

**ANNEX: CHRONOLOGY ON RGP DISCLOSURE ISSUE PREPARED BY COUNSEL TO
THE INQUIRY**

1. On 4 April 2022, former STI Attias & Levy wrote to Mr McGrail requesting disclosure of “*any documents (including but not limited to electronic documents such as emails, word documents, PDFs and SMS, WhatsApp or other instant messages) in your possession or control relevant to the subject matter of the Inquiry.*”
2. Mr McGrail filed his first Witness Statement on 20 June 2022 [A1]. The Exhibits to that statement included:
 - a. WhatsApp messages between Mr McGrail and Mr Grech after 8 June 2020 [B64-65].
 - b. WhatsApp messages between Mr McGrail and Mr Pyle after 8 June 2020 [B66-67].
 - c. WhatsApp messages between Mr McGrail and Mr Picardo, Ms Sacramento and Mr Llamas on 12 May 2020 [B70-72].
 - d. WhatsApp messages between Mr McGrail and Ms Sacramento, Mr Pyle, Mr Picardo, Dr Britto and Mr Llamas regarding Operation Kram [B84-98].
 - e. WhatsApp messages in the ‘Maritime Incident Group Chat’ [B99-101].
3. At that stage, Mr McGrail did not disclose any messages between him and Mr Richardson or other RGP officers. However, he stated in paragraph 29 that: “*I was at a COVID-19 meeting at ‘The Bunker’ at about 1220hrs when I received a text from Superintendent Richardson who was about to execute the warrants*” (McGrail 1 para 29 [A9]).
4. On 14 July 2022, Attias & Levy wrote to Mr Richardson requesting “*any documents (including but not limited to electronic documents such as ... WhatsApp ... messages) in your possession or control relevant to the subject-matter of the Inquiry and the matters referred to in paragraph 1 above.*” Paragraph 1 listed a range of topics under inquiry, including Mr McGrail’s appointment, allegations of bullying or intimidation, Operation Delhi, the Incident at Sea, the Airport Incident and the HMIC Report.
5. On 4 October 2022, Mr McGrail filed his third Witness Statement [A51] and exhibited further WhatsApp disclosure, namely messages between Mr McGrail and Dr Britto [B415], Ms Sacramento [B470], Mr Costa [B515], Lt Gen Davis [B536], Mr Picardo [B618], Mr Pyle [B676], Mr Llamas [B681], Mr Culligan [B710], Mr Grech [B712] and Mr Rocca [B747]. Again, no messages were disclosed between Mr McGrail and Mr Richardson or other RGP officers.
6. On 15 June 2023, Mr Richardson filed his second Witness Statement with the Inquiry (which was in fact his first substantive Witness Statement, the first having addressed the issue of the

data breach). In that statement, Mr Richardson stated that: *“I communicated with Mr McGrail about the search warrants. I remember him asking me to advise him when the warrant was about to be executed so that he could brief the Chief Minister. I did as he requested.”* (Richardson 2 para 18(f) [A1291]). Mr Richardson disclosed WhatsApp messages between Mr McGrail’s personal phone and Mr Richardson’s personal phone between 14 February 2019 and 9 June 2020 [C7002-7007]. However, it is notable that there were no messages disclosed between 30 April 2020 and 22 May 2020, including on 12 May 2020 (when he attended Hassans with the warrant). Mr Richardson also disclosed messages with Mr Rocca, Mr Field and Mr Wyan. All the messages disclosed were “curated” by Mr Richardson’s legal team, such that only messages which they assessed to be relevant during this period were disclosed (see explanation in **Richardson 4 para 2-3**). Due to an oversight by the Inquiry, these messages (between Mr McGrail and Mr Richardson, disclosed by Mr Richardson) were not disclosed to Core Participants until 24 April 2024, after both Mr Richardson and Mr McGrail had given evidence. The remaining messages disclosed by Mr Richardson (between him and Mr Rocca, Mr Field and Mr Wyan) were also inadvertently not disclosed by the Inquiry to CPs. This error was only recently discovered and the messages will shortly be disclosed.

