

<p>1 Tuesday, 25 June 2024 2 (10.00) 3 THE CHAIRMAN: Welcome, everyone, to 4 this, the final phase of the public hearings 5 of the inquiry. Apart from the Gibraltar 6 Police Federation, all the core participants 7 have made written submissions which, with 8 one qualification, have now been uploaded 9 onto the inquiry website. The qualification 10 relates to the redaction of a short passage in 11 one of the submissions, to which another 12 core participant has objected. I will make a 13 ruling on that in the course of the next 14 couple of days, but meanwhile it will be, or 15 perhaps it now has been, uploaded with that 16 short passage redacted. I turn then to the 17 hearings this week. Obviously, one purpose 18 is to give the parties another chance to 19 persuade me but as I have frequently 20 stressed, this is a public inquiry; the public 21 need to see and hear for themselves that the 22 issues relevant to Mr McGrail's retirement 23 have been identified and that they are being 24 thoroughly examined and, where necessary, 25 the various witnesses' accounts are</p> <p style="text-align: center;">Page 1</p>	<p>1 Authority, and for Mr Cooper KC for the 2 former Operation Delhi defendants. Each 3 will have an hour and a quarter. They may 4 not need all of that slot. It would be helpful 5 for everyone, but particularly for me, if they 6 could pace themselves. If not, I may have 7 to intervene, but of course you all know that 8 by now. Tomorrow, Mr Wagner on behalf 9 of the retired Commissioner, Mr McGrail, 10 then, Sir Peter Caruana KC for the 11 government parties will address us. I have 12 allowed them two and a half hours a piece, 13 and at the end, a short slot for Mr Santos to 14 make any correction if necessary. I will 15 also allow myself a short time to close the 16 proceedings. Okay, Mr Cruz, so over to 17 you. You have got until about quarter past 18 11. Thank you very much. 19 MR CRUZ: Mr Chairman, good morning. 20 Lovely to see you again at this final 21 hearing. Thank you for allowing the RGP 22 to open the batting, I suppose. One 23 advantage is, we go first. A disadvantage is 24 that we do not get to respond; it is swings 25 and roundabouts, but we are content with</p> <p style="text-align: center;">Page 3</p>
<p>1 challenged. So, as it seems to me, these 2 two days give the parties another chance to 3 put their case to the public. Mr Santos, 4 counsel to the inquiry, has presented the 5 evidence, but he has no client. He has no 6 case to present. Still less, does he have a 7 case to answer so it is unnecessary, and 8 indeed inappropriate, for him to make 9 detailed closing submissions. He and his 10 junior, Ms Williams, have, if I may say so, 11 with great skill and industry, drafted a 12 detailed facts schedule, being summary of 13 the written and oral evidence, extending to 14 over 270 pages. That also will be, or 15 perhaps already has been, uploaded onto the 16 inquiry website. It is a valuable, and indeed 17 vital resource for me as I come to write the 18 report, and indeed, for anyone else who 19 wants to follow the fine detail of the 20 evidence which we have heard. The plan 21 today is to hear from four advocates: first 22 from Mr Cruz, for the Royal Gibraltar 23 Police, from Mr Gibbs KC for the retired 24 Superintendent Mr Richardson; then for Mr 25 Neish KC for the Gibraltar Police</p> <p style="text-align: center;">Page 2</p>	<p>1 the order. Let me say, these closing 2 submissions, from the RGP's perspective 3 have, as their objective, the observation and 4 recommendations that the RGP invites you, 5 Mr Chairman, to have regard to when you 6 draft your report this summer or autumn. 7 Maybe it is presumptuous, this summer or 8 autumn, but that is what we assume. The 9 RGP hope that they will assist you in your 10 assessment into the reasons and 11 circumstances leading to Mr Ian McGrail 12 ceasing to be Commissioner of Police in 13 June 2020 by taking early retirement, the 14 inquiry mandate. As we have explained in 15 our written closing submissions, these 16 should be read alongside the RGP's opening 17 submissions, our oral submissions on 9 18 April. They are split into different sections. 19 Part A is the introduction. Part B, the 20 RGP's evidential conclusions and 21 observations. Part C, the RGP's 22 conclusions on the statutory framework. 23 Part D, RGP's suggested recommendations, 24 and part E, our concluding remarks. 25 However, Mr Chairman, you will be</p> <p style="text-align: center;">Page 4</p>

1 (Pages 1 to 4)

<p>1 delighted to hear, and I am sure others will, 2 that I have no intention, in relation to part 3 C, to merely recite the Constitution of the 4 Police Act verbatim again. I think we have 5 done that probably, a little bit too often. So, 6 starting with our opening remarks before 7 we get to the introduction. By way of 8 opening remarks, we would say this has 9 been a very new experience for the RGP, 10 and although Gibraltar has seen previous 11 inquiries, the Dr Giraldi Home inquiry is an 12 example, nothing quite like this, that goes 13 to issues of governance that the press 14 suggest could make a good Netflix series. 15 For the RGP, it has been quite challenging 16 and trying, not just because of our 17 involvement as a core participant, and one 18 which has such deep disclosure obligations, 19 but also because we have had six officers 20 giving evidence, not all oral evidence, and 21 because of the operational stressors that it 22 has caused on us as a disclosure participant, 23 the main disclosure participant, and the 24 only party with policing obligations that are 25 continuous. It also placed stressors on</p> <p style="text-align: center;">Page 5</p>	<p>1 without fear or favour. Important to say, 2 this is not personal and the RGP emphasise 3 this. I hope that it is recognised by all 4 parties - I presume Mr Chairman - but the 5 counsel for the inquiry in assisting the 6 inquiry, witnesses and core participants. I 7 am also instructed to add that there is not a 8 wafer thin gap between the RGP and its 9 counsel, despite suggestions from the 10 GPA's counsel to the contrary. What I say 11 is what the RGP says. My submissions are 12 pre-approved. Even my questions are sent 13 and pre-approved. I am just a mouthpiece 14 for the RGP. The RGP is a ventriloquist 15 which, I suppose, makes me the dummy! 16 Can all other core participants say that they 17 have such, and I will risk it again, granular 18 fashioned instructions? I doubt it. Mr 19 Chairman, there is no doubt that when I 20 make a remark or comment or an assertion, 21 it is that, based entirely in instructions; not 22 one iota, not a gap. That is an important 23 observation to make in light of what others 24 have suggested. Mr Chairman, the RGP 25 has heard this inquiry described as a,</p> <p style="text-align: center;">Page 7</p>
<p>1 criminal investigations, many of which 2 have arisen as a result, or are in some way 3 related to this inquiry, and some of which 4 are ongoing. It has placed stress on the 5 Constitutional relationships that we have 6 with the Governor, the government, the 7 Chief Minister and the Gibraltar Police 8 Authority, its chairman, and the director of 9 public prosecutions, with whom we have all 10 had to work with, professionally, and 11 continued to work. The RGP, Mr 12 Chairman, has done its best to be 13 constructive at every moment. To maintain 14 those relations, whilst telling it as it is, as it 15 sees it, and importantly, as it saw it. In our 16 opening submissions, we made it clear on 17 day 2, that we would be neutral in outlook 18 but that this should not be confused with the 19 RGP as a core participant trying to seek the 20 middle ground between competing core 21 participants. It has not and will not. 22 Rather, the RGP, as a core participant, 23 seeks the truth wherever that happens to 24 fall, to whoever's benefit it inures, and 25 whatever the consequences it may bring,</p> <p style="text-align: center;">Page 6</p>	<p>1 "circular firing squad from which no-one 2 survives". In fact, in further jest or not, the 3 description has evolved to a "circular firing 4 squad from which no one survives, save the 5 lawyers!". Maybe, says the RGP, or maybe 6 not. Mr Chairman, like the rest of 7 Gibraltar, we reserve our judgment until 8 your report, and then depending on your 9 report, on the actions of those who have 10 power to take action, take. The RGP is 11 aware of your previous work, Mr Chairman. 12 It knows from its own experience over the 13 last two years, that you have an 14 extraordinary grasp of the evidence -- very 15 clear with counsel, and witnesses alike, 16 being both tough, but also empathetic when 17 appropriate. We celebrate that and we 18 would encourage it. Mr Chairman, 19 whatever your previous work may have 20 been, Hillsborough included, and without 21 for a moment diminishing that importance, 22 the RGP wonders if you ever envisaged 23 yourself in a position where your work, 24 your report, may be a generational 25 instrument; a guide to shape a nation. A</p> <p style="text-align: center;">Page 8</p>

2 (Pages 5 to 8)

<p>1 torch perhaps, no more, but one that will 2 allow us to see the light out of this tunnel, 3 and hopefully emerge better for it. 4 Gibraltar, on its Constitutional journey, 5 perhaps more than ever, needs this. Not 6 because you are a judge from the UK, but 7 because you are a judge who comes to this 8 with a judicial mindset -- no axe to grind, 9 no agenda, just seeking the truth, seeking 10 the way. That is the position also of the 11 RGP. We hope that the outcome are 12 changes -- changes that embrace 13 recommendations that you may make. 14 Unfortunately, Mr Chairman, your report, 15 like our Constitution and Police Act, will be 16 no more than a piece of paper. It is the 17 adherence to that paper, much like our 18 Constitution and our Police Act, that 19 counts. It will leave us all with a choice, a 20 fork in the road. One sign says, "the rule of 21 law and the light"; the other? Well, I think 22 it is best not to even think about it. Mr 23 Chairman, you are going to lead this horse 24 to water. That is what you can do. It is 25 then up to us to see whether this horse</p> <p style="text-align: center;">Page 9</p>	<p>1 Chairman, moving onto our evidential 2 conclusions and observations. There are 3 five key observations. Firstly, we say that 4 the evidence shows that the RGP and its 5 individual officers have acted throughout 6 the inquiry, and events that were subject to 7 consideration by this inquiry in good faith, 8 in accordance with its policing obligations 9 and code of ethics, including when reacting 10 to errors or omissions by the RGP, or any 11 individual officer. Secondly, and crucially, 12 we say that a wrongful process and 13 procedure to bring about the removal of a 14 serving Commissioner of the police in an 15 unlawful manner was, engaged in. One that 16 was in breach of our Constitution, probably 17 the European Convention of Human Rights, 18 the Police Act, rules of natural justice, or 19 fairness. We add, the process was 20 unlawful, irrespective of whether 21 confidence in Mr McGrail had been 22 irretrievably lost, as suggested by Mr 23 Picardo and Mr Pyle, or for the reasons 24 given alternatively by Mr McGrail. 25 Thirdly, those with Constitutional</p> <p style="text-align: center;">Page 11</p>
<p>1 chooses to drink. Mr Chairman, moving on 2 to the introduction, the RGP does not 3 believe that it is helpful for you -- for us to 4 forensically try and persuade you of our 5 view, by detailed forensic analysis of the 6 evidence that you presided over. You have 7 a detailed grasp, as I have said, probably a 8 lot better than us, and you have taken very 9 careful notes. Repetition is not going to 10 make the evidence more persuasive. You 11 have got it, is our view. The RGP, 12 however, will make its subjective evidential 13 or factual observations in light of its views 14 on the proper interpretation of the 15 Constitution and the Police Act, and then 16 invite you to make specific 17 recommendations whose sole purpose is to 18 ensure that lessons are learned. That they 19 translate into actual steps, and particularly, 20 practical actions and measures that would 21 go a long way, the RGP believes, to 22 guarantee that the rule of law prevails in 23 Gibraltar, and importantly, that the 24 independence of the RGP can never, never, 25 never be compromised in the future. Mr</p> <p style="text-align: center;">Page 10</p>	<p>1 responsibility to act as a check and balance 2 on the executive failed to do so. They 3 failed to do so adequately or, arguably, at 4 all. There was an individual and collective 5 failure to uphold the rule of law by it 6 safeguarding the independence of the Police 7 Authority and the RGP. Fourthly, we say 8 the evidence demonstrates that the 9 authority, the Police Authority, never lost 10 confidence in Mr McGrail as the serving 11 Commissioner of Police for all the reasons 12 suggested in their May 2020 letters, or at 13 all. They simply concluded that his 14 position was untenable because the Chief 15 Minister and the interim Governor had 16 indicated that they had lost confidence in 17 Mr McGrail as the serving Commissioner 18 of Police, for the reasons that the GPA did 19 not investigate, independently or otherwise, 20 were known to be either true or entirely 21 false. The GPA, therefore, whilst acting in 22 good faith, failed to uphold the rule of law 23 by safeguarding its own independence and 24 the independence of the RGP. It did so by 25 failing to properly resist attempts by the</p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

<p>1 executive to wrongly exercise powers, or 2 perceived powers, without adherence to the 3 provision of the Constitution, the Police 4 Act, and rules of natural justice or fairness - 5 - namely fundamentally, by failing to have 6 a proper or fair process. Fifthly, the RGP 7 submits that there appears to have been a 8 regrettable and substantial deviation by 9 numerous parties to the important Nolan 10 principles referred to in our opening 11 submissions that apply to public office 12 holders. Moving on, Mr Chairman, to 13 specific issues. An overarching comment is 14 that the RGP maintains that in this inquiry, 15 and at all material times, that includes when 16 Mr McGrail was Commissioner, it has 17 understood and complied with its policing 18 obligations. Not infallible, and 19 immediately recognising failures and its 20 possibilities for improvement, the RGP's 21 involvements in all of the investigation and 22 matters identified in the issues has 23 attempted, with utmost professionalism, 24 even where errors have been made, as I 25 have said, by the organisation or by</p> <p style="text-align: center;">Page 13</p>	<p>1 there was no negative findings. If the 2 Police Authority's investigation was flawed, 3 as has been suggested, because MOD 4 personnel were not interviewed, one cannot 5 ignore the fact that the authority rightfully 6 requested an independent inquiry. It was 7 not in their gift or the RGP's gift, to call that 8 inquiry. The evidence was that this did not 9 proceed because the MOD and the 10 government, for diplomatic reasons, 11 decided that it should not. The RGP 12 officers, including Mr McGrail, cannot be 13 blamed for the GPA's Section 19 process, if 14 flawed, or the failure to carry out an 15 independent inquiry, which was a 16 recommendation of the then Governor, 17 communicated by Mr Pyle and adopted by 18 the GPA. Moreover, should there have 19 been any issues, or residual issues, the 20 appointment selection process that 21 happened in May 2018 that resulted in Mr 22 McGrail's appointment was the moment, 23 the appropriate moment to raise it. It did 24 not feature. It was not even raised by Mr 25 Pyle who played such an important part of</p> <p style="text-align: center;">Page 15</p>
<p>1 individual officers. Largely based on the 2 agreed or undisputed facts, and evidence 3 which appears to the RGP to be 4 overwhelming, it makes the following 5 specific observations. The first one is the 6 airport incident. Mr Chairman, the RGP 7 have made it clear in the build up to this 8 inquiry that we thought that this matter 9 must be irrelevant. The primary reason was 10 that this matter predated Mr McGrail's 11 tenure as Commissioner of Police. 12 Secondly, the conduct of the RGP was 13 entirely vindicated at the highest levels in 14 the UK and in Gibraltar. Both the airport 15 incident and the subsequent arrest, not just 16 the former, including recognition by Rear 17 Admiral Radakin on behalf of Joint Forces 18 Command, and this position, at the time, 19 echoed by the Chief Minister. The 20 suggestion now in contradiction by both the 21 Chief Minister and the interim Governor is, 22 that the arrest that followed the airport 23 incident, were necessary or conducted in a 24 less than diplomatic manner. This was 25 investigated by the Police Authority and</p> <p style="text-align: center;">Page 14</p>	<p>1 it. Whatever one's views of the RGP 2 methodology, which may be made to be 3 sound dramatic with the words "Apache" 4 and things of that nature (certainly by those 5 with motive to make it sound dramatic) 6 these are standard police processes and 7 terms. It is a standard policing operation. 8 Mr Chairman, we say it would defy natural 9 justice to criticise that operation, that 10 occurred seven years ago, through the prism 11 of hindsight as a basis for criticising the 12 RGP, or at least certainly without a separate 13 detailed hearing and adducing of evidence. 14 However, notwithstanding the RGP's view 15 historically that this issue should not be 16 relevant to the inquiry mandate, regrettably, 17 it may be because what this incident does 18 show, alongside others, is to inform you, 19 Mr Chairman, as to Mr Pyle's regrettable 20 predisposition, evident in May 2020, 21 against Mr McGrail and the RGP. Mr Pyle 22 preferred and gave more weight to 23 information given to him by MOD 24 personnel over locals -- importantly, 25 without objective evidence or an informed</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 investigation. He relied far too often on 2 rumour, golf course chat, restaurant chat, 3 and that came across loud and clear. Mr 4 Pyle's self-confessed, deep ambition for a 5 non-Gibraltarian Commissioner of Police is 6 of some concern, and perhaps, has been 7 open to manipulation. Whilst the RGP has 8 no issue whatsoever with seeking talent 9 from the outside, from outside Gibraltar, the 10 appointment of a non-Gibraltar based 11 person as Commissioner of Police when 12 suitable candidates are present should at 13 least be viewed with a little caution. The 14 RGP's position is that "the best person for 15 the job" is the mantra that should be 16 followed, without regard to place of origin. 17 Additionally, and this also goes to 18 reliability, Mr Pyle has shown a willingness 19 to overdramatise uninformed, 20 uninvestigated explanation on events. He 21 has reached unsubstantiated but serious 22 conclusions and made serious erroneous 23 accusations. Moreover, in doing so, he has 24 often employed or adopted emotive, 25 descriptive references: the "Life on Mars",</p> <p style="text-align: center;">Page 17</p>	<p>1 unlawful killing by a Gibraltarian Coroner, 2 upheld by Gibraltarian Supreme Court and 3 overturned by English Gibraltar Court of 4 Appeal judges, is raw and current. The 5 possible consequences and reactions toward 6 those said officers from local Spanish 7 organised crime gangs to whom the 8 deceased belong cannot be ignored. Last 9 Thursday, 50-plus persons associated with 10 the deceased gentlemen, family and friends, 11 others perhaps, protested outside New Mole 12 Police Station, objecting to the Court of 13 Appeal's decisions, but claiming that they 14 had been killed, assassinated, in Spanish 15 waters, and that the police had, in essence, 16 with a weaponised boat, done so 17 intentionally. They carried placards with 18 pictures of officers 1,2 and 3. (I say officers 19 1, 2 and 3 because they have been 20 anonymised by the courts) They also 21 carried placards of Mr Pyle in the inquiry, 22 highlighting that the RGP cared less for 23 Spanish lives than Gibraltarians, chanting to 24 the RGP, "asesino", assassin. The issue is 25 not about a protest for justice; that is</p> <p style="text-align: center;">Page 19</p>
<p>1 the "Sweeney" reference. Mr Chairman, we 2 saw this pattern regrettably repeated in his 3 evidence on Operation Kram, issue 3, with 4 the language of "Miami Vice" and 5 "weaponised", with an apparent willingness 6 to convert potential or possible or actual 7 individual errors, importantly subject to due 8 process, now a second Coroner's inquest, 9 into extraordinary suggestions of 10 organisational recklessness, discriminatory 11 treatment by the RGP and the DPP, towards 12 non-Gibraltarian deaths. It is important, Mr 13 Chairman, we say, to record that this matter 14 was investigated by the Met Police at the 15 instigation of the RGP, and no action was 16 taken due to jurisdictional advice by the 17 DPP, not because the RGP had any 18 disinclination for action to be taken. Mr 19 Chairman, the RGP takes the opportunity to 20 highlight the insensitivity of this approach. 21 Words do matter. The tragedy for the 22 deceased, Spanish and Portuguese, in this 23 incident, is real irrespective of their 24 nationality. The impact on the involved 25 officers who have faced a finding of</p> <p style="text-align: center;">Page 18</p>	<p>1 acceptable and entirely to be celebrated in a 2 democracy, but rather the employment of 3 language from the ex-interim Governor that 4 ultimately, on the stand, he admitted was 5 not correct. I refer to "weaponised". This 6 matter is before the courts but let us pray it 7 does not escalate. Moving on to issue two. 8 The assault investigation. In this matter, 9 again that predates Mr McGrail's tenure as 10 COP, the RGP's initial view was that it was 11 entirely irrelevant. His conduct at 12 investigation was vindicated -- a position 13 that, if we recall correctly, Mr Chairman, 14 you reminded Mr Pyle of. The RGP 15 maintained that this also should be 16 irrelevant but now, again, for the same 17 reasons, it assumes some relevance. It 18 demonstrates his predisposition towards 19 anything that appears to contradict the RGP 20 and Mr McGrail, and the giving of 21 unnatural weight to information from MOD 22 personnel in the face of alternatives -- 23 worse still, with lack of thoroughness or 24 desire to make an informed decision. His 25 evidence, we say, points to unreliability.</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 Issue three, the incident at sea, Operation 2 Kram. The RGP reacted to a difficult and 3 tragic situation, where mistakes were made 4 by certain officers, in a thoroughly 5 professional manner in accordance with its 6 policing obligations and its policing policy. 7 It is an ongoing matter that is now subject 8 to another inquest. Parking the 9 observations about the RGP's concerns 10 about Mr Pyle's predisposition, on the 11 fundamental issue as to whether Mr 12 McGrail misled Mr Pyle on the precise 13 location of the collision, the RGP - there is 14 no basis upon which to understand why Mr 15 McGrail, or indeed, any RGP officer, would 16 be motivated to do so. It is of surprise to 17 the RGP that at no point was this concern 18 raised, or clarification sought, in March 19 2020 to Mr McGrail or any other RGP 20 officer, or the GPA. However, the RGP 21 accepts that this is a matter for you, Mr 22 Chairman, based on the evidence provided, 23 but it insists, the RGP has no basis, and 24 would not knowingly or recklessly mislead 25 governors, police authorities or Chief</p> <p style="text-align: center;">Page 21</p>	<p>1 Richardson, and officer in command, Mark 2 Wyan -- not Mr McGrail. Both recognised 3 in evidence by the Director of Public 4 Prosecutions, Christian Rocca KC, as good 5 officers. The investigation was recognised 6 by him as thorough and professional. The 7 RGP were well aware of the sensitivities of 8 this investigation, and at the instigation of 9 Mr McGrail, the DPP and OCPL were 10 consulted in relation to the national decision 11 model. We say that the evidence leaves 12 beyond doubt that a search warrant and an 13 interview under caution, not only clearly an 14 operational decision, only the purview of 15 the RGP, but well-advertised next steps and 16 known to the Director of Public 17 Prosecutions and Mr Zamitt. It was also 18 clearly known that these operational steps 19 would be very likely challenged by Mr 20 Levy and the Hassans Law, using their 21 resources. Mr Chairman, at no time prior to 22 the 12 May 2020 did the Director of Public 23 Prosecutions, or OCPL, indicate that the 24 RGP should not take these steps. The AG 25 accepted that this information was all</p> <p style="text-align: center;">Page 23</p>
<p>1 Ministers. It would simply fly in the face of 2 their code of conduct. Moving swiftly to 3 issue four, this is the HMIC FRS report. 4 The RGP notes that it appears that all 5 parties, namely the interim Governor, the 6 Chief Minister and the GPA, as of 30 April 7 were willing to work with the senior 8 management team, which included Mr 9 McGrail as Commissioner of Police. Steps 10 were immediately taken in 2020, before Mr 11 McGrail departed, and have continued to do 12 so. Thankfully, in 2022, the subsequent 13 report showed good progress. Moving onto 14 issue five, the conspiracy investigation, 15 specifically known as operation Delhi. The 16 almost unchallenged evidence is that the 17 RGP conducted a thorough, professional 18 investigation in accordance with its police 19 obligations, as recognised previously by 20 government parties, on the following terms. 21 The thoroughness, professionalism, and 22 forensic astuteness with which the RGP 23 conducted the investigation has not been 24 subject to any criticism. The investigation 25 by the RGP was conducted by CIO Paul</p> <p style="text-align: center;">Page 22</p>	<p>1 before the DPP and no alternative was 2 suggested by them. Mr Chairman, the 3 Stipendiary Magistrate granted the search 4 warrants over two days, there was an 5 amendment on the second day. Sergeant 6 Paul Clarke presented the 38-page 7 Information in the presence of Senior 8 Investigating Officer Richardson and DI 9 Goldwin, and that satisfied this Judge on 10 that particular occasion. The RGP submits 11 that it would be entirely inappropriate and 12 unjust for you, Mr Chairman, to express 13 any views on whether the application for 14 the search warrants could have been 15 defective or in any way flawed. Firstly, and 16 primarily because it is irrelevant, or we say, 17 not necessary to the inquiry mandate. The 18 fact is the search warrants were granted and 19 any challenge could have been made by Mr 20 Levy KC by judicial review within three 21 months and they were not, despite a legal 22 team that included expertise locally and 23 counsel from UK. Mr Chairman, no 24 eleventh hour, brazen attempt by those who 25 have public order rights and did not</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 exercise them four years ago should now be 2 even considered or entertained. For 3 ordinary people like the other well known 4 case, Mr Miles, we have courts to exercise 5 timely judicial review rights within three 6 years. For ordinary people, like the 7 Operation Delhi defendants, we have timely 8 applications for core participant status. If 9 you choose a different route, that of 10 accessing political power, or to use Mr 11 Picardo's novel idea, protection, so be it, 12 but what you cannot do now is seek a quasi- 13 judicial review in a forum four years later, 14 or almost four years after the time limit had 15 expired. It expired on 11 August 2020. 16 Secondly, because this inquiry is simply not 17 the forum for such a discussion and 18 conclusion, the RGP would need to prepare 19 and address the matter in detail. In the 20 recent 19 April Miles' judgment a judicial 21 review followed five days of hearing. That 22 was the challenge to a search warrant 23 against a barrister's office and home where 24 a production order was an alternative. It 25 was dismissed! The Chief Justice relied on</p> <p style="text-align: center;">Page 25</p>	<p>1 misfeasance. Mr Chairman, we welcome 2 the indication given by counsel to the 3 inquiry in his open oral submissions, 4 notwithstanding his previous written 5 submissions at paragraph 81, that you, Mr 6 Chairman, are not minded to make a 7 determination on this. The RGP have been 8 guided by, and relied on that assurance 9 throughout the inquiry, including in 10 directing the questions that I should have 11 asked. Mr Chairman, this does not preclude 12 you from concluding that the RGP would 13 benefit from legal support, even at the stage 14 of applying for search warrants or 15 production orders -- something the RGP, in 16 evidence, welcomed. In terms of what the 17 evidence shows, or showed in the RGP's 18 view, well it was relatively simple. Mr 19 Richardson and Mr Wyan attended the 20 offices of Hassans on 12 May, and Mr Levy 21 met them there in due course, in accordance 22 with their operational plan. Their 23 operational plan was to be as discrete and 24 respectful as possible. In exchange for the 25 voluntary release of Mr Levy's devices, the</p> <p style="text-align: center;">Page 27</p>
<p>1 numerous persuasive and binding English 2 authorities and concluded that Mr Pitto, the 3 same Magistrate as in the Operation Delhi 4 application, was entitled to rely on the 5 details in the information. In that case it 6 was only eight pages, not 38. He concluded 7 that despite the failure by the Stipendiary 8 Magistrate in giving reasons on an objective 9 basis, he had the requisite belief that an 10 indictable offence had been committed, and 11 that a risk of evidence being destroyed, 12 altered, defaced, or concealed existed. This 13 may be a different case, but that that 14 demonstrates, we say, is that there has to 15 be, were this to be challenged, an important 16 and separate dedicated process before any 17 determination should be made. Thirdly, 18 because in their evidence, Mr Levy, his 19 counsel Mr Baglietto, and quite alarmingly 20 the Chief Minister, all, we say menacingly, 21 signaled that the RGP and presumably 22 current and past officers are likely to face 23 legal challenge. Given the three months' 24 time limit for judicial review was expired 25 11 August, we assume it is a tort of</p> <p style="text-align: center;">Page 26</p>	<p>1 iPhone took about 9 hours, but it was 2 released, the search warrants were never 3 actually executed. Mr McGrail 4 communicated by WhatsApp with the 5 Attorney General, Mr Llamas, and the 6 Chief Minister, only in their professional 7 capacities, given the reputational risks. At 8 12:35 the WhatsApp was sent explaining 9 the matters that were unfolding. Mr 10 Picardo's immediate response was to thank 11 Mr McGrail for the courtesy, express the 12 view that he thought it was a bad decision, 13 but explained that given his personal 14 relationship with Mr Levy he would not 15 comment further. Almost immediately 16 after, for reasons that one can only surmise, 17 Mr Picardo abandoned his instinct and Mr 18 McGrail was then summoned to the cabinet 19 room to a meeting with the Chief Minister 20 and the Attorney General. At that meeting 21 it is not disputed that the Chief Minister 22 criticised Mr McGrail and the RGP's 23 actions, angrily. Mr Chairman, the Chief 24 Minister accepted, in evidence when I 25 asked him questions, that he had not spoken</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 to the Director of Public Prosecutions, Mr 2 Rocca, or the Crown Counsel Mr Zammit, 3 or Mr Richardson, or Mr Wyan or the 4 Stipendiary Magistrate and had no 5 evidential knowledge. No basis upon 6 which to question the RGP's suspicions and 7 its beliefs that Mr Levy was a suspect and 8 that the executive action that they were 9 taking was necessary. The RGP does not 10 think it necessary to chronologically set out 11 Mr Picardo's involvement thereafter. 12 Others have and will, but it seems 13 undisputed that he became intrinsically 14 involved, together with Mr Levy and Mr 15 Baglietto, in attempts to challenge the 16 RGP's actions including trying to procure 17 the return of the devices belonging to Mr 18 Levy. It is also undisputed that Mr Picardo 19 did not hesitate in communicating 20 confidential information received as a Chief 21 Minister, only, including what he thought 22 was legal advice, obtained from the RGP or 23 the Attorney General, to both Mr Levy, to 24 Mr Baglietto, the criminal suspect's lawyer, 25 so the suspect, to the criminal suspect's</p> <p style="text-align: center;">Page 29</p>	<p>1 limited, evidential knowledge. Very 2 limited criminal experience but took it upon 3 himself to engage in a capacity that 4 appeared, to the RGP, to reflect that of 5 interlocutor, negotiator or facilitator 6 between Mr Baglietto and the RGP. The 7 AG perceived what was a normal public 8 law challenge to executive action, like a 9 production order, or a search warrant to be 10 a "crisis", possibly, only because it was Mr 11 Levy who was the suspect. The RGP 12 believe that instead it should have been met 13 with a well-resourced response, not unlike 14 the Miles case, particularly given it was 15 foreseen and forewarned. On the 13th, 15th 16 and subsequently 20 May, meetings were 17 held on the face of it to address the Hassans 18 Legal challenge. The RGP perceived these 19 meetings to be facilitation, negotiation, 20 problem solving and dealing with the 21 Hassans legal challenge in a manner that 22 they would not describe as normal. Not 23 normal practice; rather highly unusual in 24 operational independence terms. The 25 RGP's intended executive actions, namely a</p> <p style="text-align: center;">Page 31</p>
<p>1 lawyer and to whomever else would listen, 2 namely the public at large. He quoted Mr 3 Smith to Mr Wagner and Main Street. Such 4 an approach of confidentiality, Mr 5 Chairman, really causes concerns for 6 sensible future confidential engagement by 7 the RGP with the executive, and 8 particularly with a Chief Minister or 9 Government who has obligations under the 10 Police Act. It is worth pointing out, Mr 11 Chairman, that section 15 accommodates 12 the importance of confidentiality, and it is 13 worth, just in your own time, looking at that 14 section and how even under Section 15, the 15 Commissioner of Police is able to retain 16 information because of its nature and its 17 confidentiality. It stresses the importance 18 of confidential information. On 12 May, 19 and during the next few days, the AG 20 engaged with Mr Levy and Mr Baglietto, 21 and Mr Baglietto communicated his client's 22 concerns to the AG on the 12 May, and 23 threatened then, and in subsequent email 24 and letters, legal action. The AG 25 acknowledged that he had no, or very</p> <p style="text-align: center;">Page 30</p>	<p>1 search of the devices belonging to Mr Levy 2 held by the RGP, were not as a result 3 conducted. There was no interview under 4 caution. Instead Mr Levy was allowed to 5 give a statement after being forwarded 6 about the matter, not under caution. Now, 7 the RGP accept that they ultimately agreed 8 to this variation on how to deal with Mr 9 Levy, as it evolved from those meetings, 10 but they maintain that they were subject to 11 some pressure, or if not to pressure, to use 12 the words of Mr Wyan, "at the very least 13 influence". The RGP recognised that some 14 support was given by the AG and DPP, but 15 crucially they did not feel it was adequate 16 support, or a level of support in which they 17 felt adequately protected. In essence, they 18 did not feel they had their independent 19 counsel advising them. The RGP has 20 contrasted this case with the Miles case, 21 where an executive action by them, also 22 where legal challenges were anticipated, 23 was supported substantially. It was faced 24 down in a Court of Law by a legal team. 25 Mr Chairman, moving on to issue six,</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)

<p>1 Federation complaints. The RGP, like the 2 GPA were not aware of any GPF formal 3 complaints. The RGP does not consider 4 that the suggestion of informal complaints 5 made via anecdotal sources, or via 6 consideration of newspapers, of Panorama 7 or otherwise, could, or should be relevant to 8 this matter. The fact that Mr Pyle took note 9 of them, speaks to his disposition, as 10 previously explained, and his willingness to 11 take on board information, without properly 12 exploring it. On issue seven, the Alcaldesa 13 claims, the RGP suggests that they must be 14 irrelevant. The matter predates Mr 15 McGrail's tenure as COP. The RGP 16 understood the issues and addressed any 17 perceived failings with a thorough and 18 professional internal investigation. That 19 leaves issues eight, nine, and ten. The RGP 20 submits that these issues can be addressed 21 collectively. The RGP was not in the 12 22 May meeting, so it is for you, Mr 23 Chairman, to determine this matter, but the 24 RGP observes that the nature of the angry 25 interference in operational matters in the 12</p> <p style="text-align: center;">Page 33</p>	<p>1 McGrail -- the most senior officer of the 2 RGP -- to try and see if they could resolve 3 the issues. Both have powers under the 4 Police Act, sections 15 and 12 respectively, 5 to engage with Mr McGrail on this matter, 6 and neither chose to exercise them, or other 7 less formal methods. The Chief Minister 8 could, as he did in relation to the Operation 9 Kram, have exercised his section 15 powers 10 to enquire as to the suitability of the 11 methodology employed in Operation Delhi 12 involving lawyers, and his apparent 13 concerns about lawyers, parking his 14 relationship with Mr Levy. But he did not. 15 He reached uniformed conclusions. We 16 know from the Kram section 15 letter that it 17 took seven days He could have taken a 18 similar period to inquire. He choose not to. 19 Even if, as both have suggested, they had 20 lost confidence in the Commissioner of 21 Police for the reason they explain (again a 22 matter for you) then the RGP believes that 23 either inviting the GPA to utilise their 24 section 34 powers or resorting, even if 25 possible, to Section 13f, without any</p> <p style="text-align: center;">Page 35</p>
<p>1 May meeting should not have happened. 2 That is the RGP's view, and inevitably this 3 caused a breeding ground for possible 4 misunderstanding. Mr Chairman, 5 irrespective, it is clear that the position, as 6 described by Mr Picardo, that is matter for 7 you to decide, was corrected and recognised 8 by the DPP in his conversation with the 9 AG, it seems by 13 May, and that was 10 advised to the Chief Minister -- 11 importantly, before the 15 May engagement 12 with Mr Pyle or the 18 May meeting with 13 Mr Pyle and Dr Britto. The RGP cannot 14 understand why there was no further 15 engagement 16 by the Chief Minister with the then 17 Commissioner of Police, Mr McGrail, to try 18 and resolve issues between them -- no 19 attempt between then and 9 June. Of 20 specific concern to the RGP is that there 21 appears to have been no process, or proper 22 process adopted by either the Chief 23 Minister or the Interim Governor, in the 24 steps taken after 15 May 2020 to address 25 their perceived concerns with the Mr</p> <p style="text-align: center;">Page 34</p>	<p>1 constructive engagement is most worrying. 2 The process, which was chosen given the 3 overwhelming evidence, including that of 4 Mr Picardo and Mr Pyle, the RGP suggests 5 was borne out of a desire to remove Mr 6 McGrail without any adherence to the 7 Police Act, or without regard to the 8 importance under the Constitution to 9 respect the independence of the authority, 10 and thereby the RGP. Mr Chairman, taken 11 even at its highest, and assuming Mr 12 Picardo and Mr Pyle's version of events are 13 to be accepted or preferred, they were 14 complainants, as acknowledged by their 15 counsel in his questions, in his submissions, 16 and his closing submissions, albeit 17 interested complainants and probably, in the 18 case of Mr Picardo, conflicted. It was 19 incumbent, the RGP submits, for them to 20 have reduced their complaints to writing, 21 communicate these complaints formally to 22 the GPA and allow the GPA appropriate 23 and elegant time, space and independence 24 to consider the complaints. The GPA could 25 then have properly engaged with the</p> <p style="text-align: center;">Page 36</p>

