



Allegations of child sexual abuse linked to Westminster

Investigation Report
February 2020

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A report of the Inquiry Panel
Professor Alexis Jay OBE
Professor Sir Malcolm Evans KCMG OBE
Ivor Frank
Drusilla Sharpling CBE

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The following corrections were made to this version of the report on 29 May 2020:

Page vii, paragraph 3: was amended to read 'hand over the same documents'.

Page 159 in Annex 1: profession removed, amended to read **David Ford Campbell-Chalmers**

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Executive Summary

This investigation concerns institutional responses to allegations of child sexual abuse and exploitation involving persons of public prominence who were associated with Westminster. Westminster is defined in this report as the centre of the United Kingdom's government, government ministers and officials, as well as Parliament, its members and the political parties represented there.

Seven topics were covered in evidence. These were: police misconduct, political parties, whips' offices, the Paedophile Information Exchange, prosecutorial decisions, the honours system, and current safeguarding policies in government, Parliament and the political parties.

Several cross-cutting themes recurred throughout the investigation. One is the theme of 'deference' by police, prosecutors and political parties towards politicians and others believed to have some importance in public life. Another concerns differences in treatment accorded to wealthy or well-connected people as opposed to those who were poorer, more deprived, and who had no access to networks of influence. A third relates to the failure by almost every institution to put the needs and safety of children first. The police paid little regard to the welfare of sexually exploited children. Political parties showed themselves, even very recently, to be more concerned about political fallout than safeguarding; and in some cases the honours system prioritised reputation and discretion in making awards, with little or no regard for victims of nominated persons.

There is ample evidence that individual perpetrators of child sexual abuse have been linked to Westminster. However, there was no evidence of any kind of organised 'Westminster paedophile network' in which persons of prominence conspired to pass children amongst themselves for the purpose of sexual abuse. The source of some of the most lurid claims about a sinister network of abusers in Westminster has now been discredited with the conviction of Carl Beech. Nevertheless, it is clear that there have been significant failures by Westminster institutions in their responses to allegations of child sexual abuse. This included failure to recognise it, turning a blind eye to it, actively shielding and protecting child sexual abusers and covering up allegations.

Several highly placed people in the 1970s and 1980s, including Sir Peter Morrison MP and Sir Cyril Smith MP, were known or rumoured to be active in their sexual interest in children and were protected from prosecution in a number of ways, including by the police, the Director of Public Prosecutions and political parties. At that time, nobody seemed to care about the fate of the children involved, with status and political concerns overriding all else. Even though we did not find evidence of a Westminster network, the lasting effect on those who suffered as children from being sexually abused by individuals linked to Westminster has been just as profound. It has been compounded by institutional complacency and indifference to the plight of child victims.

There was no evidence that individual persons of prominence visited Elm Guest House in South London, although child sexual abuse almost certainly occurred there.

Police investigations

A vivid picture of corruption in central London in the 1960s, 1970s and 1980s was portrayed by several witnesses. This included the cruising of expensive cars around Piccadilly Circus, by those viewing boys and young men, who would hang around the railings known as the ‘meat rack’ to be picked up by older men and abused. The boys were described as aged between 11 and 22. Many were from damaged backgrounds or were runaways from the care system, and were known as ‘street rats’ by police officers.

Lord Taverne, a Home Office minister in 1966, described a meeting with the then Home Secretary, Roy Jenkins, and the then Commissioner of the Metropolitan Police, Sir Joe Simpson, at which Sir Joe remarked that there were “several ‘cottages’ in Westminster which we don’t investigate” because “they are frequented by celebrities and MPs”.¹ While not specifically about the sexual abuse of children, it is an example of a policy giving special treatment to persons of prominence and of deference towards those in power at Westminster.

