, "OK.</p> <p>8 Thanks. I'll inform London facts still not</p> <p>9 established but highly likely to have occurred</p> <p>10 outside BGTW." You are still not boasting of</p> <p>11 any knowledge that it was probably in Spain?</p> <p>12 A. No, correct.</p> <p>13 Q. Until 12 March, when there is the email I</p> <p>14 will not take you to that is at 3306. You say</p> <p>15 to London, "I asked the Commissioner of</p> <p>16 Police yesterday". Had an inquiry been</p> <p>17 called in March 2020?</p> <p>18 A. No.</p> <p>19 Q. Had you even engaged in the process in</p> <p>20 relation to Mr McGrail in March 2020.</p> <p>21 A. No.</p> <p>22 Q. This is what you told the Foreign Office,</p> <p>23 "I asked the Commissioner of Police</p> <p>24 yesterday if he could three days on confirm</p> <p>25 the location of the collision, as per the</p> <p style="text-align: center;">Page 249</p>	<p>1 been evasive with you in terms of providing</p> <p>2 to you the best information, subject to</p> <p>3 confirmation, that was available to him?</p> <p>4 A. That is my position.</p> <p>5 Q. You have already spoken around the</p> <p>6 manipulation point, and I think in shorthand</p> <p>7 you have said that you find the suggestion</p> <p>8 offensive, but I could take you to... Did you</p> <p>9 by any chance hear the broadcast of the</p> <p>10 evidence of the Chief Minister?</p> <p>11 A. I...</p> <p>12 Q. Just to save me putting some of these</p> <p>13 documents to you.</p> <p>14 A. I did, I did hear it. Not live at the same</p> <p>15 time, but I've caught up on it.</p> <p>16 Q. Did you require persuasion by the Chief</p> <p>17 Minister, of the desirability of replacing Mr</p> <p>18 McGrail as Commissioner of Police?</p> <p>19 A. Not at all.</p> <p>20 Q. Did you require persuasion or</p> <p>21 encouragement by him to approach the GPA?</p> <p>22 A. Not at all.</p> <p>23 Q. Why not?</p> <p>24 A. Because I could do it in my own right if I</p> <p>25 wanted to.</p> <p style="text-align: center;">Page 251</p>
<p>1 meeting Michael and I had with him on</p> <p>2 Monday. He was not, and restricted himself</p> <p>3 to saying: more work needing to be done but</p> <p>4 it is highly probable it was outside BGTW. I</p> <p>5 have to say I cannot quite understand why we</p> <p>6 still don't definitively know whether the</p> <p>7 incident took place in or outside of BGTW."</p> <p>8 And then you go on, the exact coordinates do</p> <p>9 not matter, this is what you said in evidence</p> <p>10 today, that this is... Sorry? Yes. I do not</p> <p>11 want to take up more time with this, what I</p> <p>12 have read is there. "The exact coordinates</p> <p>13 don't matter. That this savage (?)... it's a</p> <p>14 matter..."</p> <p>15 THE CHAIRMAN: I think that must mean</p> <p>16 "at this stage" --</p> <p>17 A. Yes. Correct.</p> <p>18 Q. Yes, thank you sir. "it's a matter of inside</p> <p>19 or out. This leaves me worried that it was</p> <p>20 significantly outside." So, even then you</p> <p>21 were talking only about being significantly</p> <p>22 worried, at eight o'clock in the morning on</p> <p>23 the 12th.</p> <p>24 A. Correct.</p> <p>25 Q. So, do you consider that Mr McGrail has</p> <p style="text-align: center;">Page 250</p>	<p>1 Q. And even if the Chief Minister had been</p> <p>2 the trigger in the but for sense, I do not</p> <p>3 know, presumably you would not have done</p> <p>4 it on that day if the Chief Minister had not</p> <p>5 rung up. Perhaps you would like to answer</p> <p>6 that question. Would you have done it on</p> <p>7 that day? I think this was the thrust of one of</p> <p>8 my learned friends' questions. Would you</p> <p>9 have done it on that day if the Chief Minister</p> <p>10 had not reached out to you on the 14th with</p> <p>11 his email?</p> <p>12 A. Probably not, given what was in my</p> <p>13 in-tray at the time. But it wouldn't have</p> <p>14 taken long.</p> <p>15 Q. So even if the Chief Minister was the</p> <p>16 trigger in the sort of but for sense, does that</p> <p>17 alter anything about your position, about</p> <p>18 your loss of confidence and about your desire</p> <p>19 to see Mr McGrail replaced for whatever</p> <p>20 reasons you have explained to the Inquiry?</p> <p>21 A. Not at all.</p> <p>22 Q. So is it true that there was</p> <p>23 a coincidence --</p> <p>24 A. Yes, it is.</p> <p>25 Q. -- albeit for different reasons --</p> <p style="text-align: center;">Page 252</p>

63 (Pages 249 to 252)

<p>1 A. Yes, it is.</p> <p>2 Q. -- for the same objective?</p> <p>3 A. I believe I made that statement yesterday.</p> <p>4 Q. So I am not going to take the Inquiry's</p> <p>5 time because this is, hopefully I am the last</p> <p>6 speaker in the oral stage, so we are all now</p> <p>7 tired, but in all the documents that you have</p> <p>8 seen, the emails that you drafted yourself, do</p> <p>9 you remember you sent an email on the</p> <p>10 evening of the 17th, I think it was, the</p> <p>11 Sunday. Do you remember that?</p> <p>12 A. Yes.</p> <p>13 Q. It was the Chief Minister then</p> <p>14 commented on in red and sent back to you.</p> <p>15 A. Yes.</p> <p>16 Q. When you sent, when you initiated that</p> <p>17 email to the Chief Minister after your</p> <p>18 meeting with him, was that your act or</p> <p>19 something that he encouraged you to do or</p> <p>20 somehow something that he manipulated you</p> <p>21 to do?</p> <p>22 A. No, that would have been at my own</p> <p>23 instigation.</p> <p>24 Q. We may look at that one because of the</p> <p>25 suggestions put about the process to you</p> <p style="text-align: center;">Page 253</p>	<p>1 Q. And is that your position regardless of</p> <p>2 coincidences and absence of notes? Talking</p> <p>3 about the absence of notes, do you think that</p> <p>4 the fact that you do not immediately</p> <p>5 complain about something illegitimatises</p> <p>6 your taking into account later?</p> <p>7 A. No.</p> <p>8 Q. Indeed, do you not stand accused of</p> <p>9 rushing into your section 12 decision before</p> <p>10 you new Governor arrived?</p> <p>11 A. Yes.</p> <p>12 Q. And at the same time of taking six to</p> <p>13 eight weeks to decide that the incident at sea</p> <p>14 was serious enough to call to lose confidence</p> <p>15 in Mr McGrail.</p> <p>16 A. Correct.</p> <p>17 Q. So we now know that, according to</p> <p>18 Mr McGrail, the reasonable time to pause for</p> <p>19 thought between rushing and taking too long</p> <p>20 is somewhere between eight days and eight</p> <p>21 weeks, or six weeks.</p> <p>22 A. Correct.</p> <p>23 Q. Okay. (Pause). So you were asked, do</p> <p>24 you recall being asked, and this is just really</p> <p>25 by way of clarification, yesterday you were</p> <p style="text-align: center;">Page 255</p>
<p>1 today. And when you approved the 18 May</p> <p>2 meeting, did you approve it because you</p> <p>3 thought it was a relatively accurate record of</p> <p>4 what had transpired or because you were</p> <p>5 only interested in what the Chief Minister</p> <p>6 thought?</p> <p>7 A. No, the former.</p> <p>8 Q. Did London, to whom you were ... I think</p> <p>9 you reported to London immediately after</p> <p>10 your meeting with the Chief Minister, did</p> <p>11 you not?</p> <p>12 A. Yes, I did. Um ... (pause).</p> <p>13 Q. And indeed after the meeting with</p> <p>14 Mr Britto again.</p> <p>15 A. Yes.</p> <p>16 Q. And did London come back saying:</p> <p>17 "Take care, handle with care"?</p> <p>18 A. No, they did not, no.</p> <p>19 Q. Is it your sworn oath, is it your sworn</p> <p>20 evidence here to this commission on oath that</p> <p>21 whatever you thought, whatever you did,</p> <p>22 whatever you agreed with, was your own</p> <p>23 spontaneous act and decision unmanipulated</p> <p>24 for any improper purpose by anybody else?</p> <p>25 A. Yes, it is. (Pause).</p> <p style="text-align: center;">Page 254</p>	<p>1 asked by, I think it was, my learned friend</p> <p>2 Mr Santos, whether you were suggesting that</p> <p>3 if Mr McGrail retired it would not be</p> <p>4 necessary to make the section 15 request at</p> <p>5 all? Do you remember that?</p> <p>6 A. I do.</p> <p>7 Q. And I think you answered that that is</p> <p>8 a good point, I think I still, and then I think</p> <p>9 you said something about out of interest and</p> <p>10 taking the box home later. Do you recall</p> <p>11 saying that?</p> <p>12 A. Yes, I do.</p> <p>13 Q. What was the purpose of the section 15</p> <p>14 report request? Do you recall? Do you</p> <p>15 know?</p> <p>16 A. Well, it is set out very clearly in the Chief</p> <p>17 Minister's letter ... request.</p> <p>18 Q. And would that purpose have fallen away</p> <p>19 simply because the Commissioner of Police</p> <p>20 was replaced?</p> <p>21 A. No, it wouldn't.</p> <p>22 Q. Was this information that was still</p> <p>23 required?</p> <p>24 A. Yes, it was.</p> <p>25 Q. And if I could just deal briefly with the</p> <p style="text-align: center;">Page 256</p>

64 (Pages 253 to 256)

<p>1 suggestion implicit, well, no, I think it was 2 actually explicit on the part of Mr Wagner, 3 that giving him only seven days to do this 4 report might suggest that you were simply to 5 put pressure on Mr McGrail. That is, I am 6 not sure it was put to you but it was certainly 7 put by the Chief Minister. Can I just ask you 8 to go to B1441 briefly. This is, hopefully 9 B1441 is a WhatsApp exchange. Yes, there 10 on 19 May. This is at 11.44. The Chief 11 Minister: 12 "On the other hand, what is your instinct on 13 the section 15(1)(a) report? Shall I seek it 14 given the Met report is not imminent? I am 15 in two minds." 16 Then you reply: 17 "I am sure or hope the Commissioner of 18 Police has done his own internal 19 investigation and therefore has an internal 20 report." 21 Do you think you were party to putting 22 pressure on Mr McGrail for the fun of it by 23 asking him to do a report in seven days? 24 A. No, I don't. 25 Q. Was it not your stated view there that you</p> <p style="text-align: center;">Page 257</p>	<p>1 information possible, around the incident. 2 Q. Still on the incident at sea and just for the 3 benefit of the Inquiry, just to give you 4 an opportunity to review this and perhaps 5 reconsider what you have said. So can we 6 have 1441? Is that ... yes. This is your 7 consultation. We have looked at it so we do 8 not have to look at the text again. I think it 9 was my learned friend Mr Santos that 10 suggested to you whether, or it may have 11 been Mr Wagner, I beg your pardon, whether 12 there was, it is suggested that there must have 13 been a previous discussion, that you must 14 have discussed, that this exchange suggests 15 that you must have discussed the section 15 16 report request with the Chief Minister before 17 and you were asked when. I think this was 18 Mr Wagner. And you said: "I do not think 19 we did." And you were asked: "Was it at the 20 15 May meeting?" And you said: "I do not 21 think so but I am sure I raised it in general, it 22 arose or I raised it in general discussions." 23 Do you remember that -- 24 A. I do. 25 Q. -- being your evidence? Just to give you</p> <p style="text-align: center;">Page 259</p>
<p>1 hoped and were sure that he had normally 2 done his own internal investigation and 3 therefore has an internal report on which you 4 could base a section 15? Is that what you 5 mean by those words? 6 A. Yes, it is. 7 Q. And you say you could: 8 "Only ask on the basis of the claim being 9 filed as a peg or be waiting until say Friday 10 to see what Joey comes up, slight preference 11 to leave this to the GPA." 12 What is "this"? 13 A. Um, I think I probably, I don't know why 14 the GPA because I don't believe they can call 15 for a 15(1)(a) report. So that's, um, 16 (inaudible). 17 Q. Yes. And then: "Using section 15(1)(a) 18 would speed things up and on balance I 19 would go for that." How does speeding up 20 the section 15(1) report put pressure on 21 Mr McGrail to retire? 22 A. It doesn't. 23 Q. What is the thing that would be speeded 24 up? 25 A. Um, getting as much information, all the</p> <p style="text-align: center;">Page 258</p>	<p>1 the opportunity to clarify your position, can 2 we have B1769. (Pause). This is an email 3 from the Foreign Office to you. You see 4 a reference there in the second indent to the 5 Chief Minister having the right under the 6 Police Act to seek a report? 7 A. Yes. 8 Q. Does that suggest that the possibility of 9 the issuing of a report had been discussed 10 with you? 11 A. Yes, it does. As does actually the 12 wording of the Chief Minister's emails 13 because he said: "On the issue of". 14 Q. Yes. 15 A. Which we have seen previously, so. 16 Q. And in the email of, the one I referred to 17 before, that you exchanged on 18 May, or 17 18 May actually. Can we just have on screen 19 page C3961? So you recall this is the red. 20 The black was your email to him. The red 21 was what he had added by way of 22 commentary. Do you see there, roughly in 23 the middle of the page, the second red text? 24 "This is concerning. This is a pressing issue. 25 The delay suggests we should consider</p> <p style="text-align: center;">Page 260</p>

65 (Pages 257 to 260)

<p>1 progressing with the exercise of my section 2 15(1)(a) power to seek a factual report or 3 assessment. Let's discuss." 4 And indeed the Chief Minister said that that, 5 this document, had inspired the note of what 6 was going to be raised at the 18 May meeting 7 with Mr Britto and it is reflected in the note 8 in very similar terms at C3995. You can 9 have a very quick look at it. We are not 10 going to look at the text. Just you can see 11 that: "The issue is a pressing one." You will 12 recognise almost the same language. 13 A. Yes. 14 Q. It is about halfway down page 3995. Do 15 you want to scroll upwards? Yes. 16 A. Yes, I can see that. 17 Q. "The issue is a pressing one." No? It 18 should be ... yes: "The issue is a pressing 19 one." 20 A. Yes. 21 Q. Thank you. So would you accept that 22 you did discuss in fact the possibility of 23 a section 15 report? 24 A. Yes, we did. I think, and if I didn't say it, 25 it is inconceivable that we didn't. I just</p> <p style="text-align: center;">Page 261</p>	<p>1 to decide? 2 (16.30) 3 A. No, not at all. 4 Q. I mean, are you satisfied that it was at all 5 times the GPA's decision? 6 A. Yes. 7 Q. And the GPA process to flunk, if that is 8 what they did? 9 A. Correct. 10 Q. And indeed, if you look back, and I won't 11 take you to it because I took the Chief 12 Minister to it and I know the Chairman will 13 be familiar, that email with black and red, 14 specifically sets out the Chief Minister's 20 15 line statement about those very things, about 16 how Mr McGrail had to be given an 17 opportunity and how indeed having his 18 representations would be helpful, not just to 19 the GPA but to you if you ever needed to 20 exercise the section, do you recall that? 21 A. I do. 22 Q. Do you think that the GPA were free to 23 decide to call for Mr McGrail's retirement or 24 to decide not to call for Mr McGrail's 25 retirement?</p> <p style="text-align: center;">Page 263</p>
<p>1 couldn't draw together in this room when 2 exactly that took place. 3 Q. And if I could just take you to the section 4 34 process. You have been questioned quite 5 closely and intensely today by my learned 6 friend Mr Wagner as if this process were 7 yours. Is this section 34 process your 8 process? 9 A. No. 10 Q. What is your status in that process? Are 11 you a complainant or are you a decision 12 maker? 13 A. Um, I think I am a complainant. 14 Q. And beyond telling Mr Britto what you 15 told him at the meeting of 18 May, which 16 appears somewhere on this page or the next, 17 it happens to be on screen, but I do not have 18 to take you to it. But you wanted to make it 19 clear to him the strength of your views, etc. 20 Beyond that, and the chairman will decide 21 what significance he wishes to attach to that, 22 did you do anything at all to suggest 23 an improper process to the GPA or put 24 pressure on them as to what they had to 25 decide or direct them as to what they needed</p> <p style="text-align: center;">Page 262</p>	<p>1 A. Of course. 2 Q. And why should a prior indication of 3 what you would do, rightly or wrongly, if 4 they didn't, does that curtail their freedom to 5 make the choice I have just described? 6 A. Not at all. 7 Q. Yesterday, you said, and I think you 8 repeated it today, that you had expected that 9 the GPA would ask for more information. 10 So, taking your letter as 18 June -- sorry, 18 11 May -- do you regard that as your 12 "complaint" (in inverted commas) I using the 13 word "complaint" lightly? 14 A. I think as I said I regarded that as more, I 15 mean, do put it in context setting, but the 16 start of a process. 17 Q. And I think you also have said that the 18 GPA would need to provide more details at a 19 meeting with Mr McGrail and indeed I think 20 you have said, have you, that you had 21 envisaged the section 34 process to take 22 some time? 23 A. Yes. 24 Q. Why did you think it would take some 25 time?</p> <p style="text-align: center;">Page 264</p>

66 (Pages 261 to 264)

<p>1 A. It was a possibility because to do it 2 thoroughly and properly meant, you know, 3 giving Mr McGrail every opportunity to not 4 only put representations but perhaps to 5 provide evidence and then have 6 supplementary questioning, etc. 7 Q. Thank you. Might that have entailed you 8 and the Chief Minister being asked to give 9 more evidence if the GPA had thought that 10 necessary? 11 A. Absolutely. 12 Q. Information I should say rather than 13 evidence, or evidence, it does not matter. 14 Indeed, from either of you or both of you and 15 indeed from Mr McGrail perhaps? 16 A. Of course. 17 Q. So, is it your position that your letter of 18 22 May ... of 18 May, your note, was the 19 start of a process and indeed your invitation 20 orally to Mr Britto to consider whether the 21 GPA wanted to engage in a section 34 22 process? 23 A. Absolutely correct. 24 Q. So, when you were asked today by my 25 learned friend Mr Wagner why you acted as</p> <p style="text-align: center;">Page 265</p>	<p>1 Q. Or complaining together more 2 accurately? You said, I realise that some 3 words have a legalistic meaning and perhaps 4 a lay meaning, but you said that the GPA's 5 flawed process was about the fact that it was 6 inquate. Inquate means not enough 7 people present at the meeting. 8 A. Correct. 9 Q. Did you have an understanding of some 10 defects beyond the question of the quorum, 11 whether the quorum requirement had been 12 complied with? 13 A. Yes, I did. 14 Q. So, for example, did you know that they 15 had failed -- that they had purported to make 16 a substantive decision that it was desirable 17 for Mr McGrail to retire before they had 18 heard him in representations? 19 A. Yes. 20 Q. And that was part of my learned friend 21 Mr Neish's advice as to why the process was 22 flawed. Is that correct? 23 A. Correct. 24 Q. Did you know that? Were you legally 25 advised that the GPA's position resulted in a</p> <p style="text-align: center;">Page 267</p>
<p>1 one with the CM, with the insinuation that by 2 acting as one you had failed to uphold the 3 constitutional independence of the office of 4 Governor, what role did you have to share, to 5 act in as one with the Chief Minister in the 6 section 34 process? 7 A. Sorry, what role ...? 8 Q. Yes, did you have a role beyond the 9 invitation to the GPA for it to consider 10 exercising its powers? 11 A. No, no. 12 Q. So, the acting as one was simply your 13 coincidence of desire to see the removal of 14 Mr McGrail if possible? 15 A. Correct. 16 Q. And indeed, speaking of acting as one, 17 one or both of you would have had to consent 18 to the exercise of that power by the GPA if 19 they had decided to invite him to retire, is 20 that correct? 21 A. Correct. 22 Q. So acting as one simply means both of 23 the two parties, one of which would have had 24 to consent, giving the consent? 25 A. Yes.</p> <p style="text-align: center;">Page 266</p>	<p>1 default? 2 A. Yes, I was. 3 Q. You were legally advised by the Attorney 4 General, were you? 5 A. Yes. 6 Q. And can we have B1828 on screen 7 please. I hope you will see it there. 8 "Although you have justifiable grounds on 9 which to exercise your section 13(f) powers, 10 there remains a risk that it could be 11 challenged by the Commissioner." Is that 12 Foreign Office legal advisor advising you 13 that in -- I think it is a lady, isn't it -- her 14 opinion you had justifiable grounds on which 15 to exercise your section 13(f) powers? 16 A. I think it is clear that I do have justifiable 17 grounds or did have on which to exercise. 18 Q. Is this email from a Foreign Office legal 19 advisor? 20 A. Yes, it is. 21 Q. And if I am not mistaken, I think I have 22 read somewhere that she is actually the 23 legally advisor relating to Human Rights 24 matters. I thought that was an interesting 25 touch.</p> <p style="text-align: center;">Page 268</p>

67 (Pages 265 to 268)

<p>1 MR WAGNER: Sir, I hesitate to rise, but 2 just bearing in mind the transcript, I am not 3 sure it has been completely accurately 4 summarised what she said, because there is 5 only bits of it, the sort of favourable bits that 6 have been read out. 7 SIR PETER CARUANA: I have not 8 summarised anything. I have read the whole 9 of what she said, "Although you have 10 justifiable legal grounds on which to exercise 11 your section 13(f) power", suggests this 12 particular lawyer, not sitting in some dark 13 conspiratorial room in Gibraltar but in the 14 legal department of the Foreign Office in 15 London, that the Governor of Gibraltar had 16 power to exercise under section 13(f), and 17 that the section was engaged. That is all I 18 have suggested. Isn't it obvious? 19 MR WAGNER: It is the second bit to the 20 sentence that you have not read out. 21 SIR PETER CARUANA: Sorry? 22 THE CHAIRMAN: He did read the second 23 bit out the first time he read it. 24 SIR PETER CARUANA: The fact that there 25 is a risk of --</p> <p style="text-align: center;">Page 269</p>	<p>1 process and they thought that they were 2 hopelessly tainted by bias? 3 A. Correct. 4 Q. So that in those circumstances, short of 5 reconstituting the GPA -- 6 THE CHAIRMAN: Which the Attorney 7 General thought was probably itself liable to 8 attack? 9 SIR PETER CARUANA: Correct, sir, 10 because of the role precisely of the Chief 11 Minister and the Governor in that process, a 12 Commissioner of Police that the GPA had 13 already decided had acquired an untenable 14 position, would not and could not have been 15 removed from office unless you did it? 16 A. Correct. 17 Q. Now, we have heard quite a lot, and I do 18 not want to dwell on this very much because 19 the Chairman is, I am sure, very familiar with 20 all these Foreign Office emails now. Can I 21 perhaps just pick one out. So we have done 22 the Foreign Office advice. I will not go there 23 again. Now, can I just ask you who this 24 exchange of emails is with. Could you turn 25 to -- Mr Triay, could we have B1838.</p> <p style="text-align: center;">Page 271</p>
<p>1 MR WAGNER: (inaudible) 2 SIR PETER CARUANA: Do not worry. 3 These things happen. Even the lawful 4 exercise of a power can be unsuccessfully 5 challenged, can't it? 6 A. Yes. 7 Q. So the fact that there was a risk of 8 challenge doesn't detract from the first part, 9 that you had justifiable grounds in their 10 opinion to exercise your section 13 ... is that 11 how you read it? 12 A. Yes. 13 Q. Now, was it your understanding from the 14 letter that the GPA wrote to you telling you 15 that they had messed up the process, that (1) 16 they had decided that in their view Mr 17 McGrail's position had become untenable 18 and should be invited to retire, albeit that 19 they came to that conclusion in a flawed 20 process, but that was their view and we have 21 heard the evidence from Mr Britto, and Mr 22 Morello and others. 23 A. Correct. 24 Q. But that they could not and would not 25 implement that decision because flawed</p> <p style="text-align: center;">Page 270</p>	<p>1 Reading the Diptel, I don't know if you 2 explained what Diptel is, has somebody 3 asked you to explain what -- what is Diptel? 4 I mean, I know the answer. Can you explain 5 for the benefit of the Inquiry what Diptel is? 6 A. A Diptel is sort of the most formal 7 communication that goes to Ministers -- 8 THE CHAIRMAN: Sorry? 9 SIR PETER CARUANA: No, no, I was just 10 being asked how long I will be and I am 11 going to rattle through and finish quite 12 quickly. 13 THE CHAIRMAN: Okay. 14 SIR PETER CARUANA: Sorry, you were 15 explaining very quickly please. 16 A. It is the highest level of communication 17 we have which will go to the Minister's 18 office and occasionally higher up to Foreign 19 Secretary and Prime Minister and across 20 Whitehall. 21 Q. Yes, that is the point. Do I correctly 22 understand that a Diptel is after an event has 23 happened of wider interest to the Foreign 24 Office, not just circulated beyond the 25 immediate players in it?</p> <p style="text-align: center;">Page 272</p>

68 (Pages 269 to 272)

<p>1 A. Yes, it can be but it can also be at a 2 moment in time to take advice or to brief ... 3 to get into the Minister's mind that we need a 4 decision, so it is not just at the end of a 5 process, a negotiation or a treaty or incident. 6 Q. But there, at the end of the first paragraph 7 there, whoever this email -- I am going to ask 8 you in a moment who you think it is to and 9 from, but a challenging situation -- it says, 10 "Reading Diptel made me think of something 11 my company commander at Sandhurst", 12 obviously a military type, "used to frequently 13 say, the right thing to do is often the hardest 14 thing to do. That certainly resonates when I 15 think of this situation, a challenging situation 16 but without doubt the right course of action." 17 Sorry, B1838, is that not on the screen? 18 THE CHAIRMAN: It is. 19 A. Yes. 20 SIR PETER CARUANA: Do you know who 21 that -- all the names are blanked out. But do 22 you know -- 23 THE CHAIRMAN: Possibly for good 24 reason. 25 SIR PETER CARUANA: Sorry?</p> <p style="text-align: center;">Page 273</p>	<p>1 get a Commissioner in post who has the 2 leadership and values that the RGP 3 deserves." Is this your bilateral decision with 4 the Chief Minister or is this -- did you pen 5 this with the Chief Minister? 6 A. No. 7 Q. We have also heard a lot about the flawed 8 process, the flawed section 38(4) process and 9 how insufficient information was provided 10 and all of that. Now, am I right in thinking 11 that before the letter of 29 May, that is my 12 learned friend Mr Gomez's firm's letter to the 13 GPA, you had already lost confidence in Mr 14 McGrail before 29 May, is that correct? 15 A. Correct. 16 Q. And the GPA had already made its 17 decision that it thought that his position had 18 become untenable simply on the basis of the 19 fact that the Governor and the Chief Minister 20 had lost confidence in him? 21 A. Correct. 22 Q. Although there is some evidence that they 23 gave some weight to the maritime incident, 24 but principally they say because of the loss of 25 confidence resulting in untenability. Was</p> <p style="text-align: center;">Page 275</p>
<p>1 THE CHAIRMAN: Possibly for good 2 reason. 3 A. I might be able to help you out here, Sir 4 Peter, that if you read the second paragraph, 5 that might give you a clue. But I don't think 6 as it has been redacted, it would be wrong of 7 me to say. 8 SIR PETER CARUANA: You can do. Is it 9 the Overseas Territory Police Advisor? 10 A. Yes, it is. 11 THE CHAIRMAN: So this is the person in 12 Miami? 13 SIR PETER CARUANA: That is the same 14 man. 15 THE CHAIRMAN: Yes. 16 SIR PETER CARUANA: He sits as part of 17 the Foreign Office, does he? 18 A. Correct. 19 Q. He is part of the Diplomatic Staff of the 20 Foreign Office and his job is to advise 21 overseas territories in respect of policing 22 issues? 23 A. Correct. 24 Q. And in the last sentence of that email 25 there, "This now opens up the opportunity to</p> <p style="text-align: center;">Page 274</p>	<p>1 that your understanding? 2 A. Correct, yes. 3 Q. So, if the GPA's position before this letter 4 was that his position was already untenable, 5 do you think that this letter made his position 6 more untenable than it already was, given the 7 allegations he makes in it about the Chief 8 Minister, the Deputy Governor. You were 9 going to stay on as Deputy Governor, weren't 10 you? 11 A. I was until September 2021. 12 Q. And who deals with these issues normally 13 in The Convent. Is this something that the 14 Deputy Governor would normally deal with 15 for the Governor? 16 A. So, with Lieutenant General Ed Davis I 17 suspect had he been there, and indeed had Sir 18 David arrived, then I would have handed 19 over correctly the ultimate responsibility and 20 decision to the Governor, but with my 21 briefing, advising recommendations, etc, 22 supported by London. 23 Q. Okay. But is it viable -- I mean the 24 answer is necessarily going to sound a bit 25 self-serving so the Chairman will decide</p> <p style="text-align: center;">Page 276</p>