<p>1 Section 34 process. All parties appear to 2 agree that this should involve a process that 3 is not predetermined, nor inevitable, and 4 should subscribe, we presume, to the 5 constitutional rights that one has to a fair 6 hearing, or at least those that are identified 7 in section 34 itself. None of that happened. 8 Although there was, at best, a fig leaf 9 pretense -- ascription to a process in some 10 of the language used in the GPA letters, 11 largely drafted by Mr Picardo. Turning to 12 the GPA, the GPA have seemingly taken 13 issue and umbrage at the RGP's view of 14 their frankly atrocious handling of this 15 matter. The RGP finds this a very strange 16 contradictory position given their own 17 observations of how badly they handle 18 matters, and how they were treated. Mr 19 Chairman, as hinted earlier, the GPA, nor 20 anyone else should try and create unnatural 21 and artificial distance between the RGP and 22 the submissions or questions verbalised by 23 me as their counsel, as explained, all 24 approved, pre-approved. The RGP accepts, 25 without reservation, it had a good working</p> <p style="text-align: center;">Page 37</p>	<p>1 submission, in any questioning, or in any 2 representation made by the RGP, the 3 slightest suggestion that it would object to 4 that, let alone criticise, as suggested by the 5 GPA in many of its paragraphs. The idea 6 that the RGP would object to those 7 meetings is wrong, and the GPA simply has 8 that wrong. However, the GPA did, 9 through the actions at that meeting and 10 thereafter, mainly through its chairman, fail 11 to resist the pressure it faced; failed to act 12 independently, failed to investigate 13 independently or at all, as it submitted; 14 failed to make even the meekest of 15 challenges or test, or question the views of 16 the complainants; failed to adhere to any 17 process; failed to act, as it must, under the 18 section 48 of the constitution or section 5, 19 or section 43 of the Police Act. It was 20 worse; regrettably and evidently, we say, 21 whilst unfairly influenced, and we will go 22 to that in a moment, its Chairman fully 23 participated in a manifestly unfair process, 24 including allowing Mr Picardo to almost 25 write its letters, share its information,</p> <p style="text-align: center;">Page 39</p>
<p>1 relationship with core participants. Those 2 within important roles: the Governor, the 3 Chief Minister, the Attorney General, 4 Director of Public Prosecutions, and this 5 included the GPA. One should not confuse 6 acknowledging a good working relationship 7 with approval or ratification or sanitisation 8 or agreement with someone else's actions. 9 Now, the RGP is perfectly fond of Dr 10 Britto, and in calm waters, when no-one is 11 tested, the GPA under his leadership 12 functioned. However, that is not the test 13 faced by the GPA -- not the test faced by its 14 Chairman in May 2020. To be fair to Dr 15 Britto, he acknowledged, in his question, 16 that leadership of the authority comes from 17 its Chairman. Good, the RGP say, but that 18 is where it ends. The RGP, to make it clear, 19 have absolutely no issue whatsoever with 20 Dr Britto meeting with the Governor and the 21 Chief Minister, who have constitutional 22 roles, and also roles under the Police Act. 23 Meeting generally, or meeting specifically, 24 on 18 May 2020: perfectly okay, says the 25 RGP. There is not, we say, in any opening</p> <p style="text-align: center;">Page 38</p>	<p>1 fundamentally influence if not dictate its 2 views and judgment. 3 (10.45) 4 That is not to say that the RGP does not 5 sympathise with the mitigation. Its counsel 6 highlights, the GPA's counsel highlights, 7 the lack of training, induction, support, 8 clearly it does as a recommendation, 9 recommendations that you have seen and I 10 will go to in a second prove how the GPA 11 was proxified and it is RGP's description of 12 the Baldrick like process and outcome was 13 gentle. Having heard the evidence this 14 merely confirms completely that it was 15 an astonishing and extraordinary failing. 16 The RGP believes Dr Britto, who shies 17 away from confrontation, was treated 18 unfairly by both the Chief Minister and the 19 Interim Governor, who know Mr Britto 20 well, at that meeting and subsequently. 21 Mr Chairman, to advise a person of that 22 disposition that they will acknowledge that 23 they must do their duty or else section 39 24 powers can force a COP to resign would 25 probably be employed was tantamount to</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 an order. That they knew or should have 2 known that they will have resulted in the 3 outcome that they desired, namely the 4 removal of Mr McGrail under the section 5 34 process. Indeed, I think it is undisputed 6 that had the meeting been quorate that is 7 exactly what would have happened. 8 Mr Chairman Evans was heard from the 9 former chairman of the GPA, Mr Gonzalez, 10 of the importance of the independence of 11 the GPA and the RGP. Equally, 12 Mr Lavarello gave evidence that the GPA's 13 ruling could have prevented undue 14 influence on the RGP from the Chief 15 Minister or the Governor. Indeed, 16 Mr Lavarello went on further and said that 17 had the full facts been known to the GPA, 18 the outcome may have been different. The 19 AG accepted this purpose and even the CM 20 eventually, eventually, recognised that one 21 the functions the GPA was to act as a buffer 22 to the executive, to the executive and the 23 RGP. Added to this terrible process, the 24 incredible haste that was encouraged by the 25 Chief Minister and the Interim Governor of</p> <p style="text-align: center;">Page 41</p>	<p>1 RGP was oversensitive to criticism and 2 others should be free to criticise, the RGP 3 says it agrees. But without conflicts, in the 4 right forum and in an informed basis. 5 Accountability to the GPA and others and 6 the public is fundamental, says the RGP. It 7 accepts that, encourages it and endorses it. 8 It has even been suggesting by the 9 governing parties in their opening that if 10 there is too much operational independence 11 from the political power this could lead to 12 a nation becoming a police state. 13 Mr Chairman, a police state is defined by 14 my favourite dictionary as a state controlled 15 by a political police force. Ergo the 16 fundamental importance of section 48 of the 17 Constitution and relevant sections of the 18 Police Act and the need for independence 19 of both the police authority and 20 independence of the RGP. The risk of 21 a police state lies in the political power 22 exercising power to politicise the GPA or 23 the RGP, not in operational independence. 24 The RGP submits, as it did in its opening, 25 that once the section 34 process was</p> <p style="text-align: center;">Page 43</p>
<p>1 seven days, and it is difficult for the RGP to 2 envisage a more flawed and unfair process. 3 Mr Chairman, this may go to the issue of 4 recruitment and possibly training, but, 5 Mr Chairman, if a person does not have 6 a disposition that is capable of acting as 7 a check and balance when faced with the 8 meeting of 18 May 2020, the check does 9 not exist. The GPA cannot work as it must 10 if it is not in its leadership's DNA to resist 11 or question the very executive force that it 12 is designed to act as a check and balance 13 for, section 48 of the Constitution in that 14 period, May to June 2020, and the GPA 15 may well have not existed. Indeed, they 16 were used as an instrument of sanitisation 17 of an unacceptable process. That is a role 18 that they in essence performed. 19 Mr Chairman, when the power says go it is 20 when the GPA must say no, no minister, 21 not yes minister. Or at the very least, not 22 yet. Not until we independently investigate, 23 deliberate and consider to do justice to what 24 you the power says should happen. And to 25 the strange suggestion by some that the</p> <p style="text-align: center;">Page 42</p>	<p>1 discontinued for procedural failings, the 2 Interim Governor did not have the power 3 under section 13f available to him. The 4 decision by the GPA not to exercise 5 a power under section 34, whether for 6 procedural reasons or otherwise, in our 7 submission, does not constitute a failure or 8 a default. In this case the GPA did not fail 9 or refuse to engage, it did so wrongly. If 10 they believed the complainants they could 11 have restarted the process correctly, albeit 12 cured any perceived bias by alternative 13 methods, including the appropriate 14 delegation, for example. They did not. It is 15 our position, and remains, that it was not 16 constitutionally open to the GPA to 17 disengage and look the other way. Nor 18 could the Interim Governor have exercised 19 his power under section 13f. 20 Now, Mr Chairman, if we are wrong about 21 that, if we are wrong in that analysis and 22 section 13f did engage, Mr Pyle, at least in 23 his oral evidence, accepted that such a fair 24 process would have to have been afforded 25 to Mr McGrail under section 13f. It was</p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 not. Mr Pyle felt, if Mr Pyle felt he was 2 biased and compromised, then he could 3 have afforded such a fair process to 4 Mr McGrail or could not have afforded 5 such a process to Mr McGrail, then 6 a solution was obvious. He should, in 7 keeping with his obligations to defend the 8 rule of law, waited. He should have said to 9 Mr McGrail, "Do not come to any quick 10 decision, whatever I might think, because 11 we have a new Governor about to arrive." 12 The new Governor's view would have been 13 fresh, unencumbered by perceptions, 14 historical and otherwise, and he could have 15 benefited of a fair process. Mr Chairman, 16 what I have suggested, to be clear, is on the 17 basis of you preferring Mr Picardo and 18 Mr Pyle's evidence, not that of 19 Mr McGrail's. If you prefer Mr McGrail's, 20 then our submissions on fair process should 21 resonate even more loudly. 22 Mr Chairman, as we stated in our opening 23 submissions on Day 2, we invite you to 24 send the very clear and we would suggest 25 uncontroversial message that removal of</p> <p style="text-align: center;">Page 45</p>	<p>1 be followed by all relevant stakeholders, 2 both in practice and in the spirit of it. It 3 may seem obvious, but whilst there is 4 always room for improvement and aspects 5 of the Police Act could be modernised, it is 6 a carefully considered statutory landscape 7 that has built into it checks and balances. It 8 followed a negotiated settlement between 9 Gibraltar and the UK over a period of years 10 that culminated in 2006. In legislative 11 terms, there is much to celebrate. But as in 12 the case of any law, it is only as good as 13 the investment made by stakeholders. 14 Those stakeholders are the Governor, 15 government, Attorney General, the GPA, 16 the RGP and the public at large. It has to be 17 adhered to in spirit and to the letter. 18 More specifically to other 19 recommendations, I make one point. These 20 recommendations were before you on 7 21 June 2024, in fact they are on the screen, 22 and they are not influenced or reactive or 23 personal to any more recent developments 24 or appointments. It is not personal nor 25 directed at anybody in particular, certainly</p> <p style="text-align: center;">Page 47</p>
<p>1 Commissioners of Police can only be done 2 for a very good reason, after non-rushed 3 due process, and only in accordance with 4 the Police Act and the Constitution and not 5 at the whims or agendas of governors, 6 governments or ministers. 7 Mr Chairman, that takes me to the section 8 on statutory framework. As promised, I 9 will not go to this in any detail. Indeed, I 10 am just simply going to move on. 11 That takes us therefore to the RGP's 12 recommendations. Should you, 13 Mr Chairman, accept our analysis or part of 14 our analysis then you may wish to consider 15 what the RGP suggests are constructive, 16 specific recommendations. These we hope 17 will translate to steps and particularly 18 practical action and measures that will, the 19 RGP submit, guarantee that the rule of law 20 prevails in Gibraltar. Importantly, it would 21 safeguard the integrity on independence of 22 the RGP and the GPA, as envisaged by the 23 Constitution. An obvious but first 24 recommendation suggested by the RGP is 25 that the Constitution and Police Act should</p> <p style="text-align: center;">Page 46</p>	<p>1 not Mr Montegriffo KC of Hassans, who 2 has been appointed chairman of the GPA or 3 will be appointed chairman. These 4 recommendations were sent on 7 June. 5 Firstly, I will deal with the role of the GPA. 6 It is our view that the recruitment of GPA 7 members should have regard to the 8 wide-ranging issues and requirements and 9 challenges of modern policing. It should be 10 jurisdiction specific and should include the 11 necessary skills and experience in addition 12 to integrity and attitude, to ensure they exist 13 the balanced police force. It is our 14 suggestion this should include at least one 15 member who has senior policing experience 16 or not lower than the rank of 17 superintendent. 18 Secondly, the COP should be consulted in 19 respect of any appointment of any member 20 in good time before such appointment to be 21 able to make any observations in writing to 22 those appointing. All GPA members 23 should be carefully screened to avoid any 24 possible conflicts and to be able to commit 25 to time requirements. No person currently</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 an employee or consultant or in any other 2 role in the public sector or company owned 3 or controlled by government should serve 4 on the GPA. Additionally, the Deputy 5 Governor should sit as an ex officio 6 member of the GPA. The GPA members 7 generally must be able to dedicate sufficient 8 time and resources to ensure that they make 9 informed decisions at all times. We believe 10 that GPA members should be remunerated. 11 As an example, the Gibraltar Financial 12 Services Commission members are paid 13 an annual sum of approximately £20,000, 14 Mr Lavarello gave that in evidence. 15 Mr Chairman, recruitment selection of the 16 chairman of the GPA should have regard to 17 additional necessary characteristics. 18 Experience and skills required include 19 leadership and the required character traits 20 that are likely to assist in resisting any 21 pressure from both the executive or the 22 RGP or other parties that could impact on 23 the independence of the GPA or the RGP. 24 Recruitment selection of the chairman 25 should involve input and consultation from</p> <p style="text-align: center;">Page 49</p>	<p>1 management and leadership courses provider 2 to his or her appointment. We also believe 3 ongoing continual professional 4 development should be offered and 5 encouraged. We believe the GPA should be 6 offered necessary administrative resources, 7 including a full-time person who can serve 8 as a Chief Executive Officer, as is the case 9 with other regulatory authorities such as the 10 LSRA or the GFSC. The GPA should have 11 clear guidance notes and be encouraged to 12 be proactive in discharging its function, not 13 reactive. The GPA should keep careful 14 records and minutes of all formal meetings 15 and careful notes of any informal meetings. 16 We believe that the Commission of Police 17 should attend GPA meetings as 18 a non-voting member unless there is in the 19 opinion of its chairman a conflict. This, we 20 say, would enhance communication 21 between the GPA and the RGP. It is 22 important, we say, that GPA members are 23 given comprehensive board packs in good 24 time, at least five days before, to ensure that 25 they are informed of all matters.</p> <p style="text-align: center;">Page 51</p>
<p>1 existing GPA and COP, in other words, 2 Commissioner Police and the Authority. 3 Possible conflicts or issues could then be 4 identified and if they existed that may 5 influence the appointment, or at least the 6 incoming chairman would know that he 7 might have to recuse himself from ongoing 8 GPA work, say, the introduction or 9 recommendations following your report, if 10 they would give rise to conflict. Any 11 proposed chairman of the GPA should 12 ideally have had some experience having 13 been on the GPA for a period. He or she 14 should be able to commit sufficient time 15 and also should be paid. As an example, 16 the chairman of the FSC is paid 17 approximately £30,000 per annum. All 18 GPA members should undergo a thorough, 19 suitable induction and training programme, 20 including a clear understanding the 21 separation of powers and immediately or at 22 least within the first three months of being 23 appointed. 24 The chairman should be offered and 25 encouraged to attend appropriate</p> <p style="text-align: center;">Page 50</p>	<p>1 On financial issues we believe the 2 Commissioner must ensure that all required 3 information to do with budget and budget 4 issues are sent in a timely fashion in 5 advance. We say that the GPA should have 6 all necessary financial resources, including 7 legal resources, sufficient to deal with any 8 matter that is within its remit. Importantly, 9 we say the GPA should have fiduciary 10 oversight of RGP funding. The GPA 11 should be responsible for the governance of 12 RGP funding grants and it should be the 13 route to government via the Minister for 14 Finance when additional funding is 15 required. Clearly the Commissioner of 16 Police must provide information in 17 advance. 18 Secondly, dealing with the role of the 19 government, Mr Chairman, there is no 20 clarity under the Police Act as to what 21 precisely the role of any minister other than 22 Chief Minister is. The Minister for Justice 23 has no statutory role under the Act. 24 Legislative changes should be considered to 25 formalise the Minister for Justice's role</p> <p style="text-align: center;">Page 52</p>

<p>1 given that he takes an additional oath, we 2 understand. More specifically, the Minister 3 for Justice's role and the Minister for 4 Responsibility of Policing on the current 5 basis creates inefficiency, as a request for 6 funding or resources have to be referred to 7 the Chief Minister as Minister for Finance. 8 Consideration should be given, as we have 9 said earlier, to ensuring independence on 10 an operational basis for government while 11 retaining accountability. 12 Currently government approval is required 13 under numerous sections of the Police Act. 14 A lot of them relate to funding. It is the 15 RGP's view that that should be changed to 16 approval of the GPA. The requirements by 17 the RGP to seek approval of government 18 continuously causes independence on 19 operational issues, as it is interpreted 20 differently by different parts of government. 21 Amendments to the Police Act to substitute 22 approval of the government with approval 23 of the GPA would resolve this issue. It is 24 important to point out that the RGP 25 recognises that the government is</p> <p style="text-align: center;">Page 53</p>	<p>1 of the Commissioner of Police and the 2 Assistant Commissioner of Police, this is 3 more focused in relation to section 34, we 4 say that there has to be some guidance as to 5 how this can be done in a way that complies 6 with both the Constitution and the rules of 7 natural justice. This could be by legislative 8 changes to that section but it also could be 9 done by guidance notes. There should be 10 requirements that, unless urgent or 11 unavoidable or a matter of extraordinary 12 seriousness akin to employment terms for 13 gross misconduct, other methods should be 14 employed by the GPA in respect of 15 complaints against the Commissioner of 16 Police or indeed the Assistant 17 Commissioner of Police before considering 18 the exercise by the GPA of its section 34 19 powers. 20 Under section 5(i) of the Act there is 21 an ability to hold a Commissioner for 22 account. This should be read in conjunction 23 with the other sections of the Act, 16, 17, 24 18 and 19, that deal with police complaints. 25 All complaints should be in writing, and I</p> <p style="text-align: center;">Page 55</p>
<p>1 accountable to the taxpayer, but section 5(a) 2 of the Police Act makes it clear that the 3 GPA has responsibility to deliver 4 an effective police force, with the financial 5 resources available to it on a value to 6 money basis. 7 In summary, Mr Chairman, it is the RGP's 8 strongest recommendation that a new 9 funding model is established to ensure the 10 operational independence from government 11 is found. We believe that this would be 12 welcomed by the Governor, who has 13 ultimate responsibility as well. It should be 14 by way of an annual grant accounted for on 15 an annual basis with oversight by the GPA. 16 This is not unique. It is not unusual for 17 other regulatory bodies in Gibraltar, we 18 understand the Gibraltar Port Authority, the 19 Borders and Coastguard Agency, the 20 Financial Services Commission and others 21 have a similar model. The GPA, as I have 22 explained, would have a fiduciary role in 23 such model and we believe that would 24 produce increased efficiencies. 25 Thirdly, specifically dealing with removal</p> <p style="text-align: center;">Page 54</p>	<p>1 should add the restriction on those 2 complaints system for it not to apply to the 3 Commissioner and the Assistant 4 Commissioner should be removed. In other 5 words, it should apply to them equally. All 6 and any complaints should be in writing 7 and provided to the Commissioner of Police 8 with any accompanying evidence in good 9 time to allow the Commissioner of Police 10 a fair opportunity to investigate and make 11 representations in response. The 12 Commissioner of Police should have the 13 opportunity to address the GPA sufficiently, 14 orally and in writing, and allow the GPA to 15 be able to fairly consider the complaints 16 made. The response to the GPA to any 17 complaints and any fair process that follows 18 should also be in writing and should at all 19 times be proportionate, fair and ample time 20 should be given. Attempts to rectify or 21 resolve issues should be given. There 22 should be a disciplinary process that 23 escalates in this nature, namely warning 24 letters, unless of course the behaviour is so 25 serious that there is no alternative but to</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 take immediate actions. Should all 2 reasonable measures have failed or are not 3 cable capable of succeeding, only then 4 should section 34 be followed, but even 5 then, subject to a fair process, as I have 6 explained. Importantly, the Commissioner 7 of Police facing a section 34 process should 8 have independent legal advice paid for by 9 the RGP. 10 The term loss of confidence is not found in 11 the Police Act nor specifically section 34. 12 If it is code for what is found in section 34, 13 namely the interests of efficiency, 14 effectiveness, probity, integrity or 15 independence of policing, then this should 16 be properly defined. Given the role of the 17 Governor and the Chief Minister in section 18 34, even after the GPA form any view, for 19 example, a view that the Commissioner 20 should retire, then they should both have 21 an opportunity to hear representations 22 directly from the Commissioner of Police. 23 They should have information and any 24 other information that they seek before they 25 ultimately determine the matter.</p> <p style="text-align: center;">Page 57</p>	<p>1 the qualification that the Pension Act 2 introduced with regards to age or service. 3 In other words, if you had a Commissioner 4 of Police who was 48 and decided to fall on 5 his sword, he should not lose his pension. 6 He should have the freedom to know that at 7 least his pension rights acquired will be 8 respected, ergo you are more likely to 9 encourage someone to take that decision. 10 Fourthly, and almost finally, the 11 independence of the RGP. Operational 12 independence is fundamental, 13 Mr Chairman. Funding of independent 14 legal advice should be available to the RGP 15 to enable it to comply with its obligations, 16 operational and otherwise, under the Police 17 Act. Present arrangements require the RGP 18 to seek legal advice from either the OCPL, 19 sometimes refused due to conflicts of 20 prosecutions or government law officers. 21 Such funding should extend automatically 22 to being able to independently resourced 23 advice, including forensic accounting and 24 legal resources, to enable it to comply with 25 its section 44 powers, the powers to detect</p> <p style="text-align: center;">Page 59</p>
<p>1 So, Mr Chairman, the Governor's powers 2 under section 13f to remove the 3 Commissioner of Police should only be 4 exercised in the event that the GPA refused 5 to discharge their power to hold the 6 Commissioner of Police to account or take 7 measures as I have identified and cannot 8 and must not be employed simply because 9 a governor does not like the decision the 10 GPA has reached. This is also particularly 11 the case in the context of a reasoned 12 decision by the GPA not to employ section 13 34 powers. Any alternative is to undermine 14 the independence of the Authority. In order 15 to safeguard the independence of the 16 Commissioner of Police and accountability 17 as head of an organisation for errors 18 committed by its officers, which may not be 19 its specific, personal errors, then the powers 20 envisaged in section 34 and 13f should be 21 exercised, before the powers are exercised, 22 the departing Commissioner of Police 23 should enjoy pension rights equivalent to 24 those that he would have enjoyed by 25 a person with that level, without regard to</p> <p style="text-align: center;">Page 58</p>	<p>1 crime and investigate. These may include 2 advice prior to any executive action, 3 assisting it with the executive action such as 4 the making of applications for production 5 orders, search warrants, particularly in 6 complicated or sensitive cases. This would 7 also extend to resources and funding to 8 address public law challenges to executive 9 action, such as judicial review proceedings. 10 As an example, a clear conflict would ensue 11 should the RGP have sought legal advice on 12 the job offers to the whistle-blowers and the 13 application of Employment Act with 14 regards to whistle-blowing. 15 In the context of liability for civil remedies 16 requiring the authority of the Financial 17 Secretary to settle claims, this undermines 18 independence of the RGP. There should be 19 no need to seek the authority of the 20 Financial Secretary. It should be the 21 authority of the Police Authority, in other 22 words, the permission of the police 23 authority. Currently there is possible 24 exposure to individual officers to personal 25 liability. This position should be the RGP</p> <p style="text-align: center;">Page 60</p>

<p>1 is always vicariously liable when an officer 2 executes a duty in good faith. 3 Consideration should be given to the 4 introduction of the Police Act of a provision 5 similar to section 88 of the UK Police Act 6 1996 to place vicariously liability to the 7 Commissioner of Police and away from 8 individual officers. 9 The RGP believe that a protocol should be 10 created to ensure the governance of 11 incidents involving death or serious injury 12 following police contact should be handled 13 by the GPA in a quasi independent office 14 for police complaints. This may require 15 legislative changes to the Police Act and 16 specifically the complaints sections 16 to 17 19. The RGP believe that the GPA should 18 have the power to appoint independent 19 investigators and set the required terms of 20 reference. This would secure accountability 21 and that has been suggested is lacking in 22 issue 3, the incident at sea. 23 The RGP believe that to secure its 24 independence the application of 25 government general orders by virtue of</p> <p style="text-align: center;">Page 61</p>	<p>1 such a process which have resulted in their 2 dismissal. It should not be the case that 3 those subject to those processes can simply 4 move on to the government department 5 before that process is completed. 6 Equally, to safeguard its independence the 7 RGP should be totally separate from 8 government services. I talk here about the 9 ITLT services and other similar services 10 which have caused, even this in Inquiry, 11 some difficulty. Provisions in the 12 Employment Act should clarify that the 13 protections for whistle-blowing by police 14 officers are the sole statutory responsibility 15 of the Commissioner of Police or in default 16 the Gibraltar Police Authority. The RGP 17 acknowledges that it requires modern and 18 updated misconduct regulations. The RGP 19 submits that to ensure its independence and 20 that the prevalence of the rule of law 21 legislative provisions existing in the UK 22 that previously existed in Gibraltar until the 23 introduction of the Crimes Act aimed at 24 preventing undermining the police should 25 be considered. We say that clearly the</p> <p style="text-align: center;">Page 63</p>
<p>1 section 65 of the Police Act should be 2 restricted to dealing with officers 3 incapacitated through illness or injury and 4 medically bordered from the force. All 5 other references to be advisory only. 6 Moreover, all decisions currently made by 7 the Director of Human Resources under the 8 applicable government general orders 9 should be made by the Commissioner of 10 Police. In essence, the disengagement of 11 the public services with the police. The 12 Commissioner of Police should have power 13 to require the immediate withdrawal of 14 an officer seeking withdrawal by operation 15 of section 57, withdrawal from the force. In 16 essence, Mr Chairman, it should be 17 recognised that the RGP and its police 18 officers are separate from the public service 19 for the purpose of appointment, 20 employment, and the continuation of such 21 practice other than in the case of incapacity 22 undermines the independence of the RGP. 23 At a minimum there should be a statutory 24 prohibition to those undergoing 25 a misconduct process or have undergone</p> <p style="text-align: center;">Page 62</p>	<p>1 action of the GPF to reach out to 2 government and not the Commissioner of 3 Police risk the creation of disaffection 4 among police officers. Previously section 5 53 of the Repealed Criminal Offences Act, I 6 will read this, read as follows: 7 "A person who causes, or attempts to cause, 8 or does any act calculated to cause, 9 disaffection amongst police officers, or 10 induces or attempts to induce or does any 11 act calculated to induce any police officer 12 to withhold his services or to commit 13 breaches of discipline, is guilty of an 14 offence." 15 In the UK the equivalent section, 16 section 91, says: 17 "Any person who causes, or attempts to 18 cause, or does any act calculated to cause, 19 disaffection among members of any police 20 force or induces, or attempts to induce, or 21 does any act calculated to induce, any 22 member of a police force to withhold his 23 services shall be guilty of an offence and 24 liable." 25 Mr Chairman, the rule of law cannot prevail</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 if there is a risk of people knowingly or 2 inadvertently recklessly taking action that 3 undermines one of its guardians, the police. 4 It threatens its independence. 5 Mr Chairman, finally, our concluding 6 remarks. The RGP recognises that this 7 Inquiry has come at huge expense to the 8 Gibraltar taxpayer. We are a small 9 jurisdiction. The report that flows from 10 you, Mr Chairman, so long as it is made 11 public in its entirety, will go a long way to 12 allow all stakeholders, including the RGP 13 and the public, to express a view on 14 whether such an Inquiry has served a useful 15 purpose for Gibraltar. Mr Chairman, the 16 RGP would encourage you to be bold, 17 brave, ambitious, not just to the questions 18 of factual inquiry and determination of 19 possible culpability, but importantly, 20 recommendations. Lessons must be learned 21 and the outcome must benefit all of us. We, 22 the CPs, to make it worthwhile for the 23 public that we serve, must have broad 24 shoulders, a tough chin and the humility to 25 take responsibility. As we said earlier,</p> <p style="text-align: center;">Page 65</p>	<p>1 became clear during the live evidence. 2 Mr Santos kept us on track and your 3 interventions were highly instructive. And 4 by the time that curtain fell a month or so 5 ago you will have understood what 6 happened here in May 2020 and why and 7 you may also have been left with the 8 realisation, I do not know, that it could 9 happen again if a similar situation were to 10 arise in the future. 11 For others, today and tomorrow may 12 represent an opportunity to make a public 13 statement of their positions and to state for 14 the last time their case about what they, 15 each of them, did back in May 2020. But 16 for Mr Richardson it is not that at all, 17 because he does not have a position, he 18 does not have a case to make or 19 an electorate to convince and he has 20 nothing to defend. His job, at a time when 21 he had been hoping to enjoy his retirement, 22 has simply been to tell you what happened 23 in the hope that that will make your job 24 easier when you come to choose between or 25 among the cases that others make.</p> <p style="text-align: center;">Page 67</p>
<p>1 above all else it must serve a purpose as 2 being a very important, we say, inquisitorial 3 guide, an instrument to make the way for 4 measures that ensure that the rule of law 5 always prevails in Gibraltar. 6 Finally, Mr Chairman, the RGP extends its 7 gratitude to Mr McGrail for calling the 8 Inquiry, for the government for agreeing to 9 it, and for all those, counsel and witnesses 10 who have participated in it, not least the 11 counsel Inquiry and his team, and for you, 12 Mr Chairman, to have allowed the RGP to 13 express its views in such a full way, we are 14 deeply grateful for that. Thank you, 15 Mr Chairman. 16 THE CHAIRMAN: Okay, thank you. That 17 is obviously a convenient moment to have 18 our break. 19 (10.12) 20 (Adjourned for a short time) 21 (10.22) 22 THE CHAIRMAN: Yes, Mr Gibbs. 23 MR GIBBS: Sir, thank you. I realise that 24 your conclusions will already be well 25 developed and most of what happened</p> <p style="text-align: center;">Page 66</p>	<p>1 You have our written submissions. They 2 are short and I hope to the point and, as you 3 have indicated this morning, they are 4 available should anyone want to read them 5 on the website. I have a brief supplement 6 this morning and it consists of one request, 7 four things that are absent and some 8 possible recommendations about warrants, 9 which obviously I offer with diffidence. 10 The request. The request is that you 11 consider including within your report 12 whatever findings and recommendations 13 you think may best defend Gibraltar against 14 the structural dangers which have been laid 15 bare in this room, however disturbing that 16 may be to the status quo. Of course, if you 17 judge that the important lessons have 18 already been learned and the obvious 19 conflicts of interest have already been 20 acknowledged and the red line breaches 21 have been recognised and rectified, if you 22 find that that is the evidence that you have 23 heard, then little will need to be said. But if 24 they have not and if a decision has instead 25 been made to carry on as though nothing</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 untoward has come to light, then what is to 2 happen here in Gibraltar when you leave 3 and there is no higher or independent 4 authority capable of speaking truth to 5 power? Will it simply be business as usual? 6 Unless you have been, I recognise it is a big 7 request, unless you have been so clear in 8 your findings and in your recommendations 9 that your report will itself be that authority. 10 That is our request. 11 Before going on to the four absences, can I 12 just identify two things that I am going 13 completely to avoid and deliberately so. 14 The first is the criminal trial that never 15 happened. You have made it abundantly 16 clear that you will not include in your report 17 any judgment one way or another about the 18 strength or detail of the case against the 19 Delhi defendants and of course I do not ask 20 that you should. Whatever the evidence 21 may once have been against them, they 22 were never tried because Mr Llamas 23 intervened to discontinue the case against 24 them and that is, pure and simple, an end of 25 the accusations that they faced. I recognise</p> <p style="text-align: center;">Page 69</p>	<p>1 each of these four instances of absence, 2 borne out by the evidence which you have 3 heard and borne out by the evidence which 4 you have not received. 5 So the first absence relates to the judgment, 6 right or wrong, that a search warrant was 7 more appropriate than a production order on 8 the evidence available at the time and the 9 absence, the missing messages. So if on 10 that issue you were to be looking to 11 complete the evidence, to have before you 12 the whole of the relevant evidence, you 13 might want to look not just at the 14 application and the NDM document and the 15 full summary sent to the DPP and 16 Mr Zamitt, but also at the messages, 17 contemplated by the application, which it 18 was feared that Mr Levy might be tempted 19 to suppress if given notice of seizure, and 20 whether those messages were ever 21 volunteered to the police. Whether they 22 were carefully retained because of their 23 obvious relevance to an ongoing police 24 investigation. Whether they were secured 25 and copied in case there be a perfectly</p> <p style="text-align: center;">Page 71</p>
<p>1 that. As for why Mr Llamas chose to stop 2 the case, we are simply told he cannot say. 3 The second thing that I am deliberately 4 going to avoid is the application for judicial 5 review of the warrants which also never 6 happened. You have said from the outset 7 that you will not get drawn into the sort of 8 arguments that would have been 9 appropriate if Mr Levy and Hassans had 10 challenged the warrants. There are plenty 11 of arguments on both sides. I have nodded 12 at some of them in paragraph 14 of our 13 written submissions, but none of them has 14 been developed before you, nor will they 15 ever be, and I say precisely nothing about 16 them now. 17 So turning instead to four absences. My 18 submission is that they have a proposition 19 in common and the proposition, not 20 a surprising one to someone who sits in 21 judgment, is that there is no substitute for 22 hearing the whole of the evidence on 23 an issue. And when particular evidence is 24 missing that may often be very telling. And 25 that proposition, I submit, is borne out in</p> <p style="text-align: center;">Page 70</p>	<p>1 proper judicial review challenge to the 2 warrants. Whether they were carefully 3 stored with the help of the identified 4 in-house IT experts once the Inquiry had 5 been called for because of their, I submit, 6 obvious relevance to your Inquiry. And 7 whether those messages or any of them 8 have ever been provided to you. 9 Because if none of those things was done 10 and if that relevant evidence is still missing 11 and if it is and it always was obviously 12 relevant evidence, then its absence now 13 might lend support backwards to the police 14 suspicion in April and May 2020 that even 15 very powerful people, even people with 16 very powerful reputations, may be tempted 17 in extremis to suppress information that 18 could embarrass themselves or their 19 proteges. At the very least, we submit, if 20 none of those things was done it might be 21 harder to be confident that the police's 22 suspicion was absurd or fanciful, that they 23 should have known back then that 24 a production order would of course have 25 effortlessly completed the trail of evidence</p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

<p>1 which had led them to Mr Levy and his 2 mobile telephones. And in relation to that 3 first absence I finish with a question, which 4 is: why do you think (of course you are not 5 going to answer it now), why do you think 6 that the messages which might have proved 7 that Mr Levy either was innocent or that he 8 was not, are still missing? 9 The second absence which I was going to 10 ask you consider relates to the notion of 11 improper interference in an independent 12 police investigation and the thing that is 13 missing here, I submit, is a straight answer. 14 If you were looking to complete the 15 evidence on that issue of interference, you 16 might want, we submit, to look not just at 17 what people did in the heat of moment, not 18 when they were upset or angry and had not 19 had time to collect themselves, when their 20 heart was ruling their head, or even an hour 21 later, when their emotions were still 22 engaged, but what they did 24 hours later, 23 having had a chance to calm down and 24 sleep on it, or a week later, when they were 25 thinking quite calmly, or even four years</p> <p style="text-align: center;">Page 73</p>	<p>1 friend and mentor and his reputation was 2 connected with Mr Levy's reputation. And 3 36 North was a company in which, to 4 a small extent, he had a personal stake, as 5 did other colleagues of his at Hassans, 6 including not such a small stake in 7 Mr Levy's case. And so, knowing all of 8 that, of course it is unsurprising, you may 9 think, that his immediate message back to 10 Mr McGrail's text was: "Given my close 11 personal relationship with JL I will not 12 comment further." A sound response you 13 may think. 14 But it does not seem to have taken him 15 many minutes to revise that first response 16 and to decide instead, if you find this to be 17 proven, to decide instead to throw himself 18 into the Hassans team representing the 19 suspect. He says in oral evidence here that 20 he did not realise at the time and he still 21 does not believe now that he should have 22 avoided doing that and you may find that 23 a more surprising claim because he seems 24 thereafter to have met the suspect and 25 messaged the suspect and the suspect's</p> <p style="text-align: center;">Page 75</p>
<p>1 later perhaps, especially four years later and 2 what they had to say to you four years later 3 in evidence and in submissions when the 4 heart can no longer have been ruling the 5 head and there can be nothing undeliberate 6 about their choices. Whether you thought 7 in their evidence and in their submissions 8 you saw that they had reflected on how they 9 had behaved, that they had reconsidered the 10 wisdom of their decisions, that they had 11 learned from this Inquiry process and from 12 the contributions made by others and what 13 others appeared to see in their behaviour. 14 Taking Mr Picardo as an example, 15 Mr Which can we know reacted badly in 16 the heat of the moment to the news that the 17 police were at Hassans executing a search 18 warrant and wanting to speak to Mr Levy. 19 And of course one can understand why. 20 Hassans was his own firm. Hassans's 21 offices were his own offices and he was 22 a partner on sabbatical of Hassans and his 23 reputation was closely connected with 24 Hassans's reputation and Mr Levy was the 25 senior partner and Mr Levy was his great</p> <p style="text-align: center;">Page 74</p>	<p>1 lawyers and passed directly to those 2 lawyers whatever was told to him in 3 confidence by the law officers, including 4 what they told him about the actions and 5 intentions of the police team who were 6 actively investigating the suspect, intending 7 imminently to interview the suspect under 8 caution, waiting to examine the suspect's 9 mobile telephone for content relevant to the 10 36 North affair. He seems to have offered 11 personal reassurance to the suspect and to 12 the suspect's lawyer, who was his great 13 friend and colleague. He seems to have 14 suggested to the suspect lines of attack 15 which he could use in resisting the live 16 warrants which the police had sought and 17 on evidence that he had not seen and which 18 the court had granted, and then separately to 19 have drawn his Attorney General's attention 20 to the power to take over and to discontinue 21 the warrant proceedings. Those are the 22 things, or some of the things, you may find, 23 that Mr Picardo still says that he thinks it 24 was fine for a Chief Minister in his 25 particular personal position to do.</p> <p style="text-align: center;">Page 76</p>

19 (Pages 73 to 76)

<p>1 And you remember that he was asked by 2 my learned friend Mr Santos whether he 3 knew that Mr Levy was a suspect. A good 4 question. He had to be asked that question 5 more than once and by more than one 6 person. You may remember your own 7 questions and you will remember his 8 responses and if you thought that he was 9 reluctant to admit that he knew that and 10 reluctant to say when he knew that, you 11 may, I submit, quite legitimately ask 12 yourself: why so? Why not give a straight 13 answer to that? So my question at the end 14 of the second absence is: why is that 15 straight answer missing? 16 The third absence that I would like to 17 mention relates to the meetings of 13 and 18 15 and 20 May. And the thing that is 19 missing here I am going to call it a prong 20 and I will explain why. Of all the evidence 21 you may find that this is the most striking 22 example of events which cannot be 23 understood without seeing the whole of the 24 evidence that goes with them and it is 25 a period in the events here which has</p> <p style="text-align: center;">Page 77</p>	<p>1 meeting (that is on the tape, that they had 2 spoken) and he could tell (as we know from 3 the recording in the car) that Mr Rocca had 4 changed his tune to some extent from when 5 they had last spoken on 8 April, which is 6 the day when Mr Rocca had advised orally 7 only on the treatment of Mr Levy as a 8 suspect, I am going to say. But we can see 9 now that he did not know the half of it, in 10 effect. And in particular, he and Mr Wyan 11 knew nothing of any purpose in common 12 between the suspect and the Chief Minister 13 and the law officers, if that is what you find 14 that there way; but you, now, armed with 15 the whole of the evidence (both the visible 16 and the invisible -- the secret, behind the 17 scenes contact) are very well placed, I 18 submit, to understand that which Mr 19 Richardson and Mr Wyan and Mr 20 DeVincenzi could only feel uneasily. And 21 what they felt was that something was 22 amiss, without really being able to say quite 23 what it was. They described it in different 24 words. Forgive me quoting, and I am just 25 taking some excerpts from the evidence on</p> <p style="text-align: center;">Page 79</p>
<p>1 an open and a closed, a visible and 2 an invisible, component. One could read 3 the transcripts, listen to the recordings and 4 come away with only half an appreciation 5 of what was really going on, if you had just 6 seen the visible, and if you only knew what 7 the police officers knew in those meetings, 8 you might easily have thought, as 9 Mr Richardson did and said he did, that 10 everyone there was playing with an open 11 hand. Mr Richardson had no contact with 12 Mr Picardo in this period. 13 (11.41) 14 He knew nothing of the meetings and the 15 messaging between Mr Picardo and the 16 suspect, and suspect's lawyers, and the 17 suspect's son. And what he saw was the 18 barrage of litigation from Hassans, the 19 correspondence, the pre-litigation (as it 20 were) correspondence. And what he heard 21 were the words of Mr Llamas and Mr 22 Rocca in the meetings, those three meetings 23 which you have heard as well as read 24 yourself. But he was told that Mr Llamas 25 had spoken to Mr Rocca before the first</p> <p style="text-align: center;">Page 78</p>	<p>1 that subject. Mr Richardson said, "during 2 the course of those meetings I felt being put 3 under pressure", that is, from the Attorney, 4 "to adopt a different procedure with Mr 5 Levy than we would have done with other 6 people." 13 May, this is. "It was a very 7 highly charged meeting and although I 8 didn't know what had happened, I sensed 9 that there was something seriously wrong 10 with what was happening." Mr Wyan, 11 perhaps the most cautious and measured of 12 all the witnesses you heard, deferential even 13 now to the law officers, said about 15 May 14 (and again, I quote), "It was strange it 15 appeared to me as if the conversation 16 revolved around a problem the 17 problem being Mr Levy and the intention to 18 interview him under caution." "I'm not sure 19 how to explain his", Mr Llamas's, "conduct. 20 I perceived it to be almost facilitation, 21 perhaps even negotiation about how to 22 deal with this particular problem." "There 23 was nothing that he suggested that was 24 unlawful. What it did was take us away 25 from established procedures". "during the</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 meetings I didn't feel pressure, but I would 2 describe influence, and I think that's borne 3 out by the results of the fact that we 4 entered knowing, being very confident in 5 what we needed to do, and we left, and 6 ultimately proceeded with a course of 7 action that was highly unusual." Mr 8 DeVincenzi, present I think at only one of 9 those meetings, the 13th, described the 10 atmosphere as "subdued and tense", and it 11 was shortly after that meeting, when one 12 lines the things up chronologically, that he 13 renewed his promptings to Mr Llamas by 14 WhatsApp, promptings which he described 15 as girding Mr Llamas's loins against being 16 importuned. And the way (and forgive me, 17 I am going to quote from him as well) he 18 explained his misgivings was like this, "I 19 thought it was possible, possible, that he 20 might be importuned by Mr Levy, possibly 21 by the Chief Minister. Um, given what was 22 at stake, potentially at stake, I didn't want to 23 cast aspersions, but I thought it was a 24 possibility." "I had this sort of building 25 concern over time that notions were being</p> <p style="text-align: center;">Page 81</p>	<p>1 North/Levy/Hassans investigation, and he 2 saw that conflict play out as those around 3 him at work reacted to the police attendance 4 on Mr Levy at Hassans. And he has since 5 resigned (as you know, he is no longer 6 Solicitor General) and he is able to speak 7 freely, you may think; and from there, 8 freely may be how he spoke. He is 9 conspicuous, is he not (perhaps this is 10 common ground) for having identified both 11 the existence and the location of red lines to 12 which others seem to have been oblivious. 13 Before leaving the 13th/15th/20th meetings, 14 one small point which I think is still at issue 15 between the participants: it was suggested 16 to Mr Richardson on behalf of Mr Llamas 17 that it was the police who had come up with 18 the idea of taking a statement from Mr Levy 19 rather than interviewing him under caution, 20 and you will decide where the truth lies. If 21 it is not plain from the transcript, we 22 submit, is is maybe even plainer from Mr 23 Llamas's first draft of that timeline, was it, 24 that has very recently been disclosed. And I 25 do not even know where it is in your</p> <p style="text-align: center;">Page 83</p>
<p>1 planted in his head that maybe he needed to 2 push back on." "I had a sense of disquiet 3 about this whole file. I had from the 4 beginning. I wasn't certain that the AG was 5 drawing a line around his own role". 6 "Again, generally I just wanted to make 7 sure that Michael was alive to what might 8 be happening around him. I didn't 9 know but I thought it was - all the 10 time I had intuited rationally that this was 11 not an ordinary kind of case, that he had to 12 deal with this with great delicacy, protect 13 the integrity of his office". And I am going 14 to pause there on Mr DeVincenzi, and 15 submit that you may find that he is a, 16 possibly the, pivotal witness: intelligent, 17 informed, disinterested and disturbed by 18 what he saw. And his attempts to prompt 19 the consciences of others, I submit, tell their 20 own story. They tell a story about him, 21 about what he is: he is conscience, in the 22 piece. And it tells a story about them, the 23 people to whom he should have been a 24 conscience. Because he saw the conflict of 25 interests created around him by the 36</p> <p style="text-align: center;">Page 82</p>	<p>1 bundle; it came under, I think, cover of an 2 email from my learned friend Mr Dumas on 3 4 June. But his first draft (the one before 4 Mr Rocca adds a bit, and then Mr 5 DeVincenzi, and you get it in three colours 6 in the end), but his first draft (which 7 presumably comes from him) said, "The 8 DPP and I have persuaded the Chief of 9 Police to park the interview under caution 10 of JL and instead accept a written statement 11 from him." So, whose idea that was and 12 who was persuading whom, perhaps could 13 not be much clearer. And what I submit we 14 can see now, what you may find you can 15 see now, from the whole of the evidence 16 about that period, is the way that persuasion 17 worked: subtly convincing the police 18 officers that there was some kind of 19 dilemma from which they needed to be 20 saved. When what the police officers did 21 not know, could not know at the time was 22 that they were being played. They were 23 being outflanked on one front (their 24 attempts to interview and examine the 25 telephone) at the same time as they were</p> <p style="text-align: center;">Page 84</p>

1 being (or so it appeared) reinforced on
 2 another front, namely defending a potential
 3 (but as it turned out, completely non-
 4 existent) JR challenge. So, reinforcements
 5 where the attack did not come, and
 6 outflanking where it did. And one
 7 legitimate conclusion, with respect, for you
 8 would be that team Levy (if that is not a
 9 horrible phrase) mounted a two-pronged
 10 attack and only one prong was visible. And
 11 my question about this absence is: why was
 12 the other prong missing from the meetings?
 13 The fourth absence relates to that invisible
 14 prong, and the missing attendance notes or
 15 other records. And to lawyers, in a roomful
 16 of lawyers, this may be the most striking set
 17 of absences of all, because these are
 18 lawyers' absences. These are absences from
 19 which we submit you can certainly draw an
 20 inference, depending on your other
 21 findings. I mean, when lawyers know
 22 (trained lawyers, I mean: not student
 23 lawyers, A-level lawyers, but experienced,
 24 highly-valued lawyers) know that a
 25 conversation or a meeting or

Page 85

1 know now how many times you have asked,
 2 but you are still waiting to hear. And it is
 3 more than four years, now. And it is
 4 frustrating, as well, that Mr Baglietto still
 5 remembers nothing about anything, it
 6 seems, on this. His WhatsApps with the
 7 Chief Minister and the Attorney General
 8 seem to have been deliberately cleared at
 9 some point, just because that is what he
 10 would normally do. Even though you may
 11 find on a simple analysis of the dates that
 12 there would have been no point at which
 13 those message would not have been either
 14 highly relevant to Mr Levy's unresolved
 15 status or highly relevant to your Inquiry,
 16 because Mr Levy's status was not resolved
 17 until after the Inquiry had been called for.
 18 And as you know, he has come up with -- I
 19 think just one text message is the sum total
 20 of his personal records relating to all of this.
 21 He did not refer to the meeting with the
 22 Attorney General and the suspect's son in
 23 his diary, he did not keep a note of it; he did
 24 not refer to it in any email, it seems, either
 25 before or after the meeting; none of the