The Clubs Office at the Metropolitan Police Service

The Clubs Office was a department of the Metropolitan Police Service specialising in the licensing and supervision of nightclubs, and vice and obscene publications. Three retired officers described their experiences of working in the Clubs Office. Although runaway boys found at the ‘meat rack’ were often arrested and brought to the police station, little was done to protect them from harm. No specialist child protection unit existed and the procedures for looking after children were described as “rudimentary”.²

Robert Glen, a retired officer who worked in the Clubs Office, told the Inquiry that his team had enough evidence to prosecute Cyril Smith in the 1970s for his involvement in sexual activity with young boys. Progress of that investigation was thwarted by senior officers at the time, who claimed that it was “too political”.³ He told us that “we did as we were told and you were not encouraged to question operational decisions made by senior officers”.⁴

Many years later another retired officer was traced who confirmed much of Mr Glen’s account. He explained that sex workers were treated by the vast majority of police officers as second-class citizens. It was difficult to persuade victims to provide statements because they would be traumatised again by giving evidence.

Cyril Smith’s name featured on at least two other occasions when police officers had cause to interview inmates at Feltham Borstal Institution on criminal matters. On one occasion officers were apparently stopped by Special Branch officers and ‘warned off’ the interview. They ignored the warning and, out of the blue, the inmate launched into a sexually explicit rant about the relationship he had had with Cyril Smith – something entirely unconnected with the purpose of the interview and that came as a surprise to the officers. On another occasion officers interviewed Andre Thorne, who claimed that he was a ‘rent boy’ and had engaged in sexual activity with Cyril Smith. He later publicly withdrew the allegations. A minor public scandal emerged around this time involving a plot by the South African Bureau

¹ Lord Taverne 5 March 2019 195/17-196/7

² Paul Holmes 7 March 2019 86/23-25

³ Robert Glen 6 March 2019 92/7-93/2

⁴ Robert Glen 6 March 2019 113/14-16

of State Security to smear Liberal MPs who opposed apartheid. Nevertheless little if any focus was directed at whether Cyril Smith had committed a criminal offence or posed a risk to children.

Undue deference reared its head again in the 1980s. Another retired police officer, Howard Groves, told the Inquiry about his experiences in a large police operation called Operation Circus which was an investigation targeted at so-called 'rent boys' around the Piccadilly Circus area. He has a specific memory of a briefing to the effect that if any prominent members of society were identified, the investigation was to cease. There was some support for this in the evidence we received.

The alleged involvement of Special Branch

The Inquiry also heard evidence from Don Hale, an award-winning journalist. Mr Hale has given a well-publicised account of an incident in 1984 when he says his office at the *Bury Messenger* was raided by Special Branch officers who served, or at least purported to serve, a 'D-Notice' (an official request not to publish certain details of a story for reasons of national security) on him. He said that they seized documents containing names of MPs said to be sympathetic to the Paedophile Information Exchange (PIE) and documents that Mr Hale said had been given to him by Barbara Castle, then an MEP. Mr Hale also described Cyril Smith visiting him at the office, threatening him, and demanding he hand over the same documents.

If Mr Hale's account is true then it is an example of politicians and the police acting to suppress allegations that in one way or another linked politicians to child sexual abuse. However, there is very little independent evidence that either corroborates or undermines Mr Hale's account. The reliability of his evidence cannot be determined by reference to independent sources and there are several elements of his account which are implausible. In certain key respects Mr Hale's account does not add up and the Inquiry cannot make any findings about this incident.

Elm Guest House

Elm Guest House has featured in many well-publicised allegations of child sexual abuse. It has been alleged that many politicians and other prominent individuals visited Elm Guest House, and that children were abused at sex parties held there. Allegations have also been made against the Metropolitan Police Service about the way investigations at Elm Guest House were conducted and also about how the results of those investigations were covered up.

Elm Guest House was a tawdry establishment which had come to the attention of police on several occasions. Child sexual abuse had almost certainly occurred there. However, Commander Neil Jerome from the Metropolitan Police Service stated that "*no individuals of prominence or (individuals) that could be described as being well-known*"⁵ were either observed by the police during surveillance operations or found there when the property was raided.