7. On 23 March 2023, Mr McGrail was arrested, and his devices were seized. According to Mr McGrail, when SIO McVea returned his devices in late September 2023, he says he could no longer access the WhatsApp accounts as these had been deactivated and he does not know why they were deactivated (**McGrail 9 para 11 [E258]**). However, SIO McVea imaged Mr McGrail’s personal phone (as well as two other phones in his possession), preserving a copy of all messages.
8. On 23 February 2024, STI (Triay) wrote to all CPs in advance of the Main Inquiry Hearing. The letter included the following request:

“When the Inquiry requested disclosure from CPs and other PODs, this contained the specific request for native documents with original metadata intact. The evidence provided by several witnesses has not satisfied this requirement.

However, please consider this a general request to that by 4pm on Friday 8 March 2024, any CP who has disclosed WhatsApp evidence to the Inquiry should provide this information in its native format with metadata intact (by export from WhatsApp). For example, messages should not be copied and pasted into Word documents, Further, all context (for example images, links or documents sent by WhatsApp) must be provided.

If any WhatsApp messages have been deleted or lost (either automatically or manually), CPs are required to make all reasonable efforts to retrieve such messages.”

9. In their Written Submissions for the Main Inquiry Hearing dated 2 April 2024, CTI noted (at para 77(h)) that Mr Richardson’s message to Mr McGrail on 12 May 2020 informing him that the warrants were about to be executed was not in the WhatsApp disclosure provided by Mr Richardson to the Inquiry. On 5 April 2024, Mr Richardson’s Counsel, Mr Gibbs KC, emailed CTI with reference to that message noting: “...you will find that this was almost certainly on [Mr Richardson’s] work mobile rather than his personal mobile. The work mobile was returned to the RGP in the usual way when he retired.”
10. The Main Inquiry Hearing took place in April and May 2024. On 24 June 2024, the day before Closing Submissions were due to commence, the Government parties wrote to the Inquiry stating:
- “We have not been provided with disclosure of any WhatsApp messages between:*
- 1. Mr McGrail and COP Ullger;*
 - 2. Mr McGrail and ACOP Yeats;*
 - 3. Mr McGrail and Supt Wyan;*
 - 4. Mr McGrail and any other member of the RGP SMT;*
 - 5. Mr Richardson and Supt Wyan;*
 - 6. Any RGP SMT group chat (other than some messages relating to the Airfield Incident [C757 et seq]).”*
11. STI forwarded this email to the RGP on 27 June 2024 and requested the disclosure. STI confirmed that the RGP should provide disclosure of messages between 12 May – 9 June 2020 on matters relevant to the List of Issues.
12. In September 2024, following a short agreed extension of time, the RGP disclosed WhatsApp messages in that date range (12 May – 9 June 2020). The messages disclosed were:
- a. WhatsApp messages between Mr McGrail (personal phone) and COP Ullger (personal phone) [E155].
 - b. WhatsApp messages between Mr McGrail (personal phone) and ACOP Yeats (personal phone) [E233].
 - c. A WhatsApp communication between Mr McGrail (work phone) and Mr Wayne Tunbridge, namely a single missed call on 14 May 2020. (Although the RGP has subsequently explained this was erroneously disclosed, because the phone that the RGP once believed was McGrail’s work phone was not in fact in use by him at the time: see para 28f below.)
 - d. WhatsApp messages between Mr Richardson (personal phone) and Supt Wyan (personal phone) [E214].

13. On 6 November 2024, the Inquiry wrote again to the RGP requesting disclosure of messages between Mr McGrail's work phone and Mr Richardson's work phone. Ellul & Cruz responded on behalf of the RGP that the earliest message recovered from Mr Richardson's work phone was in February 2021, and so did not relate to the relevant period.