<p>1 what evidential value he attributes to it -- 2 THE CHAIRMAN: You are expecting the 3 answer "Yes". 4 SIR PETER CARUANA: Yes. So, is it in 5 your experience viable for the RGP to 6 operate effectively and efficiently in 7 Gibraltar without the confidence or having 8 said these things under the leadership of a 9 man who has said all these things here about 10 the Chief Minister, the Deputy Governor and 11 the Attorney General? 12 A. Yes, it is a yes. 13 (over speaking) 14 A. I think you caught me out a bit. 15 Q. Speaking of re-writing history, you have 16 read this letter, have you? 17 A. Yes. 18 Q. 29 May? 19 A. Yes. 20 Q. Apart from the references to vanishing 21 reasons, in other words, why wasn't the Chief 22 Minister's reason for losing confidence 23 feature more prominently in 22 May letter 24 that the Chief Minister helped craft, apart 25 from that, have you found any reference in</p> <p style="text-align: center;">Page 277</p>	<p>1 Q. Okay now, do you think all your 2 messages to London, some of them were 3 converted into reports to ministers in 4 London, is that correct? 5 A. Correct. 6 Q. Given the questions that were put to you 7 by reference to your emails of 22 May and 8 whether your "James Levy!", do you recall 9 those emails? 10 A. Yes, I do. 11 Q. I will not waste time going back to them. 12 Do you believe that London's support for 13 your actions to exercise your power under 14 section 13 and everything that preceded it, all 15 your reports when you were at the section 34 16 stage with the GPA, do you think that 17 London's support for your actions and indeed 18 the terms in which they responded and 19 praised you even, including Sir David, 20 depended on the fact that they did not know 21 that James Levy was a suspect in the 22 Operation Delhi criminal investigation? 23 A. No, and I think the email from Sir David 24 saying that he had discussed the issue a few 25 days before his arrival with the PUS, as I</p> <p style="text-align: center;">Page 279</p>
<p>1 this -- 2 THE CHAIRMAN: 38 pages. 3 SIR PETER CARUANA: Yes, a 38 page 4 letter, to the alleged insufficiency or dearth 5 of information to sustain the loss of 6 confidence? 7 A. No, no. 8 Q. I am not surprised because there is none. 9 MR WAGNER: That is just false, I am 10 sorry. 11 THE CHAIRMAN: I agree. There are such 12 references in the letter. 13 SIR PETER CARUANA: Only in respect of 14 the vanishing reasons, sir, which I concede in 15 the -- 16 MR WAGNER: That is not true. 17 MS GALLAGHER: We will deal with it in 18 submissions. 19 SIR PETER CARUANA: Exactly. That is 20 the right place to deal with it and so will we. 21 In that case we will leave it, but you are not 22 aware of references of the sort of the 23 magnitude that have been described to you 24 today? 25 A. No.</p> <p style="text-align: center;">Page 278</p>	<p>1 pointed out, the PUS is Sir Philip Barton, 2 who would be well aware of -- 3 Q. And do you think that it depended on the 4 fact that the Chief Minister was a friend of 5 Mr Levy? 6 A. It's irrelevant. 7 Q. Given the importance that we all attribute 8 or certainly should attribute to the rule of law 9 and the operational independence of the RGP 10 in it, I remember negotiating the new 11 constitution getting the grief here, but is this 12 an issue that London takes particular interest 13 in when, in the context of its reserved powers 14 and its good governance oversight? 15 A. Yes, of course. 16 Q. Would you therefore expect London to 17 take a particularly keen interest in a 18 Governor's decision to seek the removal of a 19 Commissioner of Police? 20 A. Absolutely. The Overseas Territories are 21 all under great scrutiny. 22 Q. And this went up to ministers. Would 23 senior officials in the Foreign Office support 24 and indeed advise it without oversight and 25 without believing that it was justified?</p> <p style="text-align: center;">Page 280</p>

70 (Pages 277 to 280)

<p>1 A. No, correct. It would not.</p> <p>2 Q. And I will not take you ... we have seen</p> <p>3 the position of the police advisor. So, in</p> <p>4 respect of your section 13 powers, you</p> <p>5 threatened to exercise them, didn't you?</p> <p>6 A. I don't think it was a threat. I think it was</p> <p>7 putting people on notice that I would be</p> <p>8 prepared to use them should I need to. I</p> <p>9 don't think I can threaten something at the</p> <p>10 end before the start of the process had begun.</p> <p>11 Q. But did you in fact exercise your powers</p> <p>12 under section 13?</p> <p>13 A. No, I did not.</p> <p>14 Q. When you met with Mr McGrail on 5</p> <p>15 June, I think it was in the later</p> <p>16 afternoon/early evening, I do not recall, you</p> <p>17 will correct me, was it to initiate the process?</p> <p>18 A. No.</p> <p>19 Q. Why did you meet with him then?</p> <p>20 A. I think it was to help conclude, and I</p> <p>21 know Mr McGrail had concerns and said that</p> <p>22 he wished to take retirement subject to terms</p> <p>23 and conditions.</p> <p>24 Q. Did Mr McGrail come to the meeting of 5</p> <p>25 June bearing a copy of an email that his</p> <p style="text-align: center;">Page 281</p>	<p>1 retirement." Then at the bottom, "Please</p> <p>2 confirm to me by no later than midday</p> <p>3 tomorrow whether that is indeed your</p> <p>4 decision and, if so, whether you would be</p> <p>5 tendering your letter of resignation." Error?</p> <p>6 A. Error. I apologise.</p> <p>7 Q. Yes. And at C4820, this is an email</p> <p>8 addressed to you by Mr Gomez, Mr</p> <p>9 McGrail's solicitors, the day after that letter</p> <p>10 and in response to it, and can you just go to</p> <p>11 the paragraph starting "Moreover", but just</p> <p>12 over half way down, there you are,</p> <p>13 "Moreover, there is no reason that we can see</p> <p>14 why the process which you appear to be</p> <p>15 preparing for", do you see that?</p> <p>16 A. Yes, I do.</p> <p>17 Q. "... ie, the exercise of your powers under</p> <p>18 section 13, notice should be rushed unless it</p> <p>19 is because you wanted to dispose of this very</p> <p>20 serious matter and with it my client's career</p> <p>21 and reputation before the swearing in of Sir</p> <p>22 David Steel." But had they not already told</p> <p>23 you two days earlier that they wanted -- or</p> <p>24 rather told the GPA that he wanted to retire?</p> <p>25 A. Yes, they had.</p> <p style="text-align: center;">Page 283</p>
<p>1 lawyers had sent to the GPA saying that,</p> <p>2 because of the way the GPA, the unfair way</p> <p>3 he had been treated by the GPA and this</p> <p>4 alleged interference in a live police</p> <p>5 investigation, he felt he had to retire?</p> <p>6 A. Yes, he did.</p> <p>7 Q. When did you read that email?</p> <p>8 A. On the Saturday morning.</p> <p>9 Q. And is that why you wrote to Mr</p> <p>10 McGrail?</p> <p>11 A. Yes.</p> <p>12 Q. On that day?</p> <p>13 A. Yes.</p> <p>14 Q. And can we turn up C4815, because</p> <p>15 inadvertently this might have been an</p> <p>16 important point. C14/1815. I am told I have</p> <p>17 uttered too many numbers. C4815. At the</p> <p>18 bottom there, "During our discussion you</p> <p>19 handed me an email dated ...", etc, etc. We</p> <p>20 are all familiar with it. Do you recognise that</p> <p>21 letter?</p> <p>22 A. Yes.</p> <p>23 Q. Is that the email that you're referring to?</p> <p>24 A. Yes.</p> <p>25 Q. "Our client feels he must apply for early</p> <p style="text-align: center;">Page 282</p>	<p>1 Q. So how was your power going to destroy</p> <p>2 his client's career? It might harm his</p> <p>3 reputation. But he was already going, wasn't</p> <p>4 he?</p> <p>5 A. He was.</p> <p>6 Q. Subject to, and I am coming to that,</p> <p>7 negotiation of terms. So, just three</p> <p>8 paragraphs down, do you see the sentence,</p> <p>9 the paragraph starts "With respect", "With</p> <p>10 respect, I believe that you are in no position</p> <p>11 to exercise any power under section 13 on</p> <p>12 the basis of unsubstantiated slurs and without</p> <p>13 giving our client the proper right ... to</p> <p>14 properly articulate the accusations within a</p> <p>15 reasonable timeframe." Then, over the page,</p> <p>16 if you go towards the end of the email, a</p> <p>17 sentence that starts, "Because". "Because of</p> <p>18 the immense pressure which has been placed</p> <p>19 on our client and his family and because of</p> <p>20 the realisation that he can no longer count on</p> <p>21 the impartiality of the most senior members</p> <p>22 of Gibraltar's Government, he has been left",</p> <p>23 for which I suppose that should have read the</p> <p>24 GPA who were the only people who had</p> <p>25 exercised a judgment at that point, "he has</p> <p style="text-align: center;">Page 284</p>

71 (Pages 281 to 284)

<p>1 been left with no choice but to apply for early 2 retirement. He will certainly not be 3 resigning." So, do you agree that whatever 4 might be the effect of your error in your 6 5 June letter, it had dissipated by the time Mr 6 Gomez wrote this email, because he was 7 telling you that he would retire but not 8 resign? 9 A. I agree. 10 Q. And then the last three lines of that 11 sentence, "To be clear, his request for early 12 retirement is subject to satisfactory terms 13 being agreed in advance. However, should 14 appropriate terms be agreed, from his 15 perspective, we anticipate that this process 16 could be swift." Then it carries on, "I hope 17 that you will appreciate that my client's 36 18 year career and his family ...", etc, "that 19 should be hastily disposed of on account of 20 whatever expediency and obscure reasons 21 behind the sudden campaign against him." 22 Then the penultimate paragraph, "In order to 23 assist the incoming Governor, Mr McGrail 24 will be writing to him next week with what 25 he believes will be reasonable terms for his</p> <p style="text-align: center;">Page 285</p>	<p>1 including the Permanent [etc]." 2 And indeed is that what had been agreed in 3 your meeting with the Attorney General and 4 the Chief Minister before that? 5 A. Yes. 6 Q. So it was not your intention to call for his 7 resignation -- 8 A. No. 9 Q. -- had he not retired? 10 A. No. (Pause). 11 Q. I think that, yes, could I just put this issue 12 to you very quickly. Mr Ullger's evidence 13 was in part corrected by an affidavit that he 14 submitted yesterday. His oral evidence was 15 that the only meeting with you he could 16 remember at the Waterfront was two years 17 after Mr McGrail's departure. Do you recall 18 that? 19 A. I do. 20 Q. And that yesterday he submitted a third 21 witness statement saying that he had found 22 an entry in his diary suggesting he had met 23 with you on 9 July, which is a month or so 24 after Mr McGrail's retirement. But he says: 25 "The meeting, it would appear, happened but</p> <p style="text-align: center;">Page 287</p>
<p>1 retirement and I would ask you please to 2 ensure that he is fully briefed without delay 3 so that the matter of his forced departure can 4 be dealt with in an honourable manner." 5 So, is it your understanding of that that the 6 only thing that Mr McGrail wanted to remit 7 to the new Governor was the terms of his 8 retirement and not his retirement itself? 9 A. Correct. 10 Q. So all that you might have been rushing, 11 if that is what you were doing, was the 12 settlement of the terms and not the 13 procurement of his retirement which he had 14 offered. 15 A. Correct. 16 Q. So, just for the record in any event, can 17 we turn very briefly to A267, the last 18 paragraph of your second witness statement. 19 And I will be just two more minutes. You 20 say: 21 "It is perhaps worth stating that my intention, 22 had IM not sought early retirement, was to 23 suspend him pending the arrival of Sir David 24 Steel (Governor Designate). Sir David had 25 discussed the whole issue with the FCDO,</p> <p style="text-align: center;">Page 286</p>	<p>1 I have no recollection of what was said. 2 Shortly after on that very day His Excellency 3 promoted me to Commissioner of Police 4 substantive." 5 Presumably he had been acting before that. 6 Do you have a recollection of what that 7 meeting was about? 8 A. I do. I have a very clear recollection and 9 I am grateful for Commissioner Ullger for 10 making that correction. And I think, as I did 11 throughout my time in office, have good 12 working relations with everybody. I asked 13 for the meeting to inform Richard of what 14 my drivers were and to also discuss the issue 15 and to let him know, in the spirit of openness, 16 why I was looking for or sort of not working 17 towards but considering, suggesting, 18 recommending, although this was now Sir 19 David's call, to bring in somebody from 20 outside to work either alongside or with or 21 even above Richard. So I set out the reasons 22 why. I don't need to go into that. 23 I did have one issue on my mind, which I did 24 want to sort of clarify in an informal way and 25 I did say I would like to meet Nick and</p> <p style="text-align: center;">Page 288</p>

72 (Pages 285 to 288)

<p>1 Richard rather than Deputy Governor and 2 Acting Commissioner. And it sort of goes to 3 one of the issues in my mind in that there is 4 a senior leadership team in most 5 organisations and I was slightly worried and 6 just wanted to explain to Commissioner 7 Ullger and perhaps get his view that, um, 8 some of the actions, behaviours and policies 9 that the Commissioner of Police had 10 implemented or overseen, accepting that he is 11 not the person that drives the car. And my 12 worry was that the senior management team 13 were either complicit, didn't know or knew 14 but did not really do anything about, and that 15 is when again Commissioner Ullger, to his 16 credit, declared his long-standing and deep 17 friendship with Mr McGrail. And he did say, 18 which we know and we have seen evidence 19 for, that Mr McGrail's leadership style was 20 quite forceful and direct and he did give me 21 a couple of examples where they had 22 challenged him on certain procedural policy 23 issues, only for the Commissioner to say, "I 24 am the Commissioner of Police, this is the 25 way things are going to be." I think that just</p> <p style="text-align: center;">Page 289</p>	<p>1 out with his team. 2 Q. And this might have focused your mind 3 on the whole matter. 4 A. It did, as I said in my statement, along 5 with the claims in Spain and HMIC report 6 and -- 7 Q. And finally, this is my last question, in 8 respect of the Commissioner of Police 9 selection process, you alluded, I think it was 10 this morning or yesterday, to the Chairman of 11 the GPA, I think it was this morning in 12 answer to my learned friend Mr Neish, that 13 you had been encouraged by the then 14 Chairman not to have regard to the outgoing 15 Commissioner Yome's recommendation 16 because, I think you said, you had history. 17 Do you know what the history was? 18 A. So -- 19 Q. I am not asking you to -- 20 A. Yes, I do. 21 Q. Unless you think it is appropriate that you 22 do so. 23 A. No, I do believe I know what the history 24 is. 25 Q. And do you think, is it informative to</p> <p style="text-align: center;">Page 291</p>
<p>1 sets, I wanted Richard Ullger, I think it was 2 appointed Commissioner the next day by Sir 3 David for the rest of the tenure of 4 Mr McGrail, subject to -- 5 Q. I think you can be much briefer on this. I 6 do not think the chairman attaches a huge 7 amount of importance to this, at least I am 8 interpreting his body language anyway. So 9 thank you, Mr Pyle. Just in 30 seconds, this 10 eight weeks between the incident at sea and it 11 dawning on you that it was relevant to 12 Mr McGrail's future, was anything happening 13 during that eight-week period? Were there 14 any visits to Gibraltar that might have helped 15 focus your mind on it? 16 A. Yes, we had, um, I think the Metropolitan 17 Police team. We actually had a lot of visits 18 because Gibraltar was one of the few air 19 links with the UK because of Covid that was 20 open. And I think, although one had to get 21 permission to travel, etc, etc, if I remember it 22 correctly, but yes, certainly, as the evidence 23 shows, Gary Smith came out and I assume 24 the people, Captain Meikle, the one in the 25 Solis report, he would have obviously come</p> <p style="text-align: center;">Page 290</p>	<p>1 anything that the chairman might be 2 interested in or is it just gossip? 3 A. No, I mean, it was I think on a report for 4 a promotion that Mr McGrail had sat for 5 which he didn't get. This was part of the 6 pack provided to the GPA. So I suspect this 7 is somewhere still in the evidence. And I 8 think it is why in my conclusion and 9 referring Commissioner Ullger I mentioned 10 a more modern leadership style, so I was 11 forward looking. And I think the comment 12 that I remember in my mind from 13 Commissioner Yome's report, and bearing in 14 mind this is at the time, was that there is 15 an element of Mr McGrail being, I am going 16 to try and remember the word, I think it was, 17 um, you know, strict or autocratic or words 18 to that effect. 19 SIR PETER CARUANA: Thank you very 20 much, Mr Pyle. Thank you, sir. 21 THE CHAIRMAN: Thank you. 22 MR SANTOS: I have no questions for 23 re-examination. Thank you. 24 THE CHAIRMAN: Right, thank you all 25 very much indeed. Five weeks ago, frankly,</p> <p style="text-align: center;">Page 292</p>

73 (Pages 289 to 292)

1 it seemed unlikely that we would start on
2 time. And the possibility of finishing on time
3 19 days later seemed remote and indeed
4 fanciful. However, we have done so. Those
5 who are expecting me to report next week or
6 next month are going to be disappointed
7 because the next stage in the proceedings is
8 to allow the parties to make written
9 representations, which obviously are
10 important to them, and indeed to me. We
11 will reassemble again on 25 June for a final
12 two days.
13 This of course is a public inquiry and the
14 purpose of doing so is to allow the parties to
15 make their final submissions to me and, I
16 think rather more importantly, to the public.
17 So I look forward to seeing you then, 25
18 June. Thank you very much. It will be
19 timetabled.
20 (17.10)
21 (Adjourned until Tuesday, 25 June 2024)

Page 293

A				
A1387 32:3	59:16 60:13,16	285:19	59:10 150:10	66:3 121:16,17
A1443 133:12	61:1 63:8 66:23	accountability	164:8 166:17	169:25 171:20
A244 184:10	68:16 79:22 80:2	37:14,18 52:16	176:9,13,16	178:18 183:13
211:15	80:3 83:8 85:17	53:6,20 54:3,7	183:24,25 190:18	194:13 200:11,14
A245 204:6	88:16 91:10 98:6	57:12,13 58:15	190:22 207:22	200:25 214:3
A251 95:25	98:16,17 99:1	58:23 59:24 60:9	214:6 216:19	217:2 267:21
A256 151:15	101:1 104:3	122:21 147:7,19	273:16	271:22 273:2
A267 286:17	108:12,15,20	148:9,18,20	actions 36:11	advise 234:25
A294 235:12	109:13,15 110:2	149:2,7,18	54:20 149:9	274:20 280:24
A801 95:8	110:5 115:2,4,8	150:11,16 235:14	153:21 164:14	advised 30:12
A802 103:18	115:14,21 116:7	236:6 237:10	165:3 191:23	201:16,17 202:15
A803 54:9	116:13 117:2,13	accountable 59:2	206:2 207:15	235:1 248:19
A848 38:11	117:15,21 118:3	149:9 155:1,2	234:5 279:13,17	249:4 267:25
A912 235:12	118:7,11 120:23	235:23 238:6	289:8	268:3
A941 48:1,2	123:9,10 124:10	239:14	activity 142:24	advising 68:4
ability 239:17	124:24 125:5	accounts 78:1	actual 103:23	268:12 276:21
abject 5:22 6:3 7:7	132:15 133:11	accurate 98:13	add 12:21 16:2	advisor 24:16 70:8
7:13,25 8:19	135:12,15,17	109:7,9,11 254:3	75:10 123:23	74:22 268:12,19
10:22,23 11:21	136:21,24 137:1	accurately 133:18	205:9	268:23 274:9
11:22 133:3,5,10	138:19,24,25	267:2 269:3	added 124:1	281:3
135:19,21,22	140:1,6 154:1	accusation 131:1	260:21	affairs 161:7,7
136:1	166:14 194:6	accusations 77:12	Additionally	165:13,14
able 49:18 73:8	200:25 201:6,7	180:5 284:14	134:11 135:1	affidavit 96:2,22
124:20 156:10	201:20,21,22	accuse 106:11	address 63:24 67:8	208:19,25 222:5
223:4 245:5	202:22 204:11	accused 63:20	175:18 185:21	287:13
247:3 274:3	205:4 207:24,25	77:19 225:8	247:20	afraid 103:4 106:5
abroad 216:17	208:4 211:11	255:8	addressed 178:5	aftermath 112:21
220:19	212:9 214:17,20	accusing 77:8	212:20 283:8	afternoon 183:15
absence 107:23	261:21	108:13 127:23	addresses 47:8	219:1
255:2,3	acceptance 53:6	137:17	addressing 28:10	afternoon/early
absolute 102:14	147:6,19 148:2,9	achieving 150:15	175:14	281:16
111:11	accepted 100:17	acknowledge	adhere 217:23	AG 95:13 103:3
absolutely 6:9	108:11 109:20	229:2	Adjourned 67:21	106:4 176:7,10
19:21 28:7 67:15	117:23 120:12	acquired 271:13	293:21	176:15,19,23
89:8 102:13	163:23 239:2	acronyms 242:1	adjournment	177:2,4,6 245:1
119:17,20 146:2	accepting 107:11	act 14:18 26:1 29:2	142:16 218:23	AG's 249:4
172:23 184:1	220:17 289:10	55:22 62:3 63:9	admiration 143:12	agencies 43:18
185:9,12 192:4	accessories 45:13	157:7,24 158:17	143:16	agenda 22:16
216:24 221:22	46:5	158:18,19 163:7	admittedly 188:14	ago 15:19 187:1
222:1,3,6,8,10	accessory 43:12	206:16 216:11	228:15	292:25
234:6 265:11,23	44:20	239:18 253:18	admonished	agree 3:8 4:3,11
280:20	accident 45:14	254:23 260:6	183:15	5:25 6:6,11,12
absurd 45:1	60:4 85:16	266:5	adopted 38:6	28:2 30:9 39:24
abusive 34:1	accidentally 116:1	acted 19:13 265:25	advance 26:20	40:6,9 41:5,8
accept 4:14 19:22	121:3,5	acting 17:22 161:4	28:1 73:5 285:13	51:3 57:5,7,24
28:7 41:15 45:18	account 24:3	198:11 199:23	advanced 8:24	61:25 76:17,20
49:7 51:7,23	61:23 96:1 201:2	266:2,12,16,22	advertised 75:3,23	77:5,14,17,21,23
52:4 56:12 58:25	204:13 211:9	288:5 289:2	advice 1:12,12,24	81:6 82:9,11,12
	231:9 255:6	action 25:20 51:21	45:12 46:4,9	83:1 86:14 87:7

88:13,21 100:3 102:18 118:19 120:17 122:8 124:5 130:15,23 132:18,25 136:3 136:7,13 137:17 137:21 138:4,8 138:11,16 140:16 141:12,17,20 143:4 148:21 156:9,14 157:10 158:7,18 159:25 160:8,12 161:25 162:8,11,23 163:2,5,6,11,16 164:11,16 177:12 178:20 179:7 189:17 196:15 203:19 208:14 209:10 211:19 212:14 215:19 217:6 221:13 229:7,8 248:23 248:24 278:11 285:3,9 agreed 8:3 9:20 10:19 14:6,7,17 23:20 24:10,13 64:5 65:7,10,14 66:8 157:6 158:1 171:8 197:11 244:22 254:22 285:13,14 287:2 agreeing 120:15 158:19 agrees 45:14 47:15 197:9 199:18 Ah 12:24 218:17 221:3 ahead 26:9 73:9 157:5 aid 49:25 aim 192:19,25 193:2,12 196:17 199:3,7,9,11 air 290:18 airfield 23:11 37:2 airport 13:4,18 14:3 16:24 30:6	62:17 140:9,12 141:10 161:19 205:11 207:1 208:2 AIS 40:4 88:25 89:5 238:1 alarm 171:2 173:8 albeit 22:22 89:2 252:25 270:18 alerting 39:23 alien 6:7 aligns 214:7 allegation 106:13 106:15 117:3,12 120:13 121:21 122:8,12,24 123:1,2,12 124:3 126:8 129:5,21 130:15,18,20,25 131:21 133:1,8 135:10,12,18 136:8 137:18 140:3 149:5 169:8,14 173:17 208:14,16,24 allegations 22:1,24 76:21,25 77:6 136:18 138:14,21 139:7 140:17 168:11 177:13 178:9,21 180:1 181:10 182:4,24 200:8 206:12 209:6 213:5 224:16 276:7 alleged 34:22 234:24 278:4 282:4 allegedly 247:9 alleging 89:13 147:10,15 148:12 alleviate 41:22 allow 37:8 293:8 293:14 allowed 33:20 162:21,21 226:2 allowing 199:25 allude 27:18 alluded 32:19	244:8 291:9 alongside 288:20 alter 252:17 altered 56:10 alternative 119:22 121:22 122:15 240:9 alternatives 64:9 65:11 66:9,11,14 ambassador 54:6 171:17 216:16 219:21,23 220:2 220:10,17 ambassadors 219:25 220:19 226:25 ambitious 64:3 amendments 130:1,4,5 ammunition 34:7 amount 290:7 amounts 122:2,3 analysis 100:18 128:21 and/or 244:5 Andrew 45:22 anecdotes 144:10 144:17 anger 151:18,21 173:13 angle 168:22 angrily 163:22 167:12 angry 156:24 172:6 173:5,12 196:9 announced 68:15 75:19 218:9,12 announcement 187:25 188:2,8 188:10,15 230:23 annoyed 151:18 answer 32:9 48:13 48:14 75:2 92:4 92:5 95:18 97:12 117:8 139:9 159:5 160:25 180:3 182:14 197:1 231:22	246:17 252:5 272:4 276:24 277:3 291:12 answered 99:14 233:14 242:17 256:7 answering 127:6 229:24 230:11 answers 60:12 248:2 anticipate 141:22 285:15 anybody 35:3 57:22 91:5 185:24 200:13,17 222:13 230:3,6 235:15,18 239:3 254:24 anyway 71:24 290:8 apart 21:19 41:7 41:11,17 59:21 90:8 277:20,24 apologies 54:4 55:6 apologise 49:7 54:12 80:8 143:13 148:14 159:4 197:21 212:9 283:6 apologised 7:14 8:18,19 178:15 apology 31:17,23 appalling 19:24 20:8 apparently 38:23 200:10 Appeal 42:3 56:21 appear 16:18 92:1 184:9 283:14 287:25 appeared 92:7 248:5 appears 86:14 262:16 application 75:14 193:7 applications 198:1 applied 63:17 69:5	71:6 76:8 applies 60:14 77:5 apply 75:16,23 210:15 282:25 285:1 applying 202:16 202:23 appointed 290:2 appointing 193:20 195:12 appointment 6:1 6:13,16 10:23 11:21,22 12:2,10 12:12,18,20,22 12:24 13:2,8,17 26:2 188:1 197:3 213:25 214:2 223:6 appreciate 49:17 51:12 285:17 approach 38:6 84:20 128:1 155:8 171:9 177:5 182:8 192:12 197:9,11 251:21 approached 64:25 69:18,21 73:20 78:8,14 190:17 approaching 71:19 86:1 appropriate 165:15,19,24 166:3 285:14 291:21 appropriately 156:11 approve 254:2 approved 131:5 132:14 176:20 228:23 254:1 approximately 95:20 114:25 246:5 April 58:19 64:20 74:13 185:13,15 185:20 186:10 areas 105:15 argue 135:20
---	---	---	--	---

