

**IN THE MATTER OF AN INQUIRY UNDER THE
COMMISSIONS OF INQUIRY ACT**

AND

**IN THE MATTER OF AN INQUIRY INTO THE RETIREMENT
OF THE FORMER COMMISSIONER OF POLICE
SPECIFIED IN LN.2022/034 DATED 4th FEBRUARY 2022**

SECOND AFFIDAVIT OF CHRISTIAN MANUEL ROCCA

I, **CHRISTIAN MANUEL ROCCA**, Director of Public Prosecutions, Office of Criminal Prosecutions & Litigation **Make Oath** and say as follows:-

1. Insofar as they are within my own knowledge, the facts and matters hereinafter deposed to me are true and, insofar as they are not within my own knowledge they are true to the best of my information and belief, the source of my information hereinafter set out.
2. I have been asked to comment and answer some specific questions on documents 'LB2' and 'Ex MW14' which have been provided to me by the Inquiry team.

'LB2' and my recollection of the conversation

3. I very clearly recall speaking with LB regarding the threatened application by Hassans on behalf of their client JL in respect of the search warrant and this was almost the entire focus of our conversation. I expressed my view that the warrant was lawful and that we would be vigorously defending any challenge to the lawfulness of the same. Although I cannot explicitly recall, I may well have expressed my personal views on whether that was the correct measure to adopt in the circumstances.
4. I explained that, given our consideration of the authorities in this area, it was right and proper that LB be shown a redacted version of the documents filed in court in support of the search warrant but that this would be on a counsel-to-counsel basis and he would not be allowed to take copies nor discuss details with his client. In this regard, I recall carrying out the redaction process twice with Supt. Richardson and on both occasions, we agreed the redacted text based on what had or would be disclosed to JL by the RGP for the purpose of his statement and or interview.

5. There was a brief general discussion about why the RGP wanted to interview JL and I recall explaining that there were matters upon which JL needed to be asked questions and give his version of event or explanations, if he could provide them. I would not have gone into any detail about operational matters. It was my view that the evidence against JL was substantially weaker than what I had seen in relation to the others that were alleged to have been involved and I might have said that but cannot explicitly recall.
6. I recall discussing the possibility of showing LB the redacted text if the case law supported that course of action and he provided an undertaking not to discuss or reveal the contents of the redacted portions to his client. This was discussed by me with the RGP investigating team.
7. I do not know what the notes mean below the line break. I assume they are notes by LB to himself given the way they read. I say this for the following reasons:
 - (i) At no time did we discuss a draft statement been shown to me or anyone else. I would not have agreed to or even contemplated this course of action. In fact, I believe that I have never seen the statement provided by JL to the RGP in its final form let alone a draft version. The RGP determined of itself that that line of inquiry had been dealt with and JL was no longer a suspect;
 - (ii) "what precisely is being alleged. We'll answer that?" – seems to me, a rhetorical question;
 - (iii) The remainder of the bullet points also seem to suggest that these are LB's thoughts and notes to himself.

EX MW14 and my recollection of that meeting

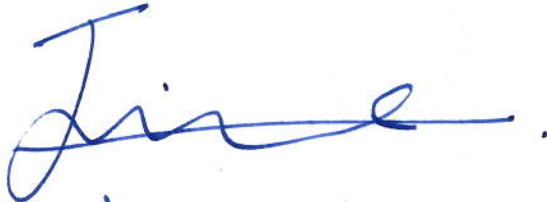
8. CG, referred to as present at the meeting refers to a crown counsel within my department that was assisting me with the search warrant application that had been threatened by Hassans.
9. I believe, to the best of my recollection, that Mr Wyan's note accurately reflects what was discussed at that meeting.
10. What I told LB 2 days before my meeting with the RGP is wholly consistent with the advice I gave the RGP.

SWORN by the above-named Deponent

at Suite 7, Hadrian House, Liberty
Street
Gibraltar this 25th day of February 2025



Before me



JAMES P. HAMMOND
COMMISSIONER FOR OATHS.