14. On 14 November 2024, the Inquiry wrote to the RGP as follows:

“Whilst we note that you say Mr Richardson's messages do not go back beyond 2021, this does not deal with the issue of Mr McGrail's work phone and copies of any conversations with Mr Richardson's personal and/or work phones, which would also be present on Mr McGrail's phone.

We find it surprising that no messages have been disclosed between Mr McGrail and Mr Richardson between 30 April 2020 and 22 May 2020, especially given that both have said they were in contact with each other over WhatsApp or text on 12 May itself.

In the circumstances, please disclose any messages (either WhatsApp or text) that you have not previously disclosed dated between 1 January and 30 June 2020:

1. on Mr McGrail's work phone between Mr McGrail and Mr Richardson's work phone;

2. on Mr McGrail's work phone between Mr McGrail and Mr Richardson's personal phone;

3. on Mr Richardson's work phone between Mr Richardson and Mr McGrail's work phone; and/or

4. on Mr Richardson's work phone between Mr Richardson and Mr McGrail's personal phone.

If you cannot provide messages from the relevant period please file a witness statement explaining the process taken in recovering these messages and an explanation as to why, to the best of your client's knowledge and information, such messages are not available.”

15. The Inquiry also sent letters in substantially similar terms to Mr McGrail and Mr Richardson, also requesting disclosure and/or a witness statement.

16. On 21 November 2024, responses were received from both Mr McGrail and Mr Richardson.

- a. In a letter on behalf of Mr McGrail, Charles Gomez & Co stated that they expected that the Inquiry's surprise at a lack of messages was not directed at Mr McGrail, and that they would take the opportunity of reminding the Inquiry of the process by which Mr McGrail had lost access to his devices. They stated that Mr McGrail's devices had been

seized by SIO McVea and when they were returned the WhatsApp account had been deactivated. Mr McGrail gave his authority for the RGP to disclose the messages between himself and Mr Richardson to the Inquiry from the copy created by SIO McVea. The letter concluded by stating that it was unnecessary for Mr McGrail to file a further statement as the Inquiry's request had also been sent to the RGP, and "*Mr McGrail's position is not that the messages are not available, just that he does not have access to them.*"

- b. In an email on behalf of Mr Richardson, Mr Gibbs KC wrote that following STI's letter, Mr Richardson had reviewed his WhatsApp exchanges with Mr McGrail again. He had located and disclosed: (1) exchanges between Mr Richardson and Mr McGrail's personal phones between 9-30 June 2020 [E256];¹ and (2) exchanges between Mr Richardson and Mr McGrail's new personal phone after June 2020 [E255]. He also reattached the WhatsApp messages between Mr McGrail and Mr Richardson's personal phones [E246], which had been disclosed on 15 June 2023. Mr Gibbs KC stated that: "*Mr Richardson returned his work mobile to RGP sometime before commencing his pre-retirement leave. It was wiped. Individual users were not permitted to access Apple ID to manage their phones and he did not extract WhatsApp messages to an archive before he left the RGP. For the avoidance of doubt he consents to the RGP extracting data from any backup they may have.*"

17. On 22 November 2024, STI replied to a query by the RGP confirming the date range being requested by the Inquiry was 1 January – 30 June 2020. STI also noted that the original request to the RGP "*was for WhatsApp messages relevant to the subject matter of the Inquiry and not just limited to a particular time period, and accordingly all relevant messages should have been disclosed.*"

18. On 25 November 2024, the Inquiry wrote again to the RGP seeking clarification on the particular issue of messages on 12 May 2020. The RGP was requested to confirm whether it had in its possession or control (whether or not the messages were relevant to the List of Issues):

- a. Outgoing messages from Mr McGrail's work phone;
- b. Incoming messages to Mr McGrail's work phone, including any messages from Mr Richardson's personal phone;
- c. Outgoing messages from Mr Richardson's work phone; and

¹ Although Mr Gibbs's email described these as being with Mr McGrail's work mobile (*4000), this phone was used by Mr McGrail for work and personal reasons. In this Chronology, I have referred to the *4000 number as Mr McGrail's personal phone, to distinguish it from his Samsung phone provided by the RGP.