199:8	238:17 239:4	assumption 10:3,5	5:1,4 8:1 16:13	B1444 197:6
arguing 226:8	246:16 249:15,23	25:24 88:24 92:9	16:13,16,18,20	B1445 153:8
argument 45:7	255:23,24 256:1	213:12	16:23 17:12	B1748 102:6
85:8 89:3 195:8	259:17,19 265:8	assumptions 138:3	27:15 60:17 61:5	B1769 260:2
arising 137:16	265:24 272:3,10	assure 214:10	62:3 106:6	B1777 156:15
arm 219:2	288:12	attach 262:21	181:19 216:22	B1780 168:13
arose 61:24 143:3	asking 8:12 11:9	attached 43:2	autocratic 292:17	B1781 196:7
151:1 259:22	40:6 66:6 78:15	219:17	automatically	B1786 200:3
arranged 25:16	85:1,1 88:9	attaches 290:6	179:21	B1828 268:6
arrangements	90:19 92:3,6	attack 208:13	autumn 69:5,10	B1838 271:25
103:21	96:19 98:15	271:8	available 59:19	273:17
arrested 31:5,15	122:23,24 136:17	attempt 160:9,17	64:6,9 70:15	B1843 198:3
31:22 33:19	140:23,24 141:21	160:19 162:1	91:3,15 104:10	B2119 17:7
arrests 30:5,7,9	152:1 162:23	attempting 78:2	120:3,4 125:4	B2121 17:7
204:17 207:1	165:18,25,25	167:15	240:11 251:3	B2709 206:10
arrival 187:13,14	177:11 178:6	attend 3:5 216:19	aviation 228:8	B3344 185:16
187:22 279:25	182:5 186:2	attendance 8:2	avoided 135:23	B5736 106:22
286:23	216:15 217:13,15	26:12	avoiding 150:11	back 7:24 10:21
arrivals 205:9	246:15,19 248:16	attending 2:16	aware 10:2,6,9	20:13 31:11 34:3
arrive 187:6	257:23 291:19	attention 76:18	15:14 55:8 56:3	35:1 38:25 42:3
188:14,18	asks 132:8 229:21	104:1	56:16 68:19,21	56:23 62:16
arrived 9:12 89:2	aspect 174:19	attitude 144:7,9	80:21 83:14 84:9	73:15 85:8 93:20
182:22 189:5	aspects 53:12	149:11	94:2 110:12	94:13 97:8 99:11
190:20 191:1,5	82:25 105:16	attorney 36:9	155:19 174:20	99:13 100:25
191:20 216:12	172:14 181:21	66:18 69:18 70:7	187:15,19 188:19	105:12 115:22
255:10 276:18	assailant 33:19	71:19,23 79:19	205:12 221:16,23	117:16 119:19
arrives 190:10	assailants 67:14	86:4,12,15	222:16 223:12	120:17 123:14
arriving 188:20	assault 4:23 33:15	102:21 105:7	227:4,12,13,25	131:24 132:2,22
190:16 215:4	assess 240:20	109:13 111:8	228:4,7,11,12,19	144:25 146:9
articulate 284:14	assessment 214:8	138:2 142:22	228:20,25 232:25	154:15 159:23
articulated 112:16	261:3	143:4,15 146:11	233:10 239:11	167:23 171:6
239:12	assign 152:17	169:25 174:25	278:22 280:2	179:4 181:14,25
ascertain 152:17	156:11	175:8 178:18,22		182:2,20 193:16
aside 162:13	assigned 72:14,17	183:12 200:11	B	198:16 208:9
asked 1:7,15 19:20	assignment 29:12	268:3 271:6	b 40:13 247:15	253:14 254:16
24:15 62:18	assist 285:23	277:11 287:3	B1251 137:2	263:10 279:11
95:15 96:10 97:9	assistance 97:24	attributable	B1271 39:4	backlash 157:4
100:11 107:2	194:25	231:10	B1345 86:3 114:21	backtracked
110:10 116:11	Assistant 43:7	attribute 280:7,8	B1346 97:15 245:9	198:10 199:1,18
123:17 124:25	associated 50:16	attributed 220:18	B1351 124:6	199:20
131:24 133:16	214:6	221:1,5	245:25	bad 71:18 105:15
142:13 145:15	association 35:19	attributes 247:23	B1365 134:2	140:16,25 145:12
152:24 153:11	assume 90:24 95:6	277:1	B1367 174:12	balance 57:25
179:18 183:11	98:11 138:1	audible 69:13	B142 213:24	171:12 258:18
188:9 195:3,3	215:18,21 216:7	audit 153:25	B1429 38:23	Barbara 115:1
221:9 222:15	223:11 290:23	authorities 97:25	B1439 5:23	Bárbara 242:5
223:23 224:25	assumed 167:1	150:3	B1440 23:18,19	243:20
229:14 230:13	assuming 52:10	authority 1:13	B1441 23:18 24:5	barge 171:23
232:9,14 238:14	110:21 231:15	3:16,22 4:6,10	128:4 194:11	bars 145:19
			257:8,9	

Barton 280:1	129:15 141:8	125:3 127:1	bored 38:5 39:20	107:9 112:2
base 96:19 258:4	148:19 149:3	242:13 246:4	41:13 51:13	209:8 210:9
based 18:8 24:16	159:15 167:22	247:4 248:21,25	boredom 41:22	221:12 237:17
96:15,20 144:10	171:12 179:14,17	249:10 250:4,7	42:7	242:12
144:13 209:5	179:21,22 199:22	bias 271:2	Botswana 216:17	Britto 21:19,24
211:9 232:10	200:18 202:5	bid/pitch/letter	216:20 219:23	23:17 24:8 25:2
234:9 235:18	205:18 206:1	199:24	220:9	25:6,9,13,18,25
baseless 148:22	213:6 218:10	big 183:10	bottom 106:24	26:5,11,20 27:8
basic 118:8 185:5	224:14 225:11	bilateral 275:3	137:4 156:16,20	27:12,22,25 28:5
209:13	227:1 228:3,5	bit 5:11 45:6 50:13	187:3 196:8	28:8,12,13 49:13
basically 14:18	233:3,20 234:1	86:7 97:3 98:5	282:18 283:1	67:11 129:22
16:12 48:17	253:3 258:14	99:16 100:20	boundaries 76:4	131:4,23 132:8
basis 5:13 120:24	279:12 284:10	101:24 108:23	160:5 164:10	188:24 197:10,22
128:24 154:10	291:23	110:3 111:5	bow 20:24 43:16	197:24,25 199:12
197:2 199:22	believed 80:22	119:4 120:18	43:25 44:7,12	254:14 261:7
207:12 258:8	81:22 86:19,25	123:15 126:24	45:16	262:14 265:20
275:18 284:12	198:22 231:25	131:13 136:6	box 256:10	270:21
beach 115:1 242:5	248:9	137:22 158:16	brave 35:2	Britto's 223:17
243:20	believes 168:17	168:10 173:7	breach 41:10	broad 178:11
bear 6:5 240:18	285:25	187:2 217:22	67:13 133:7	193:9
bearing 84:23	believing 280:25	218:5 269:19,23	break 67:18	broadcast 251:9
223:21 232:24	belittle 143:10	276:24 277:14	218:22	broadened 34:9
269:2 281:25	bell 173:8	bite 50:2 51:9	Bremerton 43:14	broadest 165:14
292:13	bells 171:2	bits 121:10 134:6	brewing 192:13	236:12
beg 245:23 259:11	benefit 4:1 121:15	269:5,5	brief 4:18 70:9,12	broken 113:1
began 72:12	259:3 272:5	black 218:1	110:25 273:2	245:3
beginning 120:12	bespoke 166:18	260:20 263:13	briefed 26:13	brokered 31:24
136:11 158:17	best 9:13 21:9	blame 78:23	95:13 108:22	brought 5:7 92:24
begins 112:14	76:15 91:2,7,13	152:17,19 154:25	110:4 159:18	104:1 119:14
begun 281:10	91:15 135:23	156:1,11 211:2	187:21 198:8	217:25 237:6
behalf 1:9 174:13	193:1,11 194:13	blamed 154:24	286:2	buck 172:1 173:24
181:3 184:15	221:17 222:11	blanked 273:21	briefe 290:5	173:25
213:3	251:2	blunt 44:8,17	briefing 92:13,23	buddies 29:21
behaved 13:18	better 38:22 86:1	45:15 46:20	97:19 106:23	building 43:21
53:3	93:11,14 124:23	51:10	276:21	bullet 168:16
behaving 89:15	133:3 246:9	board 35:22 73:4	briefings 93:22	bullying 22:1 37:4
behaviour 19:22	beyond 31:13	205:17 206:11,14	118:22	200:8 224:3,6,10
20:9 30:13 33:3	32:11,24 85:7,9	boasting 249:10	briefly 4:17 208:7	224:16,21
152:14	85:11 262:14,20	boat 36:12 37:21	220:11,12 256:25	business 16:5
behavioural 51:20	266:8 267:10	39:21 43:19 44:9	257:8 286:17	163:3 167:9
behaviours 289:8	272:24	44:10 49:9 51:16	bring 24:7,23	224:1 234:16
belief 111:9	BGTW 40:2 86:9	52:3,21 93:9,13	36:14 55:9 146:8	
208:11	86:11,20 87:1,3,6	127:2	202:13 288:19	C
believe 5:12 6:24	91:14 94:3 95:17	boats 38:7 43:14	bringing 150:11	C14/1815 282:16
22:12,22 37:6	96:12 102:5	50:8,10 51:14	196:2	C1843 198:4
70:11 75:4 76:3	106:21 108:3	body 182:12 290:8	brings 5:19	C3286 244:13
82:5 96:24 99:23	112:25 114:1,11	bold 130:25	British 4:24 19:19	C3344 185:16
107:23 117:14	114:25 115:13	book 159:14	34:16,19 39:10	C3947 26:6,7
123:5 127:11	116:7 124:22,24	books 218:1	41:10 42:14,16	C3961 260:19
				C3991 129:21

<p>C3995 261:8 C4359 168:20 C4680 112:14 115:23 229:11 C4815 282:14,17 C4820 283:7 C5314 47:1 C6238 155:10 cabinet 228:24 call 24:24 25:15,16 25:17 46:24 61:22 63:9 64:10 73:3 125:12 163:21 170:7 219:8 255:14 258:14 263:23,24 287:6 288:19 called 40:3 128:10 164:5 168:6 176:13 220:14 240:9 249:17 calling 24:2 122:3 182:11 calls 82:6 172:17 camera 106:20 campaign 285:21 candidate 10:7 11:11 193:11 194:22 195:6,12 candidates 8:8 9:21 11:1 12:4 12:14 192:21 193:8,10 197:18 198:2 candour 137:14,18 capabilities 45:23 capacity 227:25 Captain 45:12 46:4 290:24 captured 103:23 car 289:11 care 254:17,17 career 71:17 184:3 283:20 284:2 285:18 careful 80:17 115:18 118:21 121:24 165:7 carefully 77:24</p>	<p>111:7 119:15 157:7 191:24 carried 65:8 164:8 181:19 carries 285:16 carry 174:23 235:17 carrying 15:8 16:19 cars 35:24 Caruana 91:24 142:11,13 212:5 218:25 220:23 221:1 232:3,18 233:18 241:2,7 242:20 246:13 247:15,17 269:7 269:21,24 270:2 271:9 272:9,14 273:20,25 274:8 274:13,16 277:4 278:3,13,19 292:19 Caruana's 121:13 case 13:25 22:25 44:24 60:3 81:13 107:8 176:10 177:16 181:21 182:6 184:25 198:22 201:25 220:3 228:23 235:11 239:11 240:3 278:21 cases 26:17 158:13 casualties 55:1,1 55:15 catch 31:7 144:24 catching 50:7 categorically 81:21 Cathal 198:19 caught 240:15 251:15 277:14 cause 37:5 46:7 51:17 170:10 caused 128:22 148:4 183:7 240:23 causing 45:10</p>	<p>143:13 202:5 CBF 29:8 31:13 cent 189:16 203:6 central 40:15,15 176:2 certain 84:16 85:5 86:9 89:4 105:15 105:16 132:10 160:1 176:8 188:13 239:19 241:19 243:10 289:22 certainly 16:5 30:18 42:25 46:21,23 57:10 75:6,9 79:18 86:21 93:22 94:11 110:7 119:2 126:23 189:19 194:23 195:15 198:19 216:2 218:4 220:16 257:6 273:14 280:8 285:2 290:22 certainty 85:8 89:1 188:25 227:20 Ceuta 97:22 chain 34:3 35:2 210:4,11 chair 7:19 26:10 141:6 174:20 175:24 183:4 196:13 247:20 chairman 1:3,4,5 1:20,25 2:2,5 10:15 20:10,12 20:15,18,22,23 21:1,8 27:15 29:16 33:4 38:14 38:16,17 42:9,13 42:16,24 47:3,23 48:5,21 49:1,4 57:7,9,13,17 61:6 61:11,14 62:10 62:14 67:17 85:21,25 90:11 90:25 91:23 98:2</p>	<p>99:12,17 101:3,8 110:9 132:7 133:21 134:16,20 135:22,25 139:14 139:19 141:2,9 141:12,20 142:2 142:6,9,12,14,18 187:18 192:10 197:24 204:20,23 205:2 212:3 215:5,8 216:1 218:21 220:21,24 221:3 231:21 232:1 233:17 240:20 241:5,10 242:19,22 246:14 250:15 262:20 263:12 269:22 271:6,19 272:8 272:13 273:18,23 274:1,11,15 276:25 277:2 278:2,11 290:6 291:10,14 292:1 292:21,24 challenge 159:23 161:9 270:8 challenged 268:11 270:5 289:22 challenging 273:9 273:15 chance 62:21 63:4 63:18,23 251:9 change 33:20 60:2 129:17 157:19 177:4 189:14 changed 55:14 219:11 changes 59:17 chap 221:5 Chapple 39:13 43:9 50:22,24 charge 33:21 208:5 220:15 charged 2:1 charges 55:21,25 56:15 155:20 180:9 237:5 charity 29:19</p>	<p>Charles 184:14 213:3 chase 37:10 40:3 41:9 83:11,17 85:15 86:11,22 86:25 87:3,20 88:6 94:10,10,14 94:16 95:15,20 95:23 97:5 107:9 109:1 111:9,25 125:8 244:19 245:3 chatter 144:11,17 check 97:18 145:25 207:2 209:13 210:24 checking 98:9 chest 151:15 chewing 42:6 Chief 3:18 5:25 6:19,23 13:13 23:20 24:9,18 28:4,9 43:6 46:16 47:18 60:22,23 61:1 62:4 64:8 65:21 66:17 68:4,15 72:9,9,20 75:7,7 75:20 78:7,13 79:12,20 87:15 97:17 101:10 103:3 106:3 113:25 114:3,10 114:17 115:11 116:5,12 117:19 121:18 127:19 129:23 130:10 134:7,8,22 137:10 138:1,6 138:17 151:6,19 156:22,23 158:4 158:10 161:13,15 161:21 162:11,18 162:24 163:20 164:11,13,16 165:3,6,19 166:2 166:13 167:4,8 167:12,18 168:5 168:15 169:21</p>
--	--	--	--	---

170:9,10,12,17 170:19 171:10 173:5,18 175:8 175:22 176:7,10 176:14,16,23 177:8 178:13,21 178:24,25 179:5 179:7,14 180:10 180:20 181:2 183:11 186:24 187:20 188:24 189:16,21,24 190:17 195:7,18 198:15 199:15,17 200:4,22 201:10 201:11 202:4,10 202:25 203:16,18 214:4,4 217:16 232:11,16,20,25 234:7,13 251:10 251:16 252:1,4,9 252:15 253:13,17 254:5,10 256:16 257:7,10 259:16 260:5,12 261:4 263:11,14 265:8 266:5 271:10 275:4,5,19 276:7 277:10,21,24 280:4 287:4 Chiefs 10:13 choice 264:5 285:1 choose 223:6 Chris 228:7,22 chronology 68:9 230:21,25 chums 221:12 circles 208:11 circular 179:16 circulated 272:24 circumstances 137:15 166:4,17 271:4 cited 154:13 176:3 citizens 236:3 237:11 civil 2:11,17 9:14 40:15,20 41:2 68:5 70:9,12	71:20 74:23 99:25,25 219:9 241:23 243:15 244:25 civilian 204:19 claim 128:24 139:9 258:8 claiming 46:5 claims 182:12 185:10 291:5 clarification 1:15 2:6 43:8 232:24 255:25 clarify 1:8 5:10 28:25 68:9 98:19 99:3 260:1 288:24 clarity 111:11 121:8 clear 1:20 2:3 12:7 12:8 32:23 42:10 82:13 86:3 87:13 100:23 103:24 104:12 105:20 106:13,14 113:13 113:20 115:9,20 116:4 117:3,12 119:17,20 147:10 155:5 159:8 165:17 175:4 185:11 191:16 217:23 230:2 235:4 245:1 262:19 268:16 285:11 288:8 clearance 72:24 73:8 clearer 124:8 167:25 237:1 246:1 clearly 13:16 28:5 57:19 64:14 85:13 102:11 105:16 139:23 156:25 187:11 256:16 clerk 29:18 client 282:25 284:13,19	client's 283:20 284:2 285:17 close 34:18 63:12 151:18,21 162:3 163:1 165:3,22 166:1 167:5 168:8 173:9,13 178:25 closed 145:10 closely 214:15 262:5 clothes 33:20 clue 274:5 CM 26:8 114:22 114:23 157:4,10 168:24 196:8,10 198:9 199:1 248:20 249:4 266:1 co-core 75:21 co-ordinates 246:25 coast 108:4,9 code 187:10 coffee 24:11 cognisant 27:6 coincidence 74:8 252:23 266:13 coincidences 255:2 coincidentally 74:6 collaboratively 145:4 colleague 59:22 183:2,6 Collecting 192:11 collective 214:7 College 10:15 collegiate 161:15 171:9 Collins 30:23 31:1 31:14,22 32:25 35:18 collision 44:15,21 83:5,10,17,21 84:23 85:16 86:17 87:8,21 88:6 90:6 91:12 93:7 94:10,15,25	95:2,25 96:8 97:6,11,12 98:20 98:22 99:4,20 100:13 101:5,14 102:3,12,16 103:23 107:1,5 108:2,18,25 109:4 110:6,13 110:13 111:1,24 112:9 113:2,6,21 114:24 115:6,12 116:12 117:19 124:9,13,18,25 125:8 157:1 200:7 241:13,20 242:3,8 243:2,12 243:12,19,24 244:5 246:2,19 247:1 248:17 249:25 Colonel 31:5,7,9 31:11 227:13,14 combined 3:25 come 2:24 10:21 16:10 26:15 27:18 36:12 65:4 71:4,9 72:11 85:14 91:17,21 91:21 99:11,13 101:11 102:23 119:25 131:24 132:2 144:25 149:17 159:23 161:9 171:19,23 191:5 237:2 254:16 281:24 290:25 comes 54:2 105:12 119:2 128:25 258:10 coming 35:14 42:7 101:1 284:6 command 34:4 35:2 54:18 210:4 210:11 227:22 commander 19:19 30:19 34:16,19 34:20,24 209:3,4 209:7 210:3,8,9	221:12 228:10 273:11 commas 264:12 comment 5:21 11:16 113:16 123:18 142:21 143:3,6,14 149:1 158:24 181:14 196:8 236:25 292:11 commentary 260:22 commented 253:14 comments 34:22 commission 254:20 commissioner 7:18 16:14,21 17:11,21 24:25 26:2 43:7 46:15 54:5 58:19 59:3 61:23 62:6 63:18 63:20 65:4 97:18 97:25 101:10 104:2 114:22 115:25 122:14,25 126:14,21 127:10 127:16 128:10 130:12 132:17 133:15 135:7 137:17 140:8,19 140:21 145:10 146:19 147:13 149:25 150:19 151:11 154:9,24 156:3,13 163:21 163:24 167:13 168:6,16 169:3 169:23,24 170:4 173:3,18 178:16 179:1 180:17,25 181:5 186:16,17 189:4 190:3,9,19 190:23 192:16,20 193:3,5,15,22 195:22 197:4 198:2,12,18 199:22,23 200:10
---	--	--	--	--

200:24 201:14 202:2 206:20 208:1,4 214:2,11 216:16 219:22 220:3,8 221:16 223:8 233:7 238:5 240:8 248:12 249:6,15 249:23 251:18 256:19 257:17 268:11 271:12 275:1 280:19 288:3,9 289:2,6,9 289:15,23,24 290:2 291:8,15 292:9,13 Commissioner's 92:22 commitment 119:16 committed 80:9 236:19 common 49:21 50:4,12 Commonwealth 220:4 communication 134:3 244:24 272:7,16 communications 41:1 120:19 133:18 248:6 communicator 119:9 community 214:14 236:4 company 29:18 43:20 273:11 compare 147:24 comparison 141:3 141:9 competence 168:25 complain 255:5 complainant 262:11,13 complained 125:20 complaining 126:3	267:1 complaint 22:3 114:11 115:23 205:21,22 206:11 206:18,19 207:3 264:12,13 complaints 20:2,3 21:11,13,15,17 35:22 64:17,19 205:16,17 206:7 206:13,14 224:2 completely 20:20 21:3 157:6,12 199:20 269:3 complex 88:21 89:11,12 complications 102:8 245:12 complicit 289:13 complied 267:12 components 83:21 conceal 126:15,22 concealment 118:1 concede 278:14 conceivable 246:5 concern 79:13,17 80:10 81:8 96:4 109:25 112:12,17 126:12,19,23 170:13 200:5 237:24 concerned 81:2 83:4 117:2 169:13 177:7 206:25 concerning 39:9 175:16 260:24 concerns 78:6,12 78:16,18,19,20 79:25 109:21 125:24 151:20 158:2 174:21 192:5 200:23 207:4,12,13,20 209:17 213:17 214:21,23 281:21 conclude 59:5 65:22 107:25 191:19 207:15,22	281:20 concluded 31:23 58:17 59:8,11 180:8 concludes 48:18 concluding 182:21 189:13 conclusion 64:1 100:18 171:24 270:19 292:8 conditions 74:2 281:23 condone 152:13 conduct 206:25 214:11 236:23 238:20 conducted 33:17 conferences 80:14 confidence 25:19 36:23 37:2,5 122:20 134:23 137:11 153:4 154:14 157:15 170:11,17 175:9 180:11 186:6,8 186:11 203:25 204:7,14 208:20 209:12,19 225:20 225:23 226:8,11 234:8,9,11,17,22 252:18 255:14 275:13,20,25 277:7,22 278:6 confirm 40:19 61:3 84:11 85:4 124:21 133:17 244:14 247:3 249:24 283:2 confirmation 84:20 110:17,19 246:21 248:17 251:3 confirmed 26:11 40:16 102:18 107:15 109:5 188:16 244:18 248:10 confirms 244:14 confiscated 205:14	conflating 195:20 conflicts 77:23 confused 229:11 240:23 confusing 229:17 confusion 108:24 conjecture 210:12 211:10 conjured 7:17 connected 38:2 connection 29:19 129:6 conscious 2:19 3:1 3:4 consent 266:17,24 266:24 consequence 87:24 consequences 147:25 148:3 221:24 222:4 consider 26:19 70:16 72:6 100:12 171:4 194:6 199:25 216:8,23 223:5 229:23 238:19 250:25 260:25 265:20 266:9 consideration 95:11 201:3 209:20,24 considered 10:22 22:2 50:25 83:20 118:22 189:8 206:15 considering 8:25 24:2 25:18 95:18 164:9 205:15 207:19 288:17 consist 45:4 consistent 247:8 consistently 143:17,25 conspiratorial 269:13 constitution 61:4 157:8 158:10 159:25 162:14 174:7 182:7	280:11 constitutional 158:21 162:12 164:10 266:3 consult 230:3 consultancy 74:20 consultation 259:7 consulted 17:4 contact 40:14 45:5 106:15 contained 18:20 18:24 26:1 contemporaneous 6:15 92:2 contemptuous 144:6 content 184:23 206:23 contentious 171:19 context 37:24 51:13 69:20 80:4 158:22 196:24 232:6,19 236:12 248:4 264:15 280:13 contingency 24:22 continue 74:10 154:19 200:1 202:5 215:14 continued 2:7 55:18 218:24 contract 74:12 contracted 228:14 228:16 contracts 74:9 contrary 11:16,18 211:1 contrast 151:4 contrasting 158:14 contributed 145:14,21 convened 229:4 Convent 26:12 101:23 158:25 276:13 conventional 47:4 Convents 231:3,4 conversation
--	---	--	---	--

23:19 34:3 35:1 64:4 143:3 153:9 conversations 72:3 converted 279:3 cooperation 245:6 cooperative 161:16 coordinates 90:15 92:24,25 94:19 95:16 99:24 107:1,13,15,18 107:19,20 108:18 109:8 110:5,11 110:16 111:12 124:17 241:24 243:16 250:8,12 CoP 95:13 113:12 116:3,24 128:6 244:14,14,18 CoP's 112:22 coppers 143:20,23 copy 281:25 core 72:14 coroner's 41:25 42:1,4 56:15,16 coronial 88:3 correct 2:2 3:3,13 3:24 8:5,17,23 11:3 19:5,8,11,14 22:5,11 23:3,4,25 30:10 31:25 32:1 40:22 52:4 55:4 55:13 62:8,23 63:6 68:6,13,14 68:24 69:7 73:18 76:1 78:20 92:20 98:3 99:5 100:14 100:14 101:7 112:10 115:7 121:1 127:17 129:11,24 131:10 131:16 154:4,7 154:23 158:15 161:24 178:8 180:18,19 183:18 185:2,3,7 200:13 201:15 203:6 206:1 209:14 212:10 220:5	226:12 231:6,7 231:10,19 236:8 238:12 241:15 249:12 250:17,24 255:16,22 263:9 265:23 266:15,20 266:21 267:8,22 267:23 270:23 271:3,9,16 274:18,23 275:14 275:15,21 276:2 279:4,5 281:1,17 286:9,15 corrected 149:4 164:23 203:9,13 287:13 correcting 200:17 correction 288:10 correctly 31:20 47:1 208:12 272:21 276:19 290:22 correspondence 203:7 corrupt 143:20,23 corruption 208:16 cost 44:7 Councils 10:14 Counsel 4:19 Counsellor 220:14 count 284:20 countries 220:20 country 148:7 220:4 couple 76:11 187:1 289:21 course 3:20 8:14 8:14 14:10 17:24 23:2 29:24 31:4 39:25 40:9 48:16 60:13 104:9 113:23 121:11,15 134:1 139:15 145:19 171:20 183:24,25 186:4 191:14 219:24 231:14 264:1 265:16 273:16 280:15 293:13	courses 166:17 Court 42:2 56:19 56:21 courteous 29:10 courtesy 176:6 cover 235:6 240:16 covered 61:6 62:10 covering 17:10 18:5 242:15 covers 23:19 Covid 154:20 159:2 228:15 290:19 craft 45:2 51:17 277:24 crafts 43:17 created 75:1 creating 51:16 credence 216:21 credibility 221:8 221:21 credible 11:1,13 12:4,15,19 credit 289:16 crew 39:12 40:13 41:2 crews 43:23 crime 208:12 criminal 56:14 60:3 160:10,14 162:2,25 163:14 166:2 174:24 175:17 178:23 180:23 232:12 233:2,11 236:19 237:5 279:22 criminality 87:23 88:1 criteria 235:19 critical 112:24 202:1,4,8 criticise 202:18 criticised 140:7 163:23 167:13 176:15 criticising 13:3 14:1	criticism 14:3 15:22 83:25 85:2 85:6 88:10 140:12 233:21 234:3 criticize 84:19 cross 30:13 cross-examined 110:24 crossed 166:11 crossover 165:10 crucial 116:24 Cruz 28:22,23,24 33:6,7 38:15,18 39:3,5 42:11,15 42:18,25 47:5,25 48:10,24 49:8 57:9,15,19 61:11 62:15,16 67:16 221:7,9 238:11 239:12 240:8 crystal 191:16 crystallised 65:2 CTI 36:20 cuff 72:7 Culligan 59:22 cultural 34:9 Cup 29:17 current 68:2 108:9 145:10 currently 41:25 68:3 curtail 245:21 264:4 cusps 87:1 94:2,3 cut 219:20 245:24 CVAY 241:25	188:17,18 218:16 dated 185:13,15 282:19 dates 73:18 218:2 230:22,25 David 187:7 188:9 188:14,18 190:10 190:16,25 191:4 191:20 276:18 279:19,23 283:22 286:23,24 290:3 David's 187:22 288:19 Davis 213:16,25 214:19 215:20 228:13,24 276:16 dawning 290:11 day 4:22 27:4,5 31:6,16 36:10 83:22 87:22 95:12 103:20,25 108:21 123:4 137:4 168:21 172:18 176:21 177:25 195:4 223:4 240:12 246:23 248:23 252:4,7,9 282:12 283:9 288:2 290:2 day-to-day 2:17 daylight 71:1 days 87:18 103:19 104:7,8 109:25 124:6 168:14 185:4 187:1 188:16 249:24 255:20 257:3,23 279:25 283:23 293:3,12 de 40:15 dead 53:25,25 deadline 137:4 deadlines 145:6 153:25 deal 52:7 180:3 192:4 256:25 276:14 278:17,20 dealing 37:23
			D	
			D 187:25 damage 44:7,23 45:1,10 51:17 157:1 damaging 77:10 damning 200:6 danger 195:20 dangers 166:6 dark 187:2 269:12 date 59:8 64:22 74:13 187:12	