⁵ Neil Jerome 7 March 2019 156/2-10

Further concerns about police conduct

Peter McKelvie, a child protection specialist and retired social services employee and consultant, has also raised concerns about child sexual abuse links to Westminster. Many of his concerns focus on Peter Righton, a convicted child sexual abuser who, prior to his conviction, held a senior position advising the government on childcare.

Mr McKelvie has identified himself as “*the source*” of Tom Watson’s 2012 Parliamentary question, in which Mr Watson alleged that there was “*clear intelligence*” of “*a powerful paedophile network linked to Parliament and No. 10*”.⁶ However, in his witness statement, Mr McKelvie suggested that Mr Watson’s question was based on information provided by “*a number of sources*”,⁷ primarily two others, and that Mr McKelvie did not meet with Mr Watson until after the question had been asked.

Both the Independent Office for Police Conduct and the Metropolitan Police have acknowledged Mr McKelvie’s proactive role in assisting police investigations and he appeared genuine in his concerns. However, he has not claimed to have hard evidence to support them. A police investigation was conducted over a period of 10 years which in fact resulted in convictions. Mr McKelvie might have had more confidence in the police investigations in which he assisted had the Metropolitan Police kept him better informed about their progress.

Prosecutorial decisions

The cases of Victor Montagu and Sir Peter Hayman, both prominent men linked to Westminster, were examined. Montagu was accused of committing serious offences of child sexual abuse, while Hayman was a member of PIE and frequently exchanged obscene material in the post with others.

The case of Victor Montagu

Victor Montagu was MP for South Dorset from 1941 to 1962. In 1962, when his father died, he succeeded to the 10th Earl of Sandwich. Having renounced his titles in 1963 under the Peerage Act 1963, he stood as the Conservative Party candidate in Accrington in the 1964 general election.

His son, Robert Montagu, gave evidence to the Inquiry describing years of sexual abuse committed by his father, including an occasion when he was raped. The abuse started when he was about six and a half and continued until he was about 11 years old. It was discovered by family members and he was able to tell his mother what had happened, who in turn told the local GP. Nevertheless, after a short separation, he was returned to his father’s care. The police or other authorities were never contacted and no investigation took place. As Robert Montagu rightly points out, had there been an investigation his father may have been stopped in time to prevent the sexual abuse of other children.

One case, however, did come to the attention of the police: that of a 10-year-old boy who had alleged indecent assault by Victor Montagu in 1972. Papers were submitted to the office of the Director of Public Prosecutions for a decision on whether to prosecute.

⁶ INQ004102

⁷ PMK000472_022

The police report described the boy as “*a simple lad, perhaps to be pitied*”⁸ and contained a suggestion that the case was bedevilled by the employer and employee relationship in a rural community. Montagu had been interviewed by the police and broadly agreed with the account given by the boy but denied that the relationship was sexual. The Director of Public Prosecutions’ office advised that he should be cautioned.

It appears that very little in-depth consideration was given to the case. The decision itself minimised the seriousness of the offences and in the absence of any previous convictions the Director of Public Prosecutions’ office treated Montagu as a man of good character. This revelation was particularly shocking to Robert Montagu, who regarded the decision as “*entirely wrong and very indicative of the attitude towards people in public positions*”.⁹ The conclusion that the advice given by the police to Victor Montagu to stay away from the boy was sufficient to mark the gravity of offending was at significant odds to the policy approach taken by the Crown Prosecution Service today. The boy’s interests, as far as they were considered at all, were confined to a threat of being taken into care.

When considering the case, the real offending of Victor Montagu had been all but lost. The tenor of the police report and the note of the decision itself turned on an assessment of morality and the class distinction between him and the boy he sexually abused.

The case of Sir Peter Hayman

Peter Hayman held a number of important roles in the diplomatic service between 1964 and 1974. There were longstanding public concerns about whether the decision not to prosecute, either for his involvement in PIE or for sending obscene material through the post, might have been politically motivated.