- d. Incoming messages to Mr Richardson’s work phone, including any messages from Mr McGrail’s personal phone.
19. On 26 November 2024, STI wrote again to Mr McGrail and Mr Richardson reiterating the Inquiry’s requests.
20. In the letter to Mr McGrail, STI wrote that: *“Whilst we understand that Mr McGrail’s device was seized when he was arrested on 23 March 2023, and that his WhatsApp account was deactivated, this does not explain why Mr McGrail did not disclose his WhatsApp messages with Mr Richardson when they were in his control and when he was asked to disclose this type of material on 4 April 2022. To date Mr McGrail has provided WhatsApp disclosure in two of his eight affidavits, once in his first Affidavit dated 20 June 2022, and also his third Affidavit dated 4 October 2022, neither of which included WhatsApp or texts between Mr McGrail or Mr Richardson, nor between Mr McGrail and Mr Ullger. The Inquiry does not understand why Mr McGrail disclosed these messages, but not others.”* STI reiterated the request for Mr McGrail to provide a witness statement and provided a series of specific questions, namely:
 - a. Whether Mr McGrail was operating more than one phone at any time as Commissioner of the RGP (that is, a work phone and a personal phone, or multiple work or personal phones).
 - b. If Mr McGrail did operate more than one phone: (i) the telephone numbers for each phone; (ii) whether the device seized was Mr McGrail’s personal or work phone; (iii) whether any other phone was ever used to send messages about RGP business; and (iv) whether the messages in any other phone remain in Mr McGrail’s possession and control.
 - c. An explanation as to: (i) why Mr McGrail did not disclose all of the messages between him and Mr Richardson and Mr Ullger on the seized device prior to it being seized by the RGP in March 2023, despite the scope of the request from the Inquiry on 4 April 2022; (ii) in particular, why Mr McGrail did not disclose the message from Mr Richardson on 12 May 2020 referred to in McGrail 1 para 29 [A9]; (iii) whether Mr McGrail still has access to the full chat logs which he “*exported*” (see McGrail 8 para 17), and if not why not; and (iv) whether Mr McGrail still has access to the full chat logs which formed the basis of the extracts of WhatsApp conversations that he did disclose to the Inquiry, and if not why not.
21. In the letter to Mr Richardson, STI requested that Mr Richardson file a witness statement addressing the following matters:

- a. Whether the messages disclosed on 21 November 2024 were sent from Mr Richardson’s personal or work mobile.
 - b. The numbers for each of Mr Richardson’s work and personal phones.
 - c. Whether Mr Richardson recalled sending a WhatsApp message to Mr McGrail on 12 May 2020, as described in McGrail 1 para 29 [A9].
 - d. As to 12 May 2020, whether: (a) there were messages exchanged on this date from Mr Richardson’s personal phone, which were not provided to the Inquiry because they were deemed to be irrelevant; or (b) there were no messages at all exchanged on this date from Mr Richardson’s personal phone.
22. STI also requested that Mr Richardson disclose a full log of messages between his personal phone and Mr McGrail’s personal phone between 1 January – 30 June 2020, rather than a curated log of relevant messages, so that the Inquiry could see whether messages had been exchanged on particular days (but not their content).
23. On 2 December 2024, Mr McGrail filed a further witness statement (**McGrail 9 [E257]**) addressing the questions posed by STI. The statement contained the following evidence:
- a. In 2006, Mr McGrail was assigned the mobile number *4000 by the RGP. The RGP paid the bill for this number, but his device was privately owned. He used this number for both work and personal purposes. However, during COVID-19 the RGP adopted a policy to separate the use of phones for official and personal purposes, and Mr McGrail was assigned a new Samsung work phone. Thereafter, he transferred the *4000 number to his personal Gibtelecom account and assumed responsibility for billing. He began to “wind down” use of the *4000 number for official purposes, but still continued to use this number for official communications “because [he] was not proficient with the use of the Samsung device”. He left the Samsung device with the RGP upon his retirement.
 - b. At the time of preparing his evidence to the Inquiry, Mr McGrail’s “focus was set on covering all the aspects required as per the List of Issues. [He] did not look into or rely on any exchanges of messages between Mr Richardson and/or Mr Ullger and myself because as my evidence evolved there seemed to me to be no relevance or requirement for me to do so.” Therefore, he “did not export the chat logs of [his] exchanges with Mr Richardson and Mr Ullger ... because they did not feature in [his] mind as relevant at the time.” He apologised for this “inadvertent omission”.
 - c. He had a “vivid recollection” of 12 May 2020, including that Mr Richardson had messaged him, and suggested that this may have been between their work phones.

