

22 April 2026

[I/S]

Browne Jacobson LLP

By email only:

[I/S]

Dear [I/S] Gerard,

Section 21 Notice under the Inquiries Act 2005 (in relation to the request for a Position Statement)

1. This letter accompanies a Notice issued by the Chair pursuant to section 21(2) of the Inquiries Act 2005.
2. The Chair has carefully considered the full history of EPUT's compliance to date, including the repeated extensions granted, the assurances provided but not met, and the subsequent failures to comply with revised deadlines including those proposed by EPUT. In light of that history, the Chair is satisfied that there is a real and substantial risk that a complete and compliant response will not be provided by the deadlines required, absent the exercise of statutory powers.
3. The Inquiry cannot reasonably accommodate further delay without undermining the integrity of its investigative timetable and the efficient discharge of its statutory functions. The Chair has therefore determined that it is necessary and proportionate to issue a notice pursuant to section 21(2) of the 2005 Act requiring EPUT to produce a witness statement and accompanying exhibits that provide a complete, comprehensive and sufficiently detailed response by **5pm on 26 May 2026**.
4. The Chair is satisfied that the request for a Position Statement and the decision to issue a section 21 Notice at this stage are reasonable, necessary and proportionate, and plainly in the public interest, given the significance of the information sought. The material requested is central to the Inquiry's investigation into the deaths of individuals who died whilst under the care of EPUT, and goes to EPUT's ability to respond to requests for evidence from

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the Inquiry. Accordingly, timely receipt is required to ensure that the Inquiry can fulfil its Terms of Reference effectively, expeditiously and without incurring unnecessary public expense.

5. The Chair is also considering whether oral evidence is required at the July hearing in relation to EPUT's handling of the Inquiry's requests, including the reasons for delay, and the systems and governance arrangements underpinning its responses. It should be noted that EPUT's statement in response to this Section 21 Notice will likely form the basis of any line of questioning in that regard.

Yours sincerely,

[I/S]

Catherine Turtle
Solicitor to the Inquiry
Encs