<p>185:18 dealings 126:9 130:11,14 deals 276:12 dealt 4:19 235:6 235:13 286:4 Dear 26:8 dearth 278:4 deaths 237:12 debate 25:4 100:1 100:4 194:7 239:22 debris 43:17 44:1 45:17 50:1,12,19 deceased 236:3 December 69:1 decent 143:12,17 decide 158:16 255:13 262:20,25 263:1,23,24 276:25 decided 25:11 26:21 59:24 66:24 142:25 153:4 157:23,24 182:23 183:24 205:18 206:3 266:19 270:16 271:13 deciding 36:13 39:20 41:13 149:12 181:9 decision 18:9 19:17 41:20 59:1 66:4,22 159:11 175:7 222:25 254:23 255:9 262:11 263:5 267:16 270:25 273:4 275:3,17 276:20 280:18 283:4 decisions 58:18 59:18,19 declared 289:16 deemed 56:17 deep 289:16 deeply 151:17 202:17</p>	<p>default 182:1 268:1 defects 267:10 defence 139:21 defend 45:16 defender 47:9,14 50:2 defenders 49:19 49:25 50:4,8,9,21 50:24 deficiency 5:5 defined 87:19 definitely 111:1 definitive 49:18 59:25 66:12 definitively 250:6 degree 88:22 146:4 189:18 194:19 delay 188:10 260:25 286:2 delete 217:10,17 218:15 deleted 217:18,20 218:3,7,8 230:19 231:8,12 232:5 deletion 230:13,16 Delhi 279:22 deliberate 51:22 116:17 117:7,10 117:25 120:23 121:2 206:2 deliberately 116:2 119:23 120:21 126:15,22 delighted 214:1 deliver 16:15 demanding 154:8 demonstrate 116:22 119:5 denied 175:11 departing 226:22 department 269:14 departure 71:15 286:3 287:17 depended 279:20 280:3 depending 55:15</p>	<p>deployed 39:12 40:22 41:21 depth 78:17 153:24 Deputy 3:14,20 4:1 13:12 14:12 18:13 74:21 128:5 187:24 276:8,9,14 277:10 289:1 describe 30:6,11 192:24 described 10:8 16:17 173:6 264:5 278:23 describing 156:21 160:4 description 30:20 32:6,7 163:23 192:17 deserved 34:2 deserves 275:3 design 49:16 Designate 286:24 designed 43:16 75:22 221:10 223:24 desirability 251:17 desirable 267:16 desire 252:18 266:13 despite 219:1 224:19 destroy 284:1 detail 27:19 52:24 62:12 76:18 161:2 170:3,3 175:17 202:12 detailed 81:1 133:22,23 details 26:17 27:14 27:18 125:12 146:12 185:6 244:19 264:18 detain 88:8 detaining 88:4 Detective 155:11 determination 191:6</p>	<p>determined 107:2 108:19 244:19 detract 270:8 develop 74:3 devices 21:3,4,5 diametrically 11:10 diary 287:22 dictate 166:17 died 36:8 56:11 57:3 147:9 148:11 differed 14:14,14 difference 85:9,14 118:4 120:7 233:21 234:23 different 18:14,14 18:15 35:9,11 37:19 40:5 52:17 53:3,15 54:25 57:4,14,18 58:3 84:15 85:19 95:5 99:4 116:14 117:20 118:17,18 120:24 124:3 128:9 148:6,7 150:15 158:9,13 158:20 166:23 179:2 196:24 202:16,23 219:24 252:25 differently 53:23 54:1 57:2 61:12 difficult 69:14 96:14 difficulties 157:5 dinner 142:21 146:11 diplomat 2:12 139:5 187:7 diplomatic 117:1 274:19 Diptel 272:1,2,3,5 272:6,22 273:10 direct 40:14 134:2 213:15 262:25 289:20 direction 171:25 193:25</p>	<p>directions 18:15 193:23 directly 133:19 134:4 152:2 180:16 242:21 director 200:12 228:8 disable 45:20 disabling 45:4 disagree 11:14,15 183:25 disagreeing 189:23 disappointed 293:6 disappointing 199:2 disapproved 176:12 disbelieve 225:4 discharge 174:6 disciplinary 136:10,11 141:13 170:5 disciplined 141:15 141:16 disclose 99:9 disclosure 80:23 112:22 116:17,20 122:19 discontinued 55:25 discount 145:22 discreetly 194:15 discretely 24:7,21 discriminated 235:16 discriminates 147:16 148:13 discrimination 235:19 discriminatory 36:2,5 discuss 5:15 22:22 105:8 261:3,22 288:14 discussed 10:1 16:5,6 42:22 72:10 93:23</p>
--	--	---	---	---

110:6 137:13 164:10 175:21 187:11 224:16,20 259:14,15 260:9 279:24 286:25 discussing 22:19 91:4 106:20 196:10 discussion 24:20 66:16 71:23 72:21 74:1 95:14 101:22 107:4,13 122:21 131:3 132:22 188:7 195:14,16 259:13 282:18 discussions 22:15 55:24 75:6 81:19 131:8 224:6,9 259:22 dishonest 121:4 125:21 126:5 129:14 dishonestly 79:6 dishonesty 77:6,9 77:12 120:13 121:22 122:9,10 122:16,25 123:2 123:12,17 126:8 126:9 129:5 130:16,19 131:21 133:2 135:10,13 135:18 136:8 137:19 138:21 139:7 140:3 141:16 dismissal 63:13 206:23 dismissed 72:4 144:19,21 145:1 206:8,22 disobeying 155:21 dispatches 184:12 dispose 283:19 disposed 285:19 disposition 28:14 28:15,16 disregard 7:20 dissent 17:1	dissenting 9:24 dissipated 285:5 distance 124:24 distances 103:25 distinction 243:6 244:4 distinguishing 99:2 document 17:10 17:13,14,16,19 130:23 153:15 261:5 documentary 79:24 225:3 documents 9:15 17:23,25 18:1,7,7 18:8,21,25 81:14 92:2 138:5,20 251:13 253:7 dogs 145:8 doing 33:5 49:6 69:21,25 70:2,11 70:13,16,18 71:24 74:19 84:3 89:21 128:17 158:24 181:2 215:5 224:12 286:11 293:14 domain 22:20 door 151:12 197:15,16 doubt 18:16 35:20 59:15 80:16 81:21 85:7,10,11 85:12 100:15 125:12 151:17 178:14 209:1 210:7,9 214:12 273:16 download 153:11 DPP 55:23,25 170:1 177:2 178:19 200:14,25 201:16,17 202:15 DPP's 59:19 Dr 21:19,24 23:17 25:2,6,9,13,18,25 26:5,11,20 27:8 27:12,21,25 28:5	28:7,11,13 49:13 131:4,23 132:8 188:24 197:22,24 197:25 199:12 223:17 draft 24:19 59:16 237:22 drafted 129:23 133:16 137:25 138:6,8 253:8 drafting 230:4 drama 204:16,19 draw 243:6 262:1 dreary 36:15 38:5 41:15 drive 186:15 driven 31:7 146:20 168:18 169:11 170:7 drivers 179:6,8 180:10 288:14 drives 289:11 dropped 31:18 drunk 34:1 due 31:6 57:9 68:23 188:14 225:24 Duke 29:17 dull 41:15 duped 199:15,17 durable 43:22 duties 40:9,11 194:25 206:18 214:11 235:17 duty 16:14 22:21 dwelt 245:9 271:18 dynamic 88:18	286:22 ears 18:14 19:9 easily 45:19 171:22 east 114:25 eastern 39:13,16 40:1 86:9 87:6 easy 88:25 Ed 228:12,13 276:16 edge 40:2 45:9,15 Edinburgh 29:17 Edward 17:11 214:19 effect 44:18 58:7 66:16 248:4 285:4 292:18 effected 35:23 effectively 141:13 145:11 220:10 277:6 effectiveness 61:20 efficiency 61:20 efficiently 277:6 eight 124:15 192:14 245:19 250:22 255:13,20 255:20 290:10 eight-week 290:13 eight-year 197:5 either 16:9 79:23 137:11 146:23 197:16 212:25 265:14 288:20 289:13 element 67:4 149:18,19,20 151:22 161:12 236:21 292:15 elements 119:12 122:10 123:5,13 123:15 127:25 129:18 165:5,14 219:8 eligible 220:2 email 26:7,18,24 27:9 102:7 112:19 124:12,15 156:18 159:18,19	168:13,21 185:14 185:17 198:5 245:7 249:4,13 252:11 253:9,17 260:2,16,20 263:13 268:18 273:7 274:24 279:23 281:25 282:7,19,23 283:7 284:16 285:6 emailing 171:15 emails 80:24 81:1 82:3 119:8 120:9 124:11 127:15 133:13 173:6 190:7 211:18 217:1,2,4 244:11 253:8 260:12 271:20,24 279:7 279:9 emotional 176:22 emphasises 61:4 employee 231:17 231:20 employment 68:3 enable 43:22 encouraged 253:19 291:13 encouragement 251:21 ended 221:13 ends 124:19 247:2 enforcement 43:18 49:22 50:9 enforcing 29:4 engage 63:24 265:21 engaged 227:3,6 249:19 269:17 engagement 65:18 67:3,11 193:13 203:2 engaging 145:20 engineer 45:22 engines 45:20 46:2 engrossed 49:5 enormously 196:18
E				
	earlier 99:10 128:13 130:18 186:7 197:22 235:3,8 283:23 early 24:10 27:10 76:8 80:21 81:22 93:22 101:14 102:14 173:4 196:14 209:17 215:3 245:17 282:25 285:1,11			

<p>ensure 61:20 157:15 193:10 213:12 236:15 239:8 286:2</p> <p>ensuring 159:6</p> <p>entailed 265:7</p> <p>entertain 176:21</p> <p>entire 83:11,17 87:19 125:9</p> <p>entirely 41:9 141:20</p> <p>entitled 163:21 164:13</p> <p>entry 5:23 245:1 287:22</p> <p>environment 46:1</p> <p>envisaged 264:21</p> <p>equal 4:10</p> <p>equally 3:10 44:20</p> <p>equipment 205:13</p> <p>erroneously 249:5</p> <p>error 201:8,9 202:6,7,20 203:10 211:20 212:15 283:5,6 285:4</p> <p>errors 183:19,22 204:4</p> <p>escalation 65:17</p> <p>especially 77:9</p> <p>essence 56:23 247:18,20 248:1</p> <p>essential 185:5</p> <p>establish 87:18,23 88:14 96:5 221:10</p> <p>established 249:9</p> <p>establishing 124:17 246:25</p> <p>establishment 54:17</p> <p>etcetera 88:25,25</p> <p>Europa 93:10,14 93:16 94:6,22 95:1,21,23,24</p> <p>evasive 108:14 112:23 116:20 117:4 120:21 121:3,5,5 122:3,5</p>	<p>125:20 126:5 127:12,17 202:2 248:9 251:1</p> <p>evasiveness 114:14 116:9,21 117:11 117:14 119:5 121:1 122:18 123:6,16,16 127:23,25 149:19 247:23</p> <p>evening 36:10 37:25 38:5 41:14 51:13 101:14 109:12 137:3 146:10 253:10 281:16</p> <p>event 164:19 229:6 272:22 286:16</p> <p>events 30:4 68:10 76:7 79:14 127:7</p> <p>eventually 94:18 237:4</p> <p>everybody 1:21 35:10 37:19 52:18 60:20 203:14 288:12</p> <p>evidence 1:9 10:11 16:16,22,22 28:4 29:1 30:21 33:1 33:16,25 34:4,23 35:17 46:17,25 47:12,13 54:8,14 56:1 57:21 59:9 62:2 63:23 64:20 65:25 66:15 73:19 76:22 77:1 77:13 79:23,24 79:24 81:6 83:19 84:10,13 87:16 88:17 90:8 93:5 93:19 95:22 97:4 100:10 105:11 106:13,14,17 114:13 116:9,10 119:14 120:2,3 120:14,20 123:3 125:19,23 126:2 126:7 129:16 138:22 143:2</p>	<p>144:2,3,4,15,18 146:23 163:20 172:24 180:8 190:1,5,5,7,13,14 190:15 200:22 206:5,9 217:4,5 221:17 223:13,25 225:2,3,5 229:25 235:8,21 239:7 241:12 247:12,13 250:9 251:10 254:20 259:25 265:5,9,13,13 270:21 275:22 287:12,14 289:18 290:22 292:7</p> <p>evidential 277:1</p> <p>ex- 228:23</p> <p>exact 37:12 70:23 91:6 98:19 99:3 99:19 100:2 104:21,24 105:13 107:1,14 110:16 234:24 244:15 246:25 250:8,12</p> <p>exactly 82:14,18 90:13 100:7 112:8 122:2 214:25 242:12 246:18 262:2 278:19</p> <p>examination 21:2</p> <p>examining 61:7 207:12</p> <p>example 37:19 52:18 55:14 127:5 159:12 166:15 187:9 191:22 207:10,18 210:12 240:7 267:14</p> <p>examples 145:3 209:16 289:21</p> <p>excel 43:23</p> <p>Excellency 288:2</p> <p>exception 159:9</p> <p>exceptionalism 34:10,13 35:5 53:22</p>	<p>exceptionally 35:7</p> <p>exchange 85:23 248:15 257:9 259:14 271:24</p> <p>exchanged 260:17</p> <p>exchanges 24:1 40:25 80:16 100:13</p> <p>excluded 209:23</p> <p>exclusive 128:20</p> <p>excuse 30:3</p> <p>execute 167:15</p> <p>executed 164:1,20 166:25 168:8</p> <p>execution 164:3 206:17</p> <p>exemptions 187:9</p> <p>exercise 62:5 63:13 66:10,13 66:25 174:15 261:1 263:20 266:18 268:9,15 268:17 269:10,16 270:4,10 279:13 281:5,11 283:17 284:11</p> <p>exercised 238:14 238:19 284:25</p> <p>exercising 64:10 216:10 240:10 266:10</p> <p>exhibit 38:12,18 47:11,20</p> <p>expect 5:14 34:6 60:11 84:8 242:15 280:16</p> <p>expectation 181:18</p> <p>expected 137:15 140:21,24 195:4 212:22 237:2 240:1 264:8</p> <p>expecting 9:12 150:9 277:2 293:5</p> <p>expediency 285:20</p> <p>expedited 67:10</p> <p>expeditiously 134:25</p>	<p>experience 32:11 44:6 277:5</p> <p>experienced 139:4</p> <p>expert 45:23</p> <p>expertise 45:25</p> <p>experts 55:9</p> <p>explain 11:19 36:11 38:9 46:18 52:12 62:22 63:4 79:1 129:7 146:21,22 174:15 219:5 234:19 272:3,4 289:6</p> <p>explained 132:11 204:15 217:11 230:14 234:13 244:5 252:20 272:2</p> <p>explaining 272:15</p> <p>explains 134:22</p> <p>explanation 121:23 122:15 136:23</p> <p>explanations 64:12</p> <p>explicit 257:2</p> <p>explicitly 89:25</p> <p>explore 42:19 53:1 74:3 236:11</p> <p>explored 120:6 139:13</p> <p>expressed 17:3 23:16 79:13,17 79:18,25 134:12 135:2 195:11 237:24</p> <p>expressing 79:20</p> <p>expression 91:2,16 91:16 133:3 205:7</p> <p>extended 35:24 68:25</p> <p>extensive 80:24</p> <p>extent 62:12 240:21</p> <p>external 161:7 165:13,14 182:11 193:4 194:22 195:6,12 197:15</p>
--	---	---	--	---

197:17 198:2 236:22 externally 196:11 extra 159:3 extraordinary 52:10 229:6 extremely 43:21 91:25 145:4 174:19 177:13 179:10 208:24	failing 21:4 22:20 fair 10:8,12 24:19 27:25 35:12 46:12 56:8 58:17 74:25 75:25 76:1 76:2 77:8 81:15 83:6 84:7 89:11 102:12 106:10 109:2 113:3 114:6 117:22 118:5 126:5,6,10 126:11 139:18 140:14 150:22,25 151:4 157:25 161:23 170:25 180:23,24 181:4 184:16 185:6,23 186:21 187:10,11 192:17,24 193:20 194:1 197:11,18 211:10,12 213:18 213:19 225:17 239:8 241:11 fairly 238:21 fairness 62:24 63:1 65:16 67:1 67:4 fall 88:2 181:25 191:6 fallen 154:16 256:18 false 222:5 278:9 familiar 245:11 263:13 271:19 282:20 family 284:19 285:18 fanciful 293:4 far 34:5 62:15 108:21 117:1 133:6 141:4,10 187:15 246:5 fast 88:17 fatal 157:1 200:7 fault 152:18,18,19 206:2 faults 152:25 favour 248:7 favourable 269:5	FCDO 102:7 286:25 FCO 145:5 feature 43:15 46:11 277:23 features 46:3,7 February 72:12 73:20 fed 209:20 Federation 22:17 37:3 146:5 198:25 200:7 211:4 feel 130:11 199:14 235:22 feeling 8:21 feelings 64:21 feels 134:12 135:2 282:25 feet 239:13 fell 182:2 fellow 13:3 14:1,4 felt 9:1 28:8 132:11 133:18 235:21 282:5 field 54:13 92:18 92:21 93:1 103:17 104:4,8 193:9,10 Field's 38:13,18 47:11,21 54:8 95:9 fifteen 26:15 Fifth 168:15 figures 107:17 filed 128:24 258:9 fill 25:7 195:23 197:2 filling 195:2 final 58:13 59:13 59:14 73:25 110:3 134:18 153:6 159:11 187:23 196:9 217:7 293:11,15 finally 79:5 291:7 finance 162:13 financial 156:25 find 16:7 21:4	71:18 116:20 119:4 226:4,13 251:7 finding 129:4 206:15 findings 33:5 finds 206:16 fine 58:10 97:1 105:9 142:14 247:14 finish 56:25 99:16 125:6 141:23 142:2 272:11 finished 68:1 230:11 finishing 293:2 fire 240:21 firing 63:13 firm 65:23 104:24 230:4,6 firm's 275:12 firmly 168:24 211:3 first 4:21 7:12 17:10,13 30:18 53:13 56:18 79:12 80:9 81:7 81:11 87:17 92:13 100:19 108:6 117:22 118:3 124:10 126:17 130:9 149:24 156:8,8 160:16,17 168:15 172:8 178:1 184:1 187:20 189:16 193:13 213:18,20 216:17 216:18 226:6 247:5 269:23 270:8 273:6 fit 136:3,7,15,16 136:19,24 155:7 fitted 43:17 44:8 44:12 47:14 49:19,21 51:24 fitting 50:23 five 96:3 141:18 220:13,16 292:25	fives 32:8 33:6 fiving 33:2 flash 98:1,4 flaw 201:23 203:20,22,23 flawed 14:5,8 19:16 267:5,22 270:19,25 275:7 275:8 flexibility 161:8 flight 205:5,8 flippant 96:12 floating 43:17 44:1 44:3 45:17 50:11 50:18 flows 4:2 flunk 263:7 fly 20:7 focus 34:11 290:15 focused 291:2 focusing 71:15 folder 9:14 followed 10:13,18 40:11 94:15 177:1 following 10:17 30:5 49:11 54:20 56:14 76:15 231:14,16 follows 61:16 175:20 204:11 force 150:12 236:22 Force's 210:10 forced 129:3 286:3 forceful 289:20 Forces 4:24 19:19 34:16,19 209:8 221:12 foreign 9:13 73:15 73:20 74:5 76:9 80:25 161:6 183:10 217:12,24 219:3 230:15 231:17,20 244:11 245:8 249:22 260:3 268:12,18 269:14 271:20,22 272:18,23 274:17
F				
Fabian 24:13 133:13 151:5 153:10 187:5 194:12 facilitate 55:11,12 128:14 fact 3:1,4 14:11 19:6,9 21:12,16 23:6 25:15 27:22 27:23 28:12 33:5 48:13 54:12 88:4 94:18,19 103:5 115:4 117:24 141:7 151:14 178:13 179:8 185:10 191:25 201:16 211:7,17 226:23 237:4 243:15 244:23 255:4 261:22 267:5 269:24 270:7 275:19 279:20 280:4 281:11 factor 13:24 175:6 factors 88:19 209:24 210:23 facts 63:22 82:24 109:7,9,10,10 152:17 177:22 233:4 239:7 244:23 249:8 factual 118:8 153:10 261:2 factually 201:4,6 failed 62:14 247:24 266:2 267:15				

274:20 280:23 forget 63:19 64:8 form 1:18 224:22 formal 21:12,14 21:17 22:3,5 100:2 188:8,10 205:16,21 224:1 272:6 formally 22:6 75:13 100:1 211:7 formed 65:1 former 29:8 196:13 254:7 forming 175:21 formulated 66:11 formulation 91:25 forth 22:2 123:15 forward 5:10 65:8 86:18 153:12,23 158:5 174:11 186:16 214:14 240:2 292:11 293:17 forwarded 213:10 213:14 found 18:2 21:6 44:3 50:20 119:13,16 122:13 131:8 204:1 223:14 277:25 287:21 foundation 123:11 four 60:6,7 104:7 104:20 117:23 192:16 197:4 FP 226:3 fractured 210:15 210:18,22 211:3 frankly 292:25 free 263:22 freedom 174:23 264:4 frequently 224:25 242:18 273:12 Friday 128:25 156:24 167:18 183:5 211:17,23 258:9	friend 32:14 38:21 67:12 163:1 165:3,22 166:1 167:5 168:8 173:9 178:25 181:3 209:3 221:7,9,18 222:11,14 223:23 225:8 226:17 229:14 230:12 233:12 238:11,16 239:12 256:1 259:9 262:6 265:25 267:20 275:12 280:4 291:12 friends 29:12,14 35:19 69:24 221:11 friends' 252:8 friendship 31:10 31:12 289:17 frolic 40:7 front 28:9 32:23 44:17 48:10 51:16 63:22,23 239:7 FRS 225:25 frustrated 151:17 173:12,12 fudge 136:6 fugitive 20:19 fulfilling 158:20 215:13 full 8:1,15 17:17 46:17,17 80:23 116:17 122:6,18 131:3 132:21 fully 10:2 25:25 50:22 54:6 77:17 109:22,24 159:17 174:20 214:13 237:2 286:2 fun 36:13 38:7 143:1 146:16,24 257:22 functions 2:14 16:20 215:14,17 215:19,21 216:6	216:8,19 fund 145:8 fundamental 174:22 201:23 202:6 fundamentally 31:16 funding 145:5 further 34:4,7 40:3 44:14 45:6 65:17 74:4 99:6 124:19 136:18,19 137:22 139:13 141:6 247:2 furthermore 45:3 112:15 future 197:18 203:7 290:12	192:6 196:3 246:24 258:25 280:11 Gibraltar 3:15 4:5 4:8,13,24 5:1,4 17:12 21:2 39:10 39:14,16 40:1 42:16 47:16 50:10,16 51:5 52:1 55:19 60:18 61:8 68:23 70:17 74:14 87:24 88:1 88:6 107:10 109:2 111:10 116:25 144:7,10 157:2 158:22 159:25 162:24 163:9,12 164:15 165:12,16,23 174:21 177:8 181:13,18 192:21 193:3,8,11,23,24 214:14,17 220:9 226:21 227:3,17 228:10,17 237:12 237:14 269:13,15 277:7 290:14,18 Gibraltar's 164:3 164:6,12 284:22 Gibraltarian 37:22 52:20,22 53:4 54:25 147:9 148:11 Gibraltarians 53:16,25 56:10 147:21 give 16:21 25:21 26:15 47:21 49:18 51:15 90:23 92:23 140:25 141:14 178:25 212:16 240:18 259:3,25 265:8 274:5 289:20 given 3:25 29:18 35:16 54:17 60:3 62:21 63:21 65:13 66:11,15	74:15 77:20 78:1 81:19 82:20 90:25 97:4 107:20 108:7 129:10 140:22 157:14 158:22 172:24 173:8 177:6 182:14 190:16 203:1 212:12 215:11 223:25 224:24 225:2 234:21 238:24 252:12 257:14 263:16 276:6 279:6 280:7 gives 54:13 157:9 194:13 giving 1:9 26:20 57:20,20 58:4 100:19 127:5 140:19 209:16 243:7,7 257:3 265:3 266:24 284:13 GMA's 46:9 go 7:15 17:16 27:19 29:25 32:2 32:4 33:12,20 36:13 38:11,23 38:25 39:20 40:17 41:13 47:20 51:17 54:8 54:9,11,18,19 55:5 58:14 62:11 62:16 66:19 67:12 95:8,25 97:1,15 100:25 102:6 103:17 106:22 114:6,20 115:22 123:14 127:8 128:4 131:25 133:6 137:22 142:25 155:10 156:17,20 157:3 161:2 171:7 174:14 179:4 181:14 184:10 185:14
G				
GALLAGHER 278:17 gap 25:7 195:1,23 197:2 Gary 155:12 290:23 GDP 106:17 general 34:6 36:9 66:18 69:18 70:7 71:19,23 79:19 86:4,15 102:21 105:7 109:13 111:8 138:2 142:22 143:4,15 146:11 155:7 166:1,14 169:25 174:25 175:9 178:19,22 183:12 200:11 232:14 240:19 259:21,22 268:4 271:7 276:16 277:11 287:3 General's 86:12 generally 35:5 generates 193:22 Gerry 197:8 getting 48:22 73:14 119:14 124:16,22 153:13				