24. On 3 December 2024, Mr Richardson filed a further witness statement (**Richardson 4 [E261]**). Mr Richardson confirmed that he remembered sending a message to Mr McGrail when the warrant was about to be executed on 12 May 2020, and that “*unless the mobile phone coverage in the area was under 4G strength it would have been by WhatsApp rather than SMS.*” He confirmed that there were no messages on his personal phone to Mr McGrail’s mobile on 12 May 2020, but stated that he handed in his work phone to the RGP before commencing pre-retirement leave. As Exhibit 1 to this statement, Mr Richardson disclosed a full log of the messages between his personal phone and Mr McGrail’s personal phone between 1 January and 30 June 2020 [E263]. He marked in red the messages that his legal team had previously redacted as irrelevant when disclosing to the Inquiry in 2023. Mr Richardson stated that “*all of these messages were disclosed on 21 November 2024*”, but on that date Mr Gibbs KC had only reattached the curated version which did not contain the irrelevant messages now shaded in red.
25. On 5 December 2024, the Inquiry received witness statements from two RGP officers about their unsuccessful efforts to locate messages on Mr McGrail and Mr Richardson’s work phones [E270, E272].
- a. PC Martyn Connor gave evidence that on 19 November 2024, he was instructed by Supt Wyan to obtain the mobile device of CI Wayne Tunbridge, which the RGP believed was previously used by Mr McGrail, and to carry out a check of this device for any messages between this device and the work and mobile devices of Mr Richardson during the period 1 January 2020 to 30 June 2020. PC Connor carried out the check as instructed and “*foundno history of correspondence within SMS messages or WhatsApp within the stipulated period....*”
 - b. PC Connor also gave evidence that on 25 November 2024, he was instructed by Supt Wyan to carry out the same exercise on the mobile device of CI Enriles. CI Enriles also submitted a statement in which he stated it was his honestly held belief that his device was previously used by Mr Richardson. PC Connor conducted a check of the phone for messages with Mr McGrail’s work and personal phones, but found no history of correspondence within SMS Messages or WhatsApp within the stipulated period.
26. On 9 December 2024, STI wrote again to the RGP expressing concerns about the possible gaps in WhatsApp disclosure. STI requested that the Inquiry provide a statement from Commissioner Ullger or a suitable member of the RGP Senior Management Team addressing the following matters:
- a. Whether SIO McVea “*imaged*” Mr McGrail’s personal phone as part of his investigation in 2023, and whether this image was retained;
 - b. Whether SIO also “*imaged*” any phone belonging to Mr Richardson;

