



Investigatory Powers Commissioner's Office
PO Box 29105, London
SW1V 1ZU

The Rt. Hon. Lord Hermer KC
Attorney General
102 Petty France
London
SW1H 9EA

1 October 2025

Dear Attorney General,

Investigation into the provision of false evidence to the High Court and Investigatory Powers Tribunal in relation to Agent X – Progress update

I am writing to you further to paragraph 5 of the Terms of Reference which accompany the Investigatory Powers Commissioner (Directed Oversight Function) (Investigation into the provision of false evidence to the High Court and Investigatory Powers Tribunal in relation to Agent X) Direction 2025 ("**the Direction**") and in order for you to be able to update the Divisional Court in accordance with its order of 2 July 2025.

As you are aware, on 15 September 2025, I received the Direction from the Prime Minister to conduct this investigation, along with accompanying Terms of Reference. It was necessary to extend my statutory powers to enable me formally to undertake the investigation.

In anticipation of the Direction and to expedite the investigation I had already appointed Sir John Goldring, the Deputy Investigatory Powers Commissioner, to lead the investigation and instructed counsel with the appropriate security clearance to support him. I set up a small team consisting of an IPCO inspector and a project support officer who will be further assisted, as required, by IPCO senior managers and lawyers.

In the period before the Direction was received, the team obtained and considered copies of the OPEN and CLOSED material that had been filed with the Divisional Court and the IPT. Preliminary work was carried out in respect of matters such as witness lists and chronologies. I also wrote to Sir Ken McCallum on a number of topics: to ensure that all documents of potential relevance to the investigation were preserved, to welcome his assurance that access to material subject to legal professional privilege would be provided on a limited waiver basis, and to seek his assurance that MI5 would provide all necessary support to ensure staff feel able to engage fully and candidly with the investigation.

Following receipt of the Direction, work began formally to gather evidence and information. Document preservation requests were sent to the Government Legal Department and to your Office and detailed requests for disclosure were made to all relevant government bodies. Sir

John's team has already begun to receive and review disclosure pursuant to those requests and all responses to these first requests are due to be received by 15 October 2025. It is anticipated that further disclosure requests are likely to follow.

At this stage, I am satisfied with the level of cooperation that has been provided. This includes confirmation from Sir Ken McCallum that the investigation team will have access to legally privileged material where this is required (IPCO provided public confirmation that this assurance had been given via its website on the same date as the Direction was received).

Work is now ongoing in respect of preparation for conducting witness interviews. The majority of these interviews will, necessarily, have to be conducted in secure premises. This entails significant logistical complexity due to the sensitivity of the material, individuals and subject matter involved. The team is being supported by IPCO staff and I trust that those external partners with responsibility for these logistical and technical matters will assist in resolving these issues to enable this part of the investigation to progress at speed. Sir John currently anticipates that he will begin witness interviews in mid-November and I understand that the team will start sending invitations to interview shortly.

In addition to corresponding with relevant Government bodies, Sir John has written to Tim Davie CBE, Director-General of the BBC, to invite the BBC to provide any material which may be of assistance to the investigation's work. The investigation team will continue to liaise with the BBC as the investigation progresses, including in relation to the witness interviews. We are grateful to the Centre for Women's Justice, who represent 'Beth', for their offer of assistance to the investigation team and we will update them, where appropriate, as the investigation progresses.

Whilst the Terms of Reference envisage that I should provide a date for the investigation to report, I am afraid that I am not currently in a position to do so, having only been in receipt of the Direction for a little over two weeks. I share the Court and the IPT's view that this investigation must be progressed as expeditiously as possible, but am conscious that it must also provide robust, thorough and independent scrutiny of all issues identified by both courts. I shall provide a further update to you and to the courts in due course and in any event by the end of Michaelmas term.

This letter is copied to the Prime Minister, the Home Secretary and the Director General of MI5. Please note that I have written in the same terms to the President of the Investigatory Powers Tribunal, following his letter to me of 30 July 2025 in which he similarly requested an update by 3 October 2025.

Yours sincerely,

A handwritten signature in dark ink, reading "Brian Leveson". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line, likely a separator or part of the signature.

The Rt. Hon. Sir Brian Leveson
Investigatory Powers Commissioner