Page 87

1 correspondence may become public, and it
 2 may need to be referred back to, will all
 3 their training not tell them that they need to
 4 make a note of it, they need to preserve a
 5 record of it, so that they can prove it? And
 6 where lawyers have such conversations and
 7 meetings and correspondence, and none of
 8 them makes a note of it or preserves a
 9 record of it, may it be safe to infer that they
 10 knew that it was never going to be referred
 11 back to and they knew it was never going to
 12 be acknowledged in public: that it was a
 13 different sort of meeting, that it was a
 14 different sort of correspondence, a different
 15 sort of conversation? The sort of
 16 conversation that one would not even need
 17 to say "don't make a note of this" about.
 18 And it is in that context that, we submit, it
 19 is still frustrating that the WhatsApps and
 20 messages between Mr Levy and Mr Picardo
 21 are missing. On Mr Levy's devices they
 22 seem to have disappeared, and on Mr
 23 Picardo's devices -- well, who knows,
 24 because you and Mr Santos and Ms
 25 Williams are still waiting to hear -- I do not

Page 86

1 Hassans correspondence with the police
 2 refers to their meetings with the Chief
 3 Minister, or their calls with the Chief
 4 Minister, or the messaging with the Chief
 5 Minister. And in fact, again, the only
 6 person to whom we can turn for any record
 7 of any of these meetings is a person who
 8 was not even invited to any of them: the
 9 man of independent conscience, the man
 10 who tried to save the Attorney General from
 11 himself, Mr DeVincenzi. And he explained
 12 to you why he had written that message or
 13 sent that message about the people who
 14 were waiting to see the Attorney General.
 15 Which message had the effect (perhaps we
 16 can now see, the deliberate effect?) of
 17 recording the presence of the suspect's
 18 lawyer and the suspect's son in the
 19 Attorney's office. He said about it this, Mr
 20 DeVincenzi, "it just didn't seem quite right
 21 to me that they were meeting with him in
 22 private." So, rhetorically, why have all the
 23 others -- they are all lawyers, senior lawyers
 24 -- why have they all forgotten (if that is
 25 what it was: forgotten) to make any notes or

Page 88

1 keep any record of any of these behind the
 2 scenes goings on, if the goings on were all
 3 above board? If they were the sort of thing
 4 that you might just blithely discuss with a
 5 stranger in Main Street. And my question
 6 about that fourth absence is: why are all
 7 those records still missing? Those are the
 8 absences. Recommendations. I mean, I
 9 have absolutely no doubt you will have
 10 thought about all of these already, but I just
 11 give the headline so that I can be heard to
 12 do so, really. Potentially, you may have all
 13 sorts of recommendations in mind, but in
 14 relation to search warrants: legal advice
 15 assistance to the RGP for complex warrant
 16 applications like this, search and charge
 17 advice that is clear and brave enough to be
 18 given in writing in a case like this. I mean,
 19 pausing there just for a second (I have two
 20 more to come, but pausing there): when the
 21 police have followed the evidence without
 22 fear or favour in a very serious case
 23 involving a valuable state contract and a
 24 serious threat to national security, and
 25 found the evidence leads to a very difficult

Page 89

1 Government's written submissions about
 2 Mr Richardson coordinating his position
 3 with another witness, and I cannot let it
 4 pass. I am not going to dignify it by
 5 dwelling on it, but you may have seen
 6 enough of Mr Richardson giving evidence
 7 to have a very good feel for the man. And
 8 that, I submit, may be a full answer to that.
 9 Finally, Mr Richardson is even now
 10 adamant that it is not his role to make a
 11 case, and his role has simply been to help
 12 the Inquiry by saying what happened. He
 13 was your first witness, and so he broke the
 14 waves and dealt with everything that was
 15 thrown at him, and did not pretend that he
 16 instantly had the answer to every single
 17 question and that nothing had changed, and
 18 that he did not need to reflect or reconsider
 19 or actually just appear thoughtful about
 20 what he had done. A modest witness,
 21 anxious to do his best. No electorate, no
 22 job to hold onto, no position to protect.
 23 After 36 years he retired, as you know, a
 24 dedicated -- I would say, he would blush to
 25 hear me say it -- but a dedicated and

Page 91

1 place; namely, the doorstep and the mobile
 2 telephone of the senior partner and largest
 3 shareholder in Hassans, who is the mentor
 4 and close friend of the Chief Minister. It
 5 must have taken, must it not, some courage,
 6 not to look the other way but instead to treat
 7 that citizen as equal before the criminal law
 8 with everyone else? That may speak very
 9 well of instinct, of duty. And if an officer
 10 has the courage to take that conclusion to
 11 the Director, they deserve do they not that
 12 whatever advice the Director then gives
 13 them be equally courageous and in writing,
 14 whichever way it goes? And as to the other
 15 two potential recommendations: briefing
 16 counsel to draft such applications, perhaps
 17 not in every case but in the serious cases;
 18 and, briefing counsel to appear to conduct
 19 the hearing -- I mean, if you feel that those
 20 are the sort of things which learning
 21 elsewhere might provide a good guide to
 22 for best practices in the future here, then I
 23 suspect the RGP would welcome the
 24 indication. I ought to say, in passing, that
 25 there is a suggestion in paragraph 87 of the

Page 90

1 professional police officer with Gibraltar's
 2 best interests at heart, who did (and this is
 3 my submission), who did a brave thing in
 4 following the evidence without fear or
 5 favour, wherever it lead. Because where
 6 the rule of law runs, some are not more
 7 equal than other; or at least, they are not
 8 supposed to be. Those are my submissions.
 9 THE CHAIRMAN: Yes, thank you very
 10 much indeed. Are you happy to make our
 11 submissions standing, or would you prefer
 12 to sit?
 13 MR NEISH: I would prefer to make my
 14 submissions standing.
 15 THE CHAIRMAN: Okay, fair enough. I
 16 am just going to move the screen so that I
 17 can see you.
 18 MR NEISH: I am grateful, yes. May it
 19 please you, Mr Chairman. You have heard
 20 many days of evidence, and the unviable
 21 task now falls upon you to decide where the
 22 truth lies. In so doing, you will no doubt
 23 have regard to, among other things, the
 24 demeanour of the various witnesses and to
 25 the content of their evidence. It is my

Page 92

<p>1 submission the the GPA has made your task 2 easier in that sense, in that it has sought at 3 all times to be cooperative, open and 4 transparent on everything it has done in this 5 Inquiry, and indeed since before this 6 Inquiry started. The GPA made a serious 7 error in the process which it applied under 8 section 34. It recognised its error, and it 9 rectified its error by withdrawing the 10 invitation to Mr McGrail to retire. The 11 GPA has not sought to obfuscate, or to 12 defend the indefensible; it has held its 13 hands up, admitted its faults, tried to correct 14 it, and tried to move on and hope the matter 15 changes and that due recommendations are 16 made, to which I will address the Inquiry 17 later. You will also have seen the 18 demeanour of the GPA witnesses: Mr 19 Goncalves, Mr Lavarello and Dr Britto. 20 You will have seen, in my submission, that 21 they are credible witnesses. You saw Dr 22 Britto as a frank and transparent witness 23 who held his hands to his flaws and errors, 24 and admitted as to what his personal 25 characteristics were in relation to all these</p> <p style="text-align: center;">Page 93</p>	<p>1 stated to Mr Lavarello, as deposed to by Mr 2 Lavarello, that that he would not support 3 either candidate. Whilst these items of 4 conflicting evidence touch on peripheral 5 issues the Inquiry may consider whether or 6 not material inferences may be drawn from 7 them, particularly as relates to Mr Pyle's 8 evidence. There is another point which Mr 9 McGrail's counsel has raised in its closing 10 submissions, and that is the statement in the 11 opening paragraphs that in attempting to 12 stop the investigation into Mr Levy and 13 oust Mr McGrail the Chief Minister was 14 aided by, among others, the Chair of the 15 Police Authority. Well, my submission is 16 that the evidence clearly shows that if there 17 was such a scheme the Chair was not a 18 knowing participant. The independence of 19 the GPA was criticised by the RGP both in 20 its opening submissions and today, perhaps 21 somewhat surprisingly. And in his opening 22 submissions, counsel for the RGP stated 23 that GPA lacked independence, "was 24 proxified" were his words. He compared 25 the GPA to a cross breeding between Monty</p> <p style="text-align: center;">Page 95</p>
<p>1 matters. It is also, I should think, fair to 2 point out that in the events between 12 May 3 and 5 June the different members of the 4 GPA had different roles, or had different 5 depth of roles, in what occurred; and, that in 6 that sense it was Dr Britto who had the lead 7 role. Where the GPA as been criticised and 8 has considered that criticism to be unfair, it 9 has reacted robustly and is reacting robustly 10 in these closing submissions. These relate 11 mainly to the evidence by Mr Pyle about 12 the processes followed by the GPA for the 13 appointment of Mr McGrail as 14 Commissioner of Police and the 15 investigation of the airport incident. There 16 is also conflict of evidence between Mr 17 Pyle and Mr Goncalves as to whether Mr 18 Pyle told Mr Goncalves before the selection 19 process started that he would not support 20 Mr McGrail and whether Mr Goncalves had 21 asked the GPA to ignore Mr Yome's 22 recommendation as to his successor 23 because there was history between Mr 24 Yome and Mr McGrail. There is also the 25 disputed evidence as to whether Mr Pyle</p> <p style="text-align: center;">Page 94</p>	<p>1 Python, Blackadder and Yes Minister 2 producing a Baldrick-like result. He also 3 criticised Dr Britto, misconceivedly, in our 4 submission, for meeting the Chief Minister 5 and the Interim Governor on 18 May 2020. 6 He held out that meeting as evidence that 7 the GPA's independence had been violated 8 by the Chief Minister and the Interim 9 Governor both of whom he accused of 10 having behaved improperly. The harshness 11 and mocking tone of the criticism by 12 Counsel for the RGP was surprising given 13 that it is inconsistent with the sentiment of 14 what the present Commissioner, Mr Ullger, 15 said in evidence about his relationship with 16 Dr Britto. Mr Ullger said as follows, "I 17 have a very good working relationship with 18 Mr Joey Britto. We have always -- I have 19 always reached out to him when I have 20 needed to discuss with him matters or 21 critical incidents or resourcing issues. Very 22 supportive." Further, it is submitted that 23 such broad criticism is shallow, unfounded 24 and made in total disregard of the factual 25 context of this matter. And what is again</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)

<p>1 somewhat surprising is that those criticisms 2 have been renewed with increased vigour in 3 today's opening by counsel for the RGP. 4 Considering the role of the RGP, I would 5 submit that the circumstances need to be 6 taken into account. And one position which 7 I would invite the Inquiry to take into 8 account is the composition and resources of 9 the GPA. The GPA consists of public 10 spirited citizens of Gibraltar who give up 11 their time generously and do not receive 12 any remuneration. The Chairman spends 13 on average 30 hours per week on GPA 14 work. That is just 15 THE CHAIRMAN: Dr Britto said it was a 16 full-time job. 17 MR NEISH: Yes, it is barely short of a full 18 working week. There is no training: 19 members of the GPA do not undergo any 20 training or induction before taking up their 21 appointments. Their supporting staff 22 consists merely of two part time clerks. 23 They have an annual budget of £1,000 for 24 legal expenses and if they require 25 independent legal advice they have to ask</p> <p style="text-align: center;">Page 97</p>	<p>1 procedures and timetables established by 2 the Government generally in relation to the 3 preparation of its budget, an annual budget 4 bid for the Force", "to hold the 5 Commissioner to account for matters which 6 are the responsibility of the Authority." 7 Now, Mr Chairman, those are clearly very 8 wide and very onerous duties, discharged 9 by in effect willing volunteers with a 10 support staff of two part-time clerks. In 11 addition to the above functions, the GPA 12 has powers and functions regarding the 13 preparation of an annual policing plan and 14 for the handling of police complaints and 15 the issue of guidance. Now, Dr Britto has 16 been criticised by counsel for the RGP for 17 attending the meeting with the Interim 18 Governor and the Chief Minister on 18 May 19 2020. And he holds that out, without more, 20 as an infringement by the Chief Minister 21 and Interim Governor as of the 22 independence of the Gibraltar Police 23 Authority. In my respectful submission that 24 conclusion is manifestly misconceived. 25 Both the Chief Minister and the Governor</p> <p style="text-align: center;">Page 99</p>
<p>1 government for funding, which is generally 2 given. It is in this working environment 3 and circumstance that the GPA have to 4 discharge wide-ranging and complex 5 responsibilities and duties under section 5 6 of the Police Act which includes, "to secure 7 the maintenance of an efficient and 8 effective police force for Gibraltar within 9 the financial resources available to it and on 10 a value for money basis", "to ensure high 11 standards of integrity, probity and 12 independence of policing in Gibraltar", "to 13 provide information on police issues to the 14 community", "to establish, operate and 15 supervise the process for investigating 16 complaints against police officers under this 17 Act", "to provide a mechanism for 18 enhanced police accountability through a 19 process of consultation with the 20 community", "to ensure value for money in 21 policing", "to draw up and publish an 22 Annual Policing Plan and an Annual report, 23 in accordance with sections 8 and 10 24 respectively", "to submit to the Minister for 25 public finance, in accordance with the form</p> <p style="text-align: center;">Page 98</p>	<p>1 have independent powers under the Act. 2 The Governor has overall ultimate 3 responsibility -- 4 THE CHAIRMAN: Well I think Mr Cruz 5 rather withdrew that criticism this morning. 6 MR NEISH: Did he withdraw that? If that, 7 I am grateful to you, Mr Chairman, for 8 pointing it out. 9 MR CRUZ: Mr Chairman, it has not only 10 been withdrawn, it was never made. I think 11 that is a distinction, maybe. (?) 12 MR NEISH: Well, perhaps I might make 13 the point, Mr Chairman, that the Governor 14 has overall responsibility for the integrity, 15 probity and independence of policing in 16 Gibraltar and policing aspects of national 17 security including internal security. 18 Furthermore, the Governor has powers to 19 hold the GPA to account and to call for and 20 hold meetings with the Chairman to discuss 21 matters under his responsibility. And, I 22 would emphasise the words "to call for and 23 hold meetings with the Chairman". In 24 respect of his powers under the Act, under 25 section 13 the Governor has powers</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 exercisable by him where the Authority has 2 failed to discharge or perform a 3 responsibility under the Act. The 4 Government's responsibilities and powers 5 are set out in sections 14 and 15 of the Act. 6 It is noteworthy that the Chief Minister too 7 may hold the Authority to account for, and I 8 emphasise these words, "the cost 9 effectiveness and efficiency of the RGP". 10 And (again, I emphasise these words) "call 11 for and hold meetings with the Chairman to 12 discuss matters under the Government's 13 responsibilities or in respect of which it has 14 powers under the Act." Now, those powers, 15 Mr Chairman, in my submission can be a 16 very broad umbrella, which can be capable 17 of loose interpretation. In the 18 circumstances, I would submit it is wrong 19 for counsel for the RGP to submit that (a) 20 for Dr Britto to meet the Chief Minister and 21 Interim Governor; and (b) for the Chief 22 Minister and Interim Governor to raise their 23 respective concerns with Dr Britto was, 24 without more (and I emphasise those 25 words) improper and a violation of the</p> <p style="text-align: center;">Page 101</p>	<p>1 independence and allowed itself to be 2 proxified. Dr Britto has readily accepted in 3 evidence that the GPA did not carry out an 4 independent inquiry into the reasons alleged 5 by the Interim Governor and Chief Minister 6 for inviting Mr McGrail to retire. However, 7 the failure to investigate certain facts does 8 not automatically translate into the GPA not 9 being independent generally or 10 institutionally. Indeed, the GPA displayed 11 its independence when upon being advised 12 that it had erred in its application of the 13 section 34 process it not only promptly 14 withdrew its invitation to Mr McGrail to 15 retire but also told the Interim Governor 16 that as then constituted it could not consider 17 the matter afresh. As to Mr McGrail's 18 counsel's criticism in his opening 19 statements that the CM had pursued 20 improper objectives aided by, amongst 21 others, Dr Britto: if by "aided" he means 22 knowingly, then the criticism is in my 23 submission unfounded. The Inquiry has 24 heard the evidence of Dr Britto, and it is 25 submitted that is clear that if in fact such</p> <p style="text-align: center;">Page 103</p>
<p>1 GPA's independence. On the contrary, it 2 would have been a default on the part of Dr 3 Britto if he had refused to attend the 4 meeting on the 18 May 2020. It is also 5 pertinent (highly pertinent, I would submit) 6 that, as the oral evidence has shown, Dr 7 Britto had no advance notice whatsoever of 8 what was going to be raised at the meeting 9 of 18 May. If the Chief Minister and 10 Interim Governor had proper motives for 11 calling Dr Britto to a meeting on 18 May 12 2020 (and this is something which you, Mr 13 Chairman, will have to determine) then it 14 was perfectly proper for Dr Britto to attend, 15 and they were within their rights to call for 16 such a meeting. If and only if, on the other 17 hand, they had improper motives then they 18 would have abused their statutory powers 19 and exercised them unlawfully. In either 20 case, given Dr Britto's lack of knowledge 21 about the purpose of the meeting it was 22 wholly proper for him to have attended. 23 Further, in the circumstances such 24 attendance is in no way supportive of the 25 criticism that the GPA had abdicated its</p> <p style="text-align: center;">Page 102</p>	<p>1 objectives existed Dr Britto was not a 2 knowing participant. He did not even know 3 why he was invited to a meeting with the 4 Interim Governor and the Chief Minister on 5 18 May. Turning to the section 34 process. 6 Very importantly, the GPA has powers 7 under section 34 of the Act to call upon the 8 Commissioner of Police to retire. This is a 9 function which, if it is to be discharged 10 properly, requires delicate and expert 11 handling as complex issues of private and 12 public law are likely to arise. Whilst 13 section 34 of the Act sets out the basic 14 sequence of the process, there are no 15 detailed provisions as to the procedure to be 16 followed; this may be contrasted with the 17 detailed procedures laid down in the Police 18 (Discipline) Regulations 1991. Section 34 19 of the Act has never been applied before, 20 and it was into this uncharted territory that 21 the GPA found itself plunged in May 2020, 22 with an air of crisis, a short deadline and no 23 independent legal advice. 24 (12.21) 25 I now turn to the terms of the Inquiry.</p> <p style="text-align: center;">Page 104</p>

<p>1 I won't repeat those because they have been 2 stated ad nauseam, but your Inquiry, 3 Mr Chairman, is to inquire into the reasons 4 and circumstances leading to Mr McGrail 5 ceasing to be Commissioner of Police in 6 June 2020 by taking early retirement. 7 On one view, the simple questions to be 8 determined by this Inquiry are, (a), whether 9 the Chief Minister and Interim Governor 10 wanted to end the appointment of the 11 Commissioner of Police out of desire to 12 protect Mr James Levy from the Operation 13 Delhi investigation and/or out of 14 displeasure that he should have been 15 investigated in the first place and a search 16 warrant obtained against them. If this were 17 to be the finding of the Inquiry, the 18 evidence is clear that the GPA was not 19 a knowing participant. 20 Or were the real reasons were those 21 invoked by the Chief Minister and Mr Pyle 22 at the meeting with Dr Britto on 18 May 23 2020, as supplemented subsequently during 24 the course of this Inquiry. 25 Secondly, in what way, if at all, did the</p> <p style="text-align: center;">Page 105</p>	<p>1 out in the undisputed statement of facts and 2 is otherwise a matter of records in the 3 sworn statements filed by past and present 4 members of the GPA. Much of this 5 evidence, if not all of it, is uncontested. 6 The CTI has also, in his closing 7 submissions, identified and set out 8 meticulously the material parts of the 9 evidence which this Inquiry should 10 consider. However, there is oral evidence 11 which has been given which adds or puts in 12 perspective evidence before the Inquiry, or 13 may help the Inquiry draw inferences as to 14 credibility of a witness, but which generally 15 support the evidence of past and present 16 members of the GPA. 17 I will deal first with the airport incident. 18 I won't deal with the facts because those 19 have been addressed in opening and they 20 have been dealt with extensively in the 21 evidence, but I will just go to the fact that 22 the GPA came to the firm conclusion that 23 the action of and restraint shown by the 24 RGP officers during the airport incident 25 were considered, deliberate, entirely</p> <p style="text-align: center;">Page 107</p>
<p>1 individual or combined conduct of the 2 GPA, the Chief Minister and the Interim 3 Governor impact upon the Commissioner of 4 Police, and whether the conduct of any one 5 or more of them effectively brought about 6 his constructive dismissal. 7 The GPA's direct involvement in the events 8 after 12 May started on 15 May 2020, when 9 Dr Britto was invited to a meeting with the 10 Commissioner of Police, and ended with 11 Mr Charles Gomez & Company's email of 5 12 June 2020 to me. This will be addressed 13 subsequently, Mr Chairman. 14 You have identified ten issues which you 15 consider appropriate to address as matters 16 under this Inquiry, and to the extent that if 17 any they constituted a reason or 18 circumstances leading to Mr McGrail 19 ceasing to be Commissioner of Police. The 20 GPA, as we said in our opening 21 submissions, can only make substantial 22 evidential contribution in respect of issues 23 1, 6, 8, 9 and 10. As stated in our opening 24 submissions, much of the evidence on these 25 issues, insofar as it touches the GPA, is set</p> <p style="text-align: center;">Page 106</p>	<p>1 proportional and highly commendable. As 2 such, the GPA did not doubt the 3 effectiveness and probity of the policing 4 demonstrated by the RGP in respect of the 5 airport incident. 6 The GP also considered that the actions of 7 certain MOD personnel deserved censure, 8 and that the Chief Minister should consider 9 whether a full inquiry ought to be 10 undertaken by a body independent of the 11 MOD and the RGP so that lessons might be 12 learned from the incident. 13 THE CHAIRMAN: By "the incident" 14 reference is made to what happened at the 15 airport on 8 March? 16 MR NEISH: Yes. 17 THE CHAIRMAN: Not the subsequent -- 18 MR NEISH: Not on the search warrant -- 19 THE CHAIRMAN: Not the subsequent? 20 MR NEISH: Sorry, sir? 21 THE CHAIRMAN: No, no, I am just 22 waiting until the drill finishes. 23 MR NEISH: Right. 24 THE CHAIRMAN: But the GPA were not, 25 as I understand it, asked to inquire into the</p> <p style="text-align: center;">Page 108</p>

27 (Pages 105 to 108)

<p>1 subsequent arrests. 2 MR NEISH: No. 3 THE CHAIRMAN: I don't know why they 4 weren't. 5 MR NEISH: No. They were inquiring into 6 the airport incident. 7 THE CHAIRMAN: What happened at the 8 airport, yes. 9 MR NEISH: At the airport. And then 10 subsequently there were complaints made 11 by two junior officers who were not 12 involved, major players -- 13 THE CHAIRMAN: The GPA, for reasons 14 which I don't understand, were not asked to 15 inquire into the subsequent arrests of the 16 senior British officers. 17 MR NEISH: That is correct, sir. 18 THE CHAIRMAN: And you probably 19 don't know why they weren't asked either? 20 MR NEISH: No. No. They might 21 consider that the whole thing might have 22 been encompassed with a subsequent 23 inquiry which what the Governor wanted. 24 THE CHAIRMAN: Yes. 25 MR NEISH: That might have been what he</p> <p style="text-align: center;">Page 109</p>	<p>1 of his affidavit of 12 May 2022 that he 2 raised his concern about the RGP's 3 behaviour on numerous occasions with the 4 GPA, the Governor, the Chief Minister and 5 the Foreign and Commonwealth Office. He 6 criticised the behaviour of the RGP and 7 complained that the GPA review which 8 exonerated the RGP followed 9 a methodology which in his view was 10 severely flawed. Mr Goncalves robustly 11 responded to this in paragraph 9 of his 12 sworn witness statement. 13 The criticism by Mr Pyle of the GPA's 14 handling of the matter, coming nearly seven 15 years after the process, without any 16 criticism having been raised by him 17 previously at GPA meetings or otherwise, 18 has naturally raised eyebrows amongst 19 GPA members involved. The following 20 points should be taken into account, in my 21 submission, in assessing whether there is 22 any substance in Mr Pyle's criticism. 23 It was decided at a meeting of the GPA held 24 on 15 May 2017 that the GPA would carry 25 out a process under section 19(2) of</p> <p style="text-align: center;">Page 111</p>
<p>1 thought. 2 THE CHAIRMAN: Okay. 3 MR NEISH: This is what I was coming to. 4 The GPA recommended that an 5 independent inquiry should be sought. It 6 was subsequently decided between the 7 powers that be that that would not take 8 place. 9 Now the comments of the Chief Minister in 10 an email to the Commissioner of Police, 11 Mr Yome, Mr McGrail, Mr Ullger and 12 others dated 8 February 2017, and also in 13 an email to the then Commissioner of 14 Police Mr Yome and the Attorney General 15 dated 3 March -- 16 THE CHAIRMAN: You are competing 17 now against the drill yourself. Let me just 18 close the door. I don't have any power to 19 stop him, you understand. 20 MR NEISH: Yes. Your powers are aiming 21 at the wall. 22 Mr Chairman, Mr Pyle -- and this is where 23 we rather get into a little bit more 24 controversial or touchy aspects of the 25 matter -- Mr Pyle stated in paragraph 21.7</p> <p style="text-align: center;">Page 110</p>	<p>1 the Act. This provides: 2 "(2) It shall also be the duty of the 3 Commissioner -- 4 "(a) to provide the Authority with all such 5 other information and documents specified 6 or described in a notification given by the 7 Authority to the Commissioner; and 8 "(b) to produce or deliver up to the 9 Authority all such evidence and other things 10 so specified or described as appear to the 11 Authority to be required by it for the 12 purposes of the carrying out of any of its 13 functions." 14 The purposes in this case being to inquire 15 into the airport incident. 16 Mr Pyle was present at that meeting and did 17 not object to that process being followed. 18 Nor did he suggest that notwithstanding the 19 GPA's lack of jurisdiction to involve third 20 parties, the MOD should be invited to 21 participate voluntarily in the process. 22 In any event, such participation would not 23 have been necessary if an independent 24 wider inquiry, which the Governor had 25 wanted and the GPA had in fact</p> <p style="text-align: center;">Page 112</p>

<p>1 recommended, had been held. Furthermore, 2 Mr Pyle accepted in evidence that he had 3 read the report submitted by Superintendent 4 McGrail as well as the covering letter from 5 Commissioner Yome, and at the time had 6 no reason, other than what he was hearing 7 from the MOD, to question anything in the 8 covering letter or reports. Mr Pyle 9 confirmed that he did not object to anything 10 contained within those documents. 11 Mr Pyle does not recall whether he was 12 present at the meeting on 31 August 2017 13 when the then Commissioner, Mr Yome, 14 Superintendent McGrail, Ullger and 15 Inspector Tunbridge gave evidence to the 16 GPA and said that he does not believe that 17 he was part of the deliberations when the 18 decision was taken which resulted in the 19 GPA sending a letter to the Chief Minister, 20 but that it was possible that he saw the draft 21 before it went out but does not remember. 22 The evidence is that no member of the GPA 23 recalls Mr Pyle having raised with the GPA 24 any reservations about the process, either 25 contemporaneously or at any time</p> <p style="text-align: center;">Page 113</p>	<p>1 decide whether any conclusion is to be 2 drawn from Mr Pyle's seven year delay and 3 timing in raising his disputed criticism of 4 the GPA's handling of the process. The 5 GPA does not consider that it is within its 6 remit to make submissions on this point, 7 other than to highlight the facts. 8 The GPA submits that it followed the 9 investigation process through section 19(2) 10 of the Police Act in a meticulous way and 11 that its conclusion and its recommendations 12 were entirely rational. I would emphasise 13 that the exercise that was carried out was an 14 exercise under section 19(2) and not 15 a wider inquiry such as recommended 16 subsequently. 17 We move to the arrest the MOD personnel 18 and removal of the service personnel 19 equipment. I will deal briefly with this. 20 The GPA was not asked to advise on the 21 arrest of the senior -- or to inquire -- of the 22 senior police officers. It subsequently 23 received complaints from two junior 24 officers. The complaints were not upheld 25 on the basis that Mr McGrail had not been</p> <p style="text-align: center;">Page 115</p>
<p>1 thereafter. Nor is there any such 2 reservation recorded anywhere in minutes, 3 emails, letters et cetera. It could be 4 reasonably expected of a senior civil 5 servant and diplomat to insist that any 6 material dissent, opinion or reservations on 7 his part, especially on a delicate matter like 8 this, be duly documented and placed on 9 record. 10 Mr Pyle has criticised the process as being 11 a one-sided review. However, with respect, 12 the only party that appears to have taken 13 a one-sided approach is Mr Pyle himself, 14 who has openly sided with the MOD 15 officials on the basis admitted by him in 16 oral evidence of things said to him 17 informally by MOD officials, without 18 asking the RGP for their side of the story 19 and without throwing this into the melting 20 pot. 21 Disregarding the allegedly shocking 22 behaviour of some MOD officials, 23 including the attempted avoidance of the 24 execution of a search warrant issued by the 25 Supreme Court, it is up to the Inquiry to</p> <p style="text-align: center;">Page 114</p>	<p>1 involved in the execution of those warrants. 2 An appeal was made, which was rejected on 3 the grounds that no new evidence had been 4 brought forward and the decision of the 5 Police Complaints Board could not be 6 considered as perverse. 7 We then move to issue two: the assault on 8 the helicopter pilot. The GPA had no 9 knowledge of this incident which played no 10 part in any of its deliberations. 11 Mr Chairman, you have made a ruling on 12 this issue and the GPA has nothing further 13 to say on this matter. 14 Issue three, the incident at sea. The GPA's 15 involvement on this was very limited. 16 Dr Britto was informed by telephone by 17 Mr McGrail on a date which he cannot 18 recall that there had been an incident at sea 19 which may have happened outside British 20 Gibraltar territorial waters. It would appear 21 that this was done on 8 March 2020, from 22 paragraphs 52 of Mr McGrail's third 23 affidavit. 24 It appears from paragraph 63 of the third 25 affidavit of Mr McGrail, dated 4 October</p> <p style="text-align: center;">Page 116</p>

<p>1 2022, that Dr Britto told them on 2 WhatsApp: 3 "Not asking any questions of you in view 4 that it is under investigation and for the 5 Coroner to determine. Just like to say that 6 it is unfortunate, to say the least!" 7 Dr Britto did not have a recollection of this 8 at the time he made his fourth statement. 9 On 9 March 2020, there was an exchange of 10 WhatsApp messages between Mr McGrail 11 and Dr Britto, in which Dr Britto expressed 12 the view that the investigation into the 13 incident at sea was best outsourced as 14 neither the GPA nor the PCB had the 15 necessary expertise to deal with an incident 16 of this nature. 17 Dr Britto, together with Mr Francis 18 Carreras, was briefed on 11 March 2020 by 19 Mr McGrail. Dr Britto was also a member 20 of a WhatsApp group named "Maritime 21 Incident" comprising the Chief Minister, 22 Dr Britto, the Commissioner of Police, 23 Mr Francis Carreras and the Chief 24 Secretary. The GPA played no 25 investigative or executive role in this</p> <p style="text-align: center;">Page 117</p>	<p>1 The GPA was obviously aware of the 2 HMIC report and that it was critical of the 3 RGP on a number of issues. However, until 4 the report was raised with Dr Britto on 5 18 May 2020 by the Interim Governor and 6 the Chief Minister, Dr Britto was not aware 7 that the findings were viewed with such 8 seriousness by the Interim Governor and the 9 Chief Minister as to warrant Mr McGrail's 10 ceasing to be Commissioner of Police. In 11 fact, the GPA's view, in common with that 12 of the Minister for Justice and Mr Pyle, was 13 that the matters criticised in the reports 14 were fixable. 15 This is evidenced by the following: an 16 email dated 30 April 2020 from Mr Pyle to 17 the Chief Minister in which it described the 18 HMIC reports as damning and needing 19 careful handling, but also stated he did not 20 think the issue was as bad as the headline 21 suggested and he believed the issue to be 22 one of culture and leadership more than 23 anything else. Mr Pyle considered the 24 issues raised in the HMIC report to be 25 relatively easy to fix with collective efforts,</p> <p style="text-align: center;">Page 119</p>
<p>1 matter. 2 The relevance of the incident at sea, as far 3 as the GPA was concerned, is that this was 4 an incident, one of the two grounds invoked 5 by the Interim Governor and the Chief 6 Minister at the meeting with Dr Britto on 7 18 May, and one of the two reasons -- as 8 well as what the Chief Minister specified as 9 remarks of Mr McGrail had misled 10 him -- for their loss of confidence in 11 Mr McGrail as Commissioner of Police. 12 The relevance of the incident to this 13 Inquiry, so far as the GPA's involvement is 14 concerned, is that they did not inquire 15 independently into the incident and took at 16 face value what the Interim Governor and 17 the Chief Minister had told Dr Britto at the 18 meeting on 18 May 2020. This was 19 a matter which coloured the GPA's decision 20 to invite Mr McGrail to retire, although the 21 reason behind the decision was the 22 expressed loss of confidence by the Interim 23 Governor and the Chief Minister in 24 Mr McGrail. 25 Issue four: the findings of the HMIC report.</p> <p style="text-align: center;">Page 118</p>	<p>1 and to put simply, considered the RGP 2 needed to modernise. 3 During Mr Pyle's oral evidence to the 4 Inquiry and reply to Counsel to the Inquiry, 5 he said: 6 "The HMIC report on its own wouldn't 7 have caused the loss of confidence as I said 8 in one of my emails. A lot of issues, and I 9 know it was, you know, probably a bit more 10 reactive with my first email expressing that 11 I didn't think it should be published. A lot 12 of what was here should have been -- could 13 be -- was hopefully quite easy to put right." 14 The Chief Minister's oral evidence to the 15 Inquiry was, we note, the Minister for 16 Justice at the time considered the findings 17 of the HMIC report to be manageable. 18 Indeed, it is the apparent from the sworn 19 statements of members of the GPA that in 20 considering whether to exercise their 21 powers under section 34 of the Act, the 22 basis of their decision was the loss of 23 confidence by the Interim Governor and the 24 Chief Minister. Of the two reasons invoked 25 by the Interim Governor and the Chief</p> <p style="text-align: center;">Page 120</p>

<p>1 Minister for the loss of confidence, the 2 GPA considered the HMIC report was the 3 less serious of the two. The importance and 4 impact of the HMIC report contrasted as 5 less concerning to the GPA than the 6 incident at sea, which involved loss of life, 7 had occurred outside British Gibraltar 8 territorial waters, could potentially affect 9 Gibraltar's relationships with Spain and had 10 led to a claim for damages by the families 11 of the deceased crew members. 12 The GPA accordingly considered this to be 13 the more serious of the two, although it 14 must be repeated that the reason for the 15 GPA's decision to invite Mr McGrail to 16 retire was the expressed loss of confidence 17 in him by the Chief Minister and the 18 Interim Governor. 19 Issue five is the alleged sabotage of the 20 NCIS. This was not a factor which was 21 taken into account by the GPA in its 22 decision to invite Mr McGrail to retire as 23 Commissioner of Police. In fact, the GPA 24 as a whole does not appear to have had any 25 knowledge of Operation Delhi until it was</p> <p style="text-align: center;">Page 121</p>	<p>1 Mr McGrail stated in evidence that he had 2 briefed Dr Britto, implying that Dr Britto 3 had received a fuller account than Dr Britto 4 has admitted to. However, Dr Britto 5 nonetheless maintains that the extent of 6 what was told to him by Mr McGrail was 7 limited to what he has deposed. 8 The informal record of the meeting between 9 the Interim Governor, the Chief Minister 10 and Dr Britto states at paragraph 4C that the 11 Chief Minister also shared another event 12 "occurring last week" which had left him in 13 the situation where the Commissioner had 14 expressly misled him and which made him 15 unable to believe the Commissioner. This 16 would presumably have been a reference to 17 Operation Delhi, but was not something to 18 which Dr Britto or the GPA gave any 19 significance. As Dr Britto said in his 20 evidence, he failed to join the dots. 21 Operation Delhi was not expressly raised, 22 much less was Dr Britto alerted at the 23 meeting to anything that was going on in 24 the background in relation to Operation 25 Delhi. We will refer to Dr Britto's evidence</p> <p style="text-align: center;">Page 123</p>
<p>1 mentioned by Dr Britto at the GPA meeting 2 on 21 May 2020. 3 There is in fact a difference of recollections 4 of different GPA members as to the extent 5 that it was mentioned and indeed whether it 6 was mentioned at all. For example, the 7 statement of Claire Pizzarello had no 8 recollection of Operation Delhi being 9 mentioned and Mr Frank Carreras in his 10 statement recalls it being mentioned. 11 Dr Britto deposed at paragraph 10 of his 12 first sworn witness statement that when he 13 met Mr McGrail on 15 May 2020, he told 14 Dr Britto of an investigation called 15 Operation Delhi, that Mr James Levy was 16 a suspect in connection with the 17 investigation, and that his mobile phone 18 was in the safe. Dr Britto further deposed 19 that Mr McGrail had told him that the Chief 20 Minister was not happy with him and that 21 he was due to have a further meeting with 22 the Attorney General. 23 Dr Britto found this unusual, but thought 24 nothing further about this and hoped that 25 the matter would resolve itself.</p> <p style="text-align: center;">Page 122</p>	<p>1 to the Inquiry on this point. 2 In the circumstances it is clear that the GPA 3 had very little information about Operation 4 Delhi, and that this played no part in its 5 decision to invite Mr McGrail to retire. 6 Dr Britto said in evidence that he had not 7 joined the dots between Operation Delhi 8 and the request by the Interim Governor 9 and the Chief Minister that the GPA 10 commence the section 34 process. It is 11 therefore a matter for speculation whether 12 such knowledge might have alerted the 13 GPA to be more circumspect about taking 14 the Interim Governor and the Chief 15 Minister at their word on the reasons why 16 they wanted Mr McGrail to retire and 17 making a quick decision to invite 18 Mr McGrail to retire. 19 Issue six are the complaints made by the 20 GPF to the GPA. 21 Mr Chairman, I don't think I will labour this 22 because enough evidence has been given, 23 and the consensus of the evidence appears 24 to be that there were interactions between 25 the GPF and the GPA and that grievances</p> <p style="text-align: center;">Page 124</p>

<p>1 were aired and exchanged, but that really 2 there was no formal meeting held. Whether 3 anything turns on meetings being formal or 4 not is a matter for you, Mr Chairman, to 5 decide. 6 However, the issue which arises again is 7 a touchy one. Having been questioned by 8 the CTI at the Inquiry, Mr Pyle said that he 9 was under the impression that the federation 10 were, or had complained or were looking to 11 complain formally about Mr McGrail to the 12 GPA. Mr Pyle's written evidence that 13 formal complaints had been filed does not 14 accord with the evidence of the other GPA 15 members, or indeed of Mr Morello, and 16 there is no documentary evidence to support 17 Mr Pyle's assertion in that regard. In fact, 18 Mr Pyle himself appears to have resiled 19 somewhat from that assertion. 20 But as a member of the GPA, Mr Pyle 21 would be expected to know what the 22 position was. Again it is a matter for the 23 Inquiry to determine what inferences, if 24 any, ought to be drawn from Mr Pyle's 25 evidence and its timing.</p> <p style="text-align: center;">Page 125</p>	<p>1 mobile phone was in his safe. Dr Britto 2 further deposed that Mr McGrail had told 3 him that the Chief Minister was not happy 4 with him and that he was due to have 5 a further meeting with the 6 Attorney General. Dr Britto found this 7 unusual but thought nothing further 8 about it, and hoped that the matter would 9 resolve itself. Mr McGrail stated in 10 evidence that he had briefed Dr Britto, 11 implying that Dr Britto had received a fuller 12 account, but this is not accepted by 13 Dr Britto. 14 The next event involving Dr Britto occurred 15 on 16 May 2020 when the Interim 16 Governor invited him to a meeting with him 17 and the Chief Minister on 18 May 2020. 18 What is striking about that request is that 19 despite having been decided on 15 May, or 20 16th at the latest, to call Dr Britto to 21 a meeting, no notice whatsoever was given 22 to Dr Britto about what the meeting was 23 about, despite knowing Dr Britto's nervous 24 disposition and that what the GPA was 25 going to be asked to do was likely to cause</p> <p style="text-align: center;">Page 127</p>
<p>1 I will not take you, in Mr Chairman, 2 through the rest of my written submissions 3 on this matter because those are a matter of 4 record and there seems to be no dispute 5 about this. The Counsel to the Inquiry has 6 dealt with -- again in his usual meticulous 7 fashion -- with these matters so the position 8 should be quite clear to you, Mr Chairman. 9 I turn to issue seven: the RGP's 10 involvement in the Alcaidesa claim. The 11 GPA had no knowledge of this and it 12 played no part in its deliberations. 13 Therefore, so far as GPA is concerned, 14 there is nothing to say. 15 As to issues 5, 8, 9 and 10, these issues are 16 conveniently addressed together. They 17 cover largely the GPA's involvement in the 18 non-historic and more direct events which 19 spanned the short period of time between 20 12 May 2020 and 5 June 2020. 21 On 12 May 2020, Mr McGrail asked 22 Dr Britto to meet him. They met on 15 23 May when Mr McGrail told him of an 24 investigation called Operation Delhi, that 25 Mr James Levy was a suspect and that his</p> <p style="text-align: center;">Page 126</p>	<p>1 shock and surprise. 2 In fact, during his oral evidence Mr Pyle 3 conceded that with hindsight it would have 4 been a fair thing to do to have told Dr Britto 5 in advance what the meeting was about. 6 Dr Britto attended the meeting with the 7 Chief Minister and Interim Governor on 8 18 May 2020. Evidence has been given by 9 Dr Britto that the tone of the meeting was 10 serious and that the Chief Minister and 11 Interim Governor were both very forceful. 12 The meeting was held in what could be 13 described as a crisis-like atmosphere and it 14 appears that the aim was to terminate 15 Mr McGrail's appointment before the new 16 governor arrived in Gibraltar to take up his 17 office. The Chief Minister and Interim 18 Governor told Dr Britto that for different 19 reasons they had both lost confidence in 20 Mr McGrail as Commissioner. They both 21 requested that the GPA should consider 22 exercising its powers under section 34 of 23 the Act and invite the Commissioner to 24 retire. 25 An informal note of that meeting was made</p> <p style="text-align: center;">Page 128</p>