- c. The source of the messages between Mr McGrail and ACOP Yeats disclosed by the RGP in September 2024 (that is, whose phone they had been recovered from);
- d. An explanation of the RGP’s policy on retention/deletion of WhatsApp messages (and other electronic data held on work phones) after an officer retires or leaves the RGP (inclusive of any policy in place concerning the Commissioner of Police or a member of the SMT).
- e. An express answer to the question in STI’s email of 25 November 2024, namely: “*As for 12 May in particular, can the RGP please confirm whether it has in its possession or control (whether or not the messages are relevant to the list of issues): (1) Outgoing messages from IM work phone; (2) Incoming messages to IM work phone, including any messages from PR personal phone; (3) Outgoing messages from PR work phone; (4) Incoming messages to PR work phone, including any messages from IM personal phone.*” STI requested that the RGP answer this question for each of the 4 categories identified, including by reference to any ‘*image*’ taken by SIO McVea in the course of the data breach investigation.
- f. If messages for any category are not retained, an explanation of why not.

27. STI also requested that the RGP disclose:

- a. Any messages (with irrelevant messages redacted, save for date and time) on the “*image*” of Mr McGrail’s personal phone (if held by the RGP) between Mr McGrail, Mr Richardson and COP Ullger.
- b. Expanded date ranges (1 January – 30 June 2020) for the messages disclosed to the Inquiry by the RGP in September 2024 between Mr McGrail and COP Ullger, Mr McGrail and ACOP Yeats, Mr McGrail and DCI Wayne Tunbridge, and Mr Richardson and Supt Wyan.

28. On 20 December 2024, the Inquiry received a further tranche of evidence from the RGP. This was accompanied by a witness statement by Assistant Commissioner Cathal Yeats (**Yeats 5 [E275]**). ACOP Yeats gave the following evidence:

- a. COP Ullger had “*not been able to retrieve messages from the relevant period from his personal phone (this absence includes other persons with whom he regularly corresponds.*” However, the RGP retrieved the messages between Mr McGrail’s personal phone and COP Ullger’s personal phone from the image of Mr McGrail’s phone taken by SIO McVea. These had been disclosed in September 2024.

- b. SIO McVea imaged Mr McGrail’s personal phone as part of his investigation. The RGP retains a copy of the image and therefore has access to the contents of Mr McGrail’s phone as it was on 23 March 2023. SIO McVea had not imaged Mr Richardson’s device.
- c. Under the RGP Mobile Devices Policy, when an RGP officer leaves their post, “*no images of devices are taken, and no messages are retained*”. Paragraph 3.3 of the Policy provides that: “*the officer... will with the assistance of the RGP IT technician ensure that his/her work issued mobile device is wiped of all personal data and is handed over to the person taking over their role.*”
- d. The RGP Digital Forensics Unit had examined the phones believed to have been in the possession of Mr McGrail and Mr Richardson before they retired, and concluded that these phones had not been in use by them at the time. (These appear to be a reference to the two phones that DC Connor had examined in November, but this requires clarification). ACOP Yeats stated that: “*A forensic examination of every phone in the RGP would be required to determine whether the RGP has messages in its possession or control from Mr McGrail and Mr Richardson’s work phones in 2020.*”
- e. On the image taken by SIO McVea of Mr McGrail’s personal phone, there were no messages with either Mr McGrail’s work phone or Mr Richardson’s work phone.
- f. There were no messages available for disclosure between Mr McGrail and Mr Tunbridge, and the one message previously disclosed in September was irrelevant and had been disclosed in error.
- g. ACOP Yeats did not believe that he or the RGP had failed in their disclosure obligations. He stated: “*we have interpreted our counsel’s advice on relevance ... as we have understood them following his discussions with past and current STI. Furthermore, as will be seen from the accompanying exhibit, we have also complied with all requests and deadlines set by the STI on disclosure including those arising from other Core Participants during or after the hearing of live evidence.*”

29. Alongside this witness statement, the RGP provided the following additional disclosure:

- a. WhatsApp messages between Mr McGrail’s personal phone and ACOP Yeats’s personal phone [E821]. These messages were recovered from both SIO McVea’s image of Mr McGrail’s phone (**Yeats 5 para 27**) and ACOP Yeats’s own phone (**Yeats 5 para 28**).
- b. WhatsApp messages between Mr McGrail’s personal phone and Mr Richardson’s personal phone [E832]. These messages were sourced from the image taken of IM’s phone by SIO McVea (**Yeats 5, para 24**). In his statement, ACOP Yeats stated that the

