

Disclosure of the Security Experts' report to the Health and Safety Executive (“HSE”)

1. One of the expert reports that I have commissioned to assist me with my investigations is from security experts, who have considered the security provided at the Arena on the night of the murders and in the period leading up to that date. That report has been provided to CPs in circumstances in which they have given an undertaking. The terms of that undertaking require all material provided by me or my legal team to be kept confidential and used only for the purpose of the Inquiry until such time as the content has been made public in opening hearings as part of the Inquiry process. For present purpose the undertaking permits disclosure beyond this only with my express permission.
2. As a consequence of considering the contents of the security experts' report, Counter Terrorism Policing North West has become concerned that there may have been health and safety offences committed. By a letter dated 19th June 2020 ACC Russ Jackson notified the Health and Safety Executive (HSE) of this concern. Having received a response from the HSE, the Police now wish to disclose the report to the HSE for it to consider.
3. The present situation in relation to that report is that comments about its contents have been received from CPs. The experts are in the process of considering those comments and any further evidence submitted by CPs, before producing a final report. That report is due to be served by 10th August, slightly less than 4 weeks from today.
4. CTI submit that it would be more appropriate for the report not to be served at the moment as it is subject to possible amendment in the light of any comments but it can

be released to the HSE on or after 10th August when we know what amendments, if any, have been made. Some of the family CPs take the view that there is no reason why it should not be provided to the HSE now, while others are content with the suggestion made by CTI. Showsec submits that now is not the time to provide the report to the HSE. Showsec suggests that it should be left to the HSE to make requests for specific documentation and that no material should be provided until all the evidence has been completed and I have presented my findings. SMG support the suggestion made by CTI.

5. I can see no good reason for the HSE to have to wait until the completion of the Inquiry before they can have sight of the experts' report and I can see no sufficiently good reason why the HSE should not be supplied with the report now. The HSE should be informed that the report is provisional, in that it will be revised after the comments and further evidence has been reviewed and the HSE should be supplied with a copy of the revised report when that report is available. I can see no good reason why the HSE's preliminary consideration of the report should be delayed. The HSE will have to give an undertaking in similar terms to that provided by CPs before it is released to them.

Sir John Saunders

16 July 2020