

Ffon / Telephone: 07811 652122
e-bost /e-mail:enquiries@iqci.org.uk

29 August 2018

The Right Honourable Carwyn Jones AM, First Minister, Welsh Government
Dame Shan Morgan, Permanent Secretary, Welsh Government
Neil Hudgell, Hudgells Solicitors
Cc: David Richards, Director of Governance, Welsh Government

Dear Sirs,

Independent QC Investigation – consultation on pausing the evidence gathering stage

I write further to my letter of 2 August 2018 in which I sought your views on the next steps of the Investigation. Since that letter, as you will be aware, Mrs Sargeant has issued a claim for Judicial Review.

The Judicial Review claim seeks to challenge the Operational Protocol, which governs the procedure of the Investigation, including the Investigator's power to compel witnesses and the production of evidence.

Given that the lawfulness of the Operational Protocol will now be considered by the High Court, Mr Bowen QC has taken the decision to suspend the Investigation pending the final determination of the Judicial Review proceedings. It would not be appropriate to take any further steps in the Investigation, including obtaining evidence, in circumstances where, if the Judicial Review is successful, the Operational Protocol could be quashed and the procedure of the Investigation and powers of the Investigator may change.

In respect of any hearing dates, thank you to all the parties for providing their availability. As previously indicated, based on all parties' availability, it appears that the earliest that any hearing could take place would be March or April 2019. However, in light of the Judicial Review, it would not be appropriate to set any hearing dates until that has been determined. Therefore, once the Judicial Review

proceedings have concluded, we will revert to the parties to again seek their availability.

I can confirm that we will be making a public announcement shortly to confirm that the Investigation will be suspended until after the Judicial Review proceedings have concluded and that the Investigation will not be receiving any further evidence in the interim.

Please feel free to contact me directly to discuss the contents of this letter if that would be of assistance.

Yours sincerely

Charlotte Haworth Hird
Solicitor to the Investigation