208:9 213:24 245:20,24 250:8 257:8 258:19 271:22 272:17 283:10 284:16 288:22 goes 49:23 85:7 94:12 105:11 127:7 154:15 165:9 167:23 188:2 272:7 289:2 going 16:1 17:4 25:5,15 33:4 36:17 41:21 42:3 44:5 47:10 48:11 52:14 58:9 60:10 61:8 62:10 65:8 66:25 67:6 71:13 73:15,25 74:3 85:13,24 89:3 93:19 94:17 97:2 99:16 111:15 122:1 123:14 131:7 134:4 136:5,13,17,17 136:21 140:17 143:7,7 149:22 154:22 158:23 159:8 161:8 164:7 168:13 169:2 172:15 180:14 185:19 190:9 194:14 206:22 208:7 218:13 231:13 245:21,21,22,24 253:4 261:6,10 272:11 273:7 276:9,24 279:11 284:1,3 289:25 292:15 293:6 gold 54:18 golf 29:21,22,24 32:15 35:18 145:19 golf-course 144:11 golfing 32:21 Gomez 64:13 65:1	139:23 174:13 183:3,4,15 184:14 212:20 213:1,3,11,15 283:8 285:6 Gomez's 275:12 Gonzalez 61:14 good 1:4,5 2:9 11:6 28:23,24 32:14 48:6 49:6 61:7 67:24,25 69:23 83:2 94:12 124:7 141:3 188:18 197:8 203:15 218:17 219:1 231:11 241:5 245:25 256:8 273:23 274:1 280:14 288:11 gosh 70:6 72:2 106:21 gossip 292:2 governance 280:14 government 60:18 60:23,25 70:17 74:15 137:11 165:12,16 226:21 227:3,9,11,24 228:18 239:15 284:22 government's 70:8 governments 117:1 governor 3:14,20 4:1,3 6:19,22 13:12,14 14:12 15:15 17:22 18:13,17 19:3 27:6 28:9 34:17 60:19 62:5 64:7 64:8 74:21 116:23 119:7 128:5 130:10 134:12 135:2 137:12 161:4,21 162:16 163:7 171:17 172:3	175:7,23 182:10 182:22 186:20 187:8,24 189:5 195:17,18 213:16 213:25 214:21 215:2,3,10,15,15 215:20,23,24 216:2,3,5,10,14 216:14,15 228:12 228:24 239:16,19 240:4 255:10 266:4 269:15 271:11 275:19 276:8,9,14,15,20 277:10 285:23 286:7,24 289:1 Governor's 17:21 66:19 157:3 163:17 212:1,2 280:18 Governors 60:19 161:14,14 GPA 1:22 5:14,16 7:19 8:7 13:4,6 14:1,4,15 15:20 15:21 16:8 18:8 19:2,6,9,18 21:17 22:8,9,18,20,21 23:4,10 26:10 27:22 61:14,15 62:20 63:17 65:9 81:10 129:2 131:8,18 134:4 139:16 140:7 154:15 157:18 158:2,4,7 168:17 169:10 170:7 173:21,25 174:1 174:2,10,16 175:24 178:5 183:5,20,22 184:14 189:20,23 191:3,13 194:2,5 196:13 198:8 213:7,8,9,13 214:3,9 223:5,18 223:20 224:6,9 224:15,20 238:15 238:22 239:14,24	240:2 251:21 258:11,14 262:23 263:7,19,22 264:9,18 265:9 265:21 266:9,18 270:14 271:5,12 275:13,16 279:16 282:1,2,3 283:24 284:24 291:11 292:6 GPA's 263:5 267:4 267:25 276:3 GPF 22:7,24 210:16,19 Grace 161:3,5,18 grade 219:6,7,21 220:1,6 grades 219:18 226:24,24 grading 219:4,11 grammatical 130:5 grateful 288:9 gratuitous 1:22 great 38:21 62:12 180:3 280:21 greater 53:6,20 147:6,19 148:9 161:17 greatly 196:18 Green 31:5,7,11 31:14,21 35:18 227:13,14 228:21 Green's 31:9 grey 161:12 grief 280:11 grossly 174:17 ground 235:5,7 242:15 grounds 268:8,14 268:17 269:10 270:9 group 183:10 growing 78:16 145:14 Guarda 99:24,25 Guardia 40:14,20 41:2 241:23 243:15 244:25	guardians 60:16 guess 161:19 guidance 33:8 171:20 217:24 Gulf 221:12 guy 13:16 guys 12:13 <hr/> H <hr/> half 283:12 halfway 261:14 hall 205:10 hammer 97:2 hand 257:12 handed 17:20 211:16,23 216:20 276:18 282:19 handing 121:14 211:14 handle 254:17 handled 176:18 handling 5:5 175:5 hands 9:17 96:13 211:4 237:14 handwriting 239:5 hang 14:24 15:6 99:12 happen 168:2 198:23 200:20 222:24 236:16 270:3 happened 4:22 28:19 30:5 32:7 38:10 41:9 42:5 58:22 60:9 68:12 88:6 96:16,18 102:9 104:10 110:14,17 111:1 111:10,24 112:1 112:25 127:7 148:1 150:1,16 152:11 155:4,6 164:21 167:21 185:1,5 186:6 192:1 206:6 223:1 245:13 248:21 272:23 287:25 happening 163:18 181:2 290:12
---	--	---	---	--

happens 262:17	194:25 198:13	hits 97:20	147:12,15 153:10	222:16 280:7
happy 3:5 24:8	229:10,15 246:1	HMG 20:25	206:20 245:25	290:7
26:14 138:17	274:3 281:20	165:11 218:6	idea 36:12 48:6	important 2:13
hard 22:14	helped 55:11,12	HMIC 185:13,18	ideal 191:18	4:13 52:24 63:16
hardest 273:13	128:14 277:24	185:22 186:1,9	identified 54:20	65:6 80:3 87:17
harm 46:8 284:2	290:14	186:13 200:6	61:15 183:20	87:22 88:11,13
Hassans 1:17,24	helpful 49:15	225:25 291:5	188:17	90:4 108:7
164:22 167:14	91:25 135:25	hold 13:22 30:16	identify 17:9 51:1	111:22 112:6
hastily 285:19	263:18	227:17	85:22	130:20 157:11,15
hat 162:13	helping 145:6	home 33:20 97:3	ill 69:8 71:5	168:4 175:6
hate 161:11	230:12	205:19 256:10	illegal 37:10	211:20 218:5
172:12	herewith 26:9	honest 3:17 34:14	illegitimatises	225:6 241:14
haul 240:7	hesitate 269:1	71:7 142:5	255:5	244:21 245:4
head 53:7 147:7,11	hierarchy 35:3	193:25	IM 286:22	282:16 293:10
147:20 148:3,10	high 32:8 33:2,5	honesty 125:25	imagery 103:22	importantly
169:2 219:3	54:5 61:21 110:7	honourable	104:5,9,15,18	293:16
235:22	151:5,6 216:16	220:19 286:4	106:20	impression 41:19
heading 171:24	219:22 220:2,8	hope 28:13 57:20	images 21:4,6	89:21 111:22
204:7	high-level 107:4	141:22 181:17	imaging 103:15	177:6 212:11
headless 194:16	172:13	213:13 235:3	109:16	235:7
health 69:8 71:5	high-profile	248:8 257:17	immediate 112:21	improper 174:18
hear 18:22 62:11	168:19 200:9	268:7 285:16	146:23 272:25	254:24 262:23
69:9 93:15	high-speed 44:21	hoped 131:9	immediately 65:23	impugn 221:20
101:13 124:7	higher 219:8	187:14 258:1	94:15 176:11,13	in-tray 252:13
194:17 245:25	272:18	hopefully 253:5	254:9 255:4	inaccurate 100:19
247:5 248:11	highest 272:16	257:8	immense 284:18	inadequate 8:22
251:9,14	highly 43:21 45:24	hopelessly 271:2	imminent 257:14	9:1
heard 18:16,17,18	88:21 101:5,12	hopes 128:6	imminently 215:4	inadvertently
19:13 20:1 64:19	124:21 125:2	hoping 153:16	immunises 234:3	282:15
92:5,6,15 93:21	218:6 241:19	hostile 210:18	impact 88:1	inappropriate
94:21 108:8	243:10 247:4	hour 86:6 141:25	impartiality	13:16 170:23
140:13 144:16	248:20,23 249:9	142:12,19	284:21	inappropriately
145:24 169:14	250:4	hours 27:1,10	impending 232:6	178:22
198:20 221:6	Hill 39:8,17	33:22 39:6 86:5	implausible	inaudible 90:20
228:14 242:25	101:17 102:23	87:18 92:16	224:23	128:23 160:16
267:18 270:21	103:12 104:6,11	97:16 114:23	implement 185:25	170:11 178:8
271:17 275:7	104:13 105:1	124:7 141:25	270:25	258:16 270:1
hearing 18:4 31:2	106:7,10,16,16	183:16	implemented	inbox 217:23
113:5	106:19 124:20	House 86:6 92:14	186:14 289:10	incident 4:20 5:6
hearsay 209:5,7,9	hindsight 10:4	241:18	implications 50:23	5:13 13:4,18
heat 118:19,20	25:23 26:4 27:3	houses 35:24	82:20	14:3 16:24 23:11
heavy 119:10	28:2 132:20	huge 290:6	implicit 257:1	30:4,6 33:9,13,14
held 155:1,2	139:2	hugely 19:16	implicitly 151:7	33:23,25 36:7,21
208:11 227:21	history 7:23 78:3,5	208:14	170:20	36:25 37:3,7,20
helicopter 4:20 5:6	78:11,22 79:5	hull 50:3	imply 247:21	41:9 52:18,19
33:9,13,15 34:1	191:23 196:6	Human 268:23	implying 23:1	54:15 56:4 58:22
37:3 208:8	225:9,12,17,19		importance 35:17	62:17 79:7,11
help 24:23 61:8	226:7 277:15	I	61:4 76:3,14	80:11,22 81:9,17
138:2 150:2,4	291:16,17,23	Ian 78:6,12,23	78:10 81:20	81:20 82:21
		80:5 124:7		

83:20 84:1,7	65:25 67:11	18:12 35:13	72:12 74:7 75:18	159:5 232:23
85:15,18 86:8,16	87:20 181:21	40:20 49:11	78:2 79:23 81:7	intending 5:11
86:20 87:5,9,19	208:24 209:2,11	59:25 60:1 64:11	91:19 125:19	190:2
88:5 89:14 91:11	217:2 279:19	79:14 81:8 82:23	126:3 144:1	intensely 262:5
92:16 95:12 96:5	287:1	83:24 84:11 89:2	173:3 204:5	intention 52:2
96:7 97:5,9,13,23	incoming 285:23	90:1,5,22,25 91:3	208:19 217:8	189:4 286:21
98:8,10,12,22	inconceivable	91:8,8,15 92:10	218:9,12,13	287:6
99:4 100:16,21	105:7 106:19	92:12 99:7	222:2,9 225:4,16	intentional 225:12
100:24,25 101:25	108:6 261:25	100:12,19,23	228:13 229:4	intentionally
102:3,8,11	incorrect 46:13	101:4,24 102:2	230:23 232:6,19	225:18
103:10 106:18	154:11	102:15 105:12	233:5 240:19	interacting 83:15
108:22,25 110:13	indent 260:4	108:10,17 112:6	241:12 249:16	161:22
110:22 112:22,25	independence 61:5	112:23 114:23	252:20 259:3	interception 111:9
113:2,5,13,21,24	61:19 163:9,12	115:9,15,19	272:5 293:13	interest 36:14
113:25 114:8,10	171:14 174:8	116:20 120:2	Inquiry's 253:4	77:23 256:9
115:3 116:4,6,11	181:12 234:3	122:5,6,7 125:3	inquorate 267:6,6	272:23 280:12,17
117:17 120:7,25	266:3 280:9	126:16,22 129:10	inside 37:13 86:20	interested 170:16
125:9 126:24	independent 19:4	129:19 130:24	87:1 91:14 96:11	254:5 292:2
128:12,22 134:14	62:4 128:18	134:24 136:22	102:1,5,10	interesting 168:21
134:22 135:1,4	150:6,12 152:16	141:21 202:18	110:14,18,22	168:23 268:24
137:16 140:9,12	155:11 182:11	206:3 243:7	111:10 112:2	interfere 160:14
141:10 146:12,18	207:11,14,19,21	246:10 247:22	242:10 245:14	160:22 162:1,25
146:20 147:24	233:25 234:4	248:11 251:2	246:3 249:1	239:15,17,17
149:20,23,25	239:24	256:22 258:25	250:18	interfered 232:11
150:16 151:24	independently	259:1 264:9	insinuation 266:1	232:21 233:1,11
152:3,10,13,22	128:11 152:21	265:12 275:9	Inssofar 57:22	interference
154:10,12 155:2	190:19	278:5	inspired 261:5	169:15 174:24
156:12 157:2	indicate 175:14	informative	installed 50:8	177:14 180:1
161:19,19 185:1	indicated 175:25	291:25	installing 50:21	182:25 233:22
186:5,12 202:19	indication 264:2	informed 59:5	instance 56:18	282:4
205:12,15 207:1	individual 46:14	109:22,24 248:18	145:5 162:7	Interim 60:19
208:2,8 225:24	76:22 199:10	249:3	instances 228:21	interlocking 88:19
236:13 240:24	individuals 31:15	informing 113:25	instant 146:15	internal 128:7,8
243:1 244:4	31:21 88:5,8	116:5 175:23	instigated 103:20	128:16,21 257:18
245:12 250:7	171:15	initial 59:21 93:8	instigating 205:15	257:19 258:2,3
255:13 259:1,2	industry 50:5,17	95:18	instigation 253:23	international
273:5 275:23	inflammatory	initiate 281:17	instinct 257:12	43:14 49:9 161:6
290:10	148:22	initiated 253:16	instructed 171:22	161:20,23
incident-- 91:10	influence 62:6	injury 46:8	instruction 238:25	internationally
incidents 78:23	160:10,18 238:15	innocent 37:9	instructions	43:19
79:3 161:20	238:20,22	45:15	217:24 218:19	interpret 57:22
204:10,12 209:16	influential 4:5	innuendo 230:2,20	insufficiency	interpretation
include 34:9 60:17	inform 66:4 214:1	232:4,7,22	278:4	100:25 114:7
included 41:3	249:8 288:13	Inquest 41:25 42:2	insufficient 123:11	117:21 118:8
208:18	informal 224:2	42:4	275:9	120:24
includes 76:18,20	288:24	inquiries 174:24	integrity 130:14	interpreted 57:24
243:2	informally 22:23	inquiry 4:19 8:25	131:1 163:8	interpreting 290:8
including 32:14	information 3:21	14:17 19:4 32:22	intemperate 8:20	interrupt 39:3
34:10 60:19	4:2 16:12 18:10	32:23 34:8 68:18	intended 44:25	intervene 160:20

162:1 165:20 179:10 181:3 247:11 intervened 178:23 232:11,21 233:1 233:10 intervenes 163:13 166:3 intervention 180:22 interview 10:2 11:7 13:10 75:23 interviewed 8:8 9:21 75:5,12 interviews 9:12 invaluable 46:2 invented 10:16 inverted 264:12 investigate 55:10 128:12 150:12 152:25 173:16,21 179:25 180:5 182:3,12 208:12 236:18 investigated 209:25 investigating 33:24 83:9,16 89:14,22 152:21 investigation 33:15,17 55:19 59:4 97:21 128:7 128:16,18,20 140:9 150:6 154:19 163:14 165:20,21 166:2 166:21 168:18 169:16,19 170:2 170:8,18 173:10 173:23 175:5,17 176:18 177:15,19 177:19 178:12,23 179:9,11 180:6,7 180:13,23 181:20 183:1 200:9 233:2,12 236:23 257:19 258:2 279:22 282:5 investigations	58:16 150:1 160:10,14 162:2 162:13,25 169:11 169:12 232:12 investigative 177:5 investigator 45:14 invitation 175:13 175:19 265:19 266:9 invite 175:24 225:4 236:22 266:19 invited 270:18 Invoking 157:2 involve 143:20,22 161:21 164:13 involved 44:15 68:11 71:17 95:19 103:25 152:2 161:23 165:16 166:21 173:9 180:16 208:13 involving 33:14 88:18 irony 33:16 irrelevant 280:6 issue 15:6 20:2 24:22 27:1 28:10 36:25 37:9 42:19 47:8 51:20 54:2 62:24 63:1 76:6 82:16,19 83:16 84:22 85:13 112:24 116:21,24 117:5,11 119:5 157:12,21,21 161:3,7 169:17 169:20 172:20,21 175:5,19 187:21 192:12 202:12 208:18 209:11 210:1 224:21 237:25 260:13,24 261:11,17,18 279:24 280:12 286:25 287:11 288:14,23 issues 16:6 22:5,19	27:19 31:24 34:10 50:18 63:24 82:22 171:18,18 172:18 195:9,20 199:9 200:5 201:10 208:20 218:4 239:7 274:22 276:12 289:3,23 issuing 260:9 item 22:16 items 46:8 <hr/> J <hr/> James 166:25 168:20,22 169:13 172:9 177:20 279:8,21 January 58:14 59:12 74:10,11 74:13 jest 241:7 job 223:4 224:12 226:18 228:17 274:20 jobs 43:23 69:6 71:6 Joey 24:7 26:11,11 128:25 129:22 133:15 258:10 John 39:13 43:9 50:22,24 54:8 95:9 joint 187:10 jolly 39:20 judge 48:24 judge's 92:6 judgment 34:12 36:4 57:21 284:25 Judgments 36:4 July 68:18 218:9 218:13 287:23 June 43:5 58:20 68:13 81:10 82:12 112:11 115:22 139:22 152:20 187:7,13 188:1 198:6 215:3,20 229:12	229:18,18 264:10 281:15,25 285:5 293:11,18,21 junior 219:15 jurisdiction 20:8 88:3,7 jurisdictional 56:3 164:2 justice 20:19 37:14 63:3 67:2 133:7 176:8 justifiable 268:8 268:14,16 269:10 270:9 justified 156:2 280:25 <hr/> K <hr/> keen 246:3 248:18 280:17 keep 2:20 keeping 2:13 21:2 43:23 keeps 2:22 kennels 145:7 kept 3:2 key 82:21,24,25 83:20 111:6 116:21 117:11 119:5 171:17 193:21 197:13 killed 37:10,20 52:19 killing 56:17 kind 38:22 Kingdom 10:14 knees 44:11 knew 25:14,25 26:5 100:16 102:14 103:4,8 103:13 106:4,6,7 106:7 116:24 127:19 152:24 154:5,25 167:20 170:2,4 173:5 185:4 186:19 191:14 193:14 202:6,14 211:1 246:16 247:22 289:13	know 5:8,9 6:24 9:7,22 12:5,6 22:17 25:25 27:2 29:10 32:10 34:14 36:14 40:21 41:14 42:2 42:21 48:5 49:15 50:17 51:9,10,23 52:23 54:4 69:25 70:10 72:4,5 75:4,17 81:3 84:24 86:12 90:17,18 91:7,9 91:10 92:7,11 94:14,16 95:10 99:19,21 101:4 103:14,16 104:9 104:19,20,21 109:7,23 110:15 110:17 111:12 112:18 113:12,19 116:3,16 123:18 128:9 132:15 137:25 139:5 140:5 143:11,23 146:6,7,12 149:8 152:10,19 154:16 154:17 159:6,16 161:8,12 164:24 164:25 165:4,6 167:4,8,11 169:12 171:3,20 172:4,7 177:17 177:22 178:9,17 179:19,20,23,24 182:10 186:22,25 187:10 188:12 191:15 194:4 195:19 205:21,23 206:6,24 212:20 219:15 220:15 226:20 227:14 229:18 236:9 237:11 239:19 246:3 248:5,18 250:6 252:3 255:17 256:15 258:13 263:12 265:2 267:14,24
--	---	---	--	---

272:1,4 273:20 273:22 279:20 281:21 288:15 289:13,18 291:17 291:23 292:17 knowing 6:18,22 13:13 28:15 100:11 106:17 108:1 knowledge 45:25 249:11 known 46:22 50:18 104:17 109:18 knuckles 242:16	212:23 213:6 269:12 lawyers 171:23 230:1 282:1 lay 267:4 lead 138:13,18 140:18 159:10 168:24 221:20 leader 149:8 leaders 211:5 leadership 157:20 189:14 195:1 199:25 275:2 277:8 289:4,19 292:10 learn 4:21 learned 38:20 67:12 221:6,8 222:14 223:23 225:8 226:17 229:14 230:12 238:11,16 239:12 252:8 256:1 259:9 262:5 265:25 267:20 275:12 291:12 learning 29:23 leave 24:25 42:24 85:11 129:1 154:20 187:6 258:11 278:21 leaves 250:19 leaving 68:12 69:22,23 142:23 143:6 162:13 219:11 224:1 led 21:3 186:5 208:20 left 42:14 92:25 112:17 126:25 130:12 142:7,19 154:3 158:3,3 198:15 199:5 228:2 284:22 285:1 legal 1:11,12 70:8 88:9 121:16,17 185:10 268:12,18 269:10,14	legalistic 267:3 legally 267:24 268:3,23 legibility 38:21 legitimate 100:5 245:4 length 137:13 lengthy 1:11 Leslie 227:2,5 Let's 24:12 261:3 letter 17:10 18:5 38:12,15 43:2,3,5 46:16 47:19 64:13 65:1 81:10 112:11,13,18 115:22 120:10 133:14,20,21,23 134:4 137:25 139:15,22 140:4 174:12 176:4 177:18,23,24 178:5 183:3,4 184:8,13,17 212:8,19 213:1,2 213:10,24 214:20 215:1 229:12,17 229:18 230:4,7 256:17 264:10 265:17 270:14 275:11,12 276:3 276:5 277:16,23 278:4,12 282:21 283:5,9 285:5 letters 184:21 211:15,17 212:12 212:16,22,25 213:14 216:21 level 37:17 52:16 110:7 219:9,21 272:16 Levy 163:25 166:20 167:6,9 168:20,22 169:13 172:9 177:20 178:24 279:8,21 280:5 liable 271:7 lie 27:7 157:5 179:8 201:13	220:20 221:23 222:11,13 234:24 235:2 lied 109:21 121:25 169:23 175:10 178:17 180:12,21 222:7 234:18 Lieutenant 228:13 276:16 life 30:14 38:1 76:4 77:24 89:16 122:22 134:15 135:5 143:18 lightly 264:13 likelihood 99:1 203:12 limited 12:9 232:23 limiting 52:11 line 13:22 21:10 83:23 97:20 134:18 160:8,12 160:13 171:8 194:15 196:9 197:7 263:15 lines 96:4 160:1 161:5 248:19 249:3 285:10 link 123:16 links 290:19 list 54:23 232:9 listening 18:15 literally 99:15 little 5:10 31:2 45:6 50:13 52:9 78:24 123:15 159:14 170:3 173:8 live 160:10,14 162:1,12,25 163:14 165:20 166:1 178:23 180:22 232:12 233:1,11 251:14 282:4 livery 29:18 Llamas 95:14 248:16 location 37:12	84:22 85:16,20 90:5 96:5,11 100:9 101:13 102:16 105:8 107:5 109:4 242:7,10 243:24 244:15 249:25 lodged 20:3 log 47:9,14 49:19 49:25 50:1,1,2,4 50:7,8,21,23 106:15 logging 50:5,5,16 logs 50:6,11,19 52:1,2 London 66:3 73:16 80:12,13 80:20 81:19 96:25 97:20 119:3 159:3,15 159:17,20,22 166:12 171:4,6 171:21,21 172:5 172:18 183:24 188:7 216:24 217:2 228:25 244:22 246:2 248:18 249:8,15 254:8,9,16 269:15 276:22 279:2,4 280:12 280:16 London's 279:12 279:17 long 27:1 67:13 72:15 94:16 126:19 191:4 193:2,12 232:9,9 245:23 252:14 255:19 272:10 long-standing 289:16 long-term 195:21 196:17 199:3,7,9 199:11 longer 159:4 197:7 284:20 look 5:23 6:8 13:15,17 14:16
L				
labour 12:8 57:1 172:12 lack 116:17,22 119:6 122:18 137:18 206:8 lacking 130:13 131:1 lacks 130:16 lady 268:13 land 6:7 landed 205:7,9 language 46:13 119:10,11 261:12 290:8 large 159:22 lasted 94:16 244:20 lasting 191:13 late 27:2 240:12 latest 101:4,14 102:14 202:15 Lavarello 1:10 62:2 law 43:18 49:21 50:9 60:14,17 61:7,13 67:13 174:21 177:10 214:17 245:2 280:8 law-enforcement 20:15 lawful 270:3 lawyer 42:23				

17:9 35:11 37:2 38:25 47:2 49:2 73:9 81:5 89:5 90:21 142:25 173:22 196:11 199:19 214:14 222:22 253:24 259:8 261:9,10 263:10 293:17	275:7 290:17 lots 217:3 loudly 212:4 lying 20:5,7 169:7 201:11 221:24 222:20,25 224:3 224:7 225:12 226:1,10	43:13 map 92:24 93:6 94:19 111:13,16 242:14,23,24 244:1 March 36:7 39:2,7 79:15 82:15 92:15 97:10 102:22 103:19 106:23 108:21 109:12 110:3 124:7 125:6 146:10 185:1 192:3 241:14,17 243:9,24 245:7,7 246:6 249:13,17 249:20	29:5 37:1 58:3 58:11 65:22 91:4 196:19 204:10,12 268:24 McGrail 13:23 17:17 21:12,13 22:25 24:2,25 25:20 33:23 34:22 59:3 63:19 66:4 68:12 78:7 78:13,23 80:5 83:15,19,25 84:9 85:3,19 87:14,16 89:25 91:4 93:20 94:1 96:10 97:4 97:9 100:15 103:1 104:3 105:24 106:1,11 112:17 114:8 118:12 120:21 121:25 123:7 125:8,15,20 126:4,9 127:2,23 129:3,18 131:14 134:5 140:4 147:12,15 148:10 148:12,23,24 149:1,3,11 150:23 152:2 153:5 154:3 164:5 168:12 174:5,13 175:4 175:18,24,25 176:6,18,21 177:4 180:6 181:9 185:21 186:3,9,18 194:24 195:15 198:6,15 199:5 202:17 203:21 204:8 206:13,20 207:16,20,23,25 208:21 209:12,19 210:2,6,24 211:1 211:24 212:8,22 213:4,15,17 214:22 221:17 223:7 234:8,9,18 235:16 243:5	246:7,24 247:6 247:23,24 248:9 248:15,22 249:7 249:20 250:25 251:18 252:19 255:15,18 256:3 257:5,22 258:21 263:16 264:19 265:3,15 266:14 267:17 275:14 281:14,21,24 282:10 285:23 286:6 289:17 290:4 292:4,15 McGrail's 64:14 66:1 68:17 71:14 98:7 99:6 105:21 125:13 128:1 139:23 181:21 182:12 206:25 210:17,20 213:5 225:15 263:23,24 270:17 283:9 287:17,24 289:19 290:12 meal 36:9 mean 13:1 14:7 23:2 30:22 32:20 35:8 42:8 47:15 54:3 56:12 63:18 64:3 72:2 79:2 81:12 82:19 89:1 89:5 91:8 94:7,9 96:8 97:5 99:15 111:5 113:2,6,19 113:24 143:10 147:12,21,22 157:12 161:10 162:5 166:16 168:2 178:12 184:13 200:16,20 205:6,24 217:25 224:15,18 236:2 239:16 250:15 258:5 263:4 264:15 272:4 276:23 292:3 meaning 244:5 267:3,4
looked 172:14 183:22 191:15 259:7 looking 46:21 47:5 47:7 48:3,20 55:6 97:8 117:16 119:19 120:17 181:16,20 182:20 194:21 195:6 198:20 211:2 233:5 288:16 292:11 looks 46:23 48:15 87:7 loose 124:18 247:2 lose 36:23 37:5 203:25 208:20 209:19 255:14 losing 37:2 122:19 186:11 189:22 234:10,22 277:22 loss 122:21 134:14 135:4 154:13 170:10 180:11 186:6 204:7,13 209:11 225:19,23 226:7 234:7,9 252:18 275:24 278:5 lost 25:19 153:4 157:14 170:17 175:9 186:8,12 212:24 226:11 234:17 275:13,20 lot 6:5 24:7 57:10 62:9 88:2,18 89:6 91:19 92:15 119:2,7 144:16 154:19 155:13 242:25 271:17	M magnitude 147:25 278:23 main 27:17,19 180:20 maintained 157:16 major 78:6,12,16 78:18,19,20 154:13 majority 27:7 maker 262:12 making 1:20 8:10 13:25 33:5,10 41:21 58:18 76:20 80:7 117:12 121:21 122:12 123:2 127:20 133:1 138:21 139:8 175:7 237:1 288:10 Malaga 31:7,9 malicious 84:4 man 274:14 277:9 managed 77:24 103:21 194:2 management 87:25 210:17,21 210:25 219:9 289:12 manifestly 15:8 manipulated 226:1,2 253:20 manipulation 251:6 manner 30:7 286:4 manoeuvre 50:6 Manslaughter 55:22 manufacturer	marine 45:13,22 45:23 46:1 242:12 maritime 275:23 marked 9:6 11:1 11:12 12:3,14 marketed 43:13 marking 9:2,5,8 9:15 162:17 Mars 30:14 33:2 38:1 89:16 143:19 Marshal 204:18 massive 159:1 material 43:5 materialise 64:21 materialised 64:20 maths 142:5 matter 31:22 36:16 37:23 41:24 42:5 45:23 55:10 56:6 57:23 92:13 112:8 118:15 131:9,10 131:12 137:13 162:5,9 165:5 175:15,16,20 182:13 196:21 250:9,13,14,18 265:13 283:20 286:3 291:3 matters 22:8 28:25		