<p>1 by the Chief Minister which records, 2 amongst other things, the Chief Minister 3 said that the position was both the Governor 4 and the Chief Minister had lost confidence 5 in the Commissioner of Police, and both in 6 fact agree that the Commissioner should be 7 invited to retire by the GPA. Dr Britto 8 accepts that the informal note accurately 9 records what was said at the meeting. He 10 also said in oral evidence that the Chief 11 Minister and the Interim Governor had 12 exchanges between them at the meeting to 13 which he was not privy. It was also clear to 14 Dr Britto that the Interim Governor and the 15 Chief Minister had indicated their advance 16 consent should the GPA decide to invite 17 Mr McGrail to retire. 18 Section 34 of the Act provides as 19 follows -- and it is useful to revisit this: 20 "34.(1) The Authority acting after 21 consultation with the Governor and the 22 Chief Minister and with the agreement of 23 either of them, may call upon the 24 Commissioner to retire, in the interests of 25 efficiency, effectiveness, probity, integrity,</p> <p style="text-align: center;">Page 129</p>	<p>1 Commissioner an opportunity to make 2 representations and shall consider any 3 representations that he makes. 4 "(3) Where the Commissioner is called 5 upon to retire under subsection (1), he shall 6 retire on such date as the Authority may 7 specify or on such earlier date as may be 8 agreed upon between him and the 9 Authority." 10 Now subsection 2, all it provides is a broad 11 skeleton requiring the authority to give the 12 Commissioner an opportunity to make 13 representations and shall consider any 14 representations. There are no detailed 15 procedures or guidances which would 16 enable the GPA to carry out its functions 17 under this section. 18 This contrasts again with the detailed 19 provisions of the Police Discipline 20 Regulations and it is something which may 21 be addressed perhaps in your 22 recommendations, Mr Chairman, because 23 there is clearly a need to have detailed 24 processes and provisions, if not regulations, 25 in place.</p> <p style="text-align: center;">Page 131</p>
<p>1 or independence of policing ..." 2 The wording of this section, in my 3 submission, is unduly wide. It enables the 4 GPA to invite a Commissioner of Police to 5 retire in the interests of efficiency or 6 effectiveness, even though as far as the 7 effectiveness are concerned the 8 Commissioner may not have been at fault, 9 he may not have committed an act of 10 misconduct or been inefficient or 11 ineffective. But if an extraneous issue such 12 as loss of confidence by the Chief Minister 13 which renders a working relationship 14 unworkable arises then the GPA may 15 construe this as being against the interests 16 of efficiency and effectiveness, and call 17 upon the Commissioner of Police to retire. 18 It may be considered that this provision is 19 unduly wide, capable of loose interpretation 20 resulting in unfairness on an incumbent 21 commissioner. 22 Subsection 2 provides: 23 "(2) Before seeking the approval of the 24 Governor and the Chief Minister under 25 subsection (1) the Authority shall give the</p> <p style="text-align: center;">Page 130</p>	<p>1 That generality of the provisions 2 undoubtedly contributed to the mistakes of 3 the GPA, although it was not necessarily 4 the cause, because even on the simple 5 interpretation of the section the GPA got it 6 wrong. But nonetheless, there was nothing 7 to guide and really to give any guidance as 8 to how fundamental issues of fairness 9 would be addressed. 10 A quorate emergency meeting of the GPA 11 was held on 21 May 2020. Section 6(1) of 12 the Act requires a quorum of six members, 13 being the chairman and five other members. 14 Minutes of that meeting were produced 15 after the event. 16 It is apparent from these minutes that the 17 basis of the decision to invite Mr McGrail 18 to retire was the loss of confidence in him 19 by both the Interim Governor and the Chief 20 Minister, which would make it very 21 difficult for him to continue working with 22 them. This, in fact, may be construed as the 23 only reason for the decision: both Dr Britto 24 and Mr Lavarello stated in evidence that 25 this was the case, and that even now they</p> <p style="text-align: center;">Page 132</p>

<p>1 still could not see how, having lost for 2 whatever reason the confidence of both the 3 Interim Governor and the Chief Minister, 4 Mr McGrail's position could be tenable, as 5 the breakdown of the working relationship 6 between them was bound to adversely 7 affect the efficiency and effectiveness of 8 policing in Gibraltar. 9 Of the two stated underlying reasons, the 10 incident at sea was the more influential 11 factor colouring the GPA's decision, given 12 the loss of life, its occurrence outside 13 British Gibraltar territorial waters, its 14 potential impact on Spanish/Gibraltar 15 relations, and civil claims by the families of 16 the deceased crewmen. The GPA, however 17 relied on what it was told through Dr Britto 18 by the Interim Governor and the Chief 19 Minister, and did not make its own inquiries 20 and reach its independent conclusion as to 21 the truth or otherwise of what Dr Britto had 22 been told. 23 But if we may pause there, what Dr Britto 24 had been told was that the Chief Minister 25 had lost confidence in Mr McGrail because</p> <p style="text-align: center;">Page 133</p>	<p>1 representations to the GPA. This, for 2 example, was also the recollection of 3 Mr Ernest Gomez as stated in his sworn 4 witness statement of 18 October 2022; and 5 of Ms Nadine Collado, at paragraph 16 of 6 her sworn witness statement of 20 May. 7 Mr Lavarello stated in oral evidence that 8 Dr Britto had stated -- in oral evidence, 9 paragraph 14, witness statement (inaudible) 10 reflects the unclear thoughts of the GPA, 11 which on the one hand gave Mr McGrail 12 the opportunity to make representations but 13 on the other could not see how he could 14 remain in office. 15 The GPA had in fact set a date for 16 a meeting to hear Mr McGrail's 17 representations, however the decision 18 conveyed to Mr McGrail was ambiguously 19 and erroneously in terms of a final decision 20 subject to reconsideration in the light of 21 representations which he might make. If 22 the GPA had given Mr McGrail the 23 opportunity to be heard before inviting him 24 to retire, the likelihood is that it would at 25 least have been on further inquiry as to the</p> <p style="text-align: center;">Page 135</p>
<p>1 of these two incidents. Now these two 2 incidents, although they were not 3 investigated independently by the GPA, 4 they were nonetheless incidents which had 5 occurred. The GPA report was there, black 6 and white: the incident at sea had occurred 7 and it was a matter which has given rise to 8 grave concern. 9 Now there seems to be some confusion 10 among members of the GPA as to what in 11 fact they had decided. The decision to 12 invite Mr McGrail to retire appears to have 13 been understood in different ways by 14 different members of the GPA. For 15 example, Dr Britto was (inaudible) that the 16 best cause of action would be to activate 17 section 34 of the Act and invite the 18 Commissioner to retire, but always 19 affording him the opportunity to make 20 representations to the GPA. Mr Frank 21 Carreras, for example, at paragraph 15 of 22 his sworn witness statement, said that it was 23 unanimously agreed that the GPA should 24 consider inviting Mr McGrail to retire but 25 that he should first be allowed to make</p> <p style="text-align: center;">Page 134</p>	<p>1 Operation Delhi issues and whether it was 2 a driving factor behind the Interim 3 Governor's and Chief Minister's decision 4 that Mr McGrail should retire. 5 Purely as an observation, I will say that for 6 the GPA to have embarked on an inquiry 7 into the reasons behind the Interim 8 Governor's and Chief Minister's wish that 9 Mr McGrail be asked to retire would have 10 entailed a daunting exercise similar to this 11 Inquiry in which it did not have the 12 expertise, resources or statutory powers 13 possessed by this Inquiry. 14 By letter dated 22 May 2020, Mr McGrail 15 was informed that the authority felt it had 16 no option but to exercise its powers under 17 section 34 of the Act. Somewhat 18 confusingly the letter invited Mr McGrail to 19 retire in the interests of policing which 20 conveyed a final decision, but then invited 21 him to make representations if he so wished 22 within seven days and to indicate if he 23 needed more time. 24 The above letter was handed to Mr McGrail 25 personally by Dr Britto on 22 May 2020 at</p> <p style="text-align: center;">Page 136</p>

<p>1 Mr McGrail's office. Mr McGrail secretly 2 recorded that meeting. A transcript of that 3 recording and its translation into English 4 are exhibit 8A and B to the second affidavit 5 of Mr McGrail. These documents speak for 6 themselves. However, the following points 7 emerge. 8 Dr Britto felt extremely uncomfortable and 9 found that what he was doing was 10 extremely unpalatable. Dr Britto conveyed 11 the view that the GPA had no option but to 12 invite Mr McGrail to retire, given the loss 13 of confidence in him by the Interim 14 Governor and the Chief Minister. This 15 asserts what has been stated as being the 16 main reason for the GPA's decision. 17 Dr Britto believed that if Mr McGrail did 18 not retire, the Interim Governor would 19 exercise his powers under section 13 of 20 the Act and retirement was a more dignified 21 way out. Dr Britto does not seem to have 22 been clear on the position, in that he was 23 asserting that the letter was an invitation to 24 retire and that Mr McGrail was not being 25 forced to do so. This was not in fact the</p> <p style="text-align: center;">Page 137</p>	<p>1 At Mr McGrail's request, Dr Britto sent him 2 a second letter dated 22 May setting out the 3 reasons for the loss of confidence in the 4 Interim Governor and the Chief Minister. 5 This letter had input from the Chief 6 Minister at the request of Dr Britto, who 7 wanted to ensure the accuracy of its 8 contents. 9 Despite the criticism which has been raised 10 about this, some of which no doubt you 11 may find justified, the fact remains that by 12 that time the GPA had taken its decision to 13 invite Mr McGrail to retire so that the Chief 14 Minister's contribution at that stage did not 15 influence the decision. 16 The 22 May letter was replied to by Charles 17 Gomez & Company by letter dated 29 May 18 setting out a very detailed exposition of 19 Mr McGrail's case. This is document 20 number 8 of appendix B to Dr Britto's 21 sworn witness statement and does not bear 22 repeating. The salient points alleged 23 fundamental unfairness and procedural 24 flaws and abuse of process. It also alleged 25 that the real reason why the Interim</p> <p style="text-align: center;">Page 139</p>
<p>1 effect of the letter handed to Mr McGrail. 2 Any representations made by Mr McGrail 3 would be taken into account before a final 4 decision was taken and Dr Britto also 5 reiterated Operation Delhi was not a factor 6 in the GPA's decision. 7 The tone and contents of these transcripts 8 show the unprecedented nature of the 9 situation into which Dr Britto and the GPA 10 found themselves in, the lack of clarity as to 11 what the GPA was communicating to 12 Mr McGrail, how ill equipped the GPA was 13 to deal with a situation of such gravity and 14 complexity as it was being faced with, and 15 the lack of legislative and other guidelines 16 upon which the GPA could look to to 17 follow a proper process. What emerges 18 with clarity is that the GPA considered it 19 had no option but to invite Mr McGrail to 20 retire, given the loss of confidence in him 21 by the Interim Governor and the Chief 22 Minister, which rendered his position 23 untenable. That view is probably still held 24 by the GPA to this day, as stated in 25 evidence by Mr Lavarello and Dr Britto.</p> <p style="text-align: center;">Page 138</p>	<p>1 Governor and the Chief Minister wanted to 2 terminate Mr McGrail's appointment was 3 his conduct of Operation Delhi. 4 Following receipt of the 29 May letter, the 5 GPA obtained independent legal advice 6 following which it promptly withdraw its 7 invitation to Mr McGrail to retire. The 8 withdrawal was expressed to be on 9 procedural grounds. The substantive points 10 were not addressed in reply. This was 11 communicated to Charles Gomez & 12 Company by a letter dated 5 June 2020. 13 It may be open to the Inquiry that the GPA's 14 process was tainted by substantive 15 unfairness, however the Inquiry may also 16 consider that given the GPA's withdrawal 17 of its invitation to Mr McGrail to retire, and 18 the evidence of the circumstances and 19 reasons for its decision, looking into this 20 would not materially advance the Inquiry's 21 objectives, other than perhaps to make 22 recommendations as to future procedures 23 and compositions of the authority and so 24 forth. 25 But despite being attacked very robustly for</p> <p style="text-align: center;">Page 140</p>

35 (Pages 137 to 140)

<p>1 all its failures in the process that has been 2 carried out, the fact remains, Mr Chairman, 3 that the GPA withdrew its invitation to 4 Mr McGrail to retire and that consequently 5 that letter was of no legal effect. 6 Mr McGrail did not retire directly as 7 a result of that letter. That letter was 8 withdrawn. So all the criticism of the GPA 9 may produce -- and use of the GPA as 10 perhaps a bit of a punch bag, but so far as 11 the consequences of that letter is concerned, 12 they were nil. 13 Now what the GPA strongly denied is that 14 Operation Delhi in any way influenced its 15 decision to invite Mr McGrail to retire. 16 This was confirmed by both Mr Lavarello 17 and Dr Britto in their oral evidence. With 18 hindsight, however, knowledge of 19 Operation Delhi and the issues relative to 20 Mr Levy might have alerted the GPA to be 21 more circumspect before making a decision. 22 The GPA's withdrawal of its invitation to 23 Mr McGrail to retire was communicated to 24 the Interim Governor and the Chief 25 Minister on 5 June 2020. Given the</p> <p style="text-align: center;">Page 141</p>	<p>1 may be that the invitation to retire made 2 Mr McGrail see the writing on the wall, 3 especially as he was told by Dr Britto that 4 the Interim Governor was prepared to 5 exercise his powers under section 13 of 6 the Act. 7 Mr McGrail's initial response, as set out in 8 Charles Gomez's letter of 29 May to the 9 GPA, was that he wanted to remain in post. 10 However, Mr McGrail within days changed 11 his mind, and by the email of 5 June 2020 12 stated: 13 "In these circumstances, given how unfairly 14 he has been treated and the improper 15 pressure which has been put upon him to 16 alter the course of a live criminal 17 investigation, our client feels he must apply 18 for early requirement from the Royal 19 Gibraltar Police." 20 The GPA does not know what made 21 Mr McGrail change his mind between 29 22 May and 5 June, given that there has been 23 no change in material circumstances. 24 THE CHAIRMAN: I was waiting for 25 a convenient moment to interrupt.</p> <p style="text-align: center;">Page 143</p>
<p>1 allegations in the 29 May letter about 2 Operation Delhi, Dr Britto copied this letter 3 to the Interim Governor, the Chief Minister 4 and the Attorney General. Their respective 5 replies are at documents number 12 to 40 6 inclusive in appendix B2 of Dr Britto's 7 sworn witness statements. 8 An email dated 5 June 2020 was sent from 9 Charles Gomez & Company to me stating 10 amongst other things: 11 "In these circumstances, given how unfairly 12 he has been treated and the improper 13 pressure put upon him to alter the course of 14 a live criminal investigation, our client feels 15 that he must apply for early requirement 16 from the Royal Gibraltar Police." 17 The GPA had no further involvement in the 18 events which led to Mr McGrail's 19 retirement. The question which arises is to 20 what impact, if any, the GPA's handling of 21 the process was a reason and circumstance 22 leading to Mr McGrail's decision to apply 23 for early retirement. The GPA's invitation 24 to Mr McGrail to retire was one of no legal 25 effect as it was withdrawn. However, it</p> <p style="text-align: center;">Page 142</p>	<p>1 MR NEISH: It is a convenient moment, 2 yes. 3 THE CHAIRMAN: The next question is 4 only for information, Mr Neish -- 5 MR NEISH: I have about three or four 6 pages to go. Perhaps it might be convenient 7 to adjourn. 8 THE CHAIRMAN: Three or four pages is 9 quite a long time. I think we will break for 10 lunch. 11 MR NEISH: Yes. 12 THE CHAIRMAN: Thank you. 13 MR NEISH: Thank you, Mr Chairman. 14 (13.09) 15 (The short adjournment). 16 (14.11) 17 MR NEISH: May it please you, 18 Mr Chairman, I now turn to the final 19 section of my submissions, which is the 20 appointment of Mr McGrail as 21 Commissioner of Police. 22 I won't deal with the process as that has 23 already been dealt with and we are already 24 well familiar with it, but I will deal with the 25 issue which has arisen between Mr Pyle and</p> <p style="text-align: center;">Page 144</p>

36 (Pages 141 to 144)

<p>1 other members of the GPA. 2 Most members had deposed that Mr Pyle 3 wanted to open the vacancy to officers of 4 other jurisdictions. We can see the 5 evidence of various GPA members. 6 Mr Lavarello, and in fact Mr Goncalves, 7 has deposed that Mr Pyle said he would not 8 support Mr McGrail. Mr Lavarello has 9 deposed that Mr Pyle said he would not 10 support either of the two candidates. 11 Mr Pyle has criticised the process as 12 "abject" in a WhatsApp message to the 13 Chief Minister dated 14 May 2020. In his 14 evidence he retracted the word "abject", but 15 stated that it was suboptimal and had flaws. 16 In his WhatsApp message to the Chief 17 Minister, Mr Pyle also stated that, as he and 18 the Chief Minister had both thought at the 19 time, it was the wrong appointment. 20 Mr Pyle's latest answer is incomprehensible 21 as he was present at the meeting when the 22 selection process was unanimously agreed; 23 the selection process followed was that of 24 Mr McGrail's predecessor, Mr Edward 25 Yome; Mr Pyle was one of four panel</p> <p style="text-align: center;">Page 145</p>	<p>1 backed both candidates as suitable and 2 credible. 3 Mr Pyle also raised in evidence for the first 4 time that the chairman of the GPA at the 5 time, Mr Goncalves, had directed members 6 during the selection process to disregard 7 a written assessment -- prepared by the 8 previous Commissioner of Police, 9 Commissioner Yome -- on Mr McGrail, 10 due to them having history. Mr Goncalves 11 refutes this evidence in his third sworn 12 witness statement dated 21 May 2024. 13 This issue may not be of direct relevance to 14 the questions before the Inquiry, but the 15 Inquiry may wish to consider whether and 16 if any, and if so what, inferences are to be 17 drawn from Mr Pyle's late evidence and its 18 timing. 19 I now turn to recommendations. We have 20 not proposed any recommendations, 21 Mr Chairman, although it must be implicit 22 from our submissions as to where we 23 consider the deficiencies lie. 24 However, in reply to the recommendations 25 made by both counsel for Mr McGrail and</p> <p style="text-align: center;">Page 147</p>
<p>1 members who interviewed the applicants; 2 Mr Ullger, the unsuccessful candidate, 3 stated in evidence that the process was very 4 fair and was a process that is followed by 5 the National Police Chiefs' Council in the 6 UK and the College of Policing, and there 7 was nothing to indicate to members of the 8 GPA, prior to disclosure in the course of the 9 Inquiry of Mr Pyle's comments, that he had 10 any issue with the selection process. 11 In oral evidence, Mr Pyle said that the 12 process did not have a grading system for 13 ranking candidates and that this was one of 14 the reasons why he was not content with it. 15 Even taking that at face value and at its 16 maximum affect, it would not justify 17 criticism of the process as suboptimal or 18 flawed, much less his original description 19 of it being abject. 20 Further, Mr Pyle's statement to the Chief 21 Minister that they both thought at the time 22 "wrong appointment" is not understood, 23 given that at paragraph 25 of his second 24 witness statement he says something 25 diametrically opposed, namely that he had</p> <p style="text-align: center;">Page 146</p>	<p>1 for the Royal Gibraltar Police, Mr Britto 2 would express, as far as counsel for 3 Mr McGrail's proposal is concerned, that he 4 broadly agrees with those 5 recommendations, except for the 6 recommendation that there should be 7 further oversight. There is already 8 oversight provisions through the Governor 9 and how many layers of oversight can the 10 system possibly sustain? But other than 11 that, in relation to the other three 12 suggestions by the counsel for Mr McGrail, 13 Mr Britto is in agreement on that. 14 So far as the RGP's representations are 15 concerned, a lot of these recommendations 16 reflect informal discussions which have 17 been taking place between Dr Britto and 18 Mr Ullger over a period of a couple of years 19 and they do reflect some of the points 20 which they feel ought to be addressed. 21 Obviously the question of the selection of 22 members of the GPA and its chairman are 23 matters which call for transparency and 24 perhaps systems ought to be put in place to 25 ensure that this occurs. Perhaps advertising</p> <p style="text-align: center;">Page 148</p>

37 (Pages 145 to 148)

<p>1 whenever a vacancy occurs, such as occurs 2 with a parole board and other public bodies, 3 might be put in place so that members of 4 the public who feel that they can make 5 a contribution to the affairs of the authority 6 can put across their application. 7 What is clear is that the GPA as 8 a regulatory authority, which in fact it is, 9 does require to have its systems and 10 administrative support beefed up. It 11 certainly needs a chief executive to take 12 care of all the administrative business. We 13 have seen from the legislation that the 14 responsibilities of the GPA are wide and 15 onerous, and this requires somebody like 16 a chief executive and greater support than 17 just two part-time clerks to support and 18 ensure that the work of the GPA is 19 discharged properly. 20 It is also important to ensure that processes 21 are in place to ensure that meetings, when 22 they are held and they are properly 23 documented, that papers are properly 24 presented to members of the board with 25 advance notice so that they have time to</p> <p style="text-align: center;">Page 149</p>	<p>1 which they might take. They ought to be at 2 least aware that decision-making now has to 3 be properly justified and that most decisions 4 are subject to judicial review by the courts. 5 And that is as far as I can be of assistance to 6 you, sir. 7 THE CHAIRMAN: That's been very 8 helpful, thank you. 9 MR NEISH: Thank you, sir. 10 THE CHAIRMAN: Yes. 11 MR COOPER: Thank you. May I start by 12 thanking the Inquiry for the opportunity to 13 provide this address on behalf of the former 14 Op Delhi defendants. We are also grateful 15 to the core participants for firmly 16 recognising that the allegations they dealt 17 with are no more than unproven allegations, 18 and to the Chair for ensuring that this is 19 properly understood at every level. 20 The presumption of innocence is more than 21 a dry legal principle but a fundamental 22 bedrock of our society that must be 23 honoured in practice as well as being 24 enshrined in the constitution. This is 25 particularly important in the context of an</p> <p style="text-align: center;">Page 151</p>
<p>1 ponder what proposals or what issues are 2 before the GPA, and not deal with matters 3 on an ad hoc basis as sometimes appears to 4 happen. 5 But certainly there should be recourse or 6 availability of legal advice and really the 7 GPA should be conscious that it is not 8 enough to have a member who is lawyer as 9 a member of the GPA, because such person 10 cannot necessarily be objective. It does 11 need to have independent legal advice and 12 access to them without having to go cap in 13 hand anyway, even though in fairness 14 funding for legal advice has never been 15 rejected. 16 Also there is a need for proper 17 record-keeping so that decisions are 18 properly documented and paper trails 19 established. An induction system is also 20 important because members should be 21 given at least induction lectures on what 22 their responsibilities are under the statutes, 23 what the processes are which need to be 24 applied, and really the implications both in 25 private law and public law of decisions</p> <p style="text-align: center;">Page 150</p>	<p>1 Inquiry hearing so extensively from the key 2 protagonists responsible for bringing the 3 criminal prosecution in circumstances 4 whereby it was discontinued and the former 5 defendants discharged. 6 Each of the three former Op Delhi 7 defendants are men of longstanding good 8 character and remain so since their arrests 9 pursuant to Op Delhi as long ago as May 10 2019. They were discharged from the 11 criminal proceedings some 29 months ago 12 and the Chief Justice has since ruled that 13 the Supreme Court has jurisdiction to award 14 them their costs of defending these 15 proceedings, notwithstanding the DPP's 16 determined attempts to persuade him 17 otherwise. 18 All three men are rightly proud of their long 19 history of hard work and service to 20 Gibraltar in the Royal Gibraltar Regiment, 21 the Civil Service and through the skillful 22 authorship of a suite of software that kept 23 Gibraltar safe under their watch. 24 Contrary to what Mr Gibb said this 25 morning, the discontinuance by the</p> <p style="text-align: center;">Page 152</p>

38 (Pages 149 to 152)

<p>1 Attorney General was not in any real 2 sense a pure and simple end to the 3 prosecution that they faced. They have had 4 to live with being the subject of unjustified 5 rumour for more than five years, and it is 6 exceptional and unfortunate that anyone 7 should have to endure the public repetition 8 of failed charges all over again in this way. 9 Starting if I may with something at the heart 10 of issue five, close to the epicentre: the 11 search warrants. It is easy to forget that 12 there was one warrant against Hassans the 13 law firm, as well as another against James 14 Levy, the individual. The Hassans warrant 15 at B3822, one sees a number of 16 core participants and Counsel to the Inquiry 17 have explained at least some of the legal 18 deficiencies in this warrant: the tenuous 19 evidence, the frankly conspicuously absent 20 grounds for fearing destruction of evidence. 21 No one is really defending the merits of 22 these warrants anymore. To the extent that 23 they are being defended, this comes in the 24 form of pleas for you to stay far away from 25 any assessment of the legal merits of the</p> <p style="text-align: center;">Page 153</p>	<p>1 As counsel to Richardson emphasised, this 2 is the largest law firm in Gibraltar. What 3 would have happened if the powers granted 4 by this warrant had been exercised in full in 5 practice? We sometimes see this on the TV 6 news, the Enron scandal comes to mind, 7 scores of officers -- it would have taken at 8 least a score -- trooping out of the Madison 9 Building carrying documents, laptops, 10 desktop servers and many boxes of 11 materials, terabytes of data coming into the 12 hands of the RGP, much of it -- most of it, 13 perhaps -- subject to legal professional 14 privilege. So what were they thinking of? 15 What plan did the RGP have to deal with all 16 of that? 17 Where was the team, the substantial team, 18 of independent lawyers that would be 19 needed to conduct the legal professional 20 privilege review? Where was the team of 21 officers necessary to assist with this 22 review? How was the RGP, with other 23 important jobs to do, going to find the 24 resources to deal with this mass of 25 material?</p> <p style="text-align: center;">Page 155</p>
<p>1 warrants. But it is necessary, in my 2 submission, to reflect on the practicalities 3 here and address why, for practical as well 4 as legal reasons, the decision to obtain the 5 warrants was a monumental blunder. 6 The starting point is to remind ourselves of 7 what a warrant is for. It is not a fool for 8 eliciting cooperation; that is a production 9 order. It does not impose any positive 10 duties on the subject of the warrant in the 11 way that a production order may. A person 12 in control of premises being searched 13 cannot obstruct the execution of the warrant 14 but is under no duty to help the police find 15 what they are looking for. 16 What the police were looking for when they 17 went to Hassans with these warrants in their 18 hands, and what they were entitled to search 19 and seize is set out at B3824: electronic 20 devices not limited to mobile phones and 21 computers capable of storing electronic 22 messages. So this was not just about James 23 Levy's mobile phone, it was about Hassans' 24 computers, it was about their mail servers, 25 their file servers.</p> <p style="text-align: center;">Page 154</p>	<p>1 And what about the OCPL? Who was 2 going to draft the instruction to the 3 independent lawyers, review the unused, 4 craft the disclosure management document? 5 Some core participants complain now that 6 the wily James Levy, as he's seen, threw 7 magic dust in the eyes of Paul Richardson 8 and Mark Wyan. But are they right to 9 complain? Because at this distance it can 10 be seen, you may think, that had Hassans 11 stood back and said, "We will not obstruct 12 but we will not assist, execute your warrant, 13 Mr Richardson", had those powers been 14 exercised in their full then any prosecution 15 conducted within the resources of the RGP 16 would either not have set sail at all or have 17 been foundered on the rocks of disclosure. 18 The entire project was not just legally 19 flawed, it was wholly misconceived. 20 But what is the point of all of this from the 21 former Op Delhi defendants' perspective? 22 Well, I trust it answers the RGP's 23 submission that the prosecution conducted 24 a thoroughly professional investigation is 25 apparently unchallenged. We see their</p> <p style="text-align: center;">Page 156</p>

<p>1 closing submissions at 13.5.1. It has been 2 challenged throughout by the former 3 defendants. Most importantly, it 4 demonstrates the importance of an effective 5 process for the seeking and the receiving of 6 legal advice, particularly in a jurisdiction 7 where officers are inherently more likely to 8 be tasked with leading complex specialist 9 operations without the years of specialist 10 experience that a senior investigator in the 11 SFO or a detective inspector in the Met 12 fraud squad would almost certainly have. 13 So what happened when the prosecution 14 case, its evidence at its highest, was finally 15 tested by the Chief Justice in the 16 Supreme Court in a public hearing? 17 Another curious aspect of the search 18 warrant application is that it was meant to 19 be made to the Supreme Court but instead 20 was made to the Magistrates' Court, where 21 the entirety of the written application was 22 read out in full. Where would we be if the 23 application had been made to the 24 Supreme Court as intended? 25 It would most likely have been heard by the</p> <p style="text-align: center;">Page 157</p>	<p>1 former defendants was such that each of 2 these former defendants indicated its 3 application to dismiss all charges brought at 4 the earliest opportunity. They prepared 5 detailed arguments as I have alluded to 6 already. With respect to the genesis of the 7 allegations, the absence of evidence of the 8 proprietary interest claimed by Blands, this 9 was highlighted, as was the fact that 10 commercial competition, even with Blands, 11 even with Mr Gaggero, is not an offence in 12 Gibraltar. 13 The first point is then that in October 21 the 14 case had still not been coherently set out or 15 expressed by the Crown and the Chief 16 Justice was alert to that. He stated the 17 Crown has to provide a document saying 18 what evidence it is relying upon. 19 For the Chief Justice to have to say this 20 after 29 months since the arrest of the 21 former defendants is frankly astonishing. 22 He went on to say: 23 "I find the computer misuse charges very 24 difficult to follow in particular what 25 evidence pertains to each count. I am</p> <p style="text-align: center;">Page 159</p>
<p>1 Chief Justice instead of a magistrate, so 2 what would have followed? Some light can 3 be shed on this hypothetical by considering 4 the view the Chief Justice took of the Op 5 Delhi prosecution case at the interlocutory 6 hearing on 19 October 2021, when he had 7 considered the parties' submissions in full, 8 including the defendants' detailed 9 application to dismiss all the charges 10 brought, the DPP's full submissions on that 11 application and the former defendants' reply 12 against that submission. 13 These were not rulings, I should stress: they 14 were tentative judicial reviews before the 15 substantive hearing itself, but after the 16 consideration of full written arguments. It 17 was also nearly 18 months after the warrant 18 application, so a stage at which the 19 prosecution case was more developed than 20 when Mr Clarke drafted his application, 21 when it was essentially complete with full 22 evidence served ready to be tested by the 23 court. 24 The weakness of the evidence brought by 25 the RGP from its investigation against the</p> <p style="text-align: center;">Page 158</p>	<p>1 struggling to connect the dots." 2 If that is what he thought of the Crown's 3 final case, what would he have thought of 4 the case as advanced by PS Clarke. Whilst 5 the evidential threshold for a warrant is not 6 high, there needs to be some relevant 7 evidence. The dots, as the Chief Justice put 8 it, still need to be joined. 9 Would he have ever got to that stage of 10 considering the fear of the destruction of 11 the evidence, or would he have refused the 12 application on the basis of insufficient 13 evidence? 14 In relation to the unproven charge against 15 Caine Sanchez, the allegation of 16 misfeasance in public office, the Chief 17 Justice made further pertinent observations 18 saying that thought ought to be given to 19 that: the Crown is saying that they consider 20 the conduct to amount to misfeasance when 21 the employer does not consider it remotely 22 serious to constitute an interdiction. He 23 commented "that does not sit comfortably 24 with me". 25 Indeed, it should not fit comfortably with</p> <p style="text-align: center;">Page 160</p>

40 (Pages 157 to 160)

<p>1 anyone. What was the RGP doing, 2 accusing a man of misconduct in public 3 office, when those who had given him that 4 office and maintained him in that office, the 5 Government of Gibraltar, made no 6 complaint of his conduct? 7 The Chief Justice then went on to question 8 the viability of the central account on the 9 indictment, the conspiracy to defraud, 10 highlighting the basic problem of pursuing 11 an offence that was abolished, remaining 12 the DPP of the core principles of legal 13 certainty where every citizen is protected by 14 Article 7 of the Rules of Natural Justice, 15 and are particularly important in the 16 criminal law context where liberty is an 17 issue. 18 (14.30) 19 This was in response to the former 20 defendants expressly raising this point in 21 June 2021, so contrary to the evidence of 22 the DPP, this was not raised late. If such 23 criticisms could ever validly be made about 24 such a fundamental point of law, they were 25 points that should have been properly</p> <p style="text-align: center;">Page 161</p>	<p>1 as evidence that undermined its case or 2 supported the defence case, for another nine 3 weeks until 14 September 2021. The Chief 4 Justice stated in relation to Jonathan 5 Galliano's evidence the plan, as an 6 employee, that he could not give expert 7 evidence and the same obviously applied to 8 the report that Mr Gaggero as a 9 complainant witness, paid 10 PricewaterhouseCooper to provide for his 11 own ends. The Chief Justice stated this was 12 self-evidently the case. It has no evidential 13 value unless those experts make a 14 statement. That is a difficulty I see with 15 that part of the Crown's case. 16 Finally, the Chief Justice observed that it is 17 "a significant weakness" in the 18 prosecution's case. No independent expert 19 which explains the linkage. The evidence 20 simply asks the jury to draw inference. So 21 these alleged computer misuse offences 22 were, it must not be forgotten, also pivotal 23 to the charge of conspiracy to defraud, since 24 they were the sole arguable source of any 25 criminal unlawfulness.</p> <p style="text-align: center;">Page 163</p>
<p>1 determined by senior Crown counsel for 2 himself. What was late was the formulation 3 of the prosecution case, so late in fact that it 4 never happened, with, quite astonishingly, 5 no opening note ever being prepared, even 6 by the time of the discontinuance of the 7 charges with the substantive hearing on the 8 application to dismiss just weeks away. 9 One has to pause here to wonder why this 10 basic step was never taken. Did the DPP 11 lack confidence in his own case? Was he 12 never really expecting to have to present 13 this case to the jury? That would appear to 14 be the logical conclusion from his failure to 15 formulate his case in a written document. 16 The next issue, the absence of the expert 17 evidence identified by the Chief Justice, he 18 also highlights at this very late stage in 19 October 2021, the absence of expert 20 evidence supported the DPP's case, notably 21 relating to the computer misuse allegations 22 which were at the heart of its case. The 23 DPP finally obtained computer expert 24 evidence from Dr Hunton on 8 July 2021, 25 although it failed to serve it on the defence</p> <p style="text-align: center;">Page 162</p>	<p>1 Suppose that the RGP had done as it should 2 have done and obtained independent expert 3 evidence early in its investigation. Suppose 4 that the report of Dr Hunton had been 5 before the Chief Justice on an application 6 for a search warrant in May 2020. Would 7 he have granted the warrant? It seems 8 vanishingly unlikely, in my submission. 9 So I turn now to the underlying theme here 10 which is the basic problem of the lack of 11 structured advice and the difference 12 between advice and advising and really it 13 may be said the closest thing on which there 14 is any consensus on any subject in this 15 Inquiry is on the issue of advice. In 16 particular the relationship between the RGP 17 and the OCPL when it comes to the 18 obtaining and giving of advice. A lot of 19 concessions were made as to this in oral 20 evidence by the police officers responsible 21 themselves. In our written submissions we 22 use the example of a criminal defendant in 23 the cells in England making no comment on 24 legal advice and the directions that they 25 follow at trial, but the point is very simple,</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

1 those who seek advice are under no
 2 obligation to accept it. Advising and
 3 deciding are different things. The
 4 consequences of this are suboptimal. I use
 5 the word "neutrally" deliberately. The
 6 relationship between the RGP and the
 7 OCPL in connection with a search warrant
 8 have become obvious in the court of this
 9 Inquiry. Had the DPP been asked for his
 10 written advice on the merits of an
 11 application for a search warrant, he would
 12 clearly have said "Don't do it." The train of
 13 events that has led us here would not have
 14 left the station. But this is not the sole
 15 context in which the relationship between
 16 the RGP and the OCPL has had some
 17 adverse consequences. The former
 18 defendants submit that the following
 19 failings may not have occurred had the
 20 RGP sought advice, proper, careful advice,
 21 and the DPP or other Crown Counsel
 22 provided it.
 23 I turn now to the basic lack of independent
 24 scrutiny of the fundamental complaint at the
 25 heart of this operation made by James

Page 165

1 embroiled in a costly exercise of a State in
 2 doing Mr Gaggero's bidding.
 3 But the RGP could have been assisted in
 4 this by seeking advice from an experienced
 5 criminal lawyer, such as the DPP. He could
 6 have told them to exercise some caution.
 7 He could have adverted them to the
 8 challenges that might arise against an
 9 investigation that had arrested and searched
 10 those on one side of the commercial dispute
 11 but allowed the other side to submit
 12 statements drafted by senior experienced
 13 teams of lawyers.
 14 The problem with the expert evidence is the
 15 next point I wish to highlight. The expert
 16 evidence notably the DPP did advise on.
 17 He essentially said in summary, "You had
 18 better obtain some." But that was in
 19 January 2020 and it was not acted upon
 20 until a year later, far too late, I would say.
 21 Mr Gaggero used his resources to obtain his
 22 own evidence that served his interest from
 23 PwC and the police were willing to rely on
 24 that evidence, piggy-back off it, to continue
 25 their investigation as the premise for its

Page 167

1 Gaggero to Ian McGrail and the flawed
 2 police investigation that ensued. An
 3 obvious issue for an independent and fair
 4 police operation to assess was whether Mr
 5 Gaggero was using the police and his vast
 6 resources to pursue his extensive
 7 commercial interests. It is a matter of
 8 record that Mr Gaggero first gave his
 9 blessing to Mr Perez and Cornelio moving
 10 on from him, taking the NSCIS software
 11 they had created with them. It was Mr
 12 Gaggero's claim of ownership and demands
 13 for money to let them and NSCIS go that
 14 was hotly disputed, but this was a classic
 15 commercial dispute that, if necessary, a
 16 commercial court should resolve. It was Mr
 17 Gaggero's financial interests that led him to
 18 changing his tune, crying foul and then
 19 alleging unproven sabotage, unproven by
 20 the Crown's own expert. It should have
 21 been obvious to any impartial
 22 Commissioner of Police that caution had to
 23 be exercised for the State police to avoid
 24 taking sides by advancing one commercial
 25 party's claims and thereby becoming

Page 166

1 case. But the Chief Justice was in no doubt
 2 as to its obvious inadmissibility and it
 3 seems that that this view was shared by the
 4 DPP and the RGP. Mr Gaggero filed a
 5 commercial dispute on 20 August 2019,
 6 which was not supported by the
 7 independent expert evidence the case
 8 required. The claim was notably later
 9 withdrawn on 19 December 2019 when he
 10 had achieved by other means what his
 11 commercial interests sought. Dr Hunton,
 12 by contrast, was carefully selected by Mark
 13 Wyan, an experienced expert with security
 14 clearance after review of a number of
 15 different possible candidates. There then
 16 followed a very careful, detailed briefing
 17 with full materials being supplied by not
 18 only the police but with the active
 19 participation of Blands as well. It would
 20 have been more sensible to ensure an
 21 independent expert was instructed from the
 22 outset. This should have been pre-charge
 23 and not after a huge amount of public
 24 resources of the State and police time had
 25 been ploughed into what was always at risk

Page 168

<p>1 of being a case with vested commercial and 2 even political interests in a very small 3 territory. 4 The next point I wish to headline is the 5 proprietary interest case was obviously 6 wrong. The police investigation would 7 have been helped by a careful scrutiny of 8 the justification for the criminal complaint, 9 namely the claim of proprietary interest in 10 NSCIS by Mr Gaggero, prior to charge. 11 But instead of focusing on that key element, 12 the case rolled on, even changing the 13 fundamental basis of the fraud allegation to 14 justify its continuation, morphing as 15 convenient. Relations between Mr McGrail 16 and Mr Gaggero were oddly close. Mr 17 McGrail was keen to notify Mr Gaggero of 18 arrests, case developments, every stage of 19 the case. At the conclusion of the case, Mr 20 Gaggero wrote to Mr McGrail to thank him 21 for his advice. This relationship was too 22 cosy, lacking appropriate professional 23 distance, to help ensure Mr McGrail could 24 consider his allegations with the necessary 25 arm's length scrutiny.</p> <p style="text-align: center;">Page 169</p>	<p>1 affecting and jeopardising national security 2 at that time, why wait in that way if the case 3 has real substance? Perhaps the lost 4 daybooks of Mr McGrail would shed some 5 light on this. When it comes to Mr 6 McGrail's degree of involvement, far from 7 stepping back as he wanted us to believe 8 from Operation Delhi, we say the evidence 9 shows that he continued to play an 10 important role in it, driving it forward, 11 seeking to persuade the Government to 12 adopt Mr Gaggero's case theory. Another 13 part of Mr McGrail's involvement seems to 14 have been liaison with Mr Gaggero and his 15 lawyers. The crucial prosecution 16 statements in Op Delhi, drafted by lawyers, 17 instructed by Mr Gaggero, was that the 18 necessary impartiality exercised? It is well 19 known that every police investigation must 20 follow reasonable lines of Inquiry that point 21 away from the prosecution as well as 22 towards it. Not a one-way street. The 23 assertions made must be tested. This was 24 especially important where the heart of the 25 complainant's allegation, the ownership of</p> <p style="text-align: center;">Page 171</p>
<p>1 In the face of a commercial dispute where 2 the complainant had first given his blessing 3 to NSCIS moving with its authors away 4 from Blands, more caution should have 5 been exercised. 6 I turn now then to the modus operandi, the 7 methodology of the investigation to 8 demonstrate just how unsatisfactory it was 9 when considering objectively. The police 10 involvement began with Mr McGrail 11 attending a private meeting at Mr Gaggero's 12 offices on 27 September 2018. So there 13 would have been prior communication to 14 set up that private meeting, not that we have 15 seen any record of that. This is an 16 unorthodox way for a police investigation 17 of this nature to commence. 18 Then there is the hiatus between 15 October 19 2018 and late December whilst the 20 investigation has apparently been 21 commenced. Nothing has been done. No 22 senior investigation officer has been 23 appointed and it is not clear if any officer 24 other than Mr McGrail was involved. On 25 an issue so grave as to be allegedly</p> <p style="text-align: center;">Page 170</p>	<p>1 the National Security System, was being 2 very categorically and clearly asserted by 3 the Government itself. 4 So, the nub of the prosecution case lacked 5 evidence. A proprietary claim was 6 fundamentally flawed, to borrow a phrase 7 you have heard before. Here, the very 8 premise of the Gaggero complaint, the 9 proprietary claim of ownership of the 10 national system, was not properly explored 11 until post-charge at a very late stage. The 12 defendants were prejudiced by this 13 approach. So instead, a completely 14 alternative new case was advanced, adapted 15 to the inability to prove the original basis of 16 the complaint. It was thought up by Mark 17 Wyan and eventually brought to court on 18 that basis. It appears to have been 19 suggested that, in the absence of owning 20 NSCIS, maybe Mr Gaggero could claim to 21 have a maintenance contract to look after it, 22 and so they set about trying to develop that 23 idea. The problem with this was that no 24 maintenance contract existed at all, not 25 even an exchange of emails could be</p> <p style="text-align: center;">Page 172</p>

