

Explanatory note

Module 2(c) Issues List for the Tranche 1 Era

Responses to consultation

This explanatory note accompanies the publication by the Inquiry of its List of Issues for Module 2(c) in Tranche 1, and of the substantive responses received by the Inquiry to the draft list on which the Inquiry consulted. The Inquiry received:

- 1.1. Submissions on the draft List of Issues on behalf of the non-state non-police core participants (NPSCPs);
- 1.2. Observations on the draft List of Issues on behalf of Peter Francis;
- 1.3. Observations on the draft List of Issues on behalf of the Metropolitan Police Service (Commissioner's Legal Team); and
- 1.4. Submissions on the draft List of Issues on behalf of the 'Designated Lawyer officers' of the Metropolitan Police Service.

The Issues List

2. The Chairman has considered the submissions, observations and proposed amendments listed at paragraph 1, above, and has decided not to amend the draft list.
3. The List of Issues is intended to act as a guide and framework for the work of the Inquiry and is not intended to include every individual issue about which evidence might be sought and/or heard. There are various reasons why the draft list of issues has not been amended, for example:
 - 3.1. A significant number of the proposals made were, in the view of the Inquiry, already adequately covered by an issue contained in the list;
 - 3.2. A further number were considered to be too detailed to warrant inclusion as free-standing issues (although the proposals made, where relevant, will be taken into account when questions are asked of witnesses under rule 9 of the Inquiry Rules 2006);
 - 3.3. A further number would have increased the scope of the investigation in a way which the Inquiry considers is unnecessary and which would significantly delay the Inquiry.

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4. It should be borne in mind that the List of Issues is a tool to assist the Inquiry to fulfil its Terms of Reference and is not intended to fetter its work. As set out in the introduction to the draft list, the list can and will be amended should the ongoing investigation uncover matters which require the current list to be revisited. Nothing in it should be understood as indicating that the inquiry has reached conclusions on issues about which it has yet to receive or hear evidence.

Points of detail

5. References to the Security Service do not include MI6 or the Foreign and Commonwealth Office.
6. The scope of the Module 2c investigation in Tranche 1 is as described in the issues list. The investigation in relation to the Home Office and Security Service is not confined to any specific episodes or incidents. The investigation of the Cabinet Office is focusing upon the Interdepartmental Working Group on Subversion in Public Life.

29 July 2022