

18 February 2026

[I/S]
Browne Jacobson LLP

By email only:

[I/S]

Dear [I/S]

EPUT's Capability Position

I write further to yesterday's meeting between the Inquiry legal team and Browne Jacobson at which we discussed the lack of an adequate response received from EPUT to the Inquiry's request dated 3 February 2026 for assurances to meet the requirements of the Inquiry.

During the meeting yesterday, you confirmed that it is your understanding that EPUT's resourcing has not significantly changed over the past 18 months, that no additional resources will be made available due to funding issues, that EPUT is falling behind deadlines for Rule 9 responses and is likely to continue to do so.

That position is markedly different from that set out in the email correspondence of 13 February, on behalf of your client.

The Inquiry has sought to understand in detail the challenges which EPUT faces and to work constructively with your team on the issue of resourcing. Due to concerns about EPUT's ability to effectively engage with the Inquiry, we have sought clarification both in writing and at the weekly meetings which take place between the legal teams. Unfortunately, EPUT's position as regards current resourcing and ability to meet the evidence requirements of the Inquiry remains unclear.

I am aware that a meeting is due to take place shortly between the Secretary and Solicitor to the Inquiry and senior members of EPUT's management to discuss the steps which EPUT is taking to ensure it can fully and effectively respond to the Inquiry's ongoing evidence requests in a timely manner.

In advance of that meeting, I am writing to request that your clients provide a detailed and accurate response to the Inquiry's letter dated 3 February set out in

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writing by no later than **4pm on Friday 20 February**. This should also explain the basis for any inaccuracies and/or changes in your client's position from that stated in your email sent to the Inquiry on Friday 13 February at 14:45, as well as the reasons for these. This may either take the form of a letter or a statement.

In particular, this written response should explain:

- The steps taken by your client before confirming to the Inquiry on 13 February that save for R9 (102), all Rule 9 responses due on 16 February would be met, as would all of the prioritisation Rule 9s for July and October hearings;
- Why, notwithstanding the assurance provided on 13 February, an email was sent at 17:41 on 16 February (after expiry of the deadline) indicating that the R9 responses due on 16 February, would not be provided on time, with no further explanation for the failure to comply, and why no prior notification was given before the deadline expired;
- Why the issue regarding the identification of non-final documents for disclosure, was not identified through EPUT's quality assurance and sign-off processes before the assurance of 13 February was given, and in sufficient time to prevent the deadline from lapsing;
- What this sequence of events indicates about the robustness of EPUT's internal governance, oversight, and sign-off processes in relation to Inquiry work.

In addition, at our meeting you once again raised issues concerning data searching and the identification of relevant material. If there are ongoing or newly identified limitations in EPUT's data architecture, search functionality, retrieval processes or document finalisation controls which bear upon the completeness or reliability of responses, please could you ensure that those matters are set out clearly. Unless already comprehensively addressed, these issues should be reflected in an updated data assurance statement. As you will appreciate, where matters may affect the scope, integrity, or reproducibility of searches, these matters go directly to the reliability of EPUT's disclosure.

At this stage, the Inquiry must now request with immediate effect, any request for an extension of time to respond to a Rule 9 Request must be made formally in writing in advance of the relevant deadline, setting out:

- The specific reasons for the delay;
- The steps taken to mitigate it; and
- A proposed clear and realistic revised timetable.

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Deadlines must not be allowed to expire without prior written engagement. Discussions can then follow as appropriate.

Finally, you raised a query regarding the disclosure of blurred Oxevision footage in respect of R9(114). I will revert separately regarding this matter.

Yours sincerely,

[I/S]

Arpeeta Barua
Deputy Solicitor to the Inquiry