43 (Pages 169 to 172)

<p>1 pointed to at the very conclusion of the 2 Crown's case. The Government was not 3 proposing to take a maintenance contract 4 away from Blands, it was simply choosing 5 who would provide the best service for 6 NSCIS and the Government and the 7 taxpayer in circumstances where the very 8 experts behind NSCIS who understood it, 9 who created it, who coded it, who 10 developed it and perfected it, did not want 11 to remain tied to the service of Blands and 12 wanted to set up on their own. Well, we all 13 know that employees often have very good 14 reason to leave certain types of employers 15 and the free market allows and encourages 16 precisely that. This new alternative 17 account to the original claim of proprietary 18 interest, the premise of the Op Delhi 19 investigation, was itself already flimsy, yet 20 it was still being finessed by Mark Wyan in 21 the course of this Inquiry when he 22 postulated another new alternative case 23 theory, but not one that was presented to the 24 criminal court. This readiness to formulate 25 yet another case theory even now shows</p> <p style="text-align: center;">Page 173</p>	<p>1 may not, but in England and Wales, charges 2 will not be laid in a case approaching this 3 level of complexity or that investigated here 4 without counsel of suitable experience 5 being instructed to consider the evidence 6 obtained and draft a written advice. We see 7 from the direction of the Chief Justice that 8 this fundamental step was never taken, even 9 at the point of the case being before the 10 court at an advanced stage with the 11 application imminent. The advice will 12 inevitably contain, firstly, a factual 13 summary of the kind that might eventually 14 form the basis of an opening note, though 15 none was produced in this case by the time 16 it was discontinued. A review of the 17 evidence that has been obtained and an 18 assessment of its strengths and weaknesses, 19 an analysis of the relevant offences, setting 20 out the ingredients of each. An application 21 of the law to the facts, selecting the most 22 appropriate offences to be charged and 23 assessing the prospects of proving each 24 ingredient of those offences using the 25 evidence available. Advice on further</p> <p style="text-align: center;">Page 175</p>
<p>1 that a case brought to court as the final 2 amended, re-amended version was 3 obviously wrong. It was not just tenuous 4 but untenable. The points might be taken in 5 response, but the DPP supported this until 6 the end, endorsed Mark Wyan's charges or 7 their principle at least, did not accept the 8 invitations to drop the case, but this is to 9 ignore the reality of any human endeavour, 10 which is that it is much harder to divert 11 form an unwise course than not to set out 12 on that course in the first place. Any police 13 dealing with allegations of fraud needs 14 proper legal support, right from the start of 15 its investigation. The RGP did not get that 16 support in this case, partly as a result it 17 ended up pursuing an investigation that was 18 fundamentally misconceived. 19 I turn now to the absence of adequate 20 charging advice and the responsibility of 21 the DPP and the OCPL in this regard. Of 22 course, the point at which advice is most 23 necessary is that point at which charges are 24 to be formulated in a case of this scope and 25 scale. You, Chair, will know but the public</p> <p style="text-align: center;">Page 174</p>	<p>1 evidence necessary to be obtained or further 2 investigative work that is essential to the 3 case. A schedule of proposed charges with 4 particulars. That did not happen. What was 5 produced was a four page email dated 2 6 September 2020: see D7379, which 7 expressly disavowed any analysis of the 8 evidence itself, save for a cursory review, 9 and instead effectively adopted Mr Wyan's 10 account, a lazy approach. It contained no 11 analysis of firstly, the availability of the 12 offence of conspiracy to defraud; secondly, 13 the act of dishonesty on which the 14 prosecution would rely; and thirdly, the 15 evidential basis of the assertion of an 16 endurance maintenance contract or the 17 grounds for which the claim that the acts of 18 computer misuse were unauthorised. 19 This is yet more evidence that the flaws in 20 the process, whereby the decision to seek 21 search warrants was taken and not 22 aberrations but part of a pattern of a failure 23 to address the issues. The provision of 24 inadequate advice. The former defendants 25 do not suggest that this inadequacy is as a</p> <p style="text-align: center;">Page 176</p>

<p>1 result of insufficient underlying personal 2 aptitude. There will be few police officers 3 in the UK with Mr Wyan's legal knowledge 4 and industry and Christian Rocca KC is 5 plainly a wily criminal lawyer with 6 experience on both sides of the court. But 7 the problem, the Inquiry may conclude, is 8 systemic and lies in a failure to define the 9 relationship between the police and the 10 prosecutors so as to promote reliable, 11 dependable decision-making to ensure 12 public resources are not wasted. 13 If I may turn then to the report of Dr 14 Hunton. He was the only potentially 15 admissible evidence which the Crown had 16 in respect of the principal computer misuse 17 offences which were themselves a key 18 ingredient of the misconceived charge of 19 conspiracy to defraud. As I have outlined, 20 he was assiduously briefed by the RGP for 21 the purposes of this report. This expert 22 report was pivotal for the prospects of 23 success of the prosecution, but it in fact 24 ultimately undermined their case, 25 concluding that what had occurred may</p> <p style="text-align: center;">Page 177</p>	<p>1 NSCIS platform. 2 (14.50) 3 The Dr Hunton report, as well as not being 4 able to prove sabotage of the NCIS system 5 was not able to advance Mr Gaggero's 6 contention on the critical question of 7 whether Mr Cornelio had access to the 8 database after 4 October 2018. The 9 important point at which he was no longer 10 employed by Blands. So, there was a 11 gaping hole at the heart of the prosecution 12 case on the computer charges as well. I 13 would invite the inquiry to recognise that 14 the only fair conclusion to draw from this 15 careful review of the totality of the 16 evidence is that there was a flawed 17 approach to the evidence and the 18 investigation. When one considers then 19 what the prosecutorial response was to this 20 independent expert evidence, well it just 21 carried on with its case regardless without 22 the necessary focus that input from the DPP 23 or the OCPL as to the framing of its case 24 would have provided. This failing was 25 clear from the ongoing nature of the failure</p> <p style="text-align: center;">Page 179</p>
<p>1 have been legitimate system administration, 2 as Mr Cornelio had consistently maintained 3 since his arrest in 2019. We were not able 4 to refer to or disclose this expert evidence 5 because it was unused material and we were 6 bound by those terms and no-one else 7 thought fit to make sure it was available to 8 this Inquiry, but when the order was made 9 by the Chief Justice only last month to 10 make it public. That presented the former 11 defendants with a first opportunity to set the 12 record straight. It is important that both the 13 alleged fraud conspiracy and computer 14 misuse allegations asserted hacking and 15 sabotage of NSCIS, but the expert opinion 16 from Dr Hunton disclosed in September 17 2021 (but not in this Inquiry) identified no 18 evidence that it had occurred. Dr Hunton 19 confirmed he was unable to distinguish 20 between "legitimate development activities 21 or deliberate malicious system 22 interference", which is what the Crown 23 alleged on the basis that it was not possible 24 to confirm at this time, as he said, if the 25 code in question was caused and run by the</p> <p style="text-align: center;">Page 178</p>	<p>1 or inability to formulate a prosecution case 2 opening even by the time of the dismissal 3 hearing. It may be thought that the 4 necessary discipline that a written advice 5 demands or a prosecution opening note 6 demands from counsel would have assisted 7 the police and everyone; and that it was 8 required in fact by the standards of due 9 diligence required of a public prosecutor by 10 Article 5 of the European Convention and 11 by the constitution of Gibraltar as 12 confirmed by multiple authorities of the 13 court. So, it is clear that the whole premise 14 of the prosecution case on fraud and 15 sabotage was not just flawed, but 16 fundamentally misconceived. I turn now to 17 Mr Ian McGrail. You will have seen in our 18 written submissions what we say about the 19 suitability of Mr McGrail for the post of 20 Commissioner of Police about his integrity. 21 The short point is that whatever view one 22 might take of the incidents that preceded his 23 retirement, his conduct thereafter has put 24 beyond doubt that he was an unsuitable 25 candidate for this job. The covert</p> <p style="text-align: center;">Page 180</p>

<p>1 recordings are one aspect of this -- the 2 clandestine nature of his conduct over such 3 a protracted period of time. Whether this 4 was a calculated and devious act or a rash 5 decision made repeatedly under stress does 6 not really matter. A Commissioner of 7 Police cannot go into a meeting with the 8 Attorney-General or his other colleagues 9 with his phone in his pocket secretly 10 recording and expecting to escape the most 11 profound censure. Anyone who does so is 12 not fit for that job. He understands the law 13 surrounding evidence, data protection. It 14 does not matter whether it is because they 15 are sly and conniving or whether it is 16 because they have failed to keep a cool 17 head in difficult circumstances. Another 18 aspect that affects the former defendants 19 more directly is the retention and the 20 destruction of material, which led to the 21 arrest of the former Police Commissioner 22 no less. You will not need reminding, when 23 Mr McGrail retired he took with him a hard 24 drive packed with RGP data, and also RGP 25 documents. Some of this material and some</p> <p style="text-align: center;">Page 181</p>	<p>1 addressed. It is, I would say, regrettable 2 that so much encouragement from the 3 inquiry team and others was required to 4 stimulate this explanation, and just how 5 long it took to answer such very simple 6 questions -- namely, where is the key 7 evidence from the former Commissioner? 8 It could not have been a more simple 9 question to be asked of someone trained to 10 retain and ensure evidence is available. The 11 answer that came back was entirely unclear. 12 An exercise in obfuscation, one might 13 think. Unfortunately, as with every other 14 iteration of evidence from the RGP on this 15 issue, the fourth witness statement of the 16 Assistant Commissioner of Police Yates, 17 raises many more questions than it in fact 18 answers. So, starting with the day books, if 19 the information relayed by AC Yates is 20 correct, Mr McGrail left his day books and 21 old pocket books in a rucksack in a Royal 22 Caribbean Cruises rucksack in his office on 23 the day he retired. His day books and his 24 rucksack have never been seen since. 25 These were the personal work records of</p> <p style="text-align: center;">Page 183</p>
<p>1 of these documents related to Op Delhi. He 2 later destroyed documents. Relatedly 3 neither he nor the RGP have provided this 4 inquiry with Mr McGrail's day books, his 5 contemporaneous notes -- often valued as 6 the best evidence in any police 7 investigation, as Mr McGrail will have been 8 trained to know. You will recall that these 9 other books used by senior officers in lieu 10 of pocket notebooks. It is a reasonable 11 assumption that the more senior officer, the 12 more sensitive the information in the day 13 books. So the RGP was repeatedly asked 14 diligently by counsel to the inquiry and 15 solicitor to the inquiry over a long period of 16 time to answer some very simple questions 17 as to what had happened to this evidence. 18 In our written closing submissions we 19 address the destruction and the loss of the 20 paper and electronic documents, and made 21 clear that questions remain to be answered. 22 We then have the evidence served really at 23 the 11th hour by Assistant Commissioner of 24 Police Cathal Yates in the fourth witness 25 statement when it is finally belatedly</p> <p style="text-align: center;">Page 182</p>	<p>1 the former Commissioner of Police. Given 2 the reference to pocket books, it sounds like 3 they went back quite a few years. They 4 would have contained highly sensitive and 5 confidential information on the most 6 important investigations being conducted 7 by the RGP -- all in Mr McGrail's tolerably 8 legible handwriting. Where are these 9 records now? Who has them? What does 10 that person intend to do with them? Will 11 they remain forever lost or will they emerge 12 in whole or in part in the future and in what 13 context? Turning then to the paper 14 documents, when asked by CTI whether he 15 had retained personal files, as he had to put 16 it, on disc or paper, Mr McGrail said that 17 "there were some paper files which after I 18 provided evidence to the inquiry I 19 destroyed." We still do not know what has 20 happened to the others. We do know, or at 21 least we have been told by Mr McGrail 22 through a letter from his lawyers, that Mr 23 McGrail destroyed material relating to Op 24 Delhi that he printed out from his hard drive 25 that he removed. He claims he did so</p> <p style="text-align: center;">Page 184</p>

46 (Pages 181 to 184)

<p>1 having been asked by the RGP data 2 protection officer, Inspector Stephen Riley, 3 but looking at the correspondence it seems 4 rather that the idea originated with Mr 5 McGrail. Inspector Riley did not ask Mr 6 McGrail about any paper documents. So, 7 we still do not know what these were. 8 Finally, on the subject of electronic 9 documents, this is even more dispiriting. It 10 turns out that in early 2020 Mr McGrail 11 gave his staff officer his own password and 12 allowed him access to his own account. If I 13 may apologies briefly to any data security 14 professionals listening to the livestream 15 who will have gone at white hearing of this, 16 at one stroke Mr McGrail punched a hole in 17 his own force's IT policy, which I have not 18 seen but which I am completely confident 19 in saying will require officers not to share 20 their passwords with anyone else. He also 21 rendered it essentially impossible to audit 22 his actions because who can now tell what 23 was done by Mr McGrail and the former 24 superintendent, now Assistant Commission 25 of Police Yates, who made the back up for</p> <p style="text-align: center;">Page 185</p>	<p>1 relation to an investigation that the OCPL 2 has confirmed is ongoing, contrary to some 3 reports. I am grateful for the opportunity 4 once again to address the inquiry. 5 THE CHAIRMAN: Thank you very much 6 indeed. Early finish today. We will hear 7 from you, Mr Wagner, tomorrow. 8 MR WAGNER: Yes. 9 THE CHAIRMAN: It seems to me to be a 10 better arrangement if you just speak 11 tomorrow morning, and you speak 12 tomorrow afternoon, and possibly early 13 lunch. 14 MR SANTOS: Yes. We will make sure 15 they each half of the time -- 16 THE CHAIRMAN: Yes exactly. 17 MR SANTOS: -- once you have taken out 18 the 30 minutes that I have reserved for 19 myself. 20 THE CHAIRMAN: Equality of time 21 between them. 22 MR SANTOS: Thank you. 23 THE CHAIRMAN: Okay. See you 24 tomorrow. Thank you very much. 25 (Adjourned until Wednesday, 26 June</p> <p style="text-align: center;">Page 187</p>
<p>1 him. Of course, we cannot say whether this 2 was calculated to cover Mr McGrail's traces 3 or whether it was another reckless short-cut 4 that just happened to have that effect, but 5 the upshot is that a combination of the 6 destruction of the evidence of Mr McGrail, 7 the password sharing by Mr McGrail of his 8 data, his unauthorised retention of data, his 9 poor record-keeping and the poor 10 recording-keeping by the RGP, means that 11 we can never be sure that all relevant 12 evidence, including electronic material, has 13 been put before this inquiry or that 14 everything that should have been 15 considered for disclosure in Op Delhi, 16 where people's liberties were at stake, was 17 properly considered and made available to 18 the court and to the defence. So, this raises 19 obvious questions of accountability which 20 the inquiry will no doubt address in its 21 report. It also raises questions beyond the 22 scope of this inquiry as to whether the 23 retention and destruction of evidence and 24 data in the Op Delhi investigation should 25 still be reviewed by independent counsel in</p> <p style="text-align: center;">Page 186</p>	<p>1 2024)</p> <p>2 (15.02)</p> <p style="text-align: center;">Page 188</p>

47 (Pages 185 to 188)

A	56:8	98:6,17 100:1,24	107:19 126:16	104:23 140:5
A-level 85:23	accord 125:14	101:3,5,14 104:7	131:21 132:9	150:6,11,14
abandoned 28:17	account 55:22	104:13,19 112:1	140:10 148:20	157:6 164:11,12
abdicated 102:25	58:6 97:6,8 99:5	115:10 120:21	183:1	164:15,18,24
aberrations	100:19 101:7	128:23 129:18	adds 84:4 107:11	165:1,10,20,20
176:22	111:20 121:21	130:9 132:12	adducing 16:13	167:4 169:21
ability 55:21	123:3 127:12	134:17 136:17	adequate 32:15	174:20,22 175:6
abject 145:12,14	138:3 161:8	137:20 143:6	174:19	175:11,25 176:24
146:19	173:17 176:10	176:13 181:4	adequately 12:3	180:4
able 30:15 48:21	185:12	acted 11:5 167:19	32:17	advise 40:21
48:24 49:7 50:14	accountability	acting 12:21 42:6	adhere 39:16	115:20 167:16
56:15 59:22	43:5 53:11 58:16	129:20	adhered 47:17	advised 34:10 79:6
79:22 83:6 178:3	61:20 98:18	action 8:10 18:15	adherence 9:17	103:11
179:4,5	186:19	18:18 29:8 30:24	13:2 36:6	advising 32:19
abolished 161:11	accountable 54:1	31:8 32:21 46:18	adjourn 144:7	164:12 165:2
absence 71:1,5,9	accounted 54:14	60:2,3,9 64:1	Adjourned 66:20	advisory 62:5
72:12 73:3,9	accounting 59:23	65:2 81:7 107:23	187:25	advocates 2:21
77:14,16 85:11	accounts 1:25	134:16	adjournment	affair 76:10
85:13 89:6 159:7	accuracy 139:7	actions 8:9 10:20	144:15	affairs 149:5
162:16,19 172:19	accurately 129:8	28:23 29:16	administration	affect 121:8 133:7
174:19	accusations 17:23	31:25 38:8 39:9	178:1	146:16
absences 69:11	69:25	57:1 76:4 108:6	administrative	affidavit 111:1
70:17 85:17,18	accused 96:9	185:22	51:6 149:10,12	116:23,25 137:4
85:18 89:8	accusing 161:2	activate 134:16	Admiral 14:17	afforded 44:24
absent 68:7 153:19	achieved 168:10	active 168:18	admissible 177:15	45:3,4
absolutely 38:19	acknowledge	actively 76:6	admit 77:9	affording 134:19
89:9	40:22	activities 178:20	admitted 20:4	afresh 103:17
absurd 72:22	acknowledged	acts 176:17	93:13,24 114:15	afternoon 187:12
abundantly 69:15	30:25 36:14	actual 10:19 18:6	123:4	AG 23:24 30:19,22
abuse 139:24	38:15 68:20	ad 105:2 150:3	adopt 80:4 171:12	30:24 31:7 32:14
abused 102:18	86:12	adamant 91:10	adopted 15:17	34:9 41:19 82:4
AC 183:19	acknowledges	adapted 172:14	17:24 34:22	age 59:2
accept 32:7 46:13	63:17	add 7:7 11:19 56:1	176:9	Agency 54:19
84:10 165:2	acknowledging	Added 41:23	advance 52:5,17	agenda 9:9
174:7	38:6	addition 48:11	102:7 128:5	agendas 46:5
acceptable 20:1	acquired 59:7	99:11	129:15 140:20	ago 16:10 25:1
accepted 23:25	act 5:4 9:15,18	additional 49:17	149:25 179:5	67:5 152:9,11
28:24 36:13	10:15 11:18 12:1	52:14 53:1	advanced 160:4	agree 37:2 129:6
41:19 44:23	13:4 30:10 35:4	Additionally 17:17	172:14 175:10	agreed 14:2 32:7
103:2 113:2	36:7 38:22 39:11	49:4	advancing 166:24	131:8 134:23
127:12	39:17,19 41:21	address 3:11 25:19	advantage 3:23	145:22
accepts 21:21	42:12 43:18 46:4	31:17 34:24	adverse 165:17	agreeing 66:8
37:24 43:7 129:8	46:25 47:5 52:20	56:13 60:8 93:16	adversely 133:6	agreement 38:8
access 150:12	52:23 53:13,21	106:15 151:13	adverted 167:7	129:22 148:13
179:7 185:12	54:2 55:20,23	154:3 176:23	advertising 148:25	agrees 43:3 148:4
accessing 25:10	57:11 59:1,17	182:19 186:20	advice 18:16 29:22	aided 95:14
accommodates	60:13 61:4,5,15	187:4	57:8 59:14,18,23	103:20,21
30:11	62:1 63:12,23	addressed 33:16	60:2,11 89:14,17	aim 128:14
accompanying	64:5,8,11,18,21	33:20 106:12	90:12 97:25	aimed 63:23

aiming 110:20	alternatively 11:24	Appeal's 19:13	30:4 114:13	94:21 108:25
air 104:22	alternatives 20:22	appear 37:1 90:18	172:13 176:10	109:14,19 115:20
aired 125:1	ambiguously 135:18	91:19 112:10	179:17	126:21 127:25
airport 14:6,14,22	ambition 17:4	116:20 121:24	approaching	136:9 165:9
94:15 107:17,24	ambitious 65:17	162:13	175:2	182:13 183:9
108:5,15 109:6,8	amended 174:2	appeared 31:4	appropriate 8:17	184:14 185:1
109:9 112:15	amendment 24:5	74:13 80:15 85:1	15:23 36:22	asking 114:18
akin 55:12	Amendments	appears 13:7 14:3	44:13 50:25 70:9	117:3
alarmingly 26:19	53:21	20:19 22:4 34:21	71:7 106:15	asks 163:20
albeit 36:16 44:11	amiss 79:22	114:12 116:24	169:22 175:22	aspect 157:17
Alcaidesa 33:12	amount 160:20	124:23 125:18	approval 38:7	181:1,18
126:10	168:23	128:14 134:12	53:12,16,17,22	aspects 47:4
alert 159:16	ample 56:19	150:3 172:18	53:22 130:23	100:16 110:24
alerted 123:22	analysis 10:5	appendix 139:20	approved 37:24	aspersions 81:23
124:12 141:20	44:21 46:13,14	142:6	approximately	assassin 19:24
alike 8:15	87:11 175:19	applicable 62:8	49:13 50:17	assassinated 19:14
alive 82:7	176:7,11	applicants 146:1	April 4:18 22:6	assault 20:8 116:7
allegation 160:15	and/or 105:13	application 24:13	25:20 72:14 79:5	asserted 172:2
169:13 171:25	anecdotal 33:5	26:4 60:13 61:24	119:16	178:14
allegations 142:1	angrily 28:23	70:4 71:14,17	aptitude 177:2	asserting 137:23
151:16,17 159:7	angry 33:24 73:18	103:12 149:6	arguable 163:24	assertion 7:20
162:21 169:24	annual 49:13	157:18,21,23	arguably 12:3	125:17,19 176:15
174:13 178:14	54:14,15 97:23	158:9,11,18,20	arguments 70:8,11	assertions 171:23
alleged 103:4	98:22,22 99:3,13	159:3 160:12	158:16 159:5	asserts 137:15
121:19 139:22,24	annum 50:17	162:8 164:5	arisen 6:2 144:25	assess 166:4
163:21 178:13,23	anonymised 19:20	165:11 175:11,20	arises 125:6	assessing 111:21
allegedly 114:21	answer 2:7 73:5,13	applications 25:8	130:14 142:19	175:23
170:25	77:13,15 91:8,16	60:4 89:16 90:16	arm's 169:25	assessment 4:10
alleging 166:19	145:20 182:16	applied 93:7	armed 79:14	147:7 153:25
allow 3:15 9:2	183:5,11	104:19 150:24	arrangement	175:18
36:22 56:9,14	answered 182:21	163:7	187:10	assiduously
65:12	answers 156:22	apply 13:11 56:2,5	arrangements	177:20
allowed 3:12 32:4	183:18	142:15,22 143:17	59:17	assist 4:9 49:20
66:12 103:1	anticipated 32:22	applying 27:14	arrest 14:15,22	155:21 156:12
134:25 167:11	anxious 91:21	appoint 61:18	115:17,21 159:20	assistance 89:15
185:12	anybody 47:25	appointed 48:2,3	178:3 181:21	151:5
allowing 3:21	anymore 153:22	50:23 170:23	arrested 167:9	Assistant 55:2,16
39:24	anyway 150:13	appointing 48:22	arrests 109:1,15	56:3 182:23
allows 173:15	Apache 16:3	appointment	152:8 169:18	183:16 185:24
alluded 159:5	Apart 1:5	15:20,22 17:10	arrive 45:11	assisted 167:3
alongside 4:16	apologies 185:13	48:19,20 50:5	arrived 128:16	180:6
16:18	apparent 18:5	51:2 62:19 94:13	art 92:2	assisting 7:5 60:3
alter 142:13	35:12 120:18	105:10 128:15	Article 161:14	associated 19:9
143:16	apparently 156:25	140:2 144:20	180:10	assume 4:8 26:25
altered 26:12	132:16	145:19 146:22	artificial 37:21	assumes 20:17
alternative 24:1	appeal 19:4 116:2	appointments	ascription 37:9	assuming 36:11
25:24 44:12		47:24 97:21	asesino 19:24	assumption
56:25 58:13		appreciation 78:4	asked 27:11 28:25	182:11
172:14 173:16,22		approach 18:20	77:1,4 87:1	assurance 27:8

astonishing 40:15 159:21	15:5 36:9 38:16 43:19 50:2 54:18	backwards 72:13	beliefs 29:7	boat 19:16
astonishingly 162:4	58:14 60:16,19 60:21,21,23	bad 28:12 119:20	believe 10:3 31:12 49:9 51:2,5,16	bodies 54:17 149:2
astuteness 22:22	63:16 69:4,9	badly 37:17 74:15	52:1 54:11,23	body 108:10
atmosphere 81:10 128:13	95:15 99:6,23 101:1,7 112:4,7,9	bag 141:10	61:9,17,23 75:21	bold 65:16
atrocious 37:14	112:11 129:20	Baglietto 26:19 29:15,24 30:20	113:16 123:15	books 182:4,9,13 183:18,20,21,23 184:2
attack 76:14 85:5 85:10	130:25 131:6,9 131:11 136:15	30:21 31:6 87:4	171:7	bordered 62:4
attacked 140:25	140:23 149:5,8	balance 12:1 42:7 42:12	believed 44:10 119:21 137:17	Borders 54:19
attempt 24:24 34:19	Authority's 15:2	balanced 48:13	believes 10:21 35:22 40:16	borne 36:5 70:25 71:2,3 81:2
attempted 13:23 114:23	authors 170:3	balances 47:7	belong 19:8	borrow 172:6
attempting 95:11	authorship 152:22	Baldrick 40:12	belonging 29:17 32:1	bound 133:6 178:6
attempts 12:25 29:15 56:20 64:7	automatically 59:21 103:8	Baldrick-like 96:2	benefit 6:24 27:13 65:21	boxes 155:10
64:10,17,20	autumn 4:6,8	bare 68:15	benefited 45:15	brave 65:17 89:17 92:3
82:18 84:24	availability 150:6 176:11	barely 97:17	best 6:12 9:22 17:14 37:8 68:13	brazen 24:24
152:16	available 44:3 54:5 59:14 68:4	barrage 78:18	90:22 91:21 92:2	breach 11:16
attend 50:25 51:17 102:3,14	71:8 98:9 175:25	barrister's 25:23	117:13 134:16	breaches 64:13 68:20
attendance 83:3 85:14 102:24	178:7 183:10	based 7:21 14:1 17:10 21:22	173:5 182:6	break 66:18 144:9
attended 27:19 102:22 128:6	average 97:13	basis 104:13 161:10 162:10	better 9:3 10:8 167:18 187:10	breakdown 133:5
attending 99:17 170:11	avoid 48:23 69:13 70:4 166:23	164:10 165:23	beyond 23:12 180:24 186:21	breeding 34:3 95:25
attention 76:19	avoidance 114:23	basis 16:11 21:14 21:23 26:9 29:5	bias 44:12	brief 68:5
attitude 48:12	avoided 75:22	43:4 45:17 53:5	biased 45:2	briefed 117:18 123:2 127:10 177:20
Attorney 28:5,20 29:23 38:3 47:15	award 152:13	53:10 54:6,15	bid 99:4	briefing 90:15,18 168:16
76:19 80:3 87:7	aware 8:11 23:7 33:2 119:1,6	98:10 114:15	bidding 167:2	briefly 115:19 185:13
87:22 88:10,14	151:2	115:25 120:22	big 69:6	bring 6:25 11:13
110:14 122:22	axe 9:8	132:17 150:3	binding 26:1	bringing 152:2
127:6 142:4		160:12 169:13	bit 5:5 84:4 110:23 120:9 141:10	British 109:16 116:19 121:7 133:13
153:1	B	172:15,18 175:14	Bitto 38:20	Britto 34:13 38:10 38:15 40:16,19
Attorney's 88:19	b 4:19 101:21 112:8 137:4	176:15 178:23	black 134:5	93:19,22 94:6
Attorney-General 181:8	139:20	batting 3:22	Blackadder 96:1	96:3,16,18 97:15
audit 185:21	B2 142:6	bear 139:21	blamed 15:13	99:15 101:20,23
August 25:15 26:25 113:12	B3822 153:15	becoming 43:12 166:25	Blands 159:8,10 168:19 170:4	102:3,7,11,14
168:5	B3824 154:19	bedrock 151:22	173:4,11 179:10	103:2,21,24
authorities 21:25 26:2 51:9 180:12	back 67:15 72:23 75:9 82:2 86:2	beefed 149:10	blending 166:9 170:2	104:1 105:22
authority 3:1 6:8 12:7,9,9 14:25	86:11 156:11	began 170:10	blithely 89:4	106:9 116:16
	171:7 183:11	beginning 82:4	blunder 154:5	117:1,7,11,11,17
	184:3 185:25	behalf 3:8 14:17 83:16 151:13	blush 91:24	117:19,22 118:6
	backed 147:1	behaved 74:9 96:10	board 33:11 51:23 89:3 116:5 149:2 149:24	118:17 119:4,6
	background 123:24	behaviour 56:24 74:13 111:3,6 114:22		
		belatedly 182:25		
		belief 26:9		

122:1,11,14,18 122:23 123:2,2,3 123:4,10,18,19 123:22 124:6 126:22 127:1,6 127:10,11,13,14 127:20,22 128:4 128:6,9,18 129:7 129:14 132:23 133:17,21,23 134:15 135:8 136:25 137:8,10 137:17,21 138:4 138:9,25 139:1,6 141:17 142:2 143:3 148:1,13 148:17 Britto's 102:20 123:25 127:23 139:20 142:6 broad 65:23 96:23 101:16 131:10 broadly 148:4 broke 91:13 brought 106:5 116:4 158:10,24 159:3 172:17 174:1 budget 52:3,3 97:23 99:3,3 buffer 41:21 build 14:7 building 81:24 155:9 built 47:7 bundle 84:1 business 69:5 149:12	127:20 129:23 130:16 148:23 called 72:5 87:17 122:14 126:24 131:4 calling 66:7 102:11 calls 88:3 calm 38:10 73:23 calmly 73:25 candidate 95:3 146:2 180:25 candidates 17:12 145:10 146:13 147:1 168:15 cap 150:12 capable 42:6 57:3 69:4 101:16 130:19 154:21 capacities 28:7 capacity 31:3 car 79:3 care 149:12 cared 19:22 careful 10:9 51:13 51:15 119:19 165:20 168:16 169:7 179:15 carefully 47:6 48:23 71:22 72:2 168:12 Caribbean 183:22 Carreras 117:18 117:23 122:9 134:21 carried 19:17,21 115:13 141:2 179:21 carry 15:14 68:25 103:3 111:24 131:16 carrying 112:12 155:9 carses 51:1 Caruana 3:10 case 2:3,6,7 25:4 26:5,13 31:14 32:20,20 36:18 44:8 47:12 51:8	58:11 62:21 63:2 67:14,18 69:18 69:23 70:2 71:25 75:7 82:11 89:18 89:22 90:17 91:11 102:20 112:14 132:25 139:19 157:14 158:5,19 159:14 160:3,4 162:3,11 162:13,15,20,22 163:1,2,12,15,18 168:1,7 169:1,5 169:12,18,19,19 171:2,12 172:4 172:14 173:2,22 173:25 174:1,8 174:16,24 175:2 175:9,15 176:3 177:24 179:12,21 179:23 180:1,14 cases 60:6 67:25 90:17 cast 81:23 categorically 172:2 Cathal 182:24 cause 64:7,8,18,18 127:25 132:4 134:16 caused 5:22 34:3 63:10 120:7 178:25 causes 30:5 53:18 64:7,17 caution 17:13 23:13 32:4,6 76:8 80:18 83:19 84:9 166:22 167:6 170:4 cautious 80:11 ceasing 4:12 105:5 106:19 119:10 celebrate 8:17 47:11 celebrated 20:1 cells 164:23 censure 108:7 181:11	central 161:8 certain 21:4 82:4 103:7 108:7 173:14 certainly 16:4,12 47:25 85:19 149:11 150:5 157:12 certainty 161:13 cetera 114:3 Chair 95:14,17 151:18 174:25 chairman 1:3 3:19 4:5,25 6:8,12 7:4 7:19,24 8:6,11,18 9:14,23 10:1 11:1 13:12 14:6 16:8,19 18:1,13 18:19 20:13 21:22 23:21 24:2 24:12,23 27:1,6 27:11 28:23 30:5 30:11 32:25 33:23 34:4 36:10 37:19 38:14,17 39:10,22 40:21 41:8,9 42:3,5,19 43:13 44:20 45:15,22 46:7,13 48:2,3 49:15,16 49:24 50:6,11,16 50:24 51:19 52:19 54:7 58:1 59:13 62:16 64:25 65:5,10,15 66:6,12,15,16,22 92:9,15,19 97:12 97:15 99:7 100:4 100:7,9,13,20,23 101:11,15 102:13 105:3 106:13 108:13,17,19,21 108:24 109:3,7 109:13,18,24 110:2,16,22 116:11 124:21 125:4 126:1,8 131:22 132:13 141:2 143:24	144:3,8,12,13,18 147:4,21 148:22 151:7,10 187:5,9 187:16,20,23 challenge 24:19 25:22 26:23 29:15 31:8,18,21 72:1 85:4 challenged 2:1 23:19 26:15 70:10 157:2 challenges 32:22 39:15 48:9 60:8 167:8 challenging 5:15 chance 1:18 2:2 73:23 change 143:21,23 changed 53:15 79:4 91:17 143:10 changes 9:12,12 52:24 55:8 61:15 93:15 changing 166:18 169:12 chanting 19:23 character 49:19 152:8 characteristics 49:17 93:25 charge 89:16 160:14 163:23 169:10 177:18 charged 80:7 175:22 charges 153:8 158:9 159:3,23 162:7 174:6,23 175:1 176:3 179:12 charging 174:20 Charles 106:11 139:16 140:11 142:9 143:8 chat 17:2,2 check 12:1 42:7,8 42:12 checks 47:7
C C 4:21 5:3 cabinet 28:18 cable 57:3 Caine 160:15 calculated 64:8,11 64:18,21 181:4 186:2 call 15:7 77:19 100:19,22 101:10 102:15 104:7				

<p>chief 6:7 12:14 14:19,21 21:25 22:6 25:25 26:20 28:6,19,21,23 29:20 30:8 34:10 34:16,22 35:7 38:3,21 40:18 41:14,25 51:8 52:22 53:7 57:17 76:24 79:12 81:21 84:8 87:7 88:2,3,4 90:4 95:13 96:4,8 99:18,20,25 101:6,20,21 102:9 103:5 104:4 105:9,21 106:2 108:8 110:9 111:4 113:19 117:21,23 118:5,8,17,23 119:6,9,17 120:14,24,25 121:17 122:19 123:9,11 124:9 124:14 127:3,17 128:7,10,17 129:1,2,4,10,15 129:22 130:12,24 132:19 133:3,18 133:24 136:3,8 137:14 138:21 139:4,5,13 140:1 141:24 142:3 145:13,16,18 146:20 149:11,16 152:12 157:15 158:1,4 159:15 159:19 160:7,16 161:7 162:17 163:3,11,16 164:5 168:1 175:7 178:9</p> <p>Chiefs' 146:5</p> <p>chin 65:24</p> <p>choice 9:19</p> <p>choices 74:6</p> <p>choose 25:9 35:18 67:24</p>	<p>chooses 10:1</p> <p>choosing 173:4</p> <p>chose 35:6 70:1</p> <p>chosen 36:2</p> <p>Christian 23:4 177:4</p> <p>chronologically 29:10 81:12</p> <p>CIO 22:25</p> <p>circular 8:1,3</p> <p>circumspect 124:13 141:21</p> <p>circumstance 98:3 142:21</p> <p>circumstances 4:11 97:5 101:18 102:23 105:4 106:18 124:2 140:18 142:11 143:13,23 152:3 173:7 181:17</p> <p>citizen 90:7 161:13</p> <p>citizens 97:10</p> <p>civil 60:15 114:4 133:15 152:21</p> <p>claim 75:23 121:10 126:10 166:12 168:8 169:9 172:5,9,20 173:17 176:17</p> <p>claimed 159:8</p> <p>claiming 19:13</p> <p>claims 33:13 60:17 133:15 166:25 184:25</p> <p>Claire 122:7</p> <p>clandestine 181:2</p> <p>clarification 21:18</p> <p>clarify 63:12</p> <p>clarity 52:20 138:10,18</p> <p>Clarke 24:6 158:20 160:4</p> <p>classic 166:14</p> <p>clear 6:16 8:15 14:7 17:3 34:5 38:18 45:16,24 50:20 51:11 54:2 60:10 67:1 69:7</p>	<p>69:16 89:17 103:25 105:18 124:2 126:8 129:13 137:22 149:7 170:23 179:25 180:13 182:21</p> <p>clearance 168:14</p> <p>cleared 87:8</p> <p>clearer 84:13</p> <p>clearly 23:13,18 40:8 52:15 63:25 95:16 99:7 131:23 165:12 172:2</p> <p>clerks 97:22 99:10 149:17</p> <p>client 2:5 142:14 143:17</p> <p>client's 30:21</p> <p>close 3:15 75:10 90:4 110:18 153:10 169:16</p> <p>closed 78:1</p> <p>closely 74:23</p> <p>closest 164:13</p> <p>closing 2:9 4:1,15 36:16 94:10 95:9 107:6 157:1 182:18</p> <p>CM 41:19 103:19</p> <p>Coastguard 54:19</p> <p>code 11:9 22:2 57:12 178:25</p> <p>coded 173:9</p> <p>coherently 159:14</p> <p>Collado 135:5</p> <p>colleague 76:13</p> <p>colleagues 75:5 181:8</p> <p>collect 73:19</p> <p>collective 12:4 119:25</p> <p>collectively 33:21</p> <p>College 146:6</p> <p>collision 21:13</p> <p>coloured 118:19</p> <p>colouring 133:11</p> <p>colours 84:5</p>	<p>combination 186:5</p> <p>combined 106:1</p> <p>come 2:17 45:9 65:7 67:24 69:1 78:4 83:17 85:5 87:18 89:20</p> <p>comes 9:7 38:16 84:7 153:23 155:6 164:17 171:5</p> <p>comfortably 160:23,25</p> <p>coming 110:3 111:14 155:11</p> <p>command 14:18 23:1</p> <p>commence 124:10 170:17</p> <p>commenced 170:21</p> <p>commendable 108:1</p> <p>comment 7:20 13:13 28:15 75:12 164:23</p> <p>commented 160:23</p> <p>comments 110:9 146:9</p> <p>commercial 159:10 166:7,15 166:16,24 167:10 168:5,11 169:1 170:1</p> <p>Commission 49:12 51:16 54:20 185:24</p> <p>commissioner 3:9 4:12 11:14 12:11 12:17 13:16 14:11 17:5,11 22:9 30:15 34:17 35:20 50:2 52:2 52:15 55:1,2,15 55:17,21 56:3,4,7 56:9,12 57:6,19 57:22 58:3,6,16 58:22 59:3 61:7 62:9,12 63:15</p>	<p>64:2 94:14 96:14 99:5 104:8 105:5 105:11 106:3,10 106:19 110:10,13 112:3,7 113:5,13 117:22 118:11 119:10 121:23 123:13,15 128:20 128:23 129:5,6 129:24 130:4,8 130:17,21 131:1 131:4,12 134:18 144:21 147:8,9 166:22 180:20 181:6,21 182:23 183:7,16 184:1</p> <p>Commissioners 46:1</p> <p>commit 48:24 50:14 64:12</p> <p>committed 26:10 58:18 130:9</p> <p>common 70:19 79:11 83:10 119:11</p> <p>Commonwealth 111:5</p> <p>communicate 36:21</p> <p>communicated 15:17 28:4 30:21 140:11 141:23</p> <p>communicating 29:19 138:11</p> <p>communication 51:20 170:13</p> <p>community 98:14 98:20</p> <p>company 49:2 75:3 139:17 140:12 142:9</p> <p>Company's 106:11</p> <p>compared 95:24</p> <p>competing 6:20 110:16</p> <p>competition 159:10</p> <p>complain 125:11 156:5,9</p>
---	--	---	--	---

complainant 163:9 170:2	computers 154:21 154:24	133:2,25 137:13 138:20 139:3 162:11	36:24 42:23 46:14 56:15 68:11 73:10 95:5	9:4 11:25 37:5 38:21
complainant's 171:25	concealed 26:12	confident 72:21 81:4 185:18	103:16 106:15 107:10 108:8 109:21 115:5	constitutionally 44:16
complainants 36:14,17 39:16 44:10	conceded 128:3	confidential 29:20 30:6,18 184:5	128:21 131:2,13 134:24 140:16 147:15,23 160:19	constructive 6:13 36:1 46:15 106:6
complained 111:7 125:10	concern 17:6 21:17 34:20 81:25 111:2 134:8	confidentiality 30:4,12,17	160:21 169:24 175:5	construe 130:15
complaint 161:6 165:24 169:8 172:8,16	concerned 118:3 118:14 126:13 130:7 141:11 148:3,15	confirm 178:24	consideration 11:7 33:6 53:8 61:3 158:16	construed 132:22
complaints 33:1,3 33:4 36:20,21,24 55:15,24,25 56:2 56:6,15,17 61:14 61:16 98:16 99:14 109:10 115:23,24 116:5 124:19 125:13	concerning 121:5	confirms 40:14	considered 25:2 47:6 52:24 63:25 94:8 107:25 108:6 116:6 119:23 120:1,16 121:2,12 130:18 138:18 158:7 186:15,17	consultant 49:1
complete 71:11 73:14 158:21	concerns 21:9 30:5 30:22 34:25 35:13 101:23	conflict 50:10 51:19 60:10 82:24 83:2 94:16	considers 179:18	consultation 49:25 98:19 129:21
completed 63:5 72:25	concessions 164:19	conflicted 36:18	consistent 178:2	consulted 23:10 48:18
completely 40:14 69:13 85:3 172:13 185:18	conclude 177:7	conflicting 95:4	consistently 178:2	contact 61:12 78:11 79:17
complex 89:15 98:4 104:11 157:8	concluded 12:13 26:2,6	conflicts 43:3 48:24 50:3 59:19 68:19	consists 68:6 97:9 97:22	contain 175:12
complexity 138:14 175:3	concluding 4:24 27:12 65:5 177:25	confrontation 40:17	conspicuous 83:9	contained 113:10 176:10 184:4
complicated 60:6	conclusion 25:18 85:7 90:10 99:24 107:22 115:1,11 133:20 162:14 169:19 173:1 179:14	confuse 38:5	conspicuously 153:19	contemplated 71:17
complied 13:17	conclusions 4:20 4:22 11:2 17:22 35:15 66:24	confused 6:18	conspiracy 22:14 161:9 163:23 176:12 177:19 178:13	contemporaneous 182:5
complies 55:5	conduct 14:12 20:11 22:2 80:19 90:18 106:1,4 140:3 155:19 160:20 161:6 180:23 181:2	confusingly 136:18	conspicuously 153:19	contemporaneo... 113:25
comply 59:15,24	conducted 14:23 22:17,23,25 32:3 156:15,23 184:6	confusion 134:9	constitute 44:7 160:22	content 3:25 76:9 92:25 146:14
component 78:2	confidence 11:21 12:10,16 35:20 57:10 76:3 118:10,22 120:7 120:23 121:1,16 128:19 129:4 130:12 132:18	conjunction 55:22	constituted 103:16 106:17	contention 179:6
composition 97:8		connect 160:1	constitution 5:3 9:15,18 10:15 11:16 13:3 36:8 39:18 42:13 43:17 46:4,23,25 55:6 151:24 180:11	contents 138:7 139:8
compositions 140:23		connected 74:23 75:2	constitutional 6:5	context 58:11 60:15 86:18 96:25 151:25 161:16 165:15 184:13
comprehensive 51:23		connection 122:16 165:7		continual 51:3
comprising 117:21		conniving 181:15		continuation 62:20 169:14
compromised 10:25 45:2		conscience 82:21 82:24 88:9		continue 132:21 167:24
computer 159:23 162:21,23 163:21 176:18 177:16 178:13 179:12		consciences 82:19		continued 6:11 22:11 171:9
		conscious 150:7		continuous 5:25
		consensus 124:23 164:14		continuously 53:18
		consent 129:16		contract 89:23 172:21,24 173:3 176:16
		consequences 6:25 19:5 141:11 165:4,17		contradict 20:19
		consequently 141:4		contradiction
		consider 33:3		