RGP had disclosed messages in the expanded date range 1 January – 30 June 2020 (**Yeats 5, para 24**). However, the messages in the Report only start on 5 June 2020. Furthermore, the cover page for the “Extraction Report” refers to “615 (88 deleted)”. Charles Gomez & Co has since pointed out to the Inquiry that although the Report refers to 615 messages, it only contains 31 messages. The Inquiry team is seeking clarification on this point from the RGP. Since disclosing a copy of this Ruling in draft to Core Participants, the RGP informed the Inquiry that it intends to file evidence that (1) the “deletions” refer to WhatsApp chats, not messages; and (2) there is currently no evidence that any messages between Mr McGrail and Mr Richardson, or Mr Wyan and Mr Richardson were deleted in the relevant period (1 January – 30 June 2020).

- c. WhatsApp messages between Mr McGrail’s personal phone and COP Ullger’s personal phone [**E328**]. These messages were recovered from SIO McVea’s image of McGrail’s phone, because as explained above COP Ullger has not been able to locate his messages (**Yeats 5 para 5, 12 and 25**). Unlike the messages between Mr McGrail and Mr Richardson, the cover page for the “Extraction Report” does not record any deleted messages. However, at some points in the extract, it is recorded that some messages were “*deleted by the sender*” or “*you deleted this message*”.
- d. WhatsApp messages between Mr Richardson’s personal phone and Supt Wyan’s personal phone [**E805**]. In his statement, ACOP Yeats stated that the RGP had disclosed messages in the expanded date range 1 January – 30 June 2020 (**Yeats 5, para 30**), but the disclosed messages only start on 12 May 2020. Furthermore, the cover page for the “Extraction Report” refers to “306 (13 deleted)”. See above regarding the RGP’s forthcoming evidence on this point.

Conclusion

30. The Inquiry Team has analysed all disclosure received to date, and identified the following gaps:
 - a. Both Mr McGrail and Mr Richardson recall that Mr Richardson sent a message when he attended Hassans with the warrant. However, no messages from 12 May 2020 (or between 30 April 2020 and 22 May 2020) between Mr McGrail and Mr Richardson have been located on any of their devices, nor on the image taken of Mr McGrail’s personal phone by SIO McVea.
 - b. The work phones used by Mr McGrail and Mr Richardson before their retirement were wiped by the RGP. No record of the messages were preserved, and the physical devices have not been located. As a result, the Inquiry does not have any messages between Mr McGrail’s work (Samsung) phone and: (i) Mr Richardson’s personal phone; (ii) Mr

Richardson's work phone; (iii) COP Ullger's personal phone; (iv) COP Ullger's work phone (if he had one); (v) ACOP Yeats's personal phone; and (vi) ACOP Yeats's work phone (if he had one). Additionally, the Inquiry does not have any messages from and to Mr Richardson's work phone.

- c. The Inquiry does not have any messages between Mr McGrail's personal phone (ending *4000) and: (i) Mr Richardson's work phone; (ii) COP Ullger's work phone (if he had one); and (iii) ACOP Yeats's work phone (if he had one).
- d. The Inquiry is also missing all except a small selection of messages from the RGP's "SMT" [Senior Management Team] WhatsApp group, notwithstanding that Mr McGrail, Mr Ullger, Mr Richardson and Mr Yeats were all (at least at one stage) members of that group. STI will be sending a further specific request to the RGP for these messages.
- e. COP Ullger could not locate his messages with Mr McGrail and was unable to disclose these to the Inquiry. However, COP Ullger arranged, with Mr McGrail's consent, for those messages to be retrieved from the image of Mr McGrail's phone taken by SIO McVea and disclosed in that format.