

Ruling on the application by Mohammed Agha to be designated as a Core Participant

1. By letter dated 28th August 2020 Mohammed Agha applied to be designated as a Core Participant ('CP') in the Inquiry.
2. Having received the application it was circulated to other Core Participants to give them the opportunity to object to it if they wished.
3. There was no objection and I granted the application with reasons to follow.
4. It is unnecessary for me to give extensive reasons as his case is almost identical to that of Kyle Lawler. Kyle Lawler made an application for CP status which I granted on 16th July 2020. For further details as to the matters of law that I have considered in deciding this application see the judgment in Kyle Lawler's case dated 16th July 2020.
5. Mohammed Agha was employed by Showsec International Limited (Showsec) and he was working on the night of the bombing as part of the security and stewarding team at the Arena.
6. The written evidence suggests that Mohammed Agha saw Salman Abedi in the City Room prior to the bombing and suspicions about Salman Abedi were conveyed to Mohammed Agha by a member of the public.
7. The experts commissioned by the Inquiry to look at the security at the Arena on the night of the bombing suggest that Mohammed Agha could have taken steps once those suspicions were conveyed to him which might have averted some of the consequences of the explosion or possibly have led to Salman Abedi's apprehension before the explosion. All these matters will have to be explored during the Inquiry.
8. Showsec have CP status and have been looking after the interests of their employees who are to be called as witnesses. Mohammed Agha is to be a witness in the Inquiry. In Mohammed Agha's case Showsec have identified a conflict of interest so that they feel they can no longer represent him.
9. This application is out of time. The last date for applications to be made was 20th November 2019. Leave to apply out of time is required therefore before I can consider

the merits of the application. An explanation has been given for the delay by solicitors acting on Mohammed Agha. Mohammed Agha has been very difficult to contact since this Inquiry began. Both the Inquiry team and Showsec's legal team have experienced those difficulties.

10. Until February 2020 Mohammed Agha was being represented by Showsec and there was no need for him to have CP status personally. Delay up until that date is therefore irrelevant. After that Mohammed Agha seems to have been avoiding the situation. As a result he has not been in contact with a solicitor and had matters explained to him in detail until comparatively recently.
11. In all the circumstances I consider that I should extend the time for his application for CP status. I did so in the case of Kyle Lawler where the circumstances were very similar.
12. Rule 5 of the Inquiry Rules 2006 gives me a discretion to designate a person as a CP at any time in the course of the Inquiry provided the person consents. Mohammed Agha has consented.
13. That discretion is only fettered to the extent set out in Rule 5(2)
14. Rule 5(2) sets out the matters which I must consider, in particular, in deciding whether to exercise my discretion. They are whether:
 - a. *The person played, or may have played a significant role in relation to the matters to which the inquiry relates;*
 - b. *The person has a significant interest in an important aspect of the matters to which the inquiry relates;*
 - c. *The person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.*
15. By reason of the matters that I have already set out, in my judgment, Mohammed Agha comes within the requirements of Rules 5(2)(a) and (c).
16. The fact that he meets those requirements does not mean that I have to grant CP status but they are factors in favour of me doing so.
17. Having considered all the relevant matters in this application and in particular having regard to my decision in the case of Kyle Lawler, I have decided that, in the interests of fairness to which I must have regard, I should grant CP status to Mohammed Agha. That is restricted to matters contained in Chapter 7 of the Inquiry.

Sir John Saunders
14 September 2020