14:20 contradictory 37:16 contrary 7:10 102:1 152:24 161:21 187:2 contrast 168:12 contrasted 32:20 104:16 121:4 contrasts 131:18 contributed 132:2 contribution 106:22 139:14 149:5 contributions 74:12 control 154:12 controlled 43:14 49:3 controversial 110:24 convenient 66:17 143:25 144:1,6 169:15 conveniently 126:16 Convention 11:17 180:10 conversation 34:8 80:15 85:25 86:15,16 conversations 86:6 convert 18:6 conveyed 135:18 136:20 137:10 convince 67:19 convincing 84:17 cool 181:16 Cooper 3:1 151:11 cooperation 154:8 cooperative 93:3 coordinating 91:2 COP 20:10 33:15 40:24 48:18 50:1 copied 71:25 142:2 core 1:6,12 5:17 6:19,20,22 7:6,16 25:8 38:1 151:15 153:16 156:5	161:12 Cornelio 166:9 178:2 179:7 Coroner 19:1 117:5 Coroner's 18:8 correct 20:5 93:13 109:17 183:20 corrected 34:7 correction 3:14 correctly 20:13 44:11 correspondence 78:19,20 86:1,7 86:14 88:1 185:3 cost 101:8 costly 167:1 costs 152:14 cosy 169:22 Council 146:5 counsel 2:4 7:5,9 7:10 8:15 24:23 26:19 27:2 29:2 32:19 36:15 37:23 40:5,6 66:9,11 90:16,18 95:9,22 96:12 97:3 99:16 101:19 120:4 126:5 147:25 148:2,12 153:16 155:1 162:1 165:21 175:4 180:6 182:14 186:25 counsel's 103:18 count 159:25 counts 9:19 couple 1:14 148:18 courage 90:5,10 courageous 90:13 course 1:13 3:7 17:2 27:21 56:24 68:16 69:19 72:24 73:4 74:19 75:8 80:2 81:6 105:24 142:13 143:16 146:8 173:21 174:11,12	174:22 186:1 court 19:2,3,12 32:24 76:18 114:25 152:13 157:16,19,20,24 158:23 165:8 166:16 172:17 173:24 174:1 175:10 177:6 180:13 186:18 courtesy 28:11 courts 19:20 20:6 25:4 151:4 cover 84:1 126:17 186:2 covering 113:4,8 covert 180:25 CPs 65:22 craft 156:4 create 37:20 created 61:10 82:25 166:11 173:9 creates 53:5 creation 64:3 credibility 107:14 credible 93:21 147:2 crew 121:11 crewmen 133:16 crime 19:7 60:1 Crimes 63:23 criminal 6:1 29:24 29:25 31:2 64:5 69:14 90:7 142:14 143:16 152:3,11 161:16 163:25 164:22 167:5 169:8 173:24 177:5 crisis 31:10 104:22 crisis-like 128:13 critical 96:21 119:2 179:6 criticise 16:9 39:4 43:2 criticised 28:22 94:7 95:19 96:3 99:16 111:6	114:10 119:13 145:11 criticising 16:11 criticism 22:24 43:1 94:8 96:11 96:23 100:5 102:25 103:18,22 111:13,16,22 115:3 139:9 141:8 146:17 criticisms 97:1 161:23 cross 95:25 Crown 29:2 159:15,17 160:19 162:1 165:21 177:15 178:22 Crown's 160:2 163:15 166:20 173:2 crucial 171:15 crucially 11:11 32:15 Cruises 183:22 Cruz 2:22 3:16,19 100:4,9 crying 166:18 CTI 107:6 125:8 184:14 culminated 47:10 culpability 65:19 culture 119:22 cured 44:12 curious 157:17 current 19:4 26:22 53:4 currently 48:25 53:12 60:23 62:6 cursor 176:8 curtain 67:4	186:24 database 179:8 date 116:17 131:6 131:7 135:15 dated 110:12,15 116:25 119:16 136:14 139:2,17 140:12 142:8 145:13 147:12 176:5 dates 87:11 daunting 136:10 day 6:17 24:5 45:23 79:6 138:24 182:4,12 183:18,20,23,23 daybooks 171:4 days 1:14 2:2 24:4 25:21 30:19 35:17 42:1 51:24 92:20 136:22 143:10 deadline 104:22 deal 32:8 48:5 52:7 55:24 80:22 82:12 107:17,18 115:19 117:15 138:13 144:22,24 150:2 155:15,24 dealing 31:20 52:18 54:25 62:2 174:13 dealt 91:14 107:20 126:6 144:23 151:16 death 61:11 deaths 18:12 deceased 18:22 19:8,10 121:11 133:16 December 168:9 170:19 decide 34:7 75:16 75:17 83:20 92:21 115:1 125:5 129:16 decided 15:11 59:4 110:6 111:23 127:19 134:11
			D	
			D 4:23 D7379 176:6 damages 121:10 damning 119:18 dangers 68:14 data 155:11 181:13,24 185:1 185:13 186:8,8	

decision 20:24 23:10,14 28:12 44:4 45:10 58:9 58:12 59:9 68:24 113:18 116:4 118:19,21 120:22 121:15,22 124:5 124:17 132:17,23 133:11 134:11 135:17,19 136:3 136:20 137:16 138:4,6 139:12 139:15 140:19 141:15,21 142:22 154:4 176:20 181:5	147:23 153:18 define 177:8 defined 43:13 57:16 defraud 161:9 163:23 176:12 177:19 defy 16:8 degree 171:6 delay 115:2 delegation 44:14 Delhi 3:2 22:15 25:7 26:3 35:11 69:19 105:13 121:25 122:8,15 123:17,21,25 124:4,7 126:24 136:1 138:5 140:3 141:14,19 142:2 151:14 152:6,9 156:21 158:5 171:8,16 173:18 182:1 184:24 186:15,24	departed 22:11 departing 58:22 department 63:4 dependable 177:11 depending 8:8 85:20 deposed 95:1 122:11,18 123:7 127:2 145:2,7,9 depth 94:5 Deputy 49:4 describe 31:22 81:2 described 7:25 34:6 79:23 81:9 81:14 112:6,10 119:17 128:13 description 8:3 40:11 146:18 descriptive 17:25 deserve 90:11 deserved 108:7 designed 42:12 desire 20:24 36:5 105:11 desired 41:3 desktop 155:10 despite 7:9 24:21 26:7 127:19,23 139:9 140:25 destroyed 26:11 182:2 184:19,23 destruction 153:20 160:10 181:20 182:19 186:6,23 detail 2:19 25:19 46:9 69:18 detailed 2:9,12 10:5,7 16:13 104:15,17 131:14 131:18,23 139:18 158:8 159:5 168:16 details 26:5 detect 59:25 detective 157:11 determination 26:17 27:7 65:18	determine 33:23 57:25 102:13 117:5 125:23 determined 105:8 152:16 162:1 develop 172:22 developed 66:25 70:14 158:19 173:10 development 51:4 178:20 developments 47:23 169:18 deviation 13:8 devices 27:25 29:17 32:1 86:21 86:23 154:20 DeVincenzi 79:20 81:8 82:14 84:5 88:11,20 devious 181:4 DI 24:8 diametrically 146:25 diary 87:23 dictate 40:1 dictionary 43:14 difference 122:3 164:11 different 4:18 25:9 26:13 41:18 53:20 79:23 80:4 86:13,14,14 94:3 94:4,4 122:4 128:18 134:13,14 165:3 168:15 differently 53:20 difficult 21:2 42:1 89:25 132:21 159:24 181:17 difficulty 63:11 163:14 diffidence 68:9 dignified 137:20 dignify 91:4 dilemma 84:19 diligence 180:9 diligently 182:14 diminishing 8:21	diplomat 114:5 diplomatic 14:24 15:10 direct 106:7 126:18 147:13 directed 47:25 147:5 directing 27:10 direction 175:7 directions 164:24 directly 57:22 76:1 141:6 181:19 director 6:8 23:3 23:16,22 29:1 38:4 62:7 90:11 90:12 disadvantage 3:23 disaffection 64:3,9 64:19 disappeared 86:22 disavowed 176:7 disc 184:16 discharge 58:5 98:4 101:2 discharged 99:8 104:9 149:19 152:5,10 discharging 51:12 disciplinary 56:22 discipline 64:13 104:18 131:19 180:4 disclose 178:4 disclosed 83:24 178:16 disclosure 5:18,22 5:23 146:8 156:4 156:17 186:15 discontinuance 152:25 162:6 discontinue 69:23 76:20 discontinued 44:1 152:4 175:16 discrete 27:23 discriminatory 18:10 discuss 89:4 96:20 100:20 101:12
--	--	---	--	--

discussion 25:17	113:10 137:5	136:25 137:8,10	earlier 37:19 53:9	email 30:23 84:2
discussions 148:16	142:5 155:9	137:17,21 138:4	65:25 131:7	87:24 106:11
disengage 44:17	181:25 182:1,2	138:9,25 139:1,6	earliest 159:4	110:10,13 119:16
disengagement	182:20 184:14	139:20 141:17	early 4:13 105:6	120:10 142:8
62:10	185:6,9	142:2,6 143:3	142:15,23 143:18	143:11 176:5
dishonesty 176:13	doing 17:23 75:22	148:17 162:24	164:3 185:10	emails 114:3 120:8
disinclination	92:22 137:9	164:4 168:11	187:6,12	172:25
18:18	161:1 167:2	177:13 178:16,18	easier 67:24 93:2	embarked 136:6
disinterested	door 110:18	179:3	easily 78:8	embarrass 72:18
82:17	doorstep 90:1	draft 4:6 83:23	easy 119:25	embrace 9:12
dismiss 158:9	dots 123:20 124:7	84:3,6 90:16	120:13 153:11	embroiled 167:1
159:3 162:8	160:1,7	113:20 156:2	echoed 14:19	emerge 9:3 137:7
dismissal 63:2	doubt 7:18,19	175:6	Edward 145:24	184:11
106:6 180:2	23:12 89:9 92:22	drafted 2:11 37:11	effect 79:10 88:15	emergency 132:10
dismissed 25:25	108:2 139:10	158:20 167:12	88:16 99:9 138:1	emerges 138:17
dispiriting 185:9	168:1 180:24	171:16	141:5 142:25	emotions 73:21
displayed 103:10	186:20	dramatic 16:3,5	186:4	emotive 17:24
displeasure 105:14	DPP 18:11,17 23:9	draw 85:19 98:21	effective 54:4 98:8	empathetic 8:16
disposition 33:9	24:1 32:14 34:8	107:13 163:20	157:4	emphasise 7:2
40:22 42:6	71:15 84:8	179:14	effectively 106:5	100:22 101:8,10
127:24	161:12,22 162:10	drawing 82:5	176:9	101:24 115:12
dispute 126:4	162:23 165:9,21	drawn 70:7 76:19	effectiveness 57:14	emphasised 155:1
166:15 167:10	167:5,16 168:4	95:6 115:2	101:9 108:3	employ 58:12
168:5 170:1	174:5,21 179:22	125:24 147:17	129:25 130:6,7	employed 17:24
disputed 28:21	DPP's 152:15	drill 108:22	130:16 133:7	35:11 40:25
94:25 115:3	158:10 162:20	110:17	efficiencies 54:24	55:14 58:8
166:14	Dr 5:11 34:13 38:9	drink 10:1	efficiency 57:13	179:10
disquiet 82:2	38:14,20 40:16	drive 181:24	101:9 129:25	employee 49:1
disregard 96:24	93:19,21 94:6	184:24	130:5,16 133:7	163:6
147:6	96:3,16 97:15	driving 136:2	efficient 98:7	employees 173:13
Disregarding	99:15 101:20,23	171:10	effortlessly 72:25	employer 160:21
114:21	102:2,6,11,14,20	drop 174:8	efforts 119:25	employers 173:14
dissent 114:6	103:2,21,24	dry 151:21	eight 26:6 33:19	employment 20:2
distance 37:21	104:1 105:22	due 18:7,16 27:21	either 12:20 34:22	55:12 60:13
156:9 169:23	106:9 116:16	46:3 59:19 93:15	35:23 59:18 73:7	62:20 63:12
distinction 100:11	117:1,7,11,11,17	122:21 127:4	87:13,24 95:3	enable 59:15,24
distinguish 178:19	117:19,22 118:6	147:10 180:8	102:19 109:19	131:16
disturbed 82:17	118:17 119:4,6	duly 114:8	113:24 129:23	enables 130:3
disturbing 68:15	122:1,11,14,18	Dumas 84:2	145:10 156:16	encompassed
divert 174:10	122:23 123:2,2,3	dummy 7:15	electorate 67:19	109:22
DNA 42:10	123:4,10,18,19	dust 156:7	91:21	encourage 8:18
document 71:14	123:22,25 124:6	duties 98:5 99:8	electronic 154:19	59:9 65:16
139:19 156:4	126:22 127:1,10	154:10	154:21 182:20	encouraged 41:24
159:17 162:15	127:11,13,14,20	duty 40:23 61:2	185:8 186:12	50:25 51:5,11
documentary	127:22,23 128:4	90:9 112:2	elegant 36:23	encouragement
125:16	128:6,9,18 129:7	154:14	element 169:11	183:2
documented 114:8	129:14 132:23	dwelling 91:5	eleventh 24:24	encourages 43:7
149:23 150:18	133:17,21,23	_____	eliciting 154:8	173:15
documents 112:5	134:15 135:8	E	else's 38:8	endeavour 174:9
		E 4:24		

<p>ended 106:10 174:17 endorsed 174:6 endorses 43:7 ends 38:18 163:11 endurance 176:16 endure 153:7 engage 31:3 35:5 44:9,22 engaged 11:15 30:20 36:25 73:22 engagement 30:6 34:11,15 36:1 England 164:23 175:1 English 19:3 26:1 137:3 enhance 51:20 enhanced 98:18 enjoy 58:23 67:21 enjoyed 58:24 enquire 35:10 Enron 155:6 enshrined 151:24 ensue 60:10 ensued 166:2 ensure 10:18 48:12 49:8 51:24 52:2 54:9 61:10 63:19 66:4 98:10 98:20 139:7 148:25 149:18,20 149:21 168:20 169:23 177:11 183:10 ensuring 53:9 151:18 entailed 136:10 entered 81:4 entertained 25:2 entire 156:18 entirely 7:21 12:20 14:13 20:1,11 24:11 107:25 115:12 183:11 entirety 65:11 157:21 entitled 26:4</p>	<p>154:18 environment 98:2 envisage 42:2 envisaged 8:22 46:22 58:20 epicentre 153:10 equal 90:7 92:7 Equality 187:20 equally 41:11 56:5 63:6 90:13 equipment 115:19 equipped 138:12 equivalent 58:23 64:15 ergo 43:15 59:8 Ernest 135:3 erred 103:12 erroneous 17:22 erroneously 135:19 error 93:7,8,9 errors 11:10 13:24 18:7 58:17,19 93:23 escalate 20:7 escalates 56:23 escape 181:10 especially 74:1 114:7 143:3 171:24 essence 19:15 32:17 42:18 62:10,16 essential 176:2 essentially 158:21 167:17 185:21 establish 98:14 established 54:9 80:25 99:1 150:19 et 114:3 ethics 11:9 European 11:17 180:10 Evans 41:8 event 58:4 112:22 123:11 127:14 132:15 events 11:6 17:20</p>	<p>36:12 77:22,25 94:2 106:7 126:18 142:18 165:13 eventually 41:20 41:20 172:17 175:13 evidence 2:5,13,20 5:20,20 8:14 10:6,10 11:4 12:8 14:2 15:8 16:13,25 18:3 20:25 21:22 22:16 23:3,11 26:11,18 27:16 27:17 28:24 36:3 40:13 41:12 44:23 45:18 49:14 56:8 67:1 68:22 69:20 70:22,23 71:2,3,8 71:11,12 72:10 72:12,25 73:15 74:3,7 75:19 76:17 77:20,24 79:15,25 84:15 89:21,25 91:6 92:4,20,25 94:11 94:16,25 95:4,8 95:16 96:6,15 102:6 103:3,24 105:18 106:24 107:5,9,10,12,15 107:21 112:9 113:2,15,22 114:16 116:3 120:3,14 123:1 123:20,25 124:6 124:22,23 125:12 125:14,16,25 127:10 128:2,8 129:10 132:24 135:7,8 138:25 140:18 141:17 145:5,14 146:3 146:11 147:3,11 147:17 153:19,20 157:14 158:22,24 159:7,18,25</p>	<p>160:7,11,13 161:21 162:17,20 162:24 163:1,5,7 163:19 164:3,20 167:14,16,22,24 168:7 171:8 172:5 175:5,17 175:25 176:1,8 176:19 177:15 178:4,18 179:16 179:17,20 181:13 182:6,17,22 183:7,10,14 184:18 186:6,12 186:23 evidenced 119:15 evident 16:20 evidential 4:20 10:12 11:1 29:5 31:1 106:22 160:5 163:12 176:15 evidently 39:20 evolved 8:3 32:9 ex 49:5 ex-interim 20:3 exactly 41:7 187:16 examine 76:8 84:24 examined 1:24 example 5:12 44:14 49:11 50:15 57:19 60:10 74:14 77:22 122:6 134:15,21 135:2 164:22 exceptional 153:6 excerpts 79:25 exchange 27:24 117:9 172:25 exchanged 125:1 exchanges 129:12 execute 156:12 executed 28:3 executes 61:2 executing 74:17 execution 114:24</p>	<p>116:1 154:13 executive 12:2 13:1 29:8 30:7 31:8,25 32:21 41:22,22 42:11 49:21 51:8 60:2 60:3,8 117:25 149:11,16 exercisable 101:1 exercise 13:1 25:1 25:4 35:6 44:4 55:18 115:13,14 120:20 136:10,16 137:19 143:5 167:1,6 183:12 exercised 35:9 44:18 58:4,21,21 102:19 155:4 156:14 166:23 170:5 171:18 exercising 43:22 128:22 exhibit 137:4 exist 42:9 48:12 existed 26:12 42:15 50:4 63:22 104:1 172:24 existence 83:11 existent 85:4 existing 50:1 63:21 exonerated 111:8 expected 114:4 125:21 expecting 162:12 181:10 expense 65:7 expenses 97:24 experience 5:9 8:12 31:2 48:11 48:15 49:18 50:12 157:10 175:4 177:6 experienced 85:23 167:4,12 168:13 expert 104:10 162:16,19,23 163:6,18 164:2 166:20 167:14,15 168:7,13,21</p>
--	--	--	--	---

177:21 178:4,15 179:20 expertise 24:22 117:15 136:12 experts 72:4 163:13 173:8 expired 25:15,15 26:24 explain 35:21 77:20 80:19 explained 4:14 28:13 33:10 37:23 54:22 57:6 81:18 88:11 153:17 explaining 28:8 explains 163:19 explanation 17:20 183:4 explored 172:10 exploring 33:12 exposition 139:18 exposure 60:24 express 24:12 28:11 65:13 66:13 148:2 expressed 117:11 118:22 121:16 140:8 159:15 expressing 120:10 expressly 123:14 123:21 161:20 176:7 extend 59:21 60:7 extending 2:13 extends 66:6 extensive 166:6 extensively 107:20 152:1 extent 75:4 79:4 106:16 122:4 123:5 153:22 extraneous 130:11 extraordinary 8:14 18:9 40:15 55:11 extremely 137:8 137:10 extremis 72:17	eyebrows 111:18 eyes 156:7 <hr/> F <hr/> face 20:22 22:1 26:22 31:17 118:16 146:15 170:1 faced 18:25 32:23 38:13,13 39:11 42:7 69:25 138:14 153:3 facilitation 31:19 80:20 facilitator 31:5 facing 57:7 fact 8:2 15:5 24:18 33:8 47:21 81:3 88:5 103:25 107:21 112:25 119:11 121:23 122:3 125:17 128:2 129:6 132:22 134:11 135:15 137:25 139:11 141:2 145:6 149:8 159:9 162:3 177:23 180:8 183:17 factor 121:20 133:11 136:2 138:5 facts 2:12 14:2 41:17 103:7 107:1,18 115:7 175:21 factual 10:13 65:18 96:24 175:12 fail 39:10 44:8 failed 12:2,3,22 39:11,12,14,16 39:17 57:2 101:2 123:20 153:8 162:25 181:16 failing 12:25 13:5 40:15 179:24 failings 33:17 44:1 165:19	failure 12:5 15:14 26:7 44:7 103:7 162:14 176:22 177:8 179:25 failures 13:19 141:1 fair 13:6 37:5 38:14 44:23 45:3 45:15,20 56:10 56:17,19 57:5 92:15 94:1 128:4 146:4 166:3 179:14 fairly 56:15 fairness 11:19 13:4 132:8 150:13 faith 11:7 12:22 61:2 fall 6:24 59:4 falls 92:21 false 12:21 familiar 144:24 families 121:10 133:15 family 19:10 fanciful 72:22 far 17:1 118:2,13 126:13 130:6 141:10 148:2,14 151:5 153:24 167:20 171:6 fashion 52:4 126:7 fashioned 7:18 fault 130:8 faults 93:13 favour 7:1 89:22 92:5 favourite 43:14 fear 7:1 89:22 92:4 160:10 feared 71:18 fearing 153:20 feature 15:24 February 110:12 federation 1:6 33:1 125:9 feel 32:15,18 79:20 81:1 90:19 91:7	148:20 149:4 feels 142:14 143:17 fell 67:4 felt 32:17 45:1,1 79:21 80:2 136:15 137:8 fiduciary 52:9 54:22 Fifthly 13:6 fig 37:8 file 82:3 154:25 filed 107:3 125:13 168:4 files 184:15,17 final 1:4 3:20 135:19 136:20 138:3 144:18 160:3 174:1 finally 59:10 65:5 66:6 91:9 157:14 162:23 163:16 182:25 185:8 finance 52:14 53:7 98:25 financial 49:11 52:1,6 54:4,20 60:16,20 98:9 166:17 find 68:22 75:16 75:22 76:22 77:21 79:13 82:15 84:14 87:11 139:11 154:14 155:23 159:23 finding 18:25 105:17 findings 15:1 68:12 69:8 85:21 118:25 119:7 120:16 finds 37:15 fine 2:19 76:24 finessed 173:20 finish 73:3 187:6 finishes 108:22 firing 8:1,3 firm 74:20 107:22	153:13 155:2 firmly 151:15 first 2:21 3:23 14:5 46:23 50:22 69:14 71:5 73:3 75:15 78:25 83:23 84:3,6 91:13 105:15 107:17 120:10 122:12 134:25 147:3 159:13 166:8 170:2 174:12 178:11 firstly 11:3 24:15 48:5 175:12 176:11 fit 160:25 178:7 181:12 five 11:3 22:14 25:21 51:24 121:19 132:13 153:5,10 fix 119:25 fixable 119:14 flawed 15:2,14 24:15 42:2 111:10 146:18 156:19 166:1 172:6 179:16 180:15 flaws 93:23 139:24 145:15 176:19 flimsy 173:19 flows 65:9 fly 22:1 focus 179:22 focused 55:3 focusing 169:11 follow 2:19 138:17 159:24 164:25 171:20 followed 14:22 17:16 25:21 47:1 47:8 57:4 89:21 94:12 104:16 111:8 112:17 115:8 145:23 146:4 158:2 168:16
--	---	---	--	--

following 14:4 22:20 50:9 61:12 92:4 111:19 119:15 137:6 140:4,6 165:18	formulated 174:24	87:4	167:21 168:4	161:5 180:11
follows 56:17 64:6 96:16 129:19	formulation 162:2	FSC 50:16	169:10,16,17,20	Gibraltar's 92:1
fond 38:9	forth 140:24	full 41:17 66:13	171:14,17 172:8	121:9
fool 154:7	forum 25:13,17 43:4	71:15 91:8 97:17	172:20	Gibraltarian 19:1
force 40:24 42:11 43:15 48:13 54:4 62:4,15 64:20,22 98:8 99:4	forward 116:4 171:10	108:9 155:4	Gaggero's 166:12	19:2
force's 185:17	forwarded 32:5	156:14 157:22	166:17 167:2	Gibraltarians
forced 137:25	foul 166:18	158:7,10,16,21	170:11 171:12	19:23
forceful 128:11	found 54:11 57:10 57:12 89:25	168:17	179:5	gift 15:7,7
Forces 14:17	104:21 122:23	full-time 51:7 97:16	Galliano's 163:5	Giraldi 5:11
Foreign 111:5	127:6 137:9	fuller 123:3 127:11	gangs 19:7	girding 81:15
forensic 10:5 22:22 59:23	138:10	fully 39:22	gap 7:8,22	give 1:18 2:2 32:5
forensically 10:4	foundered 156:17	function 51:12 104:9	gaping 179:11	50:10 77:12
foreseen 31:15	four 2:21 22:3 25:1,13,14 68:7	functioned 38:12	general 28:5,20 29:23 38:3 47:15	89:11 97:10
forewarned 31:15	69:11 70:17 71:1	functions 41:21 99:11,12 112:13	61:25 62:8 83:6	130:25 131:11
forget 153:11	73:25 74:1,2	131:16	87:7,22 88:10,14	132:7 163:6
forgive 79:24 81:16	87:3 118:25	fundamental	110:14 122:22	given 11:24 16:23
forgotten 88:24,25 163:22	144:5,8 145:25	21:11 43:6,16	142:4 153:1	26:23 27:2 28:7
fork 9:20	fourth 85:13 89:6 117:8 182:24	59:12 132:8	General's 76:19	28:13 31:14
form 57:18 98:25 153:24 174:11 175:14	183:15	139:23 151:21	General.Dr 127:6	32:14 36:2 37:16
formal 33:2 35:7 51:14 125:2,3,13	Fourthly 12:7 59:10	161:24 165:24	generality 132:1	51:23 53:1,8
formalise 52:25	framework 4:22 46:8	169:13 175:8	generally 38:23 49:7 82:6 98:1	56:20,21 57:16
formally 36:21 125:11	framing 179:23	fundamentally	107:14	61:3 71:19 75:10
former 3:2 14:16 41:9 151:13 152:4,6 156:21 157:2 158:11 159:1,2,21 161:19 165:17 176:24 178:10 181:18,21 183:7 184:1 185:23	Francis 117:17,23	13:5 40:1 172:6	generational 8:24	81:21 89:18
formulate 162:15 173:24 180:1	frank 93:22 122:9 134:20	174:18 180:16	generously 97:11	96:12 98:2
	frankly 37:14 153:19 159:21	funding 52:10,12 52:14 53:6,14	genesis 159:6	102:20 107:11
	fraud 157:12 169:13 174:13 178:13 180:14	54:9 59:13,21	gentle 40:13	112:6 124:22
	free 43:2 173:15	60:7 98:1 150:14	gentlemen 19:10	127:21 128:8
	freedom 59:6	further 8:2 28:15 34:14 41:16	GFSC 51:10	133:11 134:7
	freely 83:7,8	75:12 96:22	Gibb 152:24	135:22 137:12
	frequently 1:19	102:23 116:12	Gibbs 2:23 66:22 66:23	138:20 140:16
	fresh 45:13	122:18,21,24	Gibraltar 1:5 2:22 2:25 5:10 6:7 8:7	141:25 142:11
	friend 75:1 76:13 77:2 84:2 90:4	127:2,5,7 135:25	9:4 10:23 14:14	143:13,22 146:23
	friends 19:10	142:17 146:20	17:9 19:3 46:20	150:21 160:18
	front 84:23 85:2	148:7 160:17	47:9 49:11 54:17	161:3 170:2
	FRS 22:3	175:25 176:1	54:18 63:16,22	184:1
	frustrating 86:19	Furthermore	65:8,15 66:5	gives 90:12
		100:18 113:1	68:13 69:2 97:10	giving 5:20 20:20 26:8 91:6 164:18
		future 10:25 30:6 67:10 90:22 140:22 184:12	98:8,12 99:22	go 3:23 10:21 39:21 40:10 42:3 42:19 46:9 65:11 107:21 144:6 150:12 166:13 181:7
		G	100:16 116:20	goes 5:12 17:17 77:24 90:14
		Gaggero 159:11 163:8 166:1,5,8	121:7 128:16	going 9:23 10:9 46:10 69:11,12 70:4 73:5,9
			133:8,13 142:16	
			143:19 148:1	
			152:20,20,23	
			155:2 159:12	

77:19 78:5 79:8 81:17 82:13 86:10,11 91:4 92:16 102:8 123:23 127:25 155:23 156:2 goings 89:2,2 Goldwin 24:9 golf 17:2 Gomez 106:11 135:3 139:17 140:11 142:9 Gomez's 143:8 Goncalves 93:19 94:17,18,20 111:10 145:6 147:5,10 Gonzalez 41:9 good 3:19 5:14 11:7 12:22 22:13 23:4 37:25 38:6 38:17 46:2 48:20 51:23 56:8 61:2 77:3 90:21 91:7 96:17 152:7 173:13 goods 47:12 governance 5:13 52:11 61:10 governing 43:9 government 3:11 6:6 15:10 22:20 30:9 47:15 49:3 52:13,19 53:10 53:12,17,20,22 53:25 54:10 59:20 61:25 62:8 63:4,8 64:2 66:8 98:1 99:2 161:5 171:11 172:3 173:2,6 Government's 91:1 101:4,12 governments 46:6 governor 6:6 12:15 14:21 15:16 20:3 22:5 34:23 38:2,20 40:19 41:15,25	44:2,18 45:11 47:14 49:5 54:12 57:17 58:9 96:5 96:9 99:18,21,25 100:2,13,18,25 101:21,22 102:10 103:5,15 104:4 105:9 106:3 109:23 111:4 112:24 118:5,16 118:23 119:5,8 120:23,25 121:18 123:9 124:8,14 127:16 128:7,11 128:16,18 129:3 129:11,14,21 130:24 132:19 133:3,18 137:14 137:18 138:21 139:4 140:1 141:24 142:3 143:4 148:8 Governor's 45:12 58:1 136:3,8 governors 21:25 46:5 GP 108:6 GPA 12:18,21 15:18 21:20 22:6 33:2 35:23 36:22 36:22,24 37:10 37:12,12,19 38:5 38:11,13 39:5,7,8 40:10 41:9,11,17 41:21 42:9,14,20 43:5,22 44:4,8,16 46:22 47:15 48:2 48:5,6,22 49:4,6 49:6,10,16,23 50:1,8,11,13,18 51:5,10,13,17,21 51:22 52:5,9,10 53:16,23 54:3,15 54:21 55:14,18 56:13,14,16 57:18 58:4,10,12 61:13,17 93:1,6 93:11,18 94:4,7 94:12,21 95:19	95:23,25 97:9,9 97:13,19 98:3 99:11 100:19 102:25 103:3,8 103:10 104:6,21 105:18 106:2,20 106:25 107:4,16 107:22 108:2,24 109:13 110:4 111:4,7,17,19,23 111:24 112:25 113:16,19,22,23 115:5,8,20 116:8 116:12 117:14,24 118:3 119:1 120:19 121:2,5 121:12,21,23 122:1,4 123:18 124:2,9,13,20,25 125:12,14,20 126:11,13 127:24 128:21 129:7,16 130:4,14 131:16 132:3,5,10 133:16 134:3,5 134:10,14,20,23 135:1,10,15,22 136:6 137:11 138:9,11,12,16 138:18,24 139:12 140:5 141:3,8,9 141:13,20 142:17 143:9,20 145:1,5 146:8 147:4 148:22 149:7,14 149:18 150:2,7,9 GPA's 7:10 15:13 40:6 41:12 96:7 102:1 106:7 111:13 112:19 115:4 116:14 118:13,19 119:11 121:15 126:17 133:11 137:16 138:6 140:13,16 141:22 142:20,23 GPF 33:2 64:1 124:20,25 grading 146:12	grant 54:14 granted 24:3,18 76:18 155:3 164:7 grants 52:12 granular 7:17 grasp 8:14 10:7 grateful 66:14 92:18 100:7 151:14 187:3 gratitude 66:7 grave 134:8 170:25 gravity 138:13 great 2:11 74:25 76:12 82:12 greater 149:16 grievances 124:25 grind 9:8 gross 55:13 ground 6:20 34:3 83:10 grounds 116:3 118:4 140:9 153:20 176:17 group 117:20 guarantee 10:22 46:19 guardians 65:3 guidance 51:11 55:4,9 99:15 132:7 guidances 131:15 guide 8:25 66:3 90:21 132:7 guided 27:8 guidelines 138:15 guilty 64:13,23 <hr/> H <hr/> hacking 178:14 half 3:12 78:4 79:9 187:15 hand 78:11 102:17 135:11 150:13 handed 136:24 138:1 handle 37:17 handled 61:12 handling 37:14	99:14 104:11 111:14 115:4 119:19 142:20 hands 93:13,23 154:18 155:12 handwriting 184:8 happen 42:24 67:9 69:2 150:4 176:4 happened 15:21 34:1 37:7 41:7 66:25 67:6,22 69:15 70:6 80:8 91:12 108:14 109:7 116:19 155:3 157:13 162:4 182:17 184:20 186:4 happening 80:10 82:8 happens 6:23 happy 92:10 122:20 127:3 hard 152:19 181:23 184:24 harder 72:21 174:10 harshness 96:10 Hassans 23:20 27:20 31:17,21 48:1 70:9 74:17 74:20,22 75:5,18 78:18 83:4 88:1 90:3 153:12,14 154:17 156:10 Hassans' 154:23 Hassans's 74:20 74:24 haste 41:24 head 58:17 73:20 74:5 82:1 181:17 headline 89:11 119:20 169:4 hear 1:21 2:21 5:1 57:21 86:25 87:2 91:25 135:16 187:6 heard 2:20 7:25 40:13 41:8 68:23 71:3 78:20,23
---	--	--	---	--

80:12 89:11 92:19 103:24 135:23 157:25 172:7 hearing 3:21 16:13 25:21 37:6 70:22 90:19 113:6 152:1 157:16 158:6,15 162:7 180:3 185:15 hearings 1:4,17 heart 73:20 74:4 92:2 153:9 162:22 165:25 171:24 179:11 heat 73:17 74:16 held 31:17 32:2 93:12,23 96:6 111:23 113:1 125:2 128:12 132:11 138:23 149:22 helicopter 116:8 help 72:3 91:11 107:13 154:14 169:23 helped 169:7 helpful 3:4 10:3 151:8 hesitate 29:19 hiatus 170:18 high 98:10 160:6 higher 69:3 highest 14:13 36:11 157:14 highlight 18:20 115:7 167:15 highlighted 159:9 highlighting 19:22 161:10 highlights 40:6,6 162:18 highly 31:23 67:3 80:7 81:7 87:14 87:15 102:5 108:1 184:4 highly-valued 85:24 Hillsborough 8:20	hindsight 16:11 128:3 141:18 hinted 37:19 historical 45:14 historically 16:15 history 94:23 147:10 152:19 HMIC 22:3 118:25 119:2,18 119:24 120:6,17 121:2,4 hoc 150:3 hold 55:21 58:5 91:22 99:4 100:19,20,23 101:7,11 holders 13:12 holds 99:19 hole 179:11 185:16 home 5:11 25:23 honoured 151:23 hope 4:9 7:3 9:11 46:16 67:23 68:2 93:14 hoped 122:24 127:8 hopefully 9:3 120:13 hoping 67:21 horrible 85:9 horse 9:23,25 hotly 166:14 hour 3:3 24:24 73:20 182:23 hours 3:12 28:1 73:22 97:13 huge 65:7 168:23 human 11:17 62:7 174:9 humility 65:24 Hunton 162:24 164:4 168:11 177:14 178:16,18 179:3 hypothetical 158:3 <hr/> I <hr/> Ian 4:11 166:1 180:17 idea 25:11 39:5	83:18 84:11 172:23 185:4 ideally 50:12 identified 1:23 13:22 37:6 50:4 58:7 72:3 83:10 106:14 107:7 162:17 178:17 identify 69:12 ignore 15:5 94:21 174:9 ignored 19:8 ill 138:12 illness 62:3 immediate 28:10 57:1 62:13 75:9 immediately 13:19 22:10 28:15 50:21 imminent 175:11 imminently 76:7 impact 18:24 49:22 106:3 121:4 133:14 142:20 impartial 166:21 impartiality 171:18 implications 150:24 implicit 147:21 implying 123:2 127:11 importance 8:21 30:12,17 36:8 41:10 43:16 121:3 157:4 important 7:1,22 13:9 15:25 18:12 26:15 38:2 51:22 53:24 66:2 68:17 149:20 150:20 151:25 155:23 161:15 171:10,24 178:12 179:9 184:6 importantly 6:15 10:23 16:24 18:7 34:11 46:20 52:8	57:6 65:19 104:6 157:3 importuned 81:16 81:20 impose 154:9 impossible 185:21 impression 125:9 improper 73:11 101:25 102:17 103:20 142:12 143:14 improperly 96:10 improvement 13:20 47:4 in-house 72:4 inability 172:15 180:1 inadequacy 176:25 inadequate 176:24 inadmissibility 168:2 inadvertently 65:2 inappropriate 2:8 24:11 inaudible 134:15 135:9 incapacitated 62:3 incapacity 62:21 incident 14:6,15 14:23 16:17 18:23 21:1 61:22 94:15 107:17,24 108:5,12,13 109:6 112:15 116:9,14,18 117:13,15,21 118:2,4,12,15 121:6 133:10 134:6 incidents 61:11 96:21 134:1,2,4 180:22 include 48:10,14 49:18 60:1 69:16 included 8:20 22:8 24:22 38:5 includes 13:15 98:6	including 11:9 14:16 15:12 27:9 29:16,21 36:3 39:24 44:13 50:20 51:7 52:6 59:23 65:12 68:11 75:6 76:3 100:17 114:23 158:8 186:12 inclusive 142:6 incoming 50:6 incomprehensible 145:20 inconsistent 96:13 increased 54:24 97:2 incredible 41:24 incumbent 36:19 130:20 indefensible 93:12 independence 10:24 12:6,23,24 31:24 36:9,23 41:10 43:10,18 43:20,23 46:21 49:23 53:9,18 54:10 57:15 58:14,15 59:11 59:12 60:18 61:24 62:22 63:6 63:19 65:4 95:18 95:23 96:7 98:12 99:22 100:15 102:1 103:1,11 130:1 independent 15:6 15:15 32:18 57:8 59:13 61:13,18 69:3 73:11 88:9 97:25 100:1 103:4,9 104:23 108:10 110:5 112:23 133:20 140:5 150:11 155:18 156:3 163:18 164:2 165:23 166:3 168:7,21 179:20 186:25
---	---	--	--	--