meaningful 75:11	172:17,25 177:2	236:10 237:4	minds 257:15	259:16 260:5
means 7:2 46:21	212:7 218:2	238:8 246:1	mine 24:12 32:15	261:4 265:8
84:16,17 171:5	224:21	257:14 281:14	182:5 227:11	266:5 271:11
222:23 266:22	meets 55:24	287:22	Minister 5:25 6:20	272:19 275:4,5
267:6	Meikle 45:13 46:5	Metropolitan	6:23 13:13 23:20	275:19 276:8
meant 32:6 52:7	290:24	49:10 128:11,17	24:9,18 28:4,9	277:10,24 280:4
85:18,20 86:16	member 4:8 5:3,16	150:7 152:20	43:6 46:16 47:18	287:4
87:15 94:24	8:2,6,7,12 22:9	290:16	60:22 61:1 62:5	Minister's 64:8
98:12 159:6	32:20	Miami 24:16 38:2	65:22 66:17	158:10 165:3
165:9 265:2	members 9:6	38:6 41:13 51:14	68:15 72:9,9,20	170:10 178:24
measure 195:23	10:16 13:3 14:2	51:19 89:15	75:7,20 78:7,13	179:6,8,14
media 5:13 16:6	14:4 21:16 31:12	143:1,2,19,22	79:12,20 87:15	180:11 189:24
145:17,18	32:21 284:21	146:17,25 274:12	101:11 103:3	200:23 217:16
medical 72:24	membership 1:21	Michael 250:1	106:3 113:25	234:7 256:17
73:7	memorandum	mid 186:19,22	114:3,10,17	260:12 263:14
meet 6:3 24:17	26:7	188:4	115:12 116:6,12	272:17 273:3
65:16 145:6	memory 82:13,17	midday 92:14	117:19 121:18	277:22
223:5 281:19	83:1 96:15	283:2	127:19 129:23	ministers 161:15
288:25	104:12,24 105:12	middle 184:12	130:10 134:7,8	272:7 279:3
meeting 3:5 6:17	105:13,18 167:23	197:6,7 260:23	134:23 137:10	280:22
9:20 19:2 23:17	203:4,5 223:21	midnight 27:10	138:1,6,17 151:6	minor 130:3,5
25:1,11 26:5,10	men 220:19	midst 180:22	151:19 156:22,23	146:7
26:13 27:4,17,20	mention 81:1	miles 37:12 102:9	158:4 161:13,21	Minster 263:12
28:1 70:5 71:2	184:11	102:22 108:3,4,9	162:11,18,24	minute 15:20
82:6 93:3 96:2	mentioned 4:25	109:14 114:25	163:20 164:11,13	16:11 107:9
99:10 107:5	13:6 15:13 29:23	242:4 243:20	164:16 165:6,19	223:19
108:8,14 111:6	60:21 81:21	245:13	166:2,13 167:5,8	minuted 222:25
111:12,13,23	84:14 101:23	military 35:3	167:12,19 168:6	minutes 2:20 3:2,2
129:22 131:2,25	107:18 147:23	227:19 273:12	168:15 169:21	3:6,7 14:16 15:3
139:17 156:22,24	149:3 200:21	mind 25:4 28:13	170:17,19 171:10	15:17,23,24,25
159:17 163:22	234:16 292:9	59:9 73:14 84:23	173:5,19 175:8	16:8 26:15
164:21 167:11,16	mentioning 26:16	86:12 100:15	175:23 176:7,8	124:16 125:1
167:17 168:7,15	Merchant 55:22	115:24 120:1	176:10,14,17,23	205:9 215:7,8
172:6 175:21	message 86:4	127:7,8,24 128:2	177:8 178:13,21	222:17,21,23
176:1,14 187:19	87:13 97:16	129:17 132:10	178:25 180:20	223:3,10,12
188:23 197:8	100:20 114:2,21	149:12 158:3,7	181:2 183:11	224:13,20 240:17
223:3,10,13,20	187:4 246:7,15	166:11 168:9	186:24 187:20	244:20 286:19
225:6 241:17	messed 176:11	173:2 184:24	188:24 189:17,21	misconduct
243:9,23 244:21	messages 100:13	189:13,18 190:24	190:17 195:7,19	155:20
250:1 253:18	120:9 124:11	191:16 192:7,11	198:16 199:15,17	misdirection 56:22
254:2,10,13	127:14 186:23	202:13 203:4	200:4 201:10,11	mishandling 200:8
259:20 261:6	190:7 218:2,8,15	211:22 212:11	202:4,10,25	misheard 197:20
262:15 264:19	279:2	223:21 232:24,25	203:16,18 214:4	misleading 125:15
267:7 281:24	messed 270:15	269:2 273:3	214:4 232:11,16	202:3 247:16,18
287:3,15,25	met 55:9,18 58:12	288:23 289:3	232:20 233:1	misled 79:6 80:23
288:7,13	59:18 70:3 79:12	290:15 291:2	234:13 251:10,17	81:2,23 109:21
meetings 2:16,21	153:14,17,20	292:12,14	252:1,4,9,15	109:23 116:1,2
11:8 16:4,8	154:2,6,18 198:8	mind?' 151:16	253:13,17 254:5	119:23 132:12
21:20 172:16,17	199:11 212:17	mindful 73:12	254:10 257:7,11	134:13 135:3,7

178:17 misplaced 20:20 misremembered 79:8 missed 51:2 mission 61:15,17 61:22 mistake 201:1,24 204:2 212:14 mistaken 268:21 mistakes 203:14 misunderstand 193:6 196:25 misunderstanding 116:10 121:23 123:25 misunderstood 79:8 Mmh 73:6 80:19 94:23 mobile 41:1 128:5 187:24 231:2 MOD 14:24 15:1,7 15:9,15 18:4,16 19:23 20:1 23:10 30:12 31:13,24 32:18,20 35:14 39:15,22 40:8,19 62:21 205:13 208:11 modern 292:10 modernised 21:21 Mole 86:6 92:14 241:17 moment 47:25 51:21 86:24 118:19,21 168:5 172:19,19 181:15 182:7 218:20 242:16 244:10 273:2,8 Monday 24:9 25:15,17 66:5 112:3 183:12 189:19 211:19 212:18 216:12 250:2 money 145:9,11 monitoring 40:18	month 186:20 287:23 293:6 months 69:9 72:8 73:4,9 81:17 82:18 83:2 186:7 Morello 270:22 morning 1:4,5 2:9 2:10 24:11 27:11 28:23,24 39:6 42:23 62:19 67:24,25 92:23 101:15 102:15 104:16 147:5 148:22 187:25 204:21 242:25 245:8,18 248:3 248:10 250:22 282:8 291:10,11 motive 125:15 126:13,20 179:1 motor 39:12 235:4 motorboat 39:12 move 14:2 21:11 239:23 movement 41:4 moving 60:10 88:17 132:17 156:16 157:18 MP 225:23,25 226:1 multiple 81:19 muttering 212:3 mutually 128:19	242:4 243:20 necessarily 189:17 276:24 necessary 13:20 13:21,22 256:4 265:10 need 2:20 3:18 21:21 24:7 25:20 31:3 36:5 38:24 59:24 61:23 63:4 67:18 73:2 77:16 77:24 91:9 110:15 116:14 122:17 160:5 173:21 179:11 225:22 238:8 264:18 273:3 281:8 288:22 needed 47:16 65:24 74:4 84:24 92:11 100:23 110:16 150:2 153:22 186:14 189:14 195:1 262:25 263:19 needing 250:3 needs 99:25 100:9 negotiating 280:10 negotiation 273:5 284:7 Neish 1:3,4,6,23 2:1,3,8 20:17,21 20:24 21:7 28:21 222:14 223:23 238:13,16 291:12 Neish's 267:21 neither 121:20 nervous 28:5,11 28:12 168:23 171:5,7 neutral 180:14 never 4:7,15,25 15:6,12 101:12 120:6 121:24 125:14,18,23 126:12 150:25 181:15 199:8 219:3 224:15,20 232:23	nevertheless 45:18 145:13 new 86:6 92:14 141:19 182:22 186:20 189:5 193:14 215:3 241:17 255:10 280:10 286:7 Nic 124:16 133:14 nice 214:20 NICHOLAS 2:7 218:24 Nick 143:8 248:16 288:25 night 36:15 38:5 105:10 245:17 night' 96:14 nine 124:16 125:1 192:15 non-Gibraltarians 147:16 148:13 193:21 Nope 90:10 normally 1:13 9:5 65:15 217:18 258:1 276:12,14 north-west 50:11 note 34:15 80:12 87:21 97:19 110:25 129:22,23 131:2,5,7 132:14 132:20 134:3 173:11 190:6 212:8 225:1,6 261:5,7 265:18 noted 214:5 notes 81:24 82:2 106:24 108:18 133:16 159:13 172:25 223:3 240:15 255:2,3 notice 5:7 25:21 26:20 28:18 281:7 283:18 notified 176:7 215:17,20 216:7 noting 83:22 novel 166:18 nuclear 63:10	number 37:12 40:25 49:18 55:20 172:16 200:22 204:10 231:2,6,10 237:8 numbers 219:17 282:17 numerous 7:11 15:13 21:23 145:16,17 172:16
O				
				o'clock 245:19 250:22 oath 10:25 12:3,14 82:4 216:15 221:23,25 222:5 222:7 223:25 254:19,20 object 3:6 16:2 18:23 25:1 44:16 51:11 192:18 objection 14:23 18:19 42:25 objective 253:2 objects 44:3 obliged 1:18 obscure 285:20 observing 76:4 obvious 90:12 139:3 161:2 230:21 269:18 obviously 2:19 20:24 22:2,12 32:25 86:11 91:21 182:17 212:10 215:11 273:12 290:25 293:9 occasion 1:10,14 1:24 85:22 161:1 223:17 241:13 244:2 occasionally 37:16 52:15 272:18 occasions 21:23 55:20 occur 5:3 124:22 125:3 247:4 occurred 86:8

87:20 96:6 101:6 113:14 114:1,9 114:10 116:5,7 146:13 242:4 243:19 249:9 occurrence 2:17 October 44:10 69:17 70:4 odd 111:4 oddly 176:3 offence 143:13 184:16,17 offences 236:19 offensive 45:19 184:20 251:8 offer 43:16 70:14 71:11 offered 71:25 72:19 73:24 75:20,24 125:14 286:14 offering 229:15 offers 226:18 offhand 71:8 office 9:13 15:21 17:22 72:23 73:14,15,21 74:5 76:9 80:25 92:22 112:17 116:23 119:6 121:13 137:12 149:13 150:20 164:5 166:25 183:10 212:1,2 215:13 215:15,17,22 216:7 217:12,24 219:3 228:24 230:15 231:17,20 244:12 245:9 249:22 260:3 266:3 268:12,18 269:14 271:15,20 271:22 272:18,24 274:17,20 280:23 288:11 officer 4:3 84:10 85:3 126:15 215:10 225:5 officer's 95:11,21	officers 20:3 35:23 38:4 39:7,20 41:13 42:6 89:14 93:25 106:17 146:16 152:7 155:21 167:14 236:18 237:8 officers' 45:3 88:17 100:4 152:14 official 3:15 20:1 officials 19:23 280:23 oh 12:11 106:20 217:14 236:20 Ok 24:18 249:7 okay 32:1 36:6 39:5 48:8 54:8 57:15 58:10 63:7 66:23 74:14 79:4 79:4,10 83:3 92:12 99:17 114:20 134:20 142:9,14 164:23 189:3 213:8,10 232:1 241:12 255:23 272:13 276:23 279:1 omission 80:4 omissions 16:3 once 73:7 121:11 197:14 204:24 ones 187:1 240:6 245:22 ongoing 26:17 75:19 97:21 168:18 169:11,12 173:23 175:16 177:14 180:7 200:9 207:19 open 3:6,10 19:9 25:5,8 45:17 57:22 70:1 72:6 193:7 197:16,17 199:7,13 290:20 opened 192:20 197:15 199:4 opening 26:8 183:6 198:1	225:16 openness 288:15 opens 274:25 operate 277:6 operating 34:5 86:15 237:17,25 operation 175:11 177:5 279:22 operational 34:11 53:11,12,14 54:22 55:3 58:2 164:14 165:2 176:8 234:2 280:9 operationally 53:3 233:25 234:4 Operativa 40:15 opinion 14:8,10,11 14:12,13,14,15 51:11 56:1 58:24 60:8 142:23 151:5 268:14 270:10 opinions 211:6 opportunity 51:1 58:5,10 63:21 75:8 77:20 99:6 131:14 135:5 140:20,22,25 151:1 159:23 229:16 239:6 240:5,19 259:4 260:1 263:17 265:3 274:25 opposed 11:10 132:4 186:12 210:22 opposite 86:10 87:6 option 63:10 150:5 150:8 189:7 237:3 options 64:6 183:23 191:15 oracles 142:20 oral 16:22 83:19 144:2 200:21 247:13 253:6 287:14	orally 82:5 265:20 order 51:17 59:5 65:16 152:7 185:25 217:23 285:22 orders 155:22 organisation 53:7 147:8,12,20 148:4,10,25 153:1 235:23 organisations 289:5 Oscar 220:18,22 220:24 OT 24:15 ought 5:6 outcome 157:23 206:10 outcry 53:19,20 148:16 236:5 outgoing 291:14 outline 178:11 outlined 189:25 outpouring 151:22 173:14 outrageous 143:8 outset 175:14 outside 17:3 32:8 41:10 86:9,21,22 87:6 91:14 96:11 102:5 106:21 108:3 114:1,11 114:24 115:13 116:7 124:22 192:21 237:17,25 242:11 246:4 248:21,25 249:10 250:4,7,20 288:20 overarching 61:17 overlap 157:10 overseas 72:25 73:3 196:2 274:9 274:21 280:20 overseen 289:10 oversight 116:18 117:7,10,25 118:5 145:9 280:14,24	P P 235:25 Pacific 50:11 pack 292:6 pads 44:12 page 33:8 36:16 45:21 48:1 83:22 87:21 106:24 130:9 137:5 187:3,3,4,23 194:12 260:19,23 261:14 262:16 278:3 284:15 pages 278:2 paid 68:7 75:20 pains 53:7 panel 8:7 10:3 Panorama 16:7 papers 65:24 parachute 198:11 198:21 paragraph 26:8 30:1,3 32:4,5 33:8,12 38:13 39:1,5 43:10 45:6,11 48:8 50:14 52:8 54:11 54:19 55:5 95:9 96:1 103:18 112:14 117:3 118:24 121:10 123:8,10,19,19 130:9 134:5,19 151:14 156:17,21 174:14 175:3,12 176:24 177:9 184:12 196:7 200:6 204:6,23 225:15,20 229:13 244:13 273:6 274:4 283:11 284:9 285:22 286:18 paragraphs 44:14 54:9,16 175:2 177:11 284:8 pardon 245:23 259:11 parliament 68:16
--	---	---	---	---

<p>part 1:19 2:13 3:7 7:9,25 19:20 53:22 60:25 66:15 71:16 86:10 87:3 94:3 94:10 95:5 111:9 113:15,15 114:9 114:9 126:17 135:17 138:6 146:18 153:14 155:10 156:5 161:4 168:18 169:10 170:7 175:22 189:22 206:2 219:9,12 238:21 247:13 257:2 267:20 270:8 274:16,19 287:13 292:5</p> <p>participant 8:15 72:15 75:21</p> <p>participants 229:3</p> <p>particular 1:23 17:18 47:8 85:12 85:22 112:23 162:7 175:10 240:20 269:12 280:12</p> <p>particularisation 136:19 138:23</p> <p>particularised 131:22 132:19 135:13 137:22,24</p> <p>particularising 133:2</p> <p>particularly 16:7 77:5 83:4 116:23 130:19 153:22 156:2 216:11 280:17</p> <p>particulars 135:6 136:9 138:13 139:6 140:5</p> <p>parties 266:23 293:8,14</p> <p>parting 143:14</p> <p>partly 109:1,1</p> <p>partner 163:4</p> <p>partners 45:24</p>	<p>167:9</p> <p>parts 16:2</p> <p>party 62:4 180:14 257:21</p> <p>passed 162:18 212:23</p> <p>passing 172:1 173:24,25</p> <p>passion 119:16</p> <p>patrol 45:2</p> <p>pause 28:21 32:4 38:20,24 43:3 47:2,22 48:2 54:10,12 153:16 175:2 183:8,8 185:16,17 187:2 194:11 198:4 225:21 254:12,25 255:18,23 260:2 287:10</p> <p>pausing 113:14 128:8</p> <p>payment 1:14,16</p> <p>peg 128:24 258:9</p> <p>pen 275:4</p> <p>pending 286:23</p> <p>penultimate 285:22</p> <p>people 30:12 35:6 35:15 36:8 37:10 51:18 52:19 53:23 57:10 60:20 63:4 71:10 93:9,13 103:8 108:13 143:12,17 145:20 147:8 148:11,17 149:10 196:2 231:25 236:4,5 237:12 267:7 281:7 284:24 290:24</p> <p>perceived 45:19</p> <p>percent 85:12</p> <p>perfect 133:4 203:6</p> <p>perform 215:14,16 216:6 228:17</p> <p>performing 72:1</p> <p>period 58:20 69:8</p>	<p>69:14 183:17 204:9 290:13</p> <p>peripheral 109:17</p> <p>Perkiss 228:7,22</p> <p>permanent 195:21 287:1</p> <p>permission 73:21 74:4 76:9 223:18 290:21</p> <p>person 15:24 47:14 77:19 110:4 141:14 158:25 162:6 168:19 184:1 186:14 197:15,17 206:3 215:12,13 215:16 216:5 222:24 274:11 289:11</p> <p>personal 167:5 173:9 184:17 205:20 214:10</p> <p>personally 1:17 162:3</p> <p>persons 4:5,13</p> <p>perspective 98:7 98:11,14,15 100:5 103:10 110:22 112:7 113:21 118:13,16 125:9 133:1 285:15</p> <p>persua-- 23:5</p> <p>persuade 194:2,5</p> <p>persuasion 251:16 251:20</p> <p>Peter 49:12 91:24 121:12 142:10,11 142:13 212:5 218:25 220:23 221:1 222:13 227:20 232:3,18 233:18 241:2,7 242:20 246:13 247:15,17 269:7 269:21,24 270:2 271:9 272:9,14 273:20,25 274:4 274:8,13,16</p>	<p>277:4 278:3,13 278:19 292:19</p> <p>Phil 59:22</p> <p>Philip 280:1</p> <p>phone 47:2 48:4 48:20 49:2,5 82:6 205:20 231:2,18</p> <p>photographs 46:21 235:10</p> <p>phraseology 70:23</p> <p>Picardo 24:13 133:13 151:5 153:10 166:19 187:5 194:8,12 194:18,21 202:19 204:1</p> <p>pick 161:9 271:21</p> <p>picking 96:3</p> <p>picture 46:18</p> <p>piece 90:4</p> <p>pillow 194:13</p> <p>pilot 33:16 34:1 127:2 208:8</p> <p>piloting 152:5</p> <p>pin 156:1</p> <p>place 37:12 59:4 83:5,10,12 85:23 88:2 91:12 92:17 95:15 97:23 98:10 100:17 103:11 106:18 108:2 114:24 115:13 124:9,18 125:10 178:1 241:20 246:2,19 247:1 248:17 250:7 262:2 278:20</p> <p>placed 284:18</p> <p>places 129:20</p> <p>plan 24:23 214:6</p> <p>plane 31:8</p> <p>planet 6:7</p> <p>planned 191:24</p> <p>platinum 6:4</p> <p>plausible 224:19</p> <p>play 32:15 164:4 164:12</p>	<p>played 158:6</p> <p>players 161:23 272:25</p> <p>plc 177:8</p> <p>pleasantly 196:15 196:18,23</p> <p>please 5:22 32:4 48:19 95:9 97:15 115:22 124:6 133:12 153:8 156:15 175:2 196:25 198:3 200:2 217:6 240:17 268:7 272:15 283:1 286:1</p> <p>pleased 62:11 72:5</p> <p>plenty 27:11</p> <p>plotted 124:22</p> <p>plotted/ 95:16</p> <p>plus 210:10</p> <p>PMB 95:19</p> <p>point 3:11 4:14,15 7:17 10:21 12:5 12:9 15:25 21:9 26:19 30:22 31:3 33:11 40:5,12 41:19 42:10,11 42:13 54:10 56:25 57:16 59:23 60:6 61:9 62:17,19 63:3 65:10 71:13 73:2 80:6 86:13,16 88:9 90:21 92:22 93:11,14,16 94:6 94:12,22 95:1,21 95:23,24 97:3 99:20,21 100:7 100:22,22 101:2 101:17 105:13 106:25 107:8 109:14,16 110:15 111:6,22 112:4,8 118:11,12 121:7 122:18,19 129:8 129:15 133:11 139:19 148:6,18 157:22 159:12</p>
---	---	---	---	---

161:18 165:10 167:23 168:16 172:12 176:20 183:2,17 188:5 188:21,23 197:20 202:22 205:3 210:8 211:14,16 216:23 218:17 229:5 231:11 235:3,8 239:25 245:2 248:8 251:6 256:8 272:21 282:16 284:25 pointed 140:4 280:1 points 4:20 38:21 190:21 police 3:16,22 4:5 4:8,13 5:1,4,5 10:13 14:18 17:11,12 20:2,7 24:16 26:1,3 27:15 29:2 35:21 39:11 43:7 44:22 46:15 49:10 53:2 58:12,19 59:3 60:17,18 61:5 63:9,19,20 83:8 83:16 84:10 85:3 88:16 90:14 97:17,18,24 100:4 101:10 104:3 108:15 114:22 116:1 122:14 123:1 126:14,15,21 127:10,16 128:11 128:15,17 130:12 132:17 137:18 140:19,21 144:7 144:10 147:13 149:25 150:7,12 152:21 154:9,25 156:4,13 157:7 160:2 162:12 163:7,24 164:15 164:21 165:20,21 166:20 167:13	168:7 169:3,15 169:23,24 170:5 170:12 173:3,10 173:18 177:14 178:16 180:17,25 181:5,13,18 182:25 186:16,17 189:5 190:10,20 190:23 193:3,15 193:22 195:22 197:4 200:7,24 201:14 202:2 205:13,17 206:11 206:14,20 208:1 214:3,12 216:11 225:5 233:7 236:17 237:15 238:5 240:8 241:18 248:12 249:6,16,23 251:18 256:19 257:18 260:6 271:12 274:9 280:19 281:3 282:4 288:3 289:9,24 290:17 291:8 Police's 146:19 policies 289:8 policing 10:15 163:9,12 274:21 policy 172:14 192:24 217:12,13 218:4 220:15 230:15 231:23 289:22 political 156:25 169:15 177:14 180:1 182:25 220:14 235:24 politician 162:4 163:13 politicians 160:1,9 160:13 161:25 174:25 poor 221:4 port 106:6 Portuguese 52:23 97:22	poses 16:14 position 3:21,25 12:23,25 23:11 25:19 42:10 50:6 60:6 64:15 65:24 68:4,7 85:6 98:19 99:3,20 129:4 133:18 139:24 140:2 148:5 157:16 178:12 179:5,15 180:10 186:15 191:18 194:5,24 224:24 225:3,7 227:17 228:16 229:17 232:20 251:4 252:17 255:1 260:1 265:17 267:25 270:17 271:14 275:17 276:3,4,5 281:3 284:10 positioning 41:3 positions 139:12 226:14 possession 205:20 possibility 98:16 98:17 116:8,13 118:6 191:20 260:8 261:22 265:1 293:2 possible 4:18 78:20 97:8,14 185:11 186:7 259:1 266:14 possibly 30:25 166:11 198:24 239:18 273:23 274:1 post 68:12 154:3 186:21 223:7 227:21 275:1 posting 72:25 73:3 postings 71:9,17 73:8 posts 193:21 potential 125:14 187:14 potentially 71:16	73:13 112:1 140:18 164:7 191:5 197:5,16 power 64:10 65:14 174:16 261:2 266:18 269:11,16 270:4 279:13 284:1,11 powers 27:7 61:22 65:3 66:20 157:3 157:9 162:16 177:10 180:15 181:16 216:10 239:20,21 240:4 240:5,10 266:10 268:9,15 280:13 281:4,11 283:17 PR 86:7 practice 9:13 76:15 145:13 193:1 praised 279:19 pre-meeting 27:5 preceded 279:14 preceding 11:7 precise 105:19 119:18,20 precisely 71:25 271:10 preclude 216:9 predecessor 74:17 227:2,5 predecessor's 227:1 prefer 7:3 preference 6:19,22 6:25 7:2 12:25 129:1 213:23 214:24 258:10 preferred 49:2 prejudiced 147:1 147:3 150:22 169:4 preliminary 175:15 premise 151:25 232:10 246:8 prepared 24:19 281:8	preparing 283:15 present 14:21 64:11 245:5 267:7 presenting 201:13 President 216:20 press 97:20 227:25 pressing 260:24 261:11,17,18 pressure 148:17 177:3 257:5,22 258:20 262:24 284:18 presumably 252:3 288:5 pretty 7:22 65:22 69:11 82:21 155:5 218:6 245:10 prevent 44:22 50:2 163:17 prevented 184:21 preventing 44:18 previous 61:13 71:9 259:13 previously 19:1 188:17 189:20 191:1 195:9 196:1 223:16 260:15 prides 43:20 primarily 177:7 225:24 226:11 236:17 primary 67:14 96:4 236:23 prime 26:18 272:19 principally 275:24 principle 63:16 174:22 232:15 prior 28:17 80:1 215:16 216:6 264:2 privy 3:23 probable 124:21 125:2 241:19 243:11 247:4 248:20,23 250:4
--	---	--	---	--

probably 2:3 25:23 38:25 42:3 48:2 66:3 80:12 80:20 90:11 111:25 113:7 124:1 135:23 185:15 193:24 201:12 218:17 221:6 231:21 238:15 249:11 252:12 258:13 271:7	169:10 170:6,7 170:16 180:16 181:8,17 182:21 183:20 189:20 191:3,13 193:7 199:7 203:20,22 207:3,11,14,19 207:21 212:16 214:9 239:8,25 240:1,11 249:19 253:25 262:4,6,7 262:8,10,23 263:7 264:16,21 265:19,22 266:6 267:5,21 270:15 270:20 271:1,11 273:5 275:8,8 281:10,17 283:14 285:15 291:9	properly 50:25 75:10 265:2 284:14 proposal 198:16 propose 17:8 149:22 proposed 55:21,24 198:12 proposing 196:16 proposition 166:1 prosecution 237:5 prosecutions 5:9 200:12 prosecutorial 53:12 56:9 58:3 58:12 protect 43:25 44:21 46:6 61:19 171:13 174:8 208:13 214:16 protecting 177:7 181:12 protection 43:16 protector 43:24 protectors 44:8 protects 49:16 protocols 41:11 prove 222:25 proved 236:7 proves 197:20 provide 49:10 90:15 99:6 104:18 124:23 247:25 264:18 265:5 provided 46:4,17 55:20 79:22 81:24 92:10 125:18,23 126:2 134:24 136:23 190:1 202:18 217:7,12 230:8 241:24 243:16 275:9 292:6 provides 59:9 providing 104:13 122:6,7 145:5,7 251:1 proving 104:15	provision 16:12 216:9 provisions 29:4 provoke 157:4 Provost 204:18 public 22:20 34:6 53:19,20 68:18 76:4 77:24 101:25 148:16 200:12 229:4 293:13,16 publicly 75:3 published 153:6 pull 192:15 pulled 159:13 purchasing 46:2,8 purported 267:15 purpose 13:25 43:24 49:20 121:15 136:3,7 136:15,16,19,25 161:17 236:9 254:24 256:13,18 293:14 purposes 16:19 51:25 pursuit 83:21 243:3 244:5 PUS 154:1 279:25 280:1 push 44:11,19 50:1 put 19:25 22:7 30:1 36:17,19 37:6,7,24 43:1 49:12,13 60:24 61:12 70:20,21 73:4 86:18 87:11 105:3 113:20 123:8 127:15 131:18,20 145:3 158:2 177:3 184:25 186:25 195:8 202:3 210:10 211:2 222:14,19 225:17 226:5 229:5,11 230:1 238:13 242:20 244:11 246:8,11 247:11	247:14 253:25 257:5,6,7 258:20 262:23 264:15 265:4 279:6 287:11 putting 226:17 248:2 251:12 257:21 281:7 Pyett 227:2,6 Pyle 1:7 2:7,9,11 3:14 5:17 6:6 8:4 9:10,17 10:24 12:7 14:6 15:4 22:11 23:16 28:21,23 40:5 60:10 66:7 67:16 67:24 218:24 219:1 225:11 247:19,21 290:9 292:20
Q				
quadrangle 101:22				
qualify 160:23				
quality 45:15				
quarter 141:25 142:2				
question 2:22 5:19 11:24,25 14:24 18:4,6,22,23 23:22 36:18,19 37:16 39:19 41:12 43:12 48:13,14,15 51:4 52:15 53:10 57:11 60:24 61:12 66:10 67:7 70:1 99:14 107:6 111:15 126:18,19 127:6 131:20 132:8 141:8 156:5 160:16,17 160:20 182:19 190:21 197:1 207:6,8 217:7 230:3,20 232:4 235:14 239:23 241:1 242:17 246:16 252:6				

