



# PETER CARUANA & CO

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**For the attention of Charles Simpson, Solicitor the Inquiry**

26 November 2024

Dear Sirs,

**Re: Inquiry into the Retirement of the Former Commissioner of Police**

We refer to your letter dated 12<sup>th</sup> November 2024 relating to written submissions made by Hassans, the response thereto submitted on behalf of Mr McGrail and Hassans' reply thereto. You have informed us that the Chairman intends to consider and rule on the status of Hassans' submissions and, ahead of doing so, has invited submissions from other Core Participants. The Government Parties are grateful for the opportunity to do so.

The Government Parties do not consider it necessary or appropriate to make submissions in relation to the substance of Hassans' submissions. However, as convenors and funders of the Inquiry the Government does wish to express a view on the following, more general point.

A significant amount of taxpayer funds has been spent on this Inquiry, the purpose of which has been to enable the Commissioner to conduct a thorough review of the matters under inquiry. HMGOG therefore believes that all relevant views/submissions should be taken into consideration by the Commissioner so that no relevant party (including dramatis personae in respect of any issue and persons that may be criticised in the report) has occasion to feel that, despite the large expenditure, they have not had a fair hearing.

The Inquiry is not *inter partes* legal proceedings. No party has the right to exclude relevant submissions by anyone else from consideration by the Commissioner, and it is not clear why they would wish to do so. If any (sufficiently interested) person has relevant submissions to make to the Commissioner, they should not be deprived of the ability to make them, nor the Commissioner to consider them, by technical arguments about procedure and process. It seems to the Government desirable to avoid what may be thought to be unfairness to one of the parties most criticised during this Inquiry.

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In any event, it is not possible for the Commissioner to “unknow” what he now knows about Hassans’ submissions, and it is not appropriate, in the context of a public inquiry of this nature (where rules of evidence and procedure are not required to operate as in criminal or civil proceedings) that he be required to not have regard to matters of which he is now aware. Of course, the relevance and weight to be attached to them is, like everything else, a matter for the Commissioner.

Yours faithfully,

A handwritten signature in black ink that reads "Peter Caruana & Co." in a cursive script.

Peter Caruana & Co.

Enc.