<p>independently 12:19 39:12,13 42:22 59:22 118:15 134:3</p> <p>indicate 23:23 136:22 146:7</p> <p>indicated 12:16 68:3 129:15 159:2</p> <p>indication 27:2 90:24</p> <p>indictable 26:10</p> <p>indictment 161:9</p> <p>individual 11:5,11 12:4 14:1 18:7 60:24 61:8 106:1 153:14</p> <p>induce 64:10,11,20 64:21</p> <p>induces 64:10,20</p> <p>induction 40:7 50:19 97:20 150:19,21</p> <p>industry 2:11 177:4</p> <p>ineffective 130:11</p> <p>inefficiency 53:5</p> <p>inefficient 130:10</p> <p>inevitable 37:3</p> <p>inevitably 34:2 175:12</p> <p>infallible 13:18</p> <p>infer 86:9</p> <p>inference 85:20 163:20</p> <p>inferences 95:6 107:13 125:23 147:16</p> <p>influence 32:13 40:1 41:14 50:5 81:2 139:15</p> <p>influenced 39:21 47:22 141:14</p> <p>influential 133:10</p> <p>inform 16:18</p> <p>informal 33:4 51:15 123:8 128:25 129:8 148:16</p>	<p>informally 114:17</p> <p>information 16:23 20:21 23:25 24:7 26:5 29:20 30:16 30:18 33:11 39:25 52:3,16 57:23,24 72:17 98:13 112:5 124:3 144:4 182:12 183:19 184:5</p> <p>informed 16:25 20:24 43:4 49:9 51:25 82:17 116:16 136:15</p> <p>infringement 99:20</p> <p>ingredient 175:24 177:18</p> <p>ingredients 175:20</p> <p>inherently 157:7</p> <p>initial 20:10 143:7</p> <p>injury 61:11 62:3</p> <p>innocence 151:20</p> <p>innocent 73:7</p> <p>input 49:25 139:5 179:22</p> <p>inquest 18:8 21:8</p> <p>inquire 35:18 105:3 108:25 109:15 112:14 115:21 118:14</p> <p>inquiries 5:11 133:19</p> <p>inquiring 109:5</p> <p>inquiry 1:5,9,20 2:4,16 4:14 5:11 6:3 7:5,6,25 11:6 11:7 13:14 14:8 15:6,8,15 16:16 19:21 24:17 25:16 27:3,9 63:10 65:7,14,18 66:8,11 72:4,6 74:11 87:15,17 91:12 93:5,6,16 95:5 97:7 103:4 103:23 104:25 105:2,8,17,24</p>	<p>106:16 107:9,12 107:13 108:9 109:23 110:5 112:24 114:25 115:15 118:13 120:4,4,15 124:1 125:8,23 126:5 135:25 136:6,11 136:13 140:13,15 146:9 147:14,15 151:12 152:1 153:16 164:15 165:9 171:20 173:21 177:7 178:8,17 179:13 182:4,14,15 183:3 184:18 186:13,20,22 187:4</p> <p>Inquiry's 140:20</p> <p>inquisitorial 66:2</p> <p>insensitivity 18:20</p> <p>insist 114:5</p> <p>insists 21:23</p> <p>insofar 106:25</p> <p>inspector 113:15 157:11 185:2,5</p> <p>instances 71:1</p> <p>instantly 91:16</p> <p>instigation 18:15 23:8</p> <p>instinct 28:17 90:9</p> <p>institutionally 103:10</p> <p>instructed 7:7 168:21 171:17 175:5</p> <p>instruction 156:2</p> <p>instructions 7:18 7:21</p> <p>instructive 67:3</p> <p>instrument 8:25 42:16 66:3</p> <p>insufficient 160:12 177:1</p> <p>integrity 46:21 48:12 57:14 82:13 98:11 100:14 129:25</p>	<p>180:20</p> <p>intelligent 82:16</p> <p>intend 184:10</p> <p>intended 31:25 157:24</p> <p>intending 76:6</p> <p>intention 5:2 80:17</p> <p>intentionally 19:17</p> <p>intentions 76:5</p> <p>interactions 124:24</p> <p>interdiction 160:22</p> <p>interest 68:19 159:8 167:22 169:5,9 173:18</p> <p>interested 36:17</p> <p>interests 57:13 82:25 92:2 129:24 130:5,15 136:19 166:7,17 168:11 169:2</p> <p>interference 33:25 73:11,15 178:22</p> <p>interim 12:15 14:21 22:5 34:23 40:19 41:25 44:2 44:18 96:5,8 99:17,21 101:21 101:22 102:10 103:5,15 104:4 105:9 106:2 118:5,16,22 119:5,8 120:23 120:25 121:18 123:9 124:8,14 127:15 128:7,11 128:17 129:11,14 132:19 133:3,18 136:2,7 137:13 137:18 138:21 139:4,25 141:24 142:3 143:4</p> <p>interlocutor 31:5</p> <p>interlocutory 158:5</p> <p>internal 33:18</p>	<p>100:17</p> <p>interpretation 10:14 101:17 130:19 132:5</p> <p>interpreted 53:19</p> <p>interrupt 143:25</p> <p>intervene 3:7</p> <p>intervened 69:23</p> <p>interventions 67:3</p> <p>interview 23:13 32:3 76:7 80:18 84:9,24</p> <p>interviewed 15:4 146:1</p> <p>interviewing 83:19</p> <p>intrinsically 29:13</p> <p>introduced 59:2</p> <p>introduction 4:19 5:7 10:2 50:8 61:4 63:23</p> <p>intuited 82:10</p> <p>inures 6:24</p> <p>investigate 12:19 39:12 42:22 56:10 60:1 103:7</p> <p>investigated 14:25 18:14 105:15 134:3 175:3</p> <p>investigating 24:8 76:6 98:15</p> <p>investigation 13:21 15:2 17:1 20:8,12 22:14,18 22:23,24 23:5,8 33:18 71:24 73:12 83:1 94:15 95:12 105:13 115:9 117:4,12 122:14,17 126:24 142:14 143:17 156:24 158:25 164:3 166:2 167:9,25 169:6 170:7,16,20,22 171:19 173:19 174:15,17 179:18 182:7 186:24 187:1</p> <p>investigations 6:1</p>
---	--	---	--	--

184:6 investigative 117:25 176:2 investigator 157:10 investigators 61:19 investment 47:13 invisible 78:2 79:16 85:13 invitation 93:10 103:14 137:23 140:7,17 141:3 141:22 142:23 143:1 invitations 174:8 invite 10:16 45:23 97:7 118:20 121:15,22 124:5 124:17 128:23 129:16 130:4 132:17 134:12,17 137:12 138:19 139:13 141:15 179:13 invited 88:8 104:3 106:9 112:20 127:16 129:7 136:18,20 invites 4:4 inviting 35:23 103:6 134:24 135:23 invoked 105:21 118:4 120:24 involve 37:2 49:25 112:19 involved 18:24 29:14 109:12 111:19 116:1 121:6 170:24 involvement 5:17 29:11 106:7 116:15 118:13 126:10,17 142:17 170:10 171:6,13 involvements 13:21 involving 35:12	61:11 89:23 127:14 iota 7:22 iPhone 28:1 irrelevant 14:9 20:11,16 24:16 33:14 irrespective 11:20 18:23 34:5 irretrievably 11:22 issue 16:15 17:8 18:3 19:24 20:7 21:1,11 22:3,14 32:25 33:12 37:13 38:19 42:3 53:23 61:22 70:23 71:10 73:15 83:14 99:15 116:7,12 116:14 118:25 119:20,21 121:19 124:19 125:6 126:9 130:11 144:25 146:10 147:13 153:10 161:17 162:16 164:15 166:3 170:25 183:15 issued 114:24 issues 1:22 5:13 13:13,22 15:19 15:19 33:16,19 33:20 34:18 35:3 48:8 50:3 52:1,4 53:19 56:21 95:5 96:21 98:13 104:11 106:14,22 106:25 119:3,24 120:8 126:15,15 132:8 136:1 141:19 150:1 176:23 items 95:3 iteration 183:14 ITLT 63:9	153:13 154:22 156:6 165:25 January 167:19 jeopardising 171:1 jest 8:2 JL 75:11 84:10 job 17:15 60:12 67:20,23 91:22 97:16 180:25 181:12 jobs 155:23 Joey 96:18 join 123:20 joined 124:7 160:8 Joint 14:17 Jonathan 163:4 journey 9:4 JR 85:4 judge 9:6,7 24:9 68:17 judges 19:4 judgment 8:7 25:20 40:2 69:17 70:21 71:5 judicial 9:8 24:20 25:5,13,20 26:24 60:9 70:4 72:1 151:4 158:14 July 162:24 June 1:1 4:13 34:19 42:14 47:21 48:4 84:3 94:3 105:6 106:12 126:20 140:12 141:25 142:8 143:11,22 161:21 187:25 junior 2:10 109:11 115:23 jurisdiction 48:10 65:9 112:19 152:13 157:6 jurisdictional 18:16 jurisdictions 145:4 jury 162:13 163:20 justice 11:18 13:4 16:9 19:25 25:25	42:23 52:22 55:7 119:12 120:16 152:12 157:15 158:1,4 159:16 159:19 160:7,17 161:7,14 162:17 163:4,11,16 164:5 168:1 175:7 178:9 Justice's 52:25 53:3 justification 169:8 justified 139:11 151:3 justify 146:16 169:14	105:19 127:23 knowingly 21:24 65:1 103:22 knowledge 29:5 31:1 102:20 116:9 121:25 124:12 126:11 141:18 177:3 known 12:20 22:15 23:16,18 25:3 41:2,17 72:23 171:19 knows 8:12 86:23 Kram 18:3 21:2 35:9,16
				L
			K	
			KC 2:23,25 3:1,10 23:4 24:20 48:1 177:4 keen 169:17 keep 51:13 87:23 89:1 181:16 keeping 45:7 kept 67:2 152:22 key 11:3 152:1 169:11 177:17 183:6 killed 19:14 killing 19:1 kind 82:11 84:18 175:13 knew 41:1 77:3,9 77:10 78:6,7,14 79:11 86:10,11 know 3:7 35:16 40:19 50:6 59:6 67:8 74:15 79:2 79:9 80:8 82:9 83:5,25 84:21,21 85:21,24 87:1,18 91:23 104:2 109:3,19 120:9,9 125:21 143:20 173:13 174:25 182:8 184:19,20 185:7 knowing 75:7 81:4 95:18 104:2	labour 124:21 lack 20:23 40:7 102:20 112:19 138:10,15 162:11 164:10 165:23 lacked 95:23 172:4 lacking 61:21 169:22 laid 68:14 104:17 175:2 landscape 47:6 language 18:4 20:3 37:10 laptops 155:9 large 30:2 47:16 largely 14:1 37:11 126:17 largest 90:2 155:2 late 147:17 161:22 162:2,3,18 167:20 170:19 172:11 latest 127:20 145:20 Lavarello 41:12 41:16 49:14 93:19 95:1,2 132:24 135:7 138:25 141:16 145:6,8 law 9:21 10:22 12:5,22 23:20 31:8 32:24 45:8
	J			
	James 105:12 122:15 126:25			

46:19 47:12	183:20	73:1,7 74:18,24	81:13 83:16	M
59:20 60:8 63:20	legal 24:21 26:23	74:25 77:3 79:7	Llamas's 80:19	Madison 155:8
64:25 66:4 76:3	27:13 29:22	80:5,17 81:20	81:15 83:23	magic 156:7
79:13 80:13 90:7	30:24 31:18,21	83:4,18 85:8	local 19:6	magistrate 24:3
92:6 104:12	32:22,24 52:7	86:20 95:12	locally 24:22	26:3,8 29:4
150:25,25 153:13	57:8 59:14,18,24	105:12 122:15	locals 16:24	158:1
155:2 161:16,24	60:11 89:14	126:25 141:20	location 21:13	Magistrates'
175:21 181:12	97:24,25 104:23	153:14 156:6	83:11	157:20
lawyer 29:24 30:1	140:5 141:5	Levy's 27:25 75:2	logical 162:14	mail 154:24
76:12 88:18	142:24 150:6,11	75:7 86:21 87:14	loins 81:15	main 5:23 30:3
150:8 167:5	150:14 151:21	87:16 154:23	long 10:21 65:10	89:5 137:16
177:5	153:17,25 154:4	liability 60:15,25	65:11 144:9	maintain 6:13
lawyers 8:5 35:12	155:13,19 157:6	61:6	152:9,18 182:15	32:10
35:13 76:1,2	161:12 164:24	liable 61:1 64:24	183:5	maintained 20:15
78:16 85:15,16	174:14 177:3	liaison 171:14	longer 74:4 83:5	161:4 178:2
85:21,22,23,23	legally 156:18	liberties 186:16	179:9	maintains 13:14
85:24 86:6 88:23	legible 184:8	liberty 161:16	longstanding	123:5
88:23 155:18	legislation 149:13	lie 147:23	152:7	maintenance 98:7
156:3 167:13	legislative 47:10	lies 43:21 83:20	look 44:17 71:13	172:21,24 173:3
171:15,16 184:22	52:24 55:7 61:15	92:22 177:8	73:16 90:6	176:16
lawyers' 85:18	63:21 138:15	lieu 182:9	138:16 172:21	major 109:12
layers 148:9	legitimate 85:7	life 17:25 121:6	looking 30:13	making 60:4
lazy 176:10	178:1,20	133:12	71:10 73:14	124:17 141:21
lead 9:23 43:11	legitimately 77:11	light 7:23 9:2,21	125:10 140:19	164:23
92:5 94:6	lend 72:13	10:13 69:1	154:15,16 185:3	malicious 178:21
leadership 38:11	length 169:25	135:20 158:2	loose 101:17	man 88:9,9 91:7
38:16 49:19 51:1	lessons 10:18	171:5	130:19	161:2
119:22	65:20 68:17	likelihood 135:24	lose 59:5	manageable
leadership's 42:10	108:11	limit 25:14 26:24	loss 57:10 118:10	120:17
leading 4:11 105:4	letter 35:16 47:17	limited 31:1,2	118:22 120:7,22	management 22:8
106:18 142:22	113:4,8,19	116:15 123:7	121:1,6,16	51:1 156:4
157:8	136:14,18,24	154:20	130:12 132:18	mandate 4:14
leads 89:25	137:23 138:1	line 68:20 82:5	133:12 137:12	16:16 24:17
leaf 37:8	139:2,5,16,17	lines 76:14 81:12	138:20 139:3	manifestly 39:23
learned 10:18	140:4,12 141:5,7	83:11 171:20	182:19	99:24
65:20 68:18	141:7,11 142:1,2	linkage 163:19	lost 11:22 12:9,16	manipulation 17:7
74:11 77:2 84:2	143:8 184:22	listen 30:1 78:3	35:20 128:19	manner 11:15
108:12	letters 12:12 30:24	listening 185:14	129:4 133:1,25	14:24 21:5 31:21
learning 90:20	37:10 39:25	litigation 78:18	171:3 184:11	mantra 17:15
leave 9:19 69:2	56:24 114:3	little 5:5 17:13	lot 10:8 53:14	March 21:18
173:14	level 32:16 58:25	68:23 110:23	120:8,11 148:15	108:15 110:15
leaves 23:11 33:19	151:19 175:3	124:3	164:18	116:21 117:9,18
leaving 83:13	levels 14:13	live 67:1 76:15	loud 17:3	Maritime 117:20
lectures 150:21	Levy 23:20 24:20	142:14 143:16	loudly 45:21	Mark 23:1 156:8
led 73:1 121:10	26:18 27:20	153:4	Lovely 3:20	168:12 172:16
142:18 165:13	28:14 29:7,14,18	lives 19:23	lower 48:16	173:20 174:6
166:17 181:20	29:23 30:20	livestream 185:14	LSRA 51:10	market 173:15
left 67:7 81:5	31:11 32:1,4,9	Llamas 28:5 69:22	lunch 144:10	Mars 17:25
123:12 165:14	35:14 70:9 71:18	70:1 78:21,24	187:13	mass 155:24

material 13:15 95:6 107:8 114:6 143:23 155:25 178:5 181:20,25 184:23 186:12	121:22 122:13,19 123:1,6 124:5,16 124:18 125:11 126:21,23 127:2 127:9 128:20 129:17 132:17 133:25 134:12,24 135:11,18,22 136:4,9,14,18,24 137:1,5,12,17,24 138:1,2,12,19 139:13 140:7,17 141:4,6,15,23 142:24 143:2,10 143:21 144:20 145:8 147:9,25 148:12 166:1 169:15,17,20,23 170:10,24 171:4 180:17,19 181:23 182:7 183:20 184:16,21,23 185:5,6,10,16,23 186:6,7	meet 101:20 126:22 meeting 28:19,20 33:22 34:1,12 38:20,23,23 39:9 40:20 41:6 42:8 79:1 80:7 81:11 85:25 86:13 87:21,25 88:21 96:4,6 99:17 102:4,8,11,16,21 104:3 105:22 106:9 111:23 112:16 113:12 118:6,18 122:1 122:21 123:8,23 125:2 127:5,16 127:21,22 128:5 128:6,9,12,25 129:9,12 132:10 132:14 135:16 137:2 145:21 170:11,14 181:7 meetings 31:16,19 32:9 39:7 51:14 51:15,17 77:17 78:7,14,22,22 80:2 81:1,9 83:13 85:12 86:7 88:2,7 100:20,23 101:11 111:17 125:3 149:21	menacingly 26:20 mention 77:17 mentioned 122:1,5 122:6,9,10 mentor 75:1 90:3 merely 5:3 40:14 97:22 merits 153:21,25 165:10 message 45:25 75:9 87:13,19 88:12,13,15 145:12,16 messed 75:25 messages 71:9,16 71:20 72:7 73:6 86:20 117:10 154:22 messaging 78:15 88:4 met 18:14 27:21 31:12 75:24 122:13 126:22 157:11 methodology 16:2 35:11 111:9 170:7 methods 35:7 44:13 55:13 meticulous 115:10 126:6 meticulously 107:8 Miami 18:4 Michael 82:7 middle 6:20 Miles 25:4 31:14 32:20 Miles' 25:20 mind 89:13 143:11 155:6 minded 27:6 mindset 9:8 mine 143:21 minimum 62:23 minister 6:7 12:15 14:19,21 22:6 26:20 28:6,19,21 28:24 29:21 30:8	34:10,16,23 35:7 38:3,21 40:18 41:15,25 42:20 42:21 52:13,21 52:22,22,25 53:2 53:3,7,7 57:17 76:24 79:12 81:21 87:7 88:3 88:4,5 90:4 95:13 96:1,4,8 98:24 99:18,20 99:25 101:6,20 101:22 102:9 103:5 104:4 105:9,21 106:2 108:8 110:9 111:4 113:19 117:21 118:6,8 118:17,23 119:6 119:9,12,17 120:15,24 121:1 121:17 122:20 123:9,11 124:9 124:15 127:3,17 128:7,10,17 129:1,2,4,11,15 129:22 130:12,24 132:20 133:3,19 133:24 137:14 138:22 139:4,6 140:1 141:25 142:3 145:13,17 145:18 146:21 Minister's 120:14 136:3,8 139:14 ministers 22:1 46:6 minutes 51:14 75:15 114:2 132:14,16 187:18 misconceived 99:24 156:19 174:18 177:18 180:16 misconceivedly 96:3 misconduct 55:13 62:25 63:18 130:10 161:2
materially 140:20 materials 155:11 168:17 matter 14:8,10 18:13,21 20:6,8 21:7,21 25:19 32:6 33:8,14,23 34:6 35:5,22 37:15 52:8 55:11 57:25 93:14 96:25 103:17 107:2 110:25 111:14 114:7 116:13 118:1,19 122:25 124:11 125:4,22 126:3,3 127:8 134:7 166:7 181:6,14 matters 13:22 28:9 33:25 37:18 51:25 94:1 96:20 99:5 100:21 101:12 106:15 119:13 126:7 148:23 150:2 maximum 146:16 McGrail 3:9 4:11 11:21,24 12:10 12:17 13:16 15:12 16:21 20:20 21:12,15 21:19 22:9,11 23:2,9 28:3,11,18 28:22 34:17 35:1 35:5 36:6 41:4 44:25 45:4,5,9 66:7 93:10 94:13 94:20,24 95:13 103:6,14 105:4 106:18 110:11 113:4,14 115:25 116:17,25 117:10 117:19 118:9,11 118:20,24 121:15	McGrail's 1:22 14:10 15:22 20:9 33:15 45:19,19 75:10 95:9 103:17 116:22 119:9 128:15 133:4 135:16 137:1 139:1,19 140:2 142:18,22 143:7 145:24 148:3 171:6,13 182:4 184:7 186:2 mean 85:21,22 89:8,18 90:19 means 103:21 168:10 186:10 meant 157:18 measured 80:11 measures 10:20 46:18 57:2 58:7 66:4 mechanism 98:17 medically 62:4 meekest 39:14	member 48:15,19 49:6 51:18 64:22 113:22 117:19 125:20 150:8,9 members 48:7,22 49:6,10,12 50:18 51:22 64:19 94:3 97:19 107:4,16 111:19 120:19 121:11 122:4 125:15 132:12,13 134:10,14 145:1 145:2,5 146:1,7 147:5 148:22 149:3,24 150:20 men 152:7,18		

misfeasance 27:1 160:16,20	months' 26:23	29:9,10 48:11	new 5:9 19:11	NSCIS 166:10,13
misgivings 81:18	Monty 95:25	49:17 51:6 52:6	45:11,12 54:8	169:10 170:3
mislead 21:24	monumental 154:5	112:23 117:15	116:3 128:15	172:20 173:6,8
misled 21:12 118:9 123:14	Morello 125:15	154:1 155:21	172:14 173:16,22	178:15 179:1
missing 70:24 71:9 72:10 73:8,13	morning 3:19 68:3 68:6 100:5	166:15 169:24	news 74:16 155:6	nub 172:4
77:15,19 85:12	152:25 187:11	171:18 174:23	newspapers 33:6	number 119:3
85:14 86:21 89:7	morphing 169:14	176:1 179:22	nil 141:12	139:20 142:5
mistakes 21:3 132:2	motivated 21:16	180:4	nine 33:19 163:2	153:15 168:14
misunderstanding 34:4	motive 16:5	need 1:21 3:4 25:18 43:18	no-one 8:1 38:10 178:6	numerous 13:9 26:1 53:13 111:3
misuse 159:23	motives 102:10,17	60:19 68:23 86:2	nodded 70:11	
162:21 163:21	mounted 85:9	86:3,4,16 91:18	Nolan 13:9	O
176:18 177:16	mouthpiece 7:13	97:5 131:23	non- 85:3	oath 53:1
178:14	move 46:10 63:4 92:16 93:14	150:11,16,23	non-Gibraltar 17:10	obfuscate 93:11
mitigation 40:5	115:17 116:7	160:8 181:22	non-Gibraltarian 17:5 18:12	obfuscation 183:12
mobile 73:2 76:9 90:1 122:17	moving 10:1 11:1 13:12 20:7 22:2	needed 81:5 82:1 84:19 96:20	non-historic 126:18	object 39:3,6 112:17 113:9
127:1 154:20,23	22:13 32:25	120:2 136:23	non-rushed 46:2	objected 1:12
mocking 96:11	166:9 170:3	155:19	non-voting 51:18	objecting 19:12
MOD 15:3,9 16:23	multiple 180:12	needing 119:18	normal 31:7,22,23	objective 4:3 16:25 26:8
20:21 108:7,11	N	needs 9:5 149:11 160:6 174:13	normally 87:10	150:10
112:20 113:7	Nadine 135:5	negative 15:1	North 75:3 76:10	objectively 170:9
114:14,17,22	named 117:20	negotiated 47:8	North/Levy/Has... 83:1	objectives 103:20 104:1 140:21
115:17	nation 8:25 43:12	negotiation 31:19 80:21	notably 162:20	obligation 165:2
model 23:11 54:9 54:21,23	national 23:10 89:24 100:16	negotiator 31:5	167:16 168:8	obligations 5:18 5:24 11:8 13:18
modern 48:9 63:17	146:5 171:1	Neish 2:25 92:13 92:18 97:17	note 33:8 86:4,8 86:17 87:23	21:6 22:19 30:9 45:7 59:15
modernise 120:2	172:1,10	100:6,12 108:16	120:15 128:25	oblivious 83:12
modernised 47:5	nationality 18:24	108:18,20,23	129:8 162:5	observation 4:3 7:23 136:5
modest 91:20	natural 11:18 13:4 16:8 55:7 161:14	109:2,5,9,17,20	175:14 180:5	observations 4:21 10:13 11:2,3
modus 170:6	naturally 111:18	109:25 110:3,20	notebooks 182:10	14:5 21:9 37:17 48:21 160:17
Mole 19:11	nature 16:4 30:16 33:24 56:23	144:1,4,5,11,13	notes 10:9 22:4 51:11,15 55:9	observed 163:16
moment 6:13 8:21 15:22,23 39:22	117:16 138:8	144:17 151:9	85:14 88:25	observes 33:24
66:17 73:17	170:17 179:25	neither 35:6 117:14 182:3	182:5	obstruct 154:13 156:11
74:16 143:25	181:2	nervous 127:23	noteworthy 101:6	obtain 154:4 167:18,21
144:1	nauseam 105:2	Netflix 5:14	notice 71:19 102:7 127:21 149:25	obtained 29:22 105:16 140:5
money 54:6 98:10 98:20 166:13	NCIS 121:20 179:4	neutral 6:17	notification 112:6	162:23 164:2 175:6,17 176:1
Montegriffo 48:1	NDM 71:14	neutrally 165:5	notify 169:17	obtaining 164:18
month 67:4 178:9	nearly 111:14 158:17	never 10:24,24,25 12:9 28:2 69:14	notion 73:10	obvious 45:6 46:23
months 24:21 50:22 152:11	necessarily 132:3 150:10	69:22 70:5 86:10	notions 81:25	
158:17 159:20	necessary 1:24 3:14 14:23 24:17	86:11 100:10	notwithstanding 16:14 27:4	
		104:19 150:14	112:18 152:15	
		162:4,10,12	novel 25:11	
		175:8 183:24		
		186:11		

47:3 68:18 71:23 72:6 165:8 166:3 166:21 168:2 186:19 obviously 1:17 66:17 68:9 72:11 119:1 148:21 163:7 169:5 174:3 occasion 24:10 occasions 111:3 occurred 16:10 94:5 121:7 127:14 134:5,6 165:19 177:25 178:18 occurrence 133:12 occurring 123:12 occurs 148:25 149:1,1 OCPL 23:9,23 59:18 156:1 164:17 165:7,16 174:21 179:23 187:1 October 116:25 135:4 158:6 159:13 162:19 170:18 179:8 oddly 169:16 offence 26:10 64:14,23 159:11 161:11 176:12 offences 64:5 163:21 175:19,22 175:24 177:17 offer 68:9 offered 50:24 51:4 51:6 76:10 offers 60:12 office 13:11 25:23 61:13 82:13 88:19 111:5 128:17 135:14 137:1 160:16 161:3,4,4 183:22 officer 11:11 21:15 21:20 23:1 24:8 35:1 51:8 61:1	62:14 64:11 90:9 92:1 170:22,23 182:11 185:2,11 officers 5:19 11:5 14:1 15:12 18:25 19:6,18,18 21:4 23:5 26:22 58:18 59:20 60:24 61:8 62:2,18 63:14 64:4,9 76:3 78:7 79:13 80:13 84:18,20 98:16 107:24 109:11,16 115:22,24 145:3 155:7,21 157:7 164:20 177:2 182:9 185:19 offices 27:20 74:21 74:21 170:12 officials 114:15,17 114:22 officio 49:5 okay 3:16 38:24 66:16 92:15 110:2 187:23 old 183:21 omissions 11:10 once 43:25 69:21 72:4 77:5 187:4 187:17 one's 16:1 one-sided 114:11 114:13 one-way 171:22 onerous 99:8 149:15 ongoing 6:4 21:7 50:7 51:3 71:23 179:25 187:2 Op 151:14 152:6,9 156:21 158:4 171:16 173:18 182:1 184:23 186:15,24 open 3:22 17:7 27:3 44:16 78:1 78:10 93:3 140:13 145:3 opening 4:16 5:6,8	6:16 13:10 38:25 43:9,24 45:22 95:11,20,21 97:3 103:18 106:20,23 107:19 162:5 175:14 180:2,5 openly 114:14 operandi 170:6 operate 98:14 operation 3:2 16:7 16:9 18:3 21:1 22:15 25:7 26:3 35:8,11 62:14 105:12 121:25 122:8,15 123:17 123:21,24 124:3 124:7 126:24 136:1 138:5 140:3 141:14,19 142:2 165:25 166:4 171:8 operational 5:21 23:14,18 27:22 27:23 31:24 33:25 43:10,23 53:10,19 54:10 59:11,16 operations 157:9 opinion 51:19 114:6 178:15 opportunity 18:19 56:10,13 57:21 67:12 131:1,12 134:19 135:12,23 151:12 159:4 178:11 187:3 opposed 146:25 option 136:16 137:11 138:19 oral 2:13 4:17 5:20 27:3 44:23 75:19 102:6 107:10 114:16 120:3,14 128:2 129:10 135:7,8 141:17 146:11 164:19 orally 56:14 79:6 order 4:1 24:25 25:24 31:9 41:1	58:14 71:7 72:24 154:9,11 178:8 orders 27:15 60:5 61:25 62:8 ordinary 25:3,6 82:11 organisation 13:25 58:17 organisational 18:10 organised 19:7 origin 17:16 original 146:18 172:15 173:17 originated 185:4 ought 90:24 108:9 125:24 148:20,24 151:1 160:18 oust 95:13 outcome 9:11 40:12 41:3,18 65:21 outflanked 84:23 outflanking 85:6 outlined 177:19 outlook 6:17 outset 70:6 168:22 outside 17:9,9 19:11 116:19 121:7 133:12 outsourced 117:13 overall 100:2,14 overarching 13:13 overdramatise 17:19 oversensitive 43:1 oversight 52:10 54:15 148:7,8,9 overturned 19:3 overwhelming 14:4 36:3 owned 49:2 ownership 166:12 171:25 172:9 owning 172:19	page 176:5 pages 2:14 26:6 144:6,8 paid 49:12 50:15 50:16 57:8 163:9 panel 145:25 Panorama 33:6 paper 9:16,17 150:18 182:20 184:13,16,17 185:6 papers 149:23 paragraph 27:5 70:12 90:25 110:25 111:11 116:24 122:11 123:10 134:21 135:5,9 146:23 paragraphs 39:5 95:11 116:22 park 84:9 parking 21:8 35:13 parole 149:2 part 4:19,19,21,23 4:24 5:2 15:25 46:13 97:22 102:2 113:17 114:7 116:10 124:4 126:12 163:15 171:13 176:22 184:12 part-time 99:10 149:17 participant 1:12 5:17,22,23 6:19 6:22 25:8 95:18 104:2 105:19 participants 1:6 6:21 7:6,16 38:1 83:15 151:15 153:16 156:5 participate 112:21 participated 39:23 66:10 participation 112:22 168:19 particular 24:10 47:25 70:23
P				
			pace 3:6 packed 181:24 packs 51:23	

76:25 79:10 80:22 159:24 164:16 particularly 3:5 10:19 30:8 31:14 46:17 58:10 60:5 95:7 151:25 157:6 161:15 particulars 176:4 parties 1:18 2:2 3:11 7:4 13:9 22:5,20 37:1 43:9 49:22 112:20 parties' 158:7 partly 174:16 partner 74:22,25 90:2 parts 53:20 107:8 party 5:24 114:12 party's 166:25 pass 91:4 passage 1:10,16 passed 76:1 passing 90:24 password 185:11 186:7 passwords 185:20 pattern 18:2 176:22 Paul 22:25 24:6 156:7 pause 82:14 133:23 162:9 pausing 89:19,20 PCB 117:14 pension 58:23 59:1 59:5,7 people 25:3,6 65:1 72:15,15 73:17 80:6 82:23 88:13 people's 186:16 perceived 13:2 31:7,18 33:17 34:25 44:12 80:20 perceptions 45:13 Perez 166:9 perfected 173:10	perfectly 38:9,24 71:25 102:14 perform 101:2 performed 42:18 period 35:18 42:14 47:9 50:13 77:25 78:12 84:16 126:19 148:18 181:3 182:15 peripheral 95:4 permission 60:22 person 17:11,14 40:21 42:5 48:25 51:7 58:25 64:7 64:17 77:6 88:6 88:7 150:9 154:11 184:10 personal 7:2 28:13 47:23,24 58:19 60:24 75:4,11 76:11,25 87:20 93:24 177:1 183:25 184:15 personally 136:25 personnel 15:4 16:24 20:22 108:7 115:17,18 persons 19:9 perspective 4:2 107:12 156:21 persuade 1:19 10:4 152:16 171:11 persuaded 84:8 persuading 84:12 persuasion 84:16 persuasive 10:10 26:1 pertains 159:25 pertinent 102:5,5 160:17 perverse 116:6 Peter 3:10 phase 1:4 phone 122:17 127:1 154:23 181:9 phones 154:20 phrase 85:9 172:6	Picardo 11:23 28:17 29:18 34:6 36:4,12,18 37:11 39:24 45:17 74:14 76:23 78:12,15 86:20 Picardo's 25:11 28:10 29:11 86:23 pictures 19:18 piece 3:12 9:16 82:22 piggy-back 167:24 pilot 116:8 Pitto 26:2 pivotal 82:16 163:22 177:22 Pizzarello 122:7 placards 19:17,21 place 17:16 61:6 90:1 105:15 110:8 131:25 148:17,24 149:3 149:21 174:12 placed 5:25 6:4 79:17 114:8 plain 83:21 plainer 83:22 plainly 177:5 plan 2:20 27:22,23 98:22 99:13 155:15 163:5 planted 82:1 platform 179:1 play 83:2 171:9 played 15:25 84:22 116:9 117:24 124:4 126:12 players 109:12 playing 78:10 pleas 153:24 please 92:19 144:17 plenty 70:10 ploughed 168:25 plunged 104:21 pocket 181:9 182:10 183:21	184:2 point 21:17 47:19 53:24 68:2 83:14 87:9,12 94:2 95:8 100:13 115:6 124:1 154:6 156:20 159:13 161:20,24 164:25 167:15 169:4 171:20 174:22,23 175:9 179:9 180:21 pointed 173:1 pointing 30:10 100:8 points 20:25 111:20 137:6 139:22 140:9 148:19 161:25 174:4 police 1:6 2:23,25 4:12 5:4 6:7 9:15 9:18 10:15 11:14 11:18 12:6,9,11 12:18 13:3 14:11 14:25 15:2 16:6 17:5,11 18:14 19:12,15 21:25 22:9,18 30:10,15 34:17 35:4,21 36:7 38:22 39:19 43:12,13,15,18 43:19,21 46:1,4 46:25 47:5 48:13 50:2 51:16 52:16 52:20 53:13,21 54:2,4 55:1,2,16 55:17,24 56:7,9 56:12 57:7,11,22 58:3,6,16,22 59:4 59:16 60:21,22 61:4,5,7,12,14,15 62:1,10,11,12,17 63:13,15,16,24 64:3,4,9,11,19,22 65:3 71:21,23 72:13 73:12 74:17 76:5,16 78:7 83:3,17	84:9,17,20 88:1 89:21 92:1 94:14 95:15 98:6,8,13 98:16,18 99:14 99:22 104:8,17 105:5,11 106:4 106:10,19 110:10 110:14 115:10,22 116:5 117:22 118:11 119:10 121:23 129:5 130:4,17 131:19 142:16 143:19 144:21 146:5 147:8 148:1 154:14,16 164:20 166:2,4,5,22,23 167:23 168:18,24 169:6 170:9,16 171:19 174:12 177:2,9 180:7,20 181:7,21 182:6 182:24 183:16 184:1 185:25 police's 72:21 policing 5:24 11:8 13:17 16:7 21:6 21:6 48:9,15 53:4 57:15 98:12 98:21,22 99:13 100:15,16 108:3 130:1 133:8 136:19 146:6 policy 21:6 185:17 political 25:10 43:11,15,21 169:2 politicise 43:22 ponder 150:1 poor 186:9,9 Port 54:18 Portuguese 18:22 position 8:23 9:10 12:14 14:18 17:14 20:12 34:5 37:16 44:15 60:25 67:17 76:25 91:2,22 97:6 125:22
---	---	---	--	--

126:7 129:3 133:4 137:22 138:22 positions 67:13 positive 154:9 possessed 136:13 possibilities 13:20 possibility 81:24 possible 18:6 19:5 27:24 34:3 35:25 48:24 50:3 60:23 65:19 68:8 81:19 81:19 113:20 168:15 178:23 possibly 31:10 42:4 81:20 82:16 148:10 187:12 post 143:9 180:19 post-charge 172:11 postulated 173:22 pot 114:20 potential 18:6 85:2 90:15 133:14 potentially 81:22 89:12 121:8 177:14 power 8:10 25:10 42:19,24 43:11 43:21,22 44:2,5 44:19 58:5 61:18 62:12 69:5 76:20 110:18 powerful 72:15,16 powers 13:1,2 35:3 35:9,24 40:24 50:21 55:19 58:1 58:13,19,21 59:25,25 99:12 100:1,18,24,25 101:4,14,14 102:18 104:6 110:7,20 120:21 128:22 136:12,16 137:19 143:5 155:3 156:13 practical 10:20 46:18 154:3 practicalities	154:2 practice 31:23 47:2 62:21 151:23 155:5 practices 90:22 pray 20:6 pre-approved 7:12 7:13 37:24 pre-charge 168:22 pre-litigation 78:19 preceded 180:22 precise 21:12 precisely 52:21 70:15 173:16 preclude 27:11 predated 14:10 predates 20:9 33:14 predecessor 145:24 predetermined 37:3 predisposition 16:20 20:18 21:10 prefer 45:19 92:11 92:13 preferred 16:22 36:13 preferring 45:17 prejudiced 172:12 premise 167:25 172:8 173:18 180:13 premises 154:12 preparation 99:3 99:13 prepare 25:18 prepared 143:4 147:7 159:4 162:5 presence 24:7 88:17 present 2:6 17:12 59:17 81:8 96:14 107:3,15 112:16 113:12 145:21 162:12	presented 2:4 24:6 149:24 173:23 178:10 preserve 86:4 preserves 86:8 presided 10:6 press 5:13 pressure 32:11,11 39:11 49:21 80:3 81:1 142:13 143:15 presumably 26:21 84:7 123:16 presume 7:4 37:4 presumption 151:20 presumptuous 4:7 pretend 91:15 pretense 37:9 prevail 64:25 prevails 10:22 46:20 66:5 prevalence 63:20 prevented 41:13 preventing 63:24 previous 5:10 8:11 8:19 27:4 147:8 previously 22:19 33:10 63:22 64:4 111:17 Pricewaterhous... 163:10 primarily 24:16 primary 14:9 principal 177:16 principle 151:21 174:7 principles 13:10 161:12 printed 184:24 prior 23:21 60:2 146:8 169:10 170:13 prism 16:10 private 88:22 104:11 150:25 170:11,14 privilege 155:14 155:20	privy 129:13 proactive 51:12 probably 5:5 10:7 11:16 36:17 40:25 109:18 120:9 138:23 probity 57:14 98:11 100:15 108:3 129:25 problem 31:20 80:16,17,22 161:10 164:10 167:14 172:23 177:7 procedural 44:1,6 139:23 140:9 procedure 11:13 80:4 104:15 procedures 80:25 99:1 104:17 131:15 140:22 proceed 15:9 proceeded 81:6 proceedings 3:16 60:9 76:21 152:11,15 process 11:12,19 13:6 15:13,20 18:8 26:16 34:21 34:22 36:2 37:1 37:2,9 39:17,23 40:12 41:5,23 42:2,17 43:25 44:11,24 45:3,5 45:15,20 46:3 56:17,22 57:5,7 62:25 63:1,5 74:11 93:7 94:19 98:15,19 103:13 104:5,14 111:15 111:25 112:17,21 113:24 114:10 115:4,9 124:10 138:17 139:24 140:14 141:1 142:21 144:22 145:11,22,23 146:3,4,10,12,17 147:6 157:5	176:20 processes 16:6 63:3 94:12 131:24 149:20 150:23 procure 29:16 produce 54:24 112:8 141:9 produced 132:14 175:15 176:5 producing 96:2 production 25:24 27:15 31:9 60:4 71:7 72:24 154:8 154:11 professional 21:5 22:17 23:6 28:6 33:18 51:3 92:1 155:13,19 156:24 169:22 professionalism 13:23 22:21 professionally 6:10 professionals 185:14 profound 181:11 programme 50:19 progress 22:13 prohibition 62:24 project 156:18 promised 46:8 promote 177:10 prompt 82:18 promptings 81:13 81:14 promptly 103:13 140:6 prong 77:19 85:10 85:12,14 proper 10:14 13:6 34:21 72:1 102:10,14,22 138:17 150:16 165:20 174:14 properly 12:25 33:11 36:25 57:16 104:10 149:19,22,23
--	---	---	---	---

150:18 151:3,19 161:25 172:10 186:17	proud 152:18 prove 40:10 86:5 172:15 179:4	Purely 136:5 purpose 1:17 10:17 41:19	quarter 3:3,17 quasi 61:13 quasi- 25:12	ranking 146:13 rash 181:4
proportional 108:1	proved 73:6 proven 75:17	62:19 65:15 66:1 79:11 102:21	question 29:6 38:15 39:15	ratification 38:7 rational 115:12
proportionate 56:19	provide 52:16 90:21 98:13,17	purposes 112:12 112:14 177:21	42:11 73:3 77:4 77:4,13 85:11	rationality 82:10 raw 19:4
proposal 148:3 proposals 150:1	112:4 151:13 159:17 163:10	pursuant 152:9 pursue 166:6	89:5 91:17 113:7 142:19 144:3	re-amended 174:2 reach 64:1 133:20
proposed 50:11 147:20 176:3	173:5 provided 21:22	pursued 103:19 pursuing 161:10	148:21 161:7 178:25 179:6	reached 17:21 35:15 58:10
proposing 173:3 proposition 70:18	56:7 72:8 165:22 179:24 182:3	174:17 purview 23:14	183:9 questioned 125:7	reacted 21:2 74:15 83:3 94:9
70:19,25 proprietary 159:8	184:18 provider 51:1	push 82:2 put 2:3 80:2 120:1	questioning 39:1 questions 7:12	reacting 11:9 94:9 reactions 19:5
169:5,9 172:5,9 173:17	provides 112:1 129:18 130:22	120:13 142:13 143:15 148:24	27:10 28:25 36:15 37:22	reactive 47:22 51:13 120:10
prosecution 152:3 153:3 156:14,23	131:10 proving 175:23	149:3,6 160:7 180:23 184:15	65:17 77:7 105:7 117:3 147:14	read 4:16 55:22 64:6,6 68:4 78:2
157:13 158:5,19 162:3 171:15,21	provision 13:3 61:4 130:18	186:13 puts 107:11	182:16,21 183:6 183:17 186:19,21	157:22 readily 103:2
172:4 176:14 177:23 179:11	176:23 provisions 63:11	PwC 167:23 Pyle 11:23 15:17	quick 45:9 124:17 quite 5:12,15	readiness 173:24 ready 158:22
180:1,5,14 prosecution's 163:18	63:21 104:15 131:19,24 132:1	15:25 16:21 17:18 19:21	26:19 73:25 77:11 79:22	real 18:23 105:20 139:25 153:1
prosecutions 6:9 23:4,17,23 29:1	148:8 proxified 40:11	20:14 21:12 33:8 34:12,13 36:4	88:20 120:13 126:8 144:9	171:3 realisation 67:8
38:4 59:20 prosecutor 180:9	95:24 103:2 PS 160:4	44:22 45:1,1 94:11,17,18,25	162:4 184:3 quo 68:16	realise 66:23 75:20 reality 174:9
prosecutorial 179:19	public 1:4,20,20 2:3 6:9 13:11	105:21 110:22,25 111:13 112:16	quorate 41:6 132:10	really 30:5 78:5 79:22 89:12
prosecutors 177:10	23:3,16,22 24:25 29:1 30:2 31:7	113:2,8,11,23 114:10,13 119:12	quorum 132:12 quote 80:14 81:17	125:1 132:7 150:6,24 153:21
prospects 175:23 177:22	38:4 43:6 47:16 49:2 60:8 62:11	119:16,23 125:8 125:18,20 128:2	quoted 30:2 quoting 79:24	162:12 164:12 181:6 182:22
protagonists 152:2 protect 82:12	62:18 65:11,13 65:23 67:12 86:1	144:25 145:2,7,9 145:11,17,25	<hr/> R <hr/>	Rear 14:16 reason 14:9 35:21
91:22 105:12 protected 32:17	86:12 97:9 98:25 104:12 149:2,4	146:11 147:3 Pyle's 16:19 17:4	Radakin 14:17 raise 15:23 101:22	46:2 106:17 113:6 118:21
161:13 protection 25:11	150:25 153:7 157:16 160:16	21:10 36:12 45:18 95:7	raised 15:24 21:18 95:9 102:8 111:2	121:14 132:23 133:2 137:16
181:13 185:2 protections 63:13	161:2 168:23 174:25 177:12	111:22 115:2 120:3 125:12,17	111:16,18 113:23 119:4,24 123:21	139:25 142:21 173:14
proteges 72:19 protest 19:25	178:10 180:9 publish 98:21	125:24 145:20 146:9,20 147:17	139:9 147:3 161:22	reasonable 57:2 171:20 182:10
protested 19:11 protocol 61:9	published 120:11 punch 141:10	Python 96:1 <hr/> Q <hr/>	raises 183:17 186:18,21	reasonably 114:4 reasoned 58:11
protracted 181:3	punched 185:16 pure 69:24 153:2	qualification 1:8,9 59:1	raising 115:3 161:20	reasons 4:10 11:23
			rank 48:16	