267:10 291:7 questioned 2:8 28:22 47:15 67:23 218:25 262:4 questioning 1:6 240:21 265:6 questions 7:11 9:16 29:2 60:11 131:18 221:8,10 223:24 226:18 229:14,21 232:10 232:15,15 246:8 247:18,21 248:1 252:8 279:6 292:22 quibbling 188:4 quick 97:19 106:11 219:20 261:9 quick-fire 60:12 quickly 54:11 229:21 272:12,15 287:12 quite 24:6 26:14 41:7,11,18 71:4 74:12 88:24 100:23 106:11,21 119:7,9,10,10 124:3 126:25 131:13 138:11 139:9 144:16 146:6 148:15 155:13 165:15 171:22 191:3 195:7 197:13 204:18 217:25 250:5 262:4 271:17 272:11 289:20 quorum 267:10,11 quote 7:21 10:10 quoting 28:6	raised 9:9 22:5,6,8 80:13 82:5 125:24 180:9 183:2 259:21,22 261:6 rang 171:2 rank 201:10 238:21 rapid 240:21 rapped 242:15 RAS 228:9 rationale 50:21 rationing 44:17 rattle 272:11 re-examination 292:23 re-writing 123:20 225:9 277:15 reach 63:25 reached 19:17 252:10 reacting 40:7 reaction 39:22 53:14 54:14,14 146:15,24 184:9 read 17:23,25 50:14 52:8 86:7 93:12 98:25 102:25 113:10,11 115:11 119:7 130:8 133:17,20 133:24 145:23 169:17 177:18 204:24 225:20 239:5 250:12 268:22 269:6,8 269:20,22,23 270:11 274:4 277:16 282:7 284:23 reading 84:13 134:17 272:1 273:10 reads 244:13 real 176:1 realisation 284:20 realise 128:15 177:18 267:2 realised 168:5	205:25 reality 79:7 190:15 191:25 really 12:5 34:15 52:5 71:22 112:7 112:18 119:24,25 157:22 161:2 171:7 196:19 255:24 289:14 reason 8:24 13:3 13:17 18:3 35:20 35:21 41:16 49:6 59:15 78:15 118:3 129:19 154:17 156:3 169:7 175:12 176:2,3 178:14 180:20 201:3 204:9 209:1 210:7,9 230:24 231:1,23 234:21 236:24 273:24 274:2 277:22 283:13 reasonable 85:7 85:10,11 119:22 213:11 255:18 284:15 285:25 reasoned 195:8 reasoning 175:22 201:23 reasons 7:16 16:3 56:3 58:22 84:4 88:11 127:9 135:19 154:13 159:9 161:2 170:16 184:18 189:25 225:19 226:7,10 234:10 234:10,12,14 236:11 238:4 252:20,25 277:21 278:14 285:20 288:21 reassemble 293:11 recall 1:9 8:9 14:19,21 16:24 17:18 76:12 92:17 93:1,1,17	114:4 168:2 225:9 226:16 230:17 238:16 245:14 255:24 256:10,14 260:19 263:20 279:8 281:16 287:17 recalled 92:18 recalls 15:2 receive 3:21 15:3 72:5 110:19 153:16 178:7,8 received 36:22 39:7 47:19 125:7 155:12 177:23,25 178:7 183:9 184:8 receiving 217:19 217:21 recognise 157:5 261:12 282:20 recognised 45:24 150:2 183:21 recollect 70:23 79:19 155:15,18 recollection 22:10 101:20 288:1,6,8 recommend 237:4 recommendation 7:19,21 291:15 recommendations 55:8 185:22,25 236:15 276:21 recommended 19:7 155:20 196:13 recommending 288:18 reconcile 11:4,25 reconciling 226:5 226:13 reconsider 259:5 reconstituting 271:5 record 2:12,23 9:9 9:23 14:13 15:10 15:16,17 36:17 81:7 96:20 113:1 128:21 153:21	254:3 286:16 recorded 3:12,12 15:2 17:6 95:16 104:10 112:13 222:23 223:20 recording 103:22 103:24 records 2:20 223:22 recovered 104:5 recovering 50:6 recruited 228:8,9 recruiting 193:14 recruitment 6:2 6:18,21 7:7,9 13:7 140:8 195:15,21 199:12 213:22 214:24 239:10 rectified 37:6 recusal 175:15 red 160:8,12 253:14 260:19,20 260:23 263:13 redacted 274:6 redder 160:13 reduced 45:8 refer 5:20 33:9 102:11,24 113:5 115:2 143:18 reference 36:8 47:24 48:22 61:13 93:9 146:19 260:4 277:25 279:7 references 235:11 277:20 278:12,22 referred 76:10,14 85:17 94:4 95:1 168:19 175:6 260:16 referring 36:6 87:8 113:15 282:23 292:9 refers 115:6 reflect 65:25 82:3 131:3 148:4 183:8,9 reflected 214:13
R				
radar 242:1 243:16 raise 14:23 23:13 25:10 109:21,25 173:7				

<p>224:19 261:7 reflecting 161:3 reflection 4:12 32:13 67:9,9 132:21 183:18 209:23 reform 68:5 70:9 70:12 71:21 74:23 refresh 223:20 regard 264:11 291:14 regarded 264:14 regardless 255:1 regards 58:12 regiment 32:16 region 50:11 regret 121:21 122:12 123:1 regularly 22:8 44:3 69:25 reject 194:6 related 38:1 relates 114:2 relating 68:11 163:24 178:24 268:23 relation 112:24 129:4 141:16 145:12 162:12 203:20 204:13 205:11 219:21 233:12 249:20 relations 117:1 288:12 relationship 29:7 34:18 161:13 203:1 210:16,18 210:22 211:3 relatively 60:12 254:3 released 33:21 relevance 175:19 235:1 relevant 9:14 29:5 59:20 92:10,12 209:11 218:15 290:11 reliable 43:21</p>	<p>relief 71:4 111:7 relies 100:20 relieved 194:25 rely 22:24 remain 72:23 191:18 228:17 remains 198:13 268:10 remark 72:7 remarks 71:8 210:2 remember 7:16 8:14 17:14 21:17 21:19 31:1 34:18 34:21,24 47:1 70:6 72:16,17 82:23,24 84:13 91:6,9 95:14 105:16 107:12,17 107:21,22,22 110:20 111:6 119:1 120:15 121:14 125:11 130:21 134:9 137:6 139:24 142:21 155:15,17 167:24 169:18 189:9,12 195:16 200:17,19 205:24 222:17 229:12 232:13 239:8,10 243:3 244:15 253:9,11 256:5 259:23 280:10 287:16 290:21 292:12,16 remembered 96:21 105:2 remembering 107:24 remembers 17:6 remind 6:2 52:13 105:25 reminded 60:24 remit 286:6 remote 293:3 removal 26:2 122:13 140:18 266:13 280:18</p>	<p>remove 149:13 150:19 151:2,11 156:3,12 180:17 189:4 190:3,9,19 190:22 192:16 removed 127:10 154:9 204:19 205:5 271:15 removing 179:1 181:8 repatriation 103:21 repeat 5:11 22:14 31:19 54:4 78:9 81:18 126:17 156:5 170:15 182:8 203:17 207:17 repeated 264:8 repeatedly 143:25 repeating 178:15 repetitive 144:5 replace 198:1 replaced 252:19 256:20 replacement 196:12 replacing 251:17 replied 96:12 125:1 153:20 183:13 replies 24:9 246:24 reply 183:14 257:16 report 17:17 18:5 36:22 39:8,11,22 40:8,19 46:22 47:6,7,21 48:9,15 58:12,13,13 59:11,21 93:20 95:19 128:8,21 129:9,13 140:13 150:18 153:6,11 153:14,17,20 154:2,6,18,22 155:11,13,25 156:10 166:12 185:13,19,22</p>	<p>186:1,9,13,13 200:7 225:25 236:10 237:22 238:8 256:14 257:4,13,14,20 257:23 258:3,15 258:20 259:16 260:6,9 261:2,23 290:25 291:5 292:3,13 293:5 reported 34:2 35:1 96:24 101:10 142:24 153:3,7 171:6 210:3 254:9 reporting 16:6 43:10 58:15,16 119:3 171:4 172:8 245:15 reports 21:25 37:4 58:13,21,23 60:1 145:17,18 279:3 279:15 representations 66:1 174:4 181:22 263:18 265:4 267:18 293:9 representing 230:9 reputable 43:20 reputation 164:4,7 164:12 165:13,22 283:21 284:3 request 34:7 43:8 49:11 68:17 69:1 72:5 127:20 137:2,7,8 159:20 176:2 200:4 237:2 256:4,14 256:17 259:16 285:11 requested 49:9 150:4 214:8 require 251:16,20 required 16:18,21 256:23 requirement 267:11</p>	<p>requisite 46:10 reread 78:15 resent 151:3 reserved 280:13 reset 60:4 resign 285:8 resignation 283:5 287:7 resigning 285:3 resisted 65:21 resolve 31:24 resonates 273:14 resort 63:9 65:14 65:19,20 240:10 respect 9:11 23:14 23:24 37:1 57:9 86:24 92:4 116:22 119:6 137:16 155:20 226:16 234:4,7 243:9 274:21 278:13 281:4 284:9,10 291:8 respected 160:6 respectfully 214:19 respective 130:11 respond 77:20 131:15 133:19 140:20,22 141:1 212:17 responded 279:18 responding 184:19 response 5:24 43:8 49:10 55:3 57:18 69:13 124:15 127:22 153:15 176:22 213:1 248:13 283:10 responses 213:4 responsibilities 54:7 158:14,21 159:7 165:11 166:13 responsibility 37:18 52:17 71:20 148:2 163:8,17 171:13 174:2,7 182:2</p>
--	--	--	--	---

276:19 rest 3:22 14:15 113:4 290:3 restate 162:9 165:4 189:15 restaurants 145:20 restricted 250:2 result 39:11 43:9 164:2 resulted 134:14 135:4 210:17,21 267:25 resulting 275:25 results 170:11 resume 215:18 216:8 retained 227:24 retire 73:13 129:3 175:13,20,25 258:21 266:19 267:17 270:18 282:5 283:24 285:7 retired 256:3 287:9 retirement 173:4 228:9 230:22 233:6 263:23,25 281:22 283:1 285:2,12 286:1,8 286:8,13,22 287:24 returned 55:19 review 19:20 62:18,20 67:18 120:8 127:14 181:20 214:9 259:4 revised 157:9 rewrite 78:2 rewriting 78:5,11 78:22 79:5 191:23 225:12 rewritten 225:18 226:6 RGP 17:4 21:3,21 24:24 33:24 34:4 35:22 36:11 39:7	41:2 50:25 52:11 57:11 61:19,21 87:18 88:10 97:24 99:19 102:17 142:25 143:13,17 145:4 147:2,4 171:14 173:23 174:8,23 176:9 189:13 192:19 205:17,19 206:16 208:12 211:6 228:6 233:24 235:15,23 239:14 240:3 241:24 244:25 275:2 277:5 280:9 RGP's 177:4 239:11 RIBs 94:8 Richard 10:6 198:12 214:25 288:13,21 289:1 290:1 Richardson 95:13 104:2 107:14 108:13,18 110:25 Richardson's 106:23 riding 44:18 rife 183:20 right 11:22 29:14 30:21 31:1 37:6 37:7,16 60:10 65:15 67:8 68:3 74:11 84:25 92:19 103:17 110:10 125:10 147:23 148:15 171:12 184:2,4 187:9 207:5,7,9 211:12 232:2 236:14 251:24 260:5 273:13,16 275:10 278:20 284:13 292:24 rightly 264:3 rights 215:16 216:6 268:23	rise 269:1 risk 51:2 164:2 165:23 268:10 269:25 270:7 risky 158:16 Ritchie 209:3 role 3:18 4:16 64:7 64:7,8 68:10 72:1,19 73:21,24 73:25 74:10,15 74:17,20,21,22 74:25 75:10,12 75:20 162:12 171:16,16 192:20 266:4,7,8 271:10 roles 54:17 158:9 room 262:1 269:13 rough 107:4 roughly 260:22 route 47:4 routinely 50:20 Royal 60:18 144:7 144:9 164:14 181:13 237:14 rubber 44:12 rule 7:4 60:14,17 67:13 174:21 177:9 214:17 280:8 rumours 33:18 144:10,16 145:12 rung 252:5 runway 86:10 87:7 115:1 rushed 155:8 283:18 rushing 156:12 182:21 255:9,19 286:10	Santos 39:3 48:3 48:19 49:1 68:2 107:2 256:2 259:9 292:22 sat 121:13 224:17 292:4 satisfactory 153:23 285:12 satisfied 181:7 263:4 satisfy 210:19 Saturday 282:8 savage 250:13 save 62:12 251:12 saw 4:7,7,15 46:22 49:12 94:18 237:3 saying 12:11 22:21 23:15,16 28:13 56:22 57:17 80:4 82:8 85:3 86:23 87:5 90:9 93:2 93:10,13 98:9 99:2,13 101:18 103:6 104:4 106:12 111:21 121:3 125:2 129:13 133:9 135:7 139:24 148:15 165:18 170:13 179:17,22 181:1,6 188:12 211:24 248:22 250:3 254:16 256:11 279:24 282:1 287:21 says 21:24 24:18 33:13 39:2 43:11 55:17 87:2 97:25 105:24 106:25 107:9 115:9,15 119:4 133:14 134:23 135:1 137:10 190:8 202:14 205:11 215:12 216:4 225:23 273:9 287:24 scenario 189:23	scenarios 119:23 158:6 scene 36:22 screen 43:2 46:25 225:15 229:11,13 244:12 260:18 262:17 268:6 273:17 scroll 50:13 261:15 scrutiny 6:6 171:19 280:21 sea 36:25 37:7 40:25 44:4,16 50:20 60:4 79:7 79:11 80:22 81:9 81:20 89:14 95:20 122:22 126:24 128:12 146:13 149:20,23 151:25 152:3,22 154:10,12 156:12 185:1 186:13 202:19 225:24 236:13 240:24 255:13 259:2 290:10 search 35:23 164:3 164:6 166:24 seas 45:17 Sec 55:23 second 21:10 37:8 43:10 106:25 133:21 135:5 146:18 160:20 200:5 260:4,23 269:19,22 274:4 286:18 secondary 122:19 secondment 197:9 197:12 198:21 seconds 219:5,14 290:9 Secretary 3:19 68:4 75:8 272:19 section 14:18 16:11,13 38:12 38:15 39:7 43:25 47:8 61:2,3 63:8
S				
safe 43:14,19,24 49:9 50:8 231:24 safeguarding 61:18 safety 44:9,9 46:3 46:7,11 51:2 Sandhurst 273:11 Santa 115:1 242:4 243:20				

65:9 66:8 93:20 127:20 129:8,12 137:2 141:19 163:6 174:16 215:11 216:11 240:7,10 255:9 256:4,13 257:13 258:4,17,20 259:15 261:1,23 262:3,7 263:20 264:21 265:21 266:6 268:9,15 269:11,16,17 270:10 275:8 279:14,15 281:4 281:12 283:18 284:11 secure 103:22 secured 104:8 see 29:21 30:2 32:9 40:13 54:16,19 54:22 55:17 65:4 76:6 80:6 89:20 112:18 118:11 121:18,20 127:22 128:25 129:6,15 132:20 137:5,7,8 137:23 155:13 157:19 166:6,9 182:6 183:11 184:18 192:12 201:25 206:4 207:3,13 230:6 232:18 235:4 236:20 252:19 258:10 260:3,22 261:10,16 266:13 268:7 283:13,15 284:8 seeing 88:10 155:17 184:22 293:17 seek 46:9 257:13 260:6 261:2 280:18 seeking 97:24 121:16 seen 17:14,18 59:8 59:12,14 118:12	118:14 157:11 159:5 208:10 210:14 237:22 253:8 260:15 281:2 289:18 selected 214:2 selection 5:20 6:10 291:9 self-serving 276:25 self-standing 109:10 seminal 28:10 send 97:17 214:21 sending 133:15 senior 2:11 3:15 15:24 30:12 139:5 195:1 211:5 219:9,15 227:21 280:23 284:21 289:4,12 seniorities 219:24 sense 26:16 73:23 130:13 145:14 165:15 235:24,25 252:2,16 sensitive 175:16 218:6 241:6,9 sent 27:9,10 56:23 81:10 87:13 105:5 112:19 114:3 133:25 153:10 159:3,15 168:14 174:12 183:4,9,13,16 198:6,13 212:25 213:6,7,9 220:19 246:6,15 249:5 253:9,14,16 282:1 sentence 6:8 44:5 269:20 274:24 284:8,17 285:11 sentences 6:5 sentiment 214:12 separate 11:5 27:17 58:23 160:15 184:22 232:16	separately 25:4 158:20 separation 159:7 177:10 September 68:24 276:11 sequence 76:6 series 60:11 221:9 223:24 serious 13:5 27:23 28:17 44:23 45:1 126:8 131:21 132:16 133:8 134:14,25 135:4 138:20 149:23 152:1 173:16 177:13 179:11,11 179:25 182:3,24 201:7 203:10,19 203:23 208:14,24 212:15 214:21,23 255:14 283:20 seriously 14:5 89:22 seriousness 149:21 185:8 serrated 44:17 45:9,15 46:19 servant 2:11 servants 2:17 serves 161:17 service 9:14 68:5 70:9,12 71:20 74:23 205:13 219:10 Servicios 40:15 set 74:7 77:17 130:20 135:5,6 139:6 140:2 159:21 187:9 189:20 200:4 203:22 232:16 256:16 288:21 sets 133:17 160:1 263:14 290:1 setting 22:6 64:14 136:9 138:13 139:23 198:22 264:15	settlement 286:12 seven 69:9 137:4 168:14 220:12 257:3,23 severely 176:15 shape 224:22 share 194:8 266:4 shared 151:20 194:23 198:25 sharing 79:14 80:11 81:9 83:24 sharper 167:25 sheet 9:15 shift 36:15 38:5 Shipping 55:22 shoot 38:6 short 19:23 27:5 67:21 142:16 158:25 211:14 218:23 271:4 short-term 195:22 197:2 shorthand 251:6 shortly 157:8 288:2 show 9:23 112:12 129:20 133:12 156:18 191:23 showed 21:25 shown 46:25 93:6 111:13 138:5 185:18 242:14,23 242:24 244:1 shows 79:25 290:23 shut 196:12 199:4 sic 24:7 side 20:1 39:13,16 40:1 86:9 87:6 93:10,14,16 224:1 sided 211:9 sides 23:6 139:13 140:14 sight 42:21 141:15 sign 153:25 signal 39:8,22 40:8 58:1 signed 74:9,12	214:18 significance 262:21 significant 41:18 significantly 45:8 250:20,21 similar 50:19 202:20 213:14 227:6 261:8 similarly 224:5 simple 13:17 231:22 simply 59:23 130:25 201:3 256:19 257:4 266:12,22 275:18 single 15:20 223:19 244:22 sir 33:7 39:12 42:12 43:1,9 47:25 49:12 50:22,24 55:6 57:21 91:23 121:12 141:18 142:10,11,13,19 187:6,21,25 188:9,13,18 190:10,16,25 191:4,19 212:5,6 218:18,25 220:23 221:1,2 222:13 227:20 232:3,18 233:18 241:2,7 242:20,21 245:23 246:13,18 247:15 247:17,20 250:18 269:1,7,21,24 270:2 271:9,9 272:9,14 273:20 273:25 274:3,8 274:13,16 276:17 277:4 278:3,13 278:14,19 279:19 279:23 280:1 283:21 286:23,24 288:18 290:2 292:19,20 sit 219:6 sits 274:16
--	--	--	--	--

<p>sitting 269:12 situ 216:14 situation 87:25 88:18 154:20 199:10 273:9,15 273:15 six 71:17 102:9,21 108:2,4,9 109:14 114:25 242:4 243:19 245:13 255:12,21 sleep 189:22 sliding 50:3 slight 129:1 258:10 slightest 9:24 slightly 61:12 68:25 96:12 109:16 116:14 128:9 166:23 198:10 199:2,18 289:5 slipped 27:4 203:4 slipshod 155:8 slowly 29:10 slur 148:23 slurs 284:12 small 44:2 159:1 235:25 Smith 59:22 155:12 290:23 social 145:17 socially 29:15 society 32:21 sold 43:12 sole 43:24 solicitor 66:2 solicitors 283:9 solid 44:3 76:22 77:1,13 120:14 120:20 123:3 Solis 46:22 47:5,7 48:8 58:13 59:11 237:22 290:25 solution 31:23 Somalia 220:13 somebody 4:23,24 7:3,4 24:23 51:15 101:23</p>	<p>104:15 121:9 150:10 198:21 272:2 288:19 somewhat 36:2 199:14 soon 69:22,23 124:21 190:16 198:15 199:4 205:6,8 247:3 sooner 247:25 sorry 8:10 18:22 23:21 30:2 32:5 38:14 39:3,18 43:3 48:14,22,25 49:3 53:21 55:6 62:25 66:22 69:9 74:21 87:10,12 93:11 97:2 98:4 102:2 105:6 113:1 114:20 124:11 134:16 135:24 141:5 148:6 156:7,17 156:18 160:15,19 160:22 173:24 184:10 185:14,16 187:4 191:9 192:10 193:7 196:9 198:4 202:25 204:22 207:17 212:5,24 215:24 218:10 220:23 231:12 236:20 237:1 240:25 242:14 246:11,13 247:10 247:19 250:10 264:10 266:7 269:21 272:8,14 273:17,25 278:10 sort 6:5 16:1 22:25 37:4,25 48:17 63:3,9,9,12 65:14 70:11 71:8,22 72:4 73:25 84:19 104:23 118:8,21 119:15 132:8 153:17 161:7 169:20 179:5</p>	<p>185:5 190:12 191:2 197:19 213:12 215:1 252:16 269:5 272:6 278:22 288:16,24 289:2 sought 45:12 171:21 173:4 286:22 sound 113:1 220:21 276:24 sources 18:14 32:18 35:14 sovereignty 157:1 Spain 56:4 117:2 249:11 291:5 Spaniards 53:25 Spanish 37:13,21 52:22 55:1 96:6 97:21 101:6 102:1,10 106:7 110:14,18,23 111:2,25 112:9 125:10 237:20 241:20 243:11 245:5,14 249:1 speak 24:15 37:8 158:4 speaker 253:6 speaking 243:12 266:16 277:13,15 speaks 246:18 specific 22:16 50:18 81:8 166:15 specifically 43:2 50:10 52:14 55:7 124:12 125:1 172:19 263:14 specified 16:17 speed 45:8 258:18 speeded 258:23 speeding 258:19 spend 240:17 spending 180:3 219:2 spent 220:12 spirit 288:15 split 219:7</p>	<p>spoke 33:22 131:12 190:8 197:10 spoken 202:11 251:5 spontaneous 254:23 spring 69:10,12 sprung 28:16 stabilise 24:24 stable 24:23 Staff 274:19 stage 13:10 27:2 34:21 110:21 128:10 129:2 148:19 153:18 170:14 185:20 187:17 250:16 253:6 279:16 293:7 stages 64:18 stand 15:17 149:4 188:6 255:8 standard 34:5 202:17,24 standardised 9:5,8 standing 103:5 126:14 155:21 stands 241:25 start 1:6 2:4 53:11 53:13 54:13 68:1 74:13 79:10 85:15 86:20,22 86:25 94:9 131:10,11,12 139:12 141:19 168:13 264:16 265:19 281:10 293:1 started 159:10 181:17 239:25 starting 36:23 139:15 283:11 startled 98:6 startling 176:23 starts 284:9,17 state 43:15 66:18 113:4 144:20 151:16</p>	<p>stated 1:10 7:19 21:14 115:4 127:11 169:20 216:13 257:25 statement 8:11 10:24 12:1,3 22:11,12 23:21 29:25 30:1 32:3 32:11,17,24 33:11 35:4 36:18 37:23 38:19 42:21 52:9 61:15 61:17,22 95:9 96:8,22 103:2 105:21,22 106:2 115:18 121:12 145:16 169:21 183:7 184:25 191:2 197:22 203:8 204:5,11 208:9 211:21 212:15 214:6 223:15 226:12 229:22 253:3 263:15 286:18 287:21 291:4 statements 11:10 11:17 105:4 119:13 states 144:18 187:25 stating 12:13 82:4 286:21 station 39:9,15,17 39:23 40:8,16 228:10 241:18 status 205:22 262:10 stay 33:10 154:18 197:17 276:9 stayed 231:15 staying 71:12 Steel 190:10 215:23,24 283:22 286:24 stem 50:22,24 step 27:23,24 stepped 31:8 steps 54:15,21,22</p>
---	---	--	--	--

54:23,24 57:1 150:19 208:23 stick 142:20 168:9 stock 182:23 stood 13:15 stop 48:20 142:4,8 162:16 171:22 stopped 40:1 storm 49:25 192:13 story 23:7 straight 66:19 239:23 straightforward 89:7 strands 192:15 strange 153:13 strength 262:19 strengthened 44:11 strenuously 175:11 stress 173:22 196:4 strict 292:17 strictly 143:21 strike 111:4 striking 129:13 strong 78:18 177:6 193:22 239:18 stronger 236:6 strongly 19:25 234:25 struck 15:22 34:23 41:17 46:19 structure 219:4,6 219:7 struggle 46:14 struggling 38:9 Stuart 227:13,14 228:21 stuck 96:17 studied 153:24 study 66:2 stuff 22:18 37:4 style 38:6 41:14 51:14 143:1 146:25 161:16 210:17,21,25	289:19 292:10 subcommittee 206:15 subject 45:23 67:1 251:2 281:22 284:6 285:12 290:4 subjected 240:22 submerged 44:2 44:16 submissions 225:16 278:18 293:15 submit 75:14 205:21 submitted 287:14 287:20 suboptimal 7:15 136:4,6 subparagraph 39:1 subsequent 23:12 62:18 110:15 177:1 248:6 subsequently 22:4 69:4 129:17 211:8 227:2 substance 130:6,7 substantial 1:11 44:7 substantive 197:3 267:16 288:4 successful 69:6 successor 69:2 231:5,14 sudden 285:21 suffered 237:12 sufficient 59:9 201:12 209:18,18 suggest 28:14 48:18 52:9 57:2 67:6 94:17,24 104:25 107:3 117:6 122:1 146:25 150:8 209:8 223:24 247:19 257:4 260:8 262:22 suggested 29:19	57:8,23 151:10 183:6 235:15 259:10,12 269:18 suggesting 19:16 19:18 41:23 51:21 53:2,5,10 53:18 54:24 162:20 194:18 227:4 247:24 256:2 287:22 288:17 suggestion 17:2,5 20:18 38:4 44:25 51:15 52:8,11,25 65:21 151:3 198:10 217:5 222:19 226:5 232:22 251:7 257:1 suggestions 253:25 suggests 114:24 115:10,15,19 259:14 260:25 269:11 suitable 11:2,13 12:4,15,19 51:4 52:1 suits 226:9 sum 75:18 108:21 summarise 31:17 summarised 269:4 269:8 summary 55:21 110:4 Sunday 26:25 27:13 105:10 111:14 123:6 248:10 253:11 sunken 44:2 Superintendent 155:12 206:21 superiors 105:5 156:19 supper 69:24 suppers 71:3 supplementary 265:6 suppliers 45:24 support 32:12	47:13 56:1 106:13 159:3 194:21,23 195:5 214:5,10 279:12 279:17 280:23 supported 76:22 76:25 120:14 138:22 276:22 supports 46:4 195:8 suppose 62:3 66:6 81:15 284:23 Supreme 56:18 Supt 104:2 sure 6:11 9:6 19:21 22:10 47:3 52:6 72:18 76:20 82:21 84:12,17 84:21 85:5,10,14 89:5 97:23 98:10 99:21 115:20 117:9 119:17 128:6 141:2 144:20 180:2,2 202:11 216:24 218:6 257:6,17 258:1 259:21 269:3 271:19 surely 10:23 13:12 18:13 27:21 110:10 surface 45:9 surmise 23:25 surprise 17:3 surprised 79:21 81:12 93:7 94:20 95:4 166:10 194:17 195:24 196:16,19,22,23 202:9,10 203:3 278:8 surprisingly 196:11,22 Surrounding 233:6 survey 22:18 146:5 surveys 21:25 146:4	suspect 20:8,10,12 30:10 36:14 39:9 39:23 41:4 94:8 123:21 142:24 148:1 159:19 162:2 163:1,3 165:2,21 166:20 167:1,2 172:10 172:11 209:8 226:25 238:23 276:17 279:21 292:6 suspected 112:20 116:19 131:23 132:2 suspend 286:23 suspicion 100:8 sustain 278:5 sustained 206:19 sustaining 44:23 swayed 7:18 93:8 swearing 222:4 283:21 Sweeney 30:13 38:1 143:18,22 Sweeney/Life 33:2 swift 285:16 switched 238:2 swore 22:13 sworn 187:8 208:19,25 254:19 254:19 system 9:2,5,8 19:15 219:11 242:1 243:17 systemic 34:9
T				
				tainted 271:2 take 7:12 15:12,25 17:8 23:18 27:23 30:22 47:10 48:11 59:4 65:24 66:3 67:2 73:21 75:8,9 79:2 81:11,14 100:22 102:24 112:11,15 113:10,11 121:7 138:18 141:5 142:8 152:7

153:8 156:15 158:5 159:11 174:4,11 175:1 188:1 191:3 203:15 205:3 208:23 210:8 216:18 228:16 235:12 244:10 245:23 248:14 249:14 250:11 251:8 253:4 254:17 262:3,18 263:11 264:21,24 273:2 280:17 281:2,22 taken 5:9 20:13 21:5 25:20 34:15 54:15,21,23 57:2 59:10 92:17 102:5 103:11 120:4 153:21 164:14 168:24 176:9,16 182:23 184:15 190:18,22 205:8,19 218:19 235:9 239:2,6 240:1 241:20 244:16 252:14 takes 231:5 280:12 talent 226:22,24 talk 15:7 30:4 65:5 106:9 217:15 talked 21:20 88:3 88:4 145:18 166:12 talking 15:9 27:21 64:16 83:23 95:22 98:21 102:11 103:18 107:14 118:16,18 250:21 255:2 talks 32:8 49:23 tap 226:21 targetted 9:16 tarnished 164:8 team 55:18,23 159:1,1,22 200:1 289:4,12 290:17 291:1	Teams 172:17 technician 44:9 teeth 50:1 51:9 173:7 telephone 40:14 41:1 125:7 tell 6:2 25:13 27:11,14 29:6 89:25 90:4 96:14 134:6 166:19 172:5,9,15 238:8 telling 34:20,25 35:21 113:12 114:8,9,15,17 115:12 116:3 170:5 179:2 180:21 199:12 248:23 262:14 270:14 285:7 temperate 119:9 ten 13:22 107:9 244:20 tenable 148:5 tendering 283:5 tenure 214:7 290:3 term 197:5 terminology 91:6 terms 26:1 37:1 41:21 66:20 74:2 81:6 107:18 123:22 124:23 135:18 138:12 150:1,15 159:4 162:14 165:12 166:15,15 176:12 201:9 213:22 227:6 237:10 251:1 261:8 279:18 281:22 284:7 285:12,14 285:25 286:7,12 territorial 39:10 41:10 42:14,17 96:6 107:10 109:2 111:10 237:17,20 territories 274:21 280:20 Territory 274:9	text 97:15 100:20 101:11 114:2,21 120:9 124:10 190:7 197:7 259:8 260:23 261:10 thank 2:25 4:17 28:21 33:7 42:11 42:15,18 48:12 52:5 55:5 57:6 62:9,16 65:13 67:16 90:13 113:9 134:20 218:18 226:4,23 233:19 250:18 261:21 265:7 290:9 292:19,20 292:21,23,24 293:18 thanks 31:17 97:18 249:8 then-Commissio... 243:5 theory 102:17 108:24 thermal 103:15,22 104:4 109:16 they'd 99:24 thick 44:11 thing 27:25 35:2 71:10 84:19 98:22 108:6 122:2,4 143:9 152:19 157:15 161:11 187:20 191:18 201:18,19 213:14 258:23 273:13,14 286:6 things 16:5,15,17 29:24 32:9 41:24 65:5 88:2 106:12 106:25 117:20 118:17,18 139:10 144:13 149:24 167:24 217:3 221:5 222:22 258:18 263:15 270:3 277:8,9 289:25	think 2:3 3:18 4:22 5:10,22 6:8 7:14 10:1 12:7 13:20 13:21 19:15 21:23 22:15 25:10,11,22 30:16,24 31:2,10 32:16 36:9 37:15 37:15 38:24,24 41:16 46:15,20 46:24 47:1,11 48:1,1,6,6 49:4 49:13 50:17 51:8 51:19 52:20 53:17,17,18 54:2 55:7 57:7,10 59:7 61:2 62:12 62:19 64:24 65:5 65:20 66:8,9,15 66:19 67:7,10,17 69:17,22 70:10 70:21 71:1,13 72:6,8,15,21 73:19 76:8,13 82:20 84:14,22 84:22,24 86:18 87:14 89:13 91:18,23 92:4,17 93:18 94:5 99:5 99:23 100:17 103:1,12 104:5 104:17 105:6 106:1,14,18 107:7,11 108:12 110:12,20 111:5 111:21 114:2 116:14,15,15 118:15,20,21,25 119:1 121:2,13 122:17 123:13,14 124:20 126:13,20 126:23 127:24 128:19 130:3 132:10,22 135:22 135:25 136:5 137:3,9 141:25 143:5,21,24 144:5,25 145:7 146:4,15,18	147:3,22,22 148:15 149:8,14 150:2,5,5 151:20 153:13 155:5,14 155:24 157:14 158:22 159:2 160:15,25 161:7 161:12 162:15 164:19,20 165:24 169:3,7,17,19 171:3 174:10,10 180:4,7 182:9 183:5,5,18,21 184:5,6,11,13,24 185:15 187:17 188:15 192:18 193:9,24 194:10 195:7,14,19,25 196:19 197:12,19 197:20,24 198:18 198:23 199:16 201:9 204:23 207:5,7 210:1 211:8 212:21,25 213:11,17 217:22 219:12 220:22,24 221:13 222:22 225:16 231:24 233:14,20,24 234:2 235:5,13 236:13 238:11,21 239:21 240:6,14 241:8 245:10 246:14 249:2 250:15 251:6 252:7 253:10 254:8 255:3 256:1,7,8,8 257:1 257:21 258:13 259:8,17,18,21 261:24 262:13 263:22 264:7,14 264:17,19,24 268:13,16,21 273:8,10,15 274:5 276:5 277:14 279:1,16 279:23 280:3 281:6,6,9,15,20
---	---	---	--	--

287:11 288:10 289:25 290:1,5,6 290:16,20 291:9 291:11,16,21,25 292:3,8,11,16 293:16 thinking 24:6,8,17 25:6,8 84:6 97:10,11 128:21 132:4,5,22 180:4 189:9 229:10,15 275:10 third 134:5 196:7 197:7 287:20 thorough 80:8 120:8 127:14 181:19 thoroughly 265:2 thought 3:17 6:1 6:12,14,15 8:10 11:12 12:1,11 15:12 27:1 30:8 38:8 63:16 71:12 74:2 81:3 87:10 89:1,23 94:21,25 95:5,24 107:7 114:7,13 115:25 116:8 119:1 131:13 139:10 146:8 147:5 148:8 150:25 171:5 173:20 181:15 189:8 191:17,24 193:1 194:20 197:14,21 212:21 215:12 229:23,24 234:17 238:4 242:3 243:21 254:3,6 254:21 255:19 265:9 268:24 271:1,7 275:17 thoughts 26:9,18 threat 281:6 threaten 281:9 threatened 281:5 three 24:11 69:6 81:17 82:18 83:2 103:19 104:7	138:4,20 141:24 142:3 188:22 193:18 205:13 212:12 215:7,8 249:24 284:7 285:10 thrown 171:22 thrust 252:7 Thursday 1:1 156:19 159:16 189:10 Thursday's 244:21 time 6:1,13,16 11:12 12:1,9,18 14:9 18:3 23:13 23:14 26:24 27:11 29:5 32:16 33:18 34:8,25 38:8 43:5 59:20 67:17,21 68:21 68:23 70:3 71:14 73:19,24 74:6 79:12 80:9 83:5 83:14 85:18 86:18,24 90:1 92:7,9 94:11,16 97:10 98:13,25 99:24 102:17 103:25 104:11 106:15 109:22 110:12 112:13,19 112:21 114:14 115:24 117:23 120:5 123:4,17 123:19 124:10 125:4 129:16 131:23 139:4,10 139:21 142:9 144:6 147:14 150:23 151:7,11 153:3 154:2 155:5 158:23 159:11 164:24 165:1 166:9 167:4 169:18 172:8 177:17 180:4,16 182:7 186:12,15 191:4 191:17 193:18	200:15 203:4 204:9 208:5 211:7,24 212:12 213:18,20 215:6 216:2,3,23 219:13 226:6,8 230:9 247:5 250:11 251:15 252:13 253:5 255:12,18 264:22 264:25 269:23 273:2 279:11 285:5 288:11 292:14 293:2,2 timeframe 284:15 timely 137:14 times 15:13 76:11 200:22 242:19 263:5 timetable 67:19 timetabled 293:19 timing 72:18 73:12 104:22 142:20 190:24 tip 25:24 tired 253:7 title 220:14 today 123:18 139:21 189:15 198:8 204:24 226:5 235:8 250:10 254:1 262:5 264:8 265:24 278:24 today's 1:19 told 27:25 30:17 33:23 82:14 89:23 102:21 103:3 106:4 108:2 109:13 117:17,19 123:7 151:19 172:11 176:17,19 178:14 201:11 209:2,14 241:18,23 242:3 243:10 247:9 249:22 262:15 282:16 283:22,24 tomorrow 6:4	26:10 153:25 283:3 tone 184:23 tonight 26:18 tool 45:20 46:6,7 top 61:21 156:17 187:4 194:11 198:13 topic 128:9 total 116:22 119:6 touch 168:23 171:5 268:25 touches 174:22 Tower 32:8 tragedy 53:4 tragic 147:25 tragically 36:7 training 45:3 145:8 transcribes 218:1 transcript 1:19 10:11 28:7 36:16 132:23 269:2 transparency 137:14 transpired 181:11 254:4 travel 290:21 travelling 45:9,17 treat 35:25 treated 53:23 54:1 282:3 treating 35:6 treatment 58:2 treaty 273:5 tree 44:1 trees 184:19,22 Triay 30:1 32:2 43:4 54:12 271:25 tried 153:11 trigger 252:2,16 troubling 174:19 true 2:12 35:4 103:5,6,7 105:21 105:24 106:5,12 122:7 129:4 143:21 145:25 177:12,12 178:21	179:18,19,20 181:10 186:22 192:2 210:6 229:2,4 248:5 252:22 278:16 trunks 44:1 trusted 151:7 170:19 trustee 29:20 trustees 29:16,20 truth 232:7 try 1:8 4:18 24:15 24:18 36:13 62:10 72:23,24 153:12 190:9,24 191:19 292:16 trying 12:6 20:7 22:14 36:11 52:6 73:17 83:10 87:10 98:19 99:3 117:6 139:18 146:8 197:1 229:5 Tuesday 293:21 Tunbridge 206:14 206:21 turn 4:17 5:22 17:7 23:17 24:5 26:6 69:4 187:3 271:24 282:14 286:17 turned 40:3 56:22 Turning 33:14 turns 211:17 TV 143:19 twelve 73:4,9 twice 144:5 two 6:5 11:10 18:21,24 20:3 23:6 31:14 36:7 37:9 41:12 44:5 44:11,14 52:19 53:11 83:20 88:5 117:20 124:6 128:19 141:24 155:21 177:1 186:6 190:21 193:18 205:9,12 216:18 219:7
--	--	---	--	--

226:14 236:3,3 237:11,12 244:11 257:15 266:23 283:23 286:19 287:16 293:12 tying 124:18 247:1 type 33:2 161:15 219:15 273:12 typographical 130:4 typos 48:17	uncertain 45:2 176:12 unclear 105:18 undecided 64:1 72:22 underlying 179:9 undermined 163:13 understand 2:5 31:20 34:13 38:20 46:20 53:9 54:6 57:19 73:17 83:11 97:1,3 126:25 233:18 240:14 250:5 272:22 understanding 98:8 100:21 117:16 118:9 120:18 124:23 155:3,6 156:1 267:9 270:13 276:1 286:5 understandings 84:16 understood 8:20 35:6 50:23 57:11 57:15 61:11 84:1 84:15 97:5 98:20 176:1 248:4 undoubtedly 107:7 undue 62:6 238:14 238:19,22 unease 145:14,21 unethical 77:3 unfair 15:8 150:24 184:24 282:2 unhear 145:24 United 10:14 unjustified 174:17 unlawful 56:17 unmanipulated 254:23 unnecessary 204:16,18 unpack 38:11 unpleasant 30:8,9 unprecedented	27:24 unprofessional 76:24 unprofessionally 206:17 unread 145:23 unsubstantiated 284:12 unsuccessful 10:7 unsuccessfully 71:6 270:4 untenability 275:25 untenable 270:17 271:13 275:18 276:4,6 untrue 18:2 unusual 226:20 229:6 unverified 90:15 90:22 update 24:16 125:7 upheld 56:18 uphold 266:2 upwards 261:15 USA 43:15 use 8:19 24:20 44:25 46:12 51:8 60:5 88:25 91:2 91:16 119:15 121:24 146:19 156:2,12 181:16 192:12 202:8 211:25 236:12 243:1 281:8 usually 65:15 utmost 214:16 uttered 282:17	various 72:2 88:16 139:10 189:24 verbal 39:8 verbatim 7:22 verified 90:2 100:6 100:9 verify 100:6 208:23 verifying 100:1 version 38:22 59:13,14,16 153:17 244:23 vertical 44:12 vessel 37:11 39:9 39:12,23 40:18 41:4 43:13 44:15 44:18,20,21,22 44:23 45:20 46:2 49:16 245:2 vessel's 45:7 50:3 vessels 43:22 44:2 44:10,13 45:4,10 45:16 46:3,6 49:17,20,22,25 50:5,9 152:5,8 vest 171:14 vested 174:16 viable 276:23 277:5 Vice 38:2 41:14 51:14,19 89:15 143:1,2,19,22 146:17,25 vicinity 39:10 victims 53:4 video 80:14 view 9:24 20:11,21 20:25 23:12,14 58:1,4 62:7 65:2 65:2 66:12,12 86:19 92:6 112:3 116:13 134:12 135:2 162:17,22 162:22 176:17 189:24 191:2,7,9 191:10,10,12 194:1,4,6,8 195:11 198:24 210:25 211:2	233:15 238:24 239:1,1,1 257:25 270:16,20 289:7 views 13:13 193:23 262:19 Vikram 1:7 vindication 23:3 virtually 86:8 241:19 243:10 visibly 156:23 196:8 vision 214:5 visits 290:14,17 vital 46:6 214:11
U				W
UK 10:14,18 20:13 20:16 21:5 73:15 97:24 116:25 148:1 150:3 196:5 290:19 Ullger 10:7 13:1 13:15 145:11 149:6 198:2,12 198:18 213:23 214:25 223:6 288:9 289:7,15 290:1 292:9 Ullger's 10:11 199:23,23 221:16 287:12 ultimate 163:7,17 276:19 um 31:1,10 32:13 32:14 34:14 36:1 46:14,24 53:24 59:21 64:13 178:11 180:2 181:14,17,20 182:5,9,17 183:21 184:1,24 186:11 188:7 189:7,8,12,15 190:5,24 191:17 192:6 193:13 194:10 195:14 196:24 197:22 199:24 254:12 258:13,15,25 262:13 289:7 290:16 292:17 unable 95:17 unaltered 15:18				WAGER 246:11 247:10,16 Wagner 67:23,24 85:24 86:2 90:14 92:1 98:4 99:15 99:18 101:9 111:20 132:13 133:22 134:18,21 135:24 136:2 139:20 141:5,11 141:18,24 142:4 142:7 192:14 198:3 204:22,25 205:3 212:13 215:7,9 216:4 218:18 225:8 226:17 230:12 232:9,14 240:22 240:25 241:6,8 241:11 246:9 257:2 259:11,18 262:6 265:25 269:1,19 270:1 278:9,16 Wagner's 232:24 wait 72:23 127:22 128:25 129:12 150:18 207:13,21 waited 155:24 156:9 waiting 258:9 Walliker 29:7,17 30:15,17 32:17 33:12 34:20,25
		V		
		vacancy 215:10 vague 101:19 Vaguely 72:17 valid 121:22 122:15 value 75:10 277:1 values 275:2 vanishing 175:12 277:20 278:14		

35:17 209:4 210:3 221:11 Walliker's 30:19 30:19 32:3,7,11 32:24 want 3:12 12:8 17:9 57:25 65:4 68:1,9 78:25 86:13 93:11,14 102:23 112:11,12 129:20 133:3 147:9 151:24 156:15 168:11 169:1 170:6 175:1 199:10 200:2 202:3 204:4 206:24 217:4 221:7 229:22 235:6,10 235:11 246:21 250:11 261:15 271:18 288:24 wanted 13:14 15:7 19:3 72:23 73:13 90:1 101:3 109:8 148:18 150:14 157:23 179:9 248:11 251:25 262:18 265:21 283:19,23,24 286:6 289:6 290:1 wanting 235:9 warning 65:17 warnings 65:17 warrant 35:23 163:25 164:3,6 164:20 166:24 167:3,14 168:7 201:16 202:16 wash 9:17 Washington 43:15 wasn't 15:24 30:17 80:8 94:2 104:8 111:13 173:22 189:16 242:9 277:21 284:3 waste 279:11 Waterfront	287:16 waters 37:13 39:11 41:10 42:14,17 51:5 88:7 96:7 97:23 98:10 100:16,24 101:6 102:1,10 107:10 109:2 110:14,18,23 111:2,10,25 112:2,9 125:10 237:18,20,25 238:1 241:21 243:11 245:14 249:1 Watson 45:22 waving 96:13 way 11:18 17:6 29:3 35:9 38:1 41:22 48:7 49:6 52:23 57:23 58:3 67:13 84:1 86:1 87:11 95:10 106:21 140:2 143:7,7 146:23 147:1 160:4 164:9 166:23 187:16 226:4,13 230:1 235:17 238:24 239:2 255:25 260:21 282:2,2 283:12 288:24 289:25 Wayne 206:21 ways 35:11 163:11 we're 89:3 123:14 124:16,22 we've 108:16 weapon 46:24 51:16 weaponise 52:3 weaponised 37:11 38:7 39:21 42:19 46:13 235:5 weaponising 51:6 51:14,25 Wednesday 159:16 183:13,14 week 217:19,20	285:24 293:5 weekend 66:3 weekly 80:14 82:6 159:17 172:13 weeks 110:1 188:22 192:14,15 192:16 216:18 255:13,21,21 290:10 292:25 weight 4:10 35:13 35:15 275:23 weighty 14:11 welcome 26:19 welcomed 244:23 well-founded 207:4 went 6:17,18,21 15:19,20 29:3 31:13 92:14 98:18 108:8 121:18 137:3 187:19 198:16 200:10,24 211:25 212:1 216:17 223:18,19 280:22 weren't 5:9 276:9 WhatsApp 80:16 80:18 115:16,17 127:14 186:23 231:9,18 248:13 249:5 257:9 WhatsApps 159:14 217:8,16 217:18 230:14,16 230:20 231:8,24 232:5 whatsoever 18:20 33:18 whilst 33:24 51:3 75:19 164:21 167:14 226:8 Whitehall 272:20 who've 20:3 wholly 174:17 WHSS 247:2 wide 193:10 wide-open 151:12 widely 208:11 wider 83:16	235:24 272:23 wife 31:6,8,9,11 Wilde 220:18,22 220:25 willing 129:2 185:20,24 186:2 186:8 Windmill 39:8,17 101:17 102:23 103:12 104:6,13 105:1 106:10,16 124:20 Windy 104:11 106:7,16,19 wish 157:19 194:7 213:13 214:9 wished 281:22 wishes 262:21 withdraw 58:6 241:2,3,3 withholding 122:5 129:19 witness 10:24 12:2 33:11 38:19 42:9 42:20 48:3,19 86:2 99:14,18 101:12 110:9 111:20 132:7,13 133:24 134:21 136:2 139:14,20 141:7,11 190:7 205:4 212:7,13 215:9 216:1,4 221:4 229:22 231:22 232:3,19 233:19 248:2 286:18 287:21 witness's 57:18 witnesses 61:7 wonder 225:14 wondering 91:20 wood 184:19,22 word 7:13,14 8:19 8:21 18:18 24:20 35:22 51:8 60:5 78:16 81:12 84:1 93:11,15 107:19 119:15 120:7,23 120:25 121:24	125:13 135:21,22 136:1 143:24 161:9,11 169:22 178:15 192:13 197:12 202:9 210:10 236:12 239:18 243:1 264:13 292:16 wording 234:24 260:12 words 7:21 32:23 35:9,16 41:17 56:4 58:1 64:16 67:2 161:10 164:1 258:5 267:3 277:21 292:17 work 29:19 72:12 158:23 176:20 185:20,24 186:2 186:9 216:22 250:3 288:20 worked 74:14 145:3,9 working 71:13 73:16 102:17 108:24 161:16 171:10 214:15 220:12 288:12,16 workload 173:2 worried 129:9 156:25 250:19,22 289:5 worry 126:24 270:2 289:12 worse 141:4,10,14 202:21 worth 286:21 wouldn't 19:25 72:3 133:6 162:16 166:10 192:18 222:13 223:4 252:13 256:21 wrestling 219:2 write 121:9 123:20 123:21 223:2 writing 80:10 82:7 96:22 119:13
--	--	---	--	--

120:9 121:14 127:15 134:9 159:21 210:10 285:24 written 16:22 79:23 81:7,11 96:20 121:11 157:8 184:14 198:19 215:1 225:15 293:8 wrong 6:1,13 10:4 10:22 11:11,20 12:2,12,13,17,18 12:20,22,24 13:2 19:17 41:24 104:25 105:2 118:10 171:24 201:4,6,15 238:12 274:6 wrongdoing 63:21 wrongly 176:19 247:22 264:3 wrote 118:23,25 121:8 123:19 134:6,10 196:21 270:14 282:9 285:6	29:24 30:21 36:6 41:20 58:6 60:7 61:2 64:19 66:16 68:2 72:22 73:18 76:10 80:15 82:1 84:14 92:18 93:5 100:10 102:25 105:6,11,23 106:8 107:3 108:11 109:20 116:16 117:22 119:8,24 122:20 125:11 128:13 131:13 139:11 143:2 151:20 158:6 167:22 187:18 189:12,15 189:25 191:2 204:15 205:1,2 209:15 213:18,21 216:13 217:11 230:14 249:16,24 253:3 255:25 264:7 287:14,20 291:10 yesterday's 102:8 245:12 Yome 17:12,21 208:4 Yome's 7:18 291:15 292:13	246:6 11.05hrs 95:13 11.23 67:20 11.34 187:24 11.37 67:22 11.44 257:10 11:40 86:4,21 12 64:24 103:18 125:6 163:22 172:6 176:6 198:6 249:13 255:9 12.16 107:16 12.55 142:15 1215 128:4 12th 167:12,21 247:25 250:23 13 33:12 177:2 216:11 240:7,10 270:10 279:14 281:4,12 283:18 284:11 13(f) 66:21,23 268:9,15 269:11 269:16 13.57 142:17 13.58 24:6 13:33 97:16 1376 175:2 14 5:24 78:8,14 79:11 80:1 126:4 166:19 189:3,10 190:4 192:1 194:9 202:14 14.30 174:9 1441 259:6 1483 198:5 14th 190:18 191:7 191:11 252:10 15 14:16 23:20 24:1 38:12,15 65:1 93:20 127:20 129:8,12 137:2 177:2 188:12 192:2 219:5,13 256:4 256:13 258:4 259:15,20 261:23 15(1) 258:20	15(1)(a) 257:13 258:15,17 261:2 15.00 201:5 15th 64:24 156:23 157:22 167:20 187:19 188:24 16 24:5 25:13 194:12 16.00 241:4 16.30 263:2 16.50 153:8 16th 195:5,13 17 260:17 17.10 293:20 17.2 184:10 211:15 17.30 183:5 17.57 156:20 1786 200:2 17th 253:10 18 23:17 188:13 254:1 260:17 261:6 262:15 264:10,10 265:18 18.00 183:9 18.47 26:25 27:9 27:13 18.58 245:25 1843 198:3 1858 124:7 18th 188:25 19 14:18 16:11 128:5 187:23 188:2,5,11,19 257:10 293:3 19(2) 16:14 19.07 246:23 19.09 248:16 19th 188:15 189:1	125:21 152:20 187:23 194:3 206:11 218:9,13 249:17,20 2021 58:14 59:12 68:24 69:5,17 276:11 2022 69:12 72:12 73:20 96:3,15,23 2023 74:10 2024 1:1 293:21 2026 74:11 2039 133:13 21 69:1 70:4 156:19 21.5 30:2,4 204:16 21.7 30:11 21.9 205:11 212 83:23 22 33:8 133:23 168:14 175:21 176:3 215:11 265:18 277:23 279:7 22(3) 216:9 22nd 139:15 23 74:13,13 83:23 244 184:10 248 33:9 25 293:11,17,21 25.3 96:1 26 54:13,16 26.5 151:14 27 55:23 184:13 197:6 28 153:8 154:2,5 175:3 29 93:6 174:12 206:11 275:11,14 277:18 29th 94:19 184:14
<hr/> X <hr/> X 37:12 190:8 <hr/> Y <hr/> Y 190:8 yeah 25:10 146:2 162:9 year 15:19 153:24 285:18 years 12:10 13:22 45:25 60:6,7 104:21 117:23 193:18 219:2 220:12,16 224:16 287:16 years' 126:14 Yeats 198:19 yellow 134:6 yesterday 5:12 7:15,16 8:18 9:11 21:14 22:14 25:11,22 28:3	<hr/> Z <hr/> Z 190:8 Zoom 172:17 <hr/> 0 <hr/> 0238 39:6 0238Hrs 39:2 0949 114:22 <hr/> 1 <hr/> 1 74:13 161:3,5,18 187:3 270:15 10 187:5,7,12,13 10.06 1:2 10.38 28:20 100 189:16 203:5 100/0 138:12 11 124:6 163:6	<hr/> 2 <hr/> 2 187:4 2.38 39:6 20 142:1,19 204:6 263:14 20.00 183:10 2017/2018 193:16 2018 44:10 196:14 2020 5:24 68:13,18 78:8,14 79:11,15 80:1 82:12,15	<hr/> 3 <hr/> 3 81:9 112:11 174:14 229:17,18 3.4.1 49:8 30 64:20 185:13,15 185:20 186:10 225:15,20 290:9 30(f) 66:22	

<p>30,000 236:4 31 54:11,19 218:9 218:13 31(f) 66:20 314 48:8 32 54:22 3265 245:20 33 175:12 3306 249:14 3344 185:15 34 25:5 63:8 65:9 66:8,14 174:16 262:4,7 264:21 265:21 266:6 279:15 35 126:14 35-year 85:3 35,000 236:5 36 176:5 285:17 37 176:25 38 55:5 95:9 278:2 278:3 38(4) 275:8 3995 261:14 3miles 95:20</p>	<p style="text-align: center;">8</p> <hr/> <p>8 32:5 36:7 39:2,7 87:22 92:15 97:10 102:22 108:21 109:12 146:10 185:1 241:14,17 8th 86:5 95:12 113:18 114:3,23</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 1:1 106:23 110:3 243:9,23 245:6,7 287:23 9.30 26:12 27:4 9.58 5:24 9th 102:15 103:19 104:16 111:18 246:10 247:9,22</p>			
<p style="text-align: center;">4</p> <hr/> <p>4 38:13 39:1 43:5 58:13 59:12 4(a) 39:5 4.30 183:14 40 32:21 45:25 46 103:18 48 61:2,3</p>				
<p style="text-align: center;">5</p> <hr/> <p>5 229:12 281:14,24 55/45 138:11 58 54:9 55:7,17</p>				
<p style="text-align: center;">6</p> <hr/> <p>6 215:19 285:4 60 54:10 61 32:4,5</p>				
<p style="text-align: center;">7</p> <hr/> <p>7 83:22 78 36:16 79 87:21</p>				