12:11,18 15:10 20:17 26:8 28:16 44:6 103:4 105:3 105:20 109:13 118:7 120:24 124:15 128:19 133:9 136:7 139:3 140:19 146:14 154:4 reassurance 76:11 recall 20:13 113:11 116:18 182:8 recalls 113:23 122:10 receipt 140:4 receive 97:11 received 29:20 71:4 115:23 123:3 127:11 receiving 157:5 recite 5:3 reckless 186:3 recklessly 21:24 65:2 recklessness 18:10 recognise 69:6,25 179:13 recognised 7:3 22:19 23:2,5 32:13 34:7 41:20 62:17 68:21 93:8 recognises 53:25 65:6 recognising 13:19 151:16 recognition 14:16 recollection 117:7 122:8 135:2 recollections 122:3 recommendation 15:16 40:8 46:24 54:8 94:22 148:6 recommendations 4:4,23 9:13 10:17 40:9 46:12 46:16 47:19,20 48:4 50:9 65:20 68:8,12 69:8	89:8,13 90:15 93:15 115:11 131:22 140:22 147:19,20,24 148:5,15 recommended 110:4 113:1 115:15 reconsider 91:18 reconsideration 135:20 reconsidered 74:9 record 18:13 86:5 86:9 88:6 89:1 114:9 123:8 126:4 166:8 170:15 178:12 record-keeping 150:17 186:9 recorded 114:2 137:2 recording 79:3 88:17 137:3 181:10 recording-keepi... 186:10 recordings 78:3 181:1 records 51:14 85:15 87:20 89:7 107:2 129:1,9 183:25 184:9 recourse 150:5 recruitment 42:4 48:6 49:15,24 rectified 68:21 93:9 rectify 56:20 recuse 50:7 red 68:20 83:11 redacted 1:16 redaction 1:10 reduced 36:20 refer 20:5 87:21 87:24 123:25 178:4 reference 18:1 61:20 108:14 123:16 184:2	references 17:25 62:5 referred 13:10 53:6 86:2,10 refers 88:2 reflect 31:4 91:18 148:16,19 154:2 reflected 74:8 reflects 135:10 refuse 44:9 refused 58:4 59:19 102:3 160:11 refutes 147:11 regard 4:5 17:16 36:7 48:7 49:16 58:25 92:23 125:17 174:21 regarding 99:12 regardless 179:21 regards 59:2 60:14 Regiment 152:20 regrettable 13:8 16:19 183:1 regrettably 16:16 18:2 39:20 regulations 63:18 104:18 131:20,24 regulatory 51:9 54:17 149:8 reinforced 85:1 reinforcements 85:4 reiterated 138:5 rejected 116:2 150:15 relate 53:14 94:10 related 6:3 182:1 Relatedly 182:2 relates 1:10 71:5 73:10 77:17 85:13 95:7 relating 87:20 162:21 184:23 relation 5:2 23:10 35:8 55:3 73:2 89:14 93:25 99:2 123:24 148:11 160:14 163:4 187:1	relations 6:14 133:15 169:15 relationship 28:14 35:14 38:1,6 75:11 96:15,17 130:13 133:5 164:16 165:6,15 169:21 177:9 relationships 6:5 121:9 relative 141:19 relatively 27:18 119:25 relayed 183:19 release 27:25 released 28:2 relevance 20:17 71:23 72:6 118:2 118:12 147:13 relevant 1:22 16:16 33:7 43:17 47:1 71:12 72:10 72:12 76:9 87:14 87:15 160:6 175:19 186:11 reliability 17:18 reliable 177:10 relied 17:1 25:25 27:8 133:17 reluctant 77:9,10 rely 26:4 167:23 176:14 relying 159:18 remain 135:14 143:9 152:8 173:11 182:21 184:11 remaining 161:11 remains 44:15 139:11 141:2 remark 7:20 remarks 4:24 5:6 5:8 65:6 118:9 remedies 60:15 remember 77:1,6 77:7 113:21 remembers 87:5 remind 154:6 reminded 20:14	reminding 181:22 remit 52:8 115:6 remotely 160:21 removal 11:13 41:4 45:25 54:25 115:18 remove 36:5 58:2 removed 56:4 184:25 remunerated 49:10 remuneration 97:12 rendered 138:22 185:21 renders 130:13 renewed 81:13 97:2 Repealed 64:5 repeat 105:1 repeated 18:2 121:14 repeatedly 181:5 182:13 repeating 139:22 repetition 10:9 153:7 replied 139:16 replies 142:5 reply 120:4 140:10 147:24 158:11 report 2:18 4:6 8:8 8:9,24 9:14 22:3 22:13 50:9 65:9 68:11 69:9,16 98:22 113:3 118:25 119:2,4 119:24 120:6,17 121:2,4 134:5 163:8 164:4 177:13,21,22 179:3 186:21 reports 113:8 119:13,18 187:3 represent 67:12 representation 39:2 representations 56:11 57:21
--	--	---	--	--

131:2,3,13,14 134:20 135:1,12 135:17,21 136:21 138:2 148:14 representing 75:18 reputation 74:23 74:24 75:1,2 reputational 28:7 reputations 72:16 request 53:5 68:6 68:10,10 69:7,10 124:8 127:18 139:1,6 requested 15:6 128:21 require 59:17 61:14 62:13 97:24 149:9 185:19 required 49:18,19 52:2,15 53:12 61:19 112:11 168:8 180:8,9 183:3 requirement 142:15 143:18 requirements 48:8 48:25 53:16 55:10 requires 63:17 104:10 132:12 149:15 requiring 60:16 131:11 requisite 26:9 reservation 37:25 114:2 reservations 113:24 114:6 reserve 8:7 reserved 187:18 residual 15:19 resign 40:24 resigned 83:5 resiled 125:18 resist 12:25 39:11 42:10 resisting 49:20	76:15 resolve 34:18 35:2 53:23 56:21 122:25 127:9 166:16 resolved 87:16 resonate 45:21 resorting 35:24 resource 2:17 resourced 59:22 resources 23:21 49:8 51:6 52:6,7 53:6 54:5 59:24 60:7 62:7 97:8 98:9 136:12 155:24 156:15 166:6 167:21 168:24 177:12 resourcing 96:21 respect 36:9 48:19 55:14 85:7 100:24 101:13 106:22 108:4 114:11 159:6 177:16 respected 59:8 respectful 27:24 99:23 respective 101:23 142:4 respectively 35:4 98:24 respond 3:24 responded 111:11 response 28:10 31:13 56:11,16 75:12,15 143:7 161:19 174:5 179:19 responses 77:8 responsibilities 98:5 101:4,13 149:14 150:22 responsibility 12:1 53:4 54:3,13 63:14 65:25 99:6 100:3,14,21 101:3 174:20 responsible 52:11	152:2 164:20 rest 8:6 126:2 restarted 44:11 restaurant 17:2 restraint 107:23 restricted 62:2 restriction 56:1 result 6:2 32:2 96:2 141:7 174:16 177:1 resulted 15:21 41:2 63:1 113:18 resulting 130:20 results 81:3 retain 30:15 183:10 retained 71:22 184:15 retaining 53:11 retention 181:19 186:8,23 retire 57:20 93:10 103:6,15 104:8 118:20 121:16,22 124:5,16,18 128:24 129:7,17 129:24 130:5,17 131:5,6 132:18 134:12,18,24 135:24 136:4,9 136:19 137:12,18 137:24 138:20 139:13 140:7,17 141:4,6,15,23 142:24 143:1 retired 2:23 3:9 91:23 181:23 183:23 retirement 1:22 4:13 67:21 105:6 137:20 142:19,23 180:23 retracted 145:14 return 29:17 review 24:20 25:5 25:13,21 26:24 60:9 70:5 72:1 111:7 114:11 151:4 155:20,22	156:3 168:14 175:16 176:8 179:15 reviewed 186:25 reviews 158:14 revise 75:15 revisit 129:19 revolved 80:16 RGP 3:21 4:4,9 5:9,15 6:11,19,22 7:2,8,11,14,14,24 8:5,10,22 9:11 10:2,11,21,24 11:4,10 12:7,24 13:6,14 14:3,6,12 15:11 16:1,12,21 17:7 18:11,15,17 18:19 19:22,24 20:14,19 21:2,13 21:15,17,19,20 21:23 22:4,17,22 22:25 23:7,15,24 24:10 25:18 26:21 27:7,12,15 29:9,22 30:7 31:4,6,11,18 32:2 32:7,13,19 33:1,3 33:13,15,19,21 33:24 34:13,20 35:2,22 36:4,10 36:19 37:15,21 37:24 38:9,17,18 38:25 39:2,6 40:4,16 41:11,14 41:23 42:1 43:1 43:2,6,20,23,24 46:15,19,22,24 47:16 49:22,23 51:21 52:10,12 53:17,24 57:9 59:11,14,17 60:11,18,25 61:9 61:17,23 62:17 62:22 63:7,16,18 65:6,12,16 66:6 66:12 89:15 90:23 95:19,22 96:12 97:3,4 99:16 101:9,19	107:24 108:4,11 111:6,8 114:18 119:3 120:1 155:12,15,22 156:15 158:25 161:1 164:1,16 165:6,16,20 167:3 168:4 174:15 177:20 181:24,24 182:3 182:13 183:14 184:7 185:1 186:10 RGP's 4:2,16,20 4:21,23 13:20 15:7 16:14 17:14 20:10 21:9 27:17 28:22 29:6,16 31:25 34:2 37:13 40:11 46:11 53:15 54:7 111:2 126:9 148:14 156:22 rhetorically 88:22 Richardson 2:24 23:1 24:8 27:19 29:3 67:16 78:9 78:11 79:19 80:1 83:16 91:2,6,9 155:1 156:7,13 right 43:4 71:6 88:20 108:23 120:13 156:8 174:14 rightfully 15:5 rightly 152:18 rights 11:17 24:25 25:5 37:5 58:23 59:7 102:15 Riley 185:2,5 rise 50:10 134:7 risk 7:17 26:11 43:20 64:3 65:1 168:25 risks 28:7 road 9:20 robustly 94:9,9 111:10 140:25 Rocca 23:4 29:2
---	---	--	--	---

78:22,25 79:3,6 84:4 177:4 rocks 156:17 role 42:17 48:5 49:2 52:18,21,23 52:25 53:3 54:22 57:16 82:5 91:10 91:11 94:7 97:4 117:25 171:10 roles 38:2,22,22 94:4,5 rolled 169:12 room 28:19 47:4 68:15 roomful 85:15 roundabouts 3:25 route 25:9 52:13 Royal 2:22 142:16 143:18 148:1 152:20 183:21 rucksack 183:21 183:22,24 rule 9:20 10:22 12:5,22 45:8 46:19 63:20 64:25 66:4 92:6 ruled 152:12 rules 11:18 13:4 55:6 161:14 ruling 1:13 41:13 73:20 74:4 116:11 rulings 158:13 rumour 17:2 153:5 run 178:25 runs 92:6	salient 139:22 Sanchez 160:15 sanitisation 38:7 42:16 Santos 2:3 3:13 67:2 77:2 86:24 187:14,17,22 satisfied 24:9 save 8:4 88:10 176:8 saved 84:20 saw 6:15 18:2 74:8 78:17 82:18,24 83:2 93:21 113:20 saying 91:12 159:17 160:18,19 185:19 says 7:11 8:5 9:20 38:24 42:19,24 43:3,6 64:16 75:19 76:23 146:24 scale 174:25 scandal 155:6 scenes 79:17 89:2 schedule 2:12 176:3 scheme 95:17 scope 174:24 186:22 score 155:8 scores 155:7 screen 47:21 92:16 screened 48:23 scrutiny 165:24 169:7,25 sea 21:1 61:22 116:14,18 117:13 118:2 121:6 133:10 134:6 search 23:12 24:3 24:14,18 25:22 27:14 28:2 31:9 32:1 60:5 71:6 74:17 89:14,16 105:15 108:18 114:24 153:11 154:18 157:17	164:6 165:7,11 176:21 searched 154:12 167:9 second 18:8 24:5 40:10 70:3 73:9 77:14 89:19 137:4 139:2 146:23 secondly 11:11 14:12 25:16 48:18 52:18 105:25 176:12 secret 79:16 Secretary 60:17 60:20 117:24 secretly 137:1 181:9 section 15:13 30:11,14,14 35:9 35:16,24,25 37:1 37:7 39:18,18,19 40:23 41:4 42:13 43:16,25 44:3,5 44:19,22,25 46:7 54:1 55:3,8,18,20 57:4,7,11,12,17 58:2,12,20 59:25 61:5 62:1,15 64:4,15,16 93:8 98:5 100:25 103:13 104:5,7 104:13,18 111:25 115:9,14 120:21 124:10 128:22 129:18 130:2 131:17 132:5,11 134:17 136:17 137:19 143:5 144:19 sections 4:18 35:4 43:17 53:13 55:23 61:16 98:23 101:5 sector 49:2 secure 61:20,23 98:6 secured 71:24 security 89:24	100:17,17 168:13 171:1 172:1 185:13 see 1:21 3:20 9:2 9:25 35:2 74:13 79:8 84:14,15 88:14,16 92:17 133:1 135:13 143:2 145:4 155:5 156:25 163:14 175:6 176:6 187:23 seeing 77:23 seek 6:19 25:12 53:17 57:24 59:18 60:19 165:1 176:20 seeking 9:9,9 17:8 62:14 130:23 157:5 167:4 171:11 seeks 6:23 seemingly 37:12 seen 5:10 40:9 76:17 78:6 91:5 93:17,20 149:13 156:6,10 170:15 180:17 183:24 185:18 sees 6:15 153:15 seize 154:19 seizure 71:19 selected 168:12 selecting 175:21 selection 15:20 49:15,24 94:18 145:22,23 146:10 147:6 148:21 self-confessed 17:4 self-evidently 163:12 send 45:24 sending 113:19 senior 22:7 24:7 35:1 48:15 74:25 88:23 90:2 109:16 114:4 115:21,22 157:10 162:1 167:12	170:22 182:9,11 sense 82:2 93:2 94:6 153:2 sensed 80:8 sensible 30:6 168:20 sensitive 60:6 182:12 184:4 sensitivities 23:7 sent 7:12 28:8 48:4 52:4 71:15 88:13 139:1 142:8 sentiment 96:13 separate 16:12 26:16 62:18 63:7 separately 76:18 separation 50:21 September 163:3 170:12 176:6 178:16 sequence 104:14 Sergeant 24:5 series 5:14 serious 17:21,22 56:25 61:11 89:22,24 90:17 93:6 121:3,13 128:10 160:22 seriously 80:9 seriousness 55:12 119:8 servant 114:5 serve 49:3 51:7 65:23 66:1 162:25 served 65:14 158:22 167:22 182:22 servers 154:24,25 155:10 service 59:2 62:18 115:18 152:19,21 173:5,11 services 49:12 54:20 62:11 63:8 63:9,9 64:12,23 serving 11:14 12:10,17 set 29:10 61:19
S				
sabbatical 74:22 sabotage 121:19 166:19 178:15 179:4 180:15 safe 86:9 122:18 127:1 152:23 safeguard 46:21 58:15 63:6 safeguarding 12:6 12:23 sail 156:16				

85:16 101:5 106:25 107:7 135:15 143:7 154:19 156:16 159:14 170:14 172:22 173:12 174:11 178:11 sets 104:13 setting 139:2,18 175:19 settle 60:17 settlement 47:8 seven 16:10 33:12 35:17 42:1 111:14 115:2 126:9 136:22 severely 111:10 SFO 157:11 shallow 96:23 shape 8:25 share 39:25 185:19 shared 123:11 168:3 shareholder 90:3 sharing 186:7 shed 158:3 171:4 shies 40:16 shock 128:1 shocking 114:21 short 1:10,16 3:13 3:15 66:20 68:2 97:17 104:22 126:19 144:15 180:21 short-cut 186:3 shortly 81:11 shoulders 65:24 show 16:18 138:8 showed 22:13 27:17 shown 17:18 102:6 107:23 shows 11:4 27:17 95:16 171:9 173:25 side 114:18 167:10 167:11 sided 114:14	sides 70:11 166:24 177:6 sign 9:20 signaled 26:21 significance 123:19 significant 163:17 similar 35:18 54:21 61:5 63:9 67:9 136:10 simple 27:18 69:24 87:11 105:7 132:4 153:2 164:25 182:16 183:5,8 simply 12:13 22:1 25:16 39:7 46:10 58:8 63:3 67:22 69:5 70:2 91:11 120:1 163:20 173:4 single 91:16 sir 3:10 66:23 108:20 109:17 151:6,9 sit 49:5 92:12 160:23 sits 70:20 situation 21:3 67:9 123:13 138:9,13 six 5:19 32:25 124:19 132:12 skeleton 131:11 skill 2:11 skillful 152:21 skills 48:11 49:18 sleep 73:24 slightest 39:3 slot 3:4,13 sly 181:15 small 65:8 75:4,6 83:14 169:2 Smith 30:3 society 151:22 software 152:22 166:10 sole 10:17 63:14 163:24 165:14 solicitor 83:6	182:15 solution 45:6 solving 31:20 somebody 149:15 somewhat 95:21 97:1 125:19 136:17 son 78:17 87:22 88:18 Sorry 108:20 sort 70:7 81:24 86:13,14,15,15 89:3 90:20 sorts 89:13 sought 21:18 60:11 76:16 93:2 93:11 110:5 165:20 168:11 sound 16:3,5 75:12 sounds 184:2 source 163:24 sources 33:5 space 36:23 Spain 121:9 Spanish 18:22 19:6,14,23 Spanish/Gibraltar 133:14 spanned 126:19 speak 74:18 83:6 90:8 137:5 187:10,11 speaking 69:4 speaks 33:9 specialist 157:8,9 specific 10:16 13:13 14:5 34:20 46:16 48:10 58:19 specifically 22:15 38:23 47:18 53:2 54:25 57:11 61:16 specified 112:5,10 118:8 specify 131:7 speculation 124:11 spends 97:12 spirit 47:2,17	spirited 97:10 split 4:18 spoke 83:8 spoken 28:25 78:25 79:2,5 squad 8:1,4 157:12 staff 97:21 99:10 185:11 stage 27:13 139:14 158:18 160:9 162:18 169:18 172:11 175:10 stake 75:4,6 81:22 81:22 186:16 stakeholders 47:1 47:13,14 65:12 stand 20:4 standard 16:6,7 standards 98:11 180:8 standing 92:11,14 start 151:11 174:14 started 93:6 94:19 106:8 starting 5:6 153:9 154:6 183:18 state 43:12,13,14 43:21 67:13 89:23 166:23 167:1 168:24 stated 45:22 95:1 95:22 105:2 106:23 110:25 119:19 123:1 127:9 132:24 133:9 135:3,7,8 137:15 138:24 143:12 145:15,17 146:3 159:16 163:4,11 statement 32:5 67:13 83:18 84:10 95:10 107:1 111:12 117:8 122:7,10 122:12 134:22 135:4,6,9 139:21 146:20,24 147:12	163:14 182:25 183:15 statements 103:19 107:3 120:19 142:7 167:12 171:16 states 123:10 stating 142:9 station 19:12 165:14 status 25:8 68:16 87:15,16 statutes 150:22 statutory 4:22 46:8 47:6 52:23 62:23 63:14 102:18 136:12 stay 153:24 step 162:10 175:8 Stephen 185:2 stepping 171:7 steps 10:19 22:9 23:15,18,24 34:24 46:17 stimulate 183:4 Stipendiary 24:3 26:7 29:4 stood 156:11 stop 70:1 95:12 110:19 stored 72:3 storing 154:21 story 82:20,20,22 114:18 straight 73:13 77:12,15 178:12 strange 37:15 42:25 80:14 stranger 89:5 street 30:3 89:5 171:22 strength 69:18 strengths 175:18 stress 6:4 158:13 181:5 stressed 1:20 stresses 30:17 stressors 5:21,25 striking 77:21
--	--	---	--	--

85:16 127:18 stroke 185:16 strongest 54:8 strongly 141:13 structural 68:14 structured 164:11 struggling 160:1 student 85:22 subdued 81:10 subject 11:6 18:7 21:7 22:24 32:10 57:5 63:3 80:1 135:20 151:4 153:4 154:10 155:13 164:14 185:8 subjective 10:12 submission 39:1 44:7 70:18 92:3 93:1,20 95:15 96:4 99:23 101:15 103:23 111:21 130:3 154:2 156:23 158:12 164:8 submissions 1:7 1:11 2:9 4:2,15 4:17,17 6:16 7:11 13:11 27:3 27:5 36:15,16 37:22 45:20,23 68:1 70:13 74:3 74:7 91:1 92:8 92:11,14 94:10 95:10,20,22 106:21,24 107:7 115:6 126:2 144:19 147:22 157:1 158:7,10 164:21 180:18 182:18 submit 46:19 70:25 72:5,19 73:13,16 77:11 79:18 82:15,19 83:22 84:13 85:19 86:18 91:8 97:5 98:24 101:18,19 102:5	165:18 167:11 submits 13:7 24:10 33:20 36:19 43:24 63:19 115:8 submitted 39:13 96:22 103:25 113:3 suboptimal 145:15 146:17 165:4 subscribe 37:4 subsection 130:22 130:25 131:5,10 subsequent 14:15 22:12 30:23 108:17,19 109:1 109:15,22 subsequently 31:16 40:20 105:23 106:13 109:10 110:6 115:16,22 substance 111:22 171:3 substantial 13:8 106:21 155:17 substantially 32:23 substantive 140:9 140:14 158:15 162:7 substitute 53:21 70:21 subtly 84:17 succeeding 57:3 success 177:23 successor 94:22 sufficient 49:7 50:14 52:7 sufficiently 56:13 suggest 5:14 45:24 112:18 176:25 suggested 4:23 7:24 11:22 12:12 15:3 24:2 35:19 39:4 45:16 46:24 61:21 76:14 80:23 83:15 119:21 172:19	suggesting 43:8 suggestion 14:20 33:4 39:3 42:25 48:14 90:25 suggestions 7:9 18:9 148:12 suggests 33:13 36:4 46:15 suitability 35:10 180:19 suitable 17:12 50:19 147:1 175:4 suite 152:22 sum 49:13 87:19 summary 2:12 54:7 71:15 167:17 175:13 summer 4:6,7 summoned 28:18 superintendent 2:24 48:17 113:3 113:14 185:24 supervise 98:15 supplement 68:5 supplemented 105:23 supplied 168:17 support 27:13 32:14,16,16 40:7 72:13 94:19 95:2 99:10 107:15 125:16 145:8,10 149:10,16,17 174:14,16 supported 32:23 162:20 163:2 168:6 174:5 supporting 97:21 supportive 96:22 102:24 suppose 3:22 7:15 164:1,3 supposed 92:8 suppress 71:19 72:17 Supreme 19:2 114:25 152:13 157:16,19,24	sure 5:1 80:18 82:7 178:7 186:11 187:14 surmise 28:16 surprise 21:16 128:1 surprising 70:20 75:23 96:12 97:1 surprisingly 95:21 surrounding 181:13 survives 8:2,4 suspect 29:7,25 31:11 75:19,24 75:25 76:6,7,11 76:14 77:3 78:16 79:8,12 90:23 122:16 126:25 suspect's 29:24,25 75:25 76:8,12 78:16,17 87:22 88:17,18 suspicion 72:14,22 suspicious 29:6 sustain 148:10 Sweeney 18:1 swiftly 22:2 swings 3:24 sword 59:5 sworn 107:3 111:12 120:18 122:12 134:22 135:3,6 139:21 142:7 147:11 sympathise 40:5 system 56:2 146:12 148:10 150:19 172:1,10 178:1,21 179:4 systemic 177:8 systems 148:24 149:9	128:16 149:11 151:1 173:3 180:22 taken 10:8 18:16 18:18 22:10 34:24 35:17 36:10 37:12 75:14 90:5 97:6 111:20 113:18 114:12 121:21 138:3,4 139:12 155:7 162:10 174:4 175:8 176:21 187:17 takes 18:19 46:7 46:11 53:1 talent 17:8 talk 63:8 tantamount 40:25 tape 79:1 task 92:21 93:1 tasked 157:8 taxpayer 54:1 65:8 173:7 team 22:8 24:22 32:24 66:11 75:18 76:5 85:8 155:17,17,20 183:3 teams 167:13 telephone 76:9 84:25 90:2 116:16 telephones 73:2 tell 67:22 79:2 82:19,20 86:3 185:22 telling 6:14 70:24 tells 82:22 tempted 71:18 72:16 ten 33:19 106:14 tenable 133:4 tense 81:10 tentative 158:14 tenuous 153:18 174:3 tenure 14:11 20:9 33:15
			T	
			tainted 140:14 take 8:10,10 23:24 33:11 57:1 58:6 59:9 65:25 76:20 80:24 90:10 97:7 110:7 126:1	

terabytes 155:11	120:11 124:21	67:4,14,20 71:8	tough 8:16 65:24	104:25 126:9
term 57:10	144:9 156:10	73:19 75:20	traces 186:2	144:18 147:19
terminate 128:14	183:13	81:25 82:10	track 67:2	164:9 165:23
140:2	thinking 73:25	84:21,25 97:11	tragedy 18:21	170:6 174:19
terms 16:7 22:20	155:14	97:22 113:5,25	tragic 21:3	177:13 180:16
27:16 31:24	thinks 76:23	117:8 120:16	trail 72:25	turned 85:3
47:11 55:12	third 77:16 112:19	126:19 136:23	trails 150:18	turning 37:11
61:19 104:25	116:22,24 147:11	139:12 144:9	train 165:12	70:17 104:5
135:19 178:6	thirdly 11:25	145:19 146:21	trained 85:22	184:13
terrible 41:23	26:17 54:25	147:4,5 149:25	182:8 183:9	turns 125:3 185:10
territorial 116:20	176:14	162:6 168:24	training 40:7 42:4	TV 155:5
121:8 133:13	thorough 22:17	171:2 175:15	50:19 86:3 97:18	two 2:2 3:12 8:13
territory 104:20	23:6 33:17 50:18	178:24 180:2	97:20	20:7 24:4 69:12
169:3	thoroughly 1:24	181:3 182:16	traits 49:19	89:19 90:15
test 38:12,13 39:15	21:4 156:24	187:15,20	transcript 83:21	97:22 99:10
tested 38:11	thoroughness	timeline 83:23	137:2	109:11 115:23
157:15 158:22	20:23 22:21	timely 25:5,7 52:4	transcripts 78:3	116:7 118:4,7
171:23	thought 14:8	times 13:15 49:9	138:7	120:24 121:3,13
text 75:10 87:19	28:12 29:21 74:6	56:19 87:1 93:3	translate 10:19	133:9 134:1,1
thank 3:18,21	77:8 78:8 81:19	timetables 99:1	46:17 103:8	145:10 149:17
28:10 66:14,16	81:23 82:9 89:10	timing 115:3	translation 137:3	two-pronged 85:9
66:23 92:9	110:1 122:23	125:25 147:18	transparency	types 173:14
144:12,13 151:8	127:7 145:18	today 2:21 67:11	148:23	
151:9,11 169:20	146:21 160:2,3	95:20 187:6	transparent 93:4	U
187:5,22,24	160:18 172:16	today's 97:3	93:22	UK 9:6 14:14
Thankfully 22:12	178:7 180:3	told 70:2 76:2,4	treat 90:6	24:23 47:9 61:5
thanking 151:12	thoughtful 91:19	78:24 94:18	treated 37:18	63:21 64:15
theme 164:9	thoughts 135:10	103:15 117:1	40:17 142:12	146:6 177:3
theory 171:12	threat 89:24	118:17 122:13,19	143:14	Ullger 96:14,16
173:23,25	threatened 30:23	123:6 126:23	treatment 18:11	110:11 113:14
thin 7:8	threatens 65:4	127:2 128:4,18	79:7	146:2 148:18
thing 70:3 73:12	three 21:1 24:20	133:17,22,24	trial 69:14 164:25	ultimate 54:13
77:18 89:3 92:3	25:5 26:23 50:22	143:3 167:6	tried 69:22 88:10	100:2
109:21 128:4	78:22 84:5	184:21	93:13,14	ultimately 20:4
164:13	116:14 144:5,8	tolerably 184:7	trooping 155:8	32:7 57:25 81:6
things 16:4 68:7	148:11 152:6,18	tomorrow 3:8	true 12:20	177:24
69:12 72:9,20	threshold 160:5	67:11 187:7,11	trust 156:22	Um 81:21
76:22,22 81:12	threw 156:6	187:12,24	truth 6:23 9:9 69:4	umbrage 37:13
90:20 92:23	throw 75:17	tone 96:11 128:9	83:20 92:22	umbrella 101:16
112:9 114:16	throwing 114:19	138:7	133:21	unable 123:15
129:2 142:10	thrown 91:15	torch 9:1	try 10:4 34:17 35:2	178:19
165:3	Thursday 19:9	tort 26:25	37:20	unacceptable
think 5:4 9:21,22	tied 173:11	total 87:19 96:24	trying 5:16 6:19	42:17
29:10 41:5 45:10	time 3:15 14:18	totality 179:15	29:16 172:22	unanimously
68:13 73:4,5	23:21 25:14	totally 63:7	Tuesday 1:1	134:23 145:22
75:9,13 81:2,8	26:24 30:13	touch 95:4	Tunbridge 113:15	unauthorised
83:7,14 84:1	36:23 48:20,25	touches 106:25	tune 79:4 166:18	176:18 186:8
87:19 94:1 100:4	49:8 50:14 51:24	touchy 110:24	tunnel 9:2	unavoidable 55:11
100:10 119:20	56:9,19 66:20	125:7	turn 1:16 88:6	unchallenged
				22:16 156:25

uncharted 104:20	unfairly 39:21	unusual 31:23	20:10 27:18	warning 56:23
unclear 135:10	40:18 142:11	54:16 81:7	28:12 34:2 37:13	warrant 23:12
183:11	143:13	122:23 127:7	45:12 48:6 53:15	25:22 31:9 71:6
uncomfortable	unfairness 130:20	unviable 92:20	57:18,19 65:13	74:18 76:21
137:8	139:23 140:15	unwise 174:11	105:7 111:9	89:15 105:16
uncontested 107:5	unfolding 28:9	unworkable	117:3,12 119:11	108:18 114:24
uncontroversial	unfortunate 117:6	130:14	137:11 138:23	119:9 153:12,14
45:25	153:6	updated 63:18	158:4 168:3	153:18 154:7,10
undeliberate 74:5	Unfortunately	upheld 19:2	180:21	154:13 155:4
undergo 50:18	9:14 183:13	115:24	viewed 17:13	156:12 157:18
97:19	unfounded 96:23	uphold 12:5,22	119:7	158:17 160:5
undergoing 62:24	103:23	uploaded 1:8,15	views 10:13 16:1	164:6,7 165:7,11
undergone 62:25	uniformed 35:15	2:15	24:13 39:15 40:2	warrants 24:4,14
underlying 133:9	uninformed 17:19	upset 73:18	66:13	24:18 27:14 28:2
164:9 177:1	uninvestigated	upshot 186:5	vigour 97:2	60:5 68:8 70:5
undermine 58:13	17:20	urgent 55:10	vindicated 14:13	70:10 72:2 76:16
undermined 163:1	unique 54:16	use 25:10 32:11	20:12	89:14 116:1
177:24	unjust 24:12	76:15 141:9	violated 96:7	153:11,22 154:1
undermines 60:17	unjustified 153:4	164:22 165:4	violation 101:25	154:5,17 176:21
62:22 65:3	unlawful 11:15,20	useful 65:14	virtue 61:25	wasn't 82:4
undermining	19:1 80:24	129:19	visible 78:1,6	wasted 177:12
63:24	unlawfully 102:19	usual 69:5 126:6	79:15 85:10	watch 152:23
understand 21:14	unlawfulness	utilise 35:23	vital 2:17	water 9:24
34:14 53:2 54:18	163:25	utmost 13:23	voluntarily 112:21	waters 19:15
74:19 79:18	unnatural 20:21		voluntary 27:25	38:10 116:20
108:25 109:14	37:20	V	volunteered 71:21	121:8 133:13
110:19	unnecessary 2:7	vacancy 145:3	volunteers 99:9	waves 91:14
understanding	unorthodox	149:1		way 5:7 6:2 9:10
50:20	170:16	validly 161:23	W	10:21 24:15
understands	unpalatable	valuable 2:16	wafer 7:8	44:17 54:14 55:5
181:12	137:10	89:23	Wagner 3:8 30:3	65:11 66:3,13
understood 13:17	unprecedented	value 54:5 98:10	187:7,8	69:17 79:14
33:16 67:5 77:23	138:8	98:20 118:16	wait 171:2	81:16 84:16 90:6
134:13 146:22	unproven 151:17	146:15 163:13	waited 45:8	90:14 102:24
151:19 173:8	160:14 166:19,19	valued 182:5	waiting 76:8 86:25	105:25 115:10
undertaken	unreliability 20:25	vanishingly 164:8	87:2 88:14	137:21 141:14
108:10	unresolved 87:14	variation 32:8	108:22 143:24	153:8 154:11
undisputed 14:2	unsatisfactory	various 1:25 92:24	Wales 175:1	170:16 171:2
29:13,18 41:5	170:8	145:5	wall 110:21 143:2	ways 134:13
107:1	unsubstantiated	vast 166:5	want 68:4 71:13	weakness 158:24
undoubtedly	17:21	ventriloquist 7:14	73:16 81:22	163:17
132:2	unsuccessful 146:2	verbalised 37:22	173:10	weaknesses 175:18
undue 41:13	unsuitable 180:24	verbatim 5:4	wanted 82:6	weaponised 18:5
unduly 130:3,19	unsurprising 75:8	version 36:12	105:10 109:23	19:16 20:5
uneasily 79:20	untenable 12:14	174:2	112:25 124:16	website 1:9 2:16
unencumbered	138:23 174:4	vested 169:1	139:7 140:1	68:5
45:13	untoward 69:1	viability 161:8	143:9 145:3	Wednesday
unfair 39:23 42:2	unused 156:3	vicariously 61:1,6	171:7 173:12	187:25
94:8	178:5	Vice 18:4	wanting 74:18	week 1:17 73:24
		view 10:5,11 16:14	wants 2:19	

97:13,18 123:12 weeks 162:8 163:3 weight 16:22 20:21 welcome 1:3 27:1 90:23 welcomed 27:16 54:12 well-advertised 23:15 well-resourced 31:13 went 41:16 113:21 154:17 159:22 161:7 184:3 weren't 109:4,19 WhatsApp 28:4,8 81:14 117:2,10 117:20 145:12,16 WhatsApps 86:19 87:6 whatsoever 17:8 38:19 102:7 127:21 whichever 90:14 whilst 6:14 12:21 17:7 39:21 47:3 95:3 104:12 160:4 170:19 whims 46:5 whistle-blowers 60:12 whistle-blowing 60:14 63:13 white 134:6 185:15 whoever's 6:24 wholly 102:22 156:19 wide 99:8 130:3,19 149:14 wide-ranging 48:8 98:4 wider 112:24 115:15 wiley 156:6 Williams 2:10 86:25 willing 22:7 99:9	167:23 willingness 17:18 18:5 33:10 wily 177:5 wisdom 74:10 wish 46:14 136:8 147:15 167:15 169:4 wished 136:21 withdraw 100:6 140:6 withdrawal 62:13 62:14,15 140:8 140:16 141:22 withdrawing 93:9 withdrawn 100:10 141:8 142:25 168:9 withdrew 100:5 103:14 141:3 withhold 64:12,22 witness 82:16 91:3 91:13,20 93:22 107:14 111:12 122:12 134:22 135:4,6,9 139:21 142:7 146:24 147:12 163:9 182:24 183:15 witnesses 7:6 8:15 66:9 80:12 92:24 93:18,21 witnesses' 1:25 wonder 162:9 wonders 8:22 word 124:15 145:14 165:5 wording 130:2 words 16:3 18:21 32:12 50:1 56:5 59:3 60:22 78:21 79:24 95:24 100:22 101:8,10 101:25 work 6:10,11 8:11 8:19,23 22:7 42:9 50:8 83:3 97:14 149:18 152:19 176:2	183:25 worked 84:17 working 37:25 38:6 96:17 97:18 98:2 130:13 132:21 133:5 worrying 36:1 worse 20:23 39:20 worth 30:10,13 worthwhile 65:22 wouldn't 120:6 write 2:17 39:25 writing 36:20 48:21 55:25 56:6 56:14,18 89:18 90:13 143:2 written 1:7 2:13 4:15 27:4 68:1 70:13 84:10 88:12 91:1 125:12 126:2 147:7 157:21 158:16 162:15 164:21 165:10 175:6 180:4,18 182:18 wrong 39:7,8 44:20,21 71:6 80:9 101:18 132:6 145:19 146:22 169:6 174:3 wrongful 11:12 wrongly 13:1 44:9 wrote 169:20 Wyan 23:2 27:19 29:3 32:12 79:10 79:19 80:10 156:8 168:13 172:17 173:20 Wyan's 174:6 176:9 177:3	25:1,6,13,14 47:9 73:25 74:1,2 87:3 91:23 111:15 148:18 153:5 157:9 184:3 Yome 94:24 110:11,14 113:5 113:13 145:25 147:9 Yome's 94:21	13th/15th/20th 83:13 14 70:12 101:5 135:9 145:13 163:3 14.11 144:16 14.30 161:18 14.50 179:2 15 30:11,14 34:11 34:24 35:4,9,16 77:18 80:13 101:5 106:8 111:24 122:13 126:22 127:19 134:21 170:18 15.02 188:2 15th 31:15 16 55:23 61:16 127:15 135:5 16th 127:20 17 55:23 18 34:12 38:24 42:8 55:24 96:5 99:18 102:4,9,11 104:5 105:22 118:7,18 119:5 127:17 128:8 135:4 158:17 19 15:13 25:20 55:24 61:17 158:6 168:9 19(2) 111:25 115:9 115:14 1991 104:18 1996 61:6
			Z	
			Zamitt 23:17 71:16 Zammit 29:2	
			0	
			1	
			1 19:19 106:23 129:20 130:25 131:5 1,000 97:23 1,2 19:18 10 98:23 106:23 122:11 126:15 10.00 1:2 10.12 66:19 10.22 66:21 10.45 40:3 11 3:18 25:15 26:25 117:18 11.41 78:13 11th 182:23 12 23:22 27:20 30:18,22 33:21 33:25 35:4 94:2 106:8 111:1 126:20,21 142:5 12.21 104:24 12.35 28:8 13 34:9 77:17 80:6 100:25 137:19 143:5 13.09 144:14 13.5.1 157:1 13f 35:25 44:3,19 44:22,25 58:2,20 13th 31:15 81:9	
			2	
			2 6:17 19:19 45:23 112:2 130:22,23 131:10 176:5 20 31:16 77:18 135:6 168:5 20,000 49:13 2006 47:10 2017 110:12 111:24 113:12 2018 15:21 170:12 170:19 179:8 2019 152:10 168:5 168:9 178:3	
			X	
			Y	
			Yates 182:24 183:16,19 185:25 year 115:2 167:20 years 8:13 16:10	

2020 4:13 12:12	41:5 43:25 44:5	106:23 108:15	
16:20 21:19	55:3,18 57:4,7,11	110:12 116:21	
22:10 23:22	57:12,18 58:13	126:15 139:20	
25:15 34:24	58:20 93:8	162:24	
38:14,24 42:8,14	103:13 104:5,7	81 27:5	
67:6,15 72:14	104:13,18 120:21	87 90:25	
96:5 99:19 102:4	124:10 128:22	88 61:5	
102:12 104:21	129:18,20 134:17	8A 137:4	
105:6,23 106:8	136:17		
106:12 116:21	36 75:3 76:10	<u>9</u>	
117:9,18 118:18	82:25 91:23	9 4:17 28:1 34:19	
119:5,16 122:2	38 26:6	106:23 111:11	
122:13 126:20,20	38-page 24:6	117:9 126:15	
126:21 127:15,17	39 40:23	91 64:16	
128:8 132:11			
136:14,25 140:12	<u>4</u>		
141:25 142:8	4 84:3 116:25		
143:11 145:13	179:8		
164:6 167:19	40 142:5		
176:6 185:10	43 39:19		
2021 158:6 161:21	44 59:25		
162:19,24 163:3	48 39:18 42:13		
178:17	43:16 59:4		
2022 22:12 111:1	4C 123:10		
117:1 135:4			
2024 1:1 47:21	<u>5</u>		
147:12 188:1	5 39:18 94:3 98:5		
21 122:2 132:11	106:11 126:15,20		
147:12 159:13	140:12 141:25		
21.7 110:25	142:8 143:11,22		
22 136:14,25 139:2	180:10		
139:16	5(a) 54:1		
24 73:22	5(i) 55:20		
25 1:1 146:23	50-plus 19:9		
26 187:25	52 116:22		
27 170:12	53 64:5		
270 2:14	57 62:15		
29 139:17 140:4			
142:1 143:8,21	<u>6</u>		
152:11 159:20	6 106:23		
	6(1) 132:11		
<u>3</u>	63 116:24		
3 18:3 19:18,19	65 62:1		
61:22 110:15			
131:4	<u>7</u>		
30 22:6 97:13	7 47:20 48:4		
119:16 187:18	161:14		
30,000 50:17			
31 113:12	<u>8</u>		
34 35:24 37:1,7	8 79:5 98:23		