In 1974, following a report in the *News of the World*, Police Sergeant Bryan Collins was required to investigate the activities of PIE and one of the group’s organisers, Tom O’Carroll. During the course of that investigation he came across someone who was eventually identified as Peter Hayman, who had spent many years exchanging obscene material through the post with others, albeit under a different name. It was not until 1978 that the police caught up with Hayman when his briefcase was found in a central London park containing various obscene writings and photographs. There was plenty of material that demonstrated Hayman’s sexual interest in children and that those with whom he corresponded shared his interests.

Police Sergeant Collins believed Hayman was a fantasist rather than a perpetrator of contact offences and his report to the Director of Public Prosecutions suggested that the offence of sending obscene material through the post contrary to section 11(1)(b) of the Post Office Act 1953 was the most suitable charge. Peter Hayman was represented by the well-known solicitor Sir David Napley who, unlike the potential co-defendants, appeared to have direct access to the Director of Public Prosecutions and was able to arrange a meeting with him to discuss the case. Although no record can be found of that meeting it is likely that the Director of Public Prosecutions was told that Hayman was suicidal. That information was treated at face value with no further investigation into Hayman’s mental health. Following that meeting, Hayman was given a caution and was not therefore required to attend court.

⁸ CPS003345_011-014

⁹ Robert Montagu 27 March 2019 18/2-23

By way of contrast, two of Hayman's potential co-defendants (one of whom was a bus inspector) were prosecuted in court for conspiracy to send obscene material through the post. Unlike Hayman, neither defendant enjoyed high public status or roles in public office. Jeremy Naunton, one of the lawyers involved in the case, offered a potential explanation for why Hayman was given a caution:

*"The taller they are the harder they fall, and Hayman was fairly tall in respect of the diplomatic side of it. Therefore he had a lot to lose ..."*¹⁰

Although Mr Naunton denied that undue deference had influenced the decision, it is difficult to come to any other conclusion than Hayman was treated differently from his co-defendants on the basis of who he was. In other words, his prominent position gave rise to special pleading for which he received special treatment.

Political parties

The purpose of this part of the investigation was to determine whether there had been a tendency to protect political parties or the political establishment more widely rather than take allegations of child sexual abuse sufficiently seriously or pass them on to the police. Three examples were selected: two from the 1970s and 1980s relating to the Liberal Party (later the Liberal Democrats) and the Conservative Party. The third, more recent example, concerned the Green Party.

Political response to Sir Cyril Smith

Sir Cyril Smith came to prominence as a Rochdale local councillor, then Mayor and then later as MP for Rochdale from 1972 until his retirement in 1992. He was knighted in 1988 and died in 2010. He was chosen as the Liberal candidate for Rochdale, following an informal selection process, and won the by-election in 1972. Cyril Smith had not, however, always belonged to the Liberal Party and spent part of his earlier career as a Labour councillor. That earlier period had a significant impact on the subsequent decision-making process when allegations that he had sexually abused a number of boys came under the spotlight.

In 1969 Cyril Smith was investigated by Lancashire Constabulary over allegations that he had sexually abused teenage boys at Cambridge House Hostel in Rochdale. During that investigation Smith admitted he had acted in accordance with the boys' accounts. Papers prepared by the police were sent to the Director of Public Prosecutions' office and Smith pressed to have a decision as quickly as possible in order to fight the next parliamentary election as a Liberal candidate. The decision not to prosecute, described in more detail in the Inquiry's investigation report on Cambridge House, Knowl View and Rochdale, then paved the way for his selection. Even at this relatively early stage of Smith's parliamentary career, it is unlikely that Liberal Party members were ignorant of the allegations but nevertheless they did nothing to reconsider Smith's candidature or inhibit his progress.

The decision of the Director of Public Prosecutions' office at the time not to mount a prosecution did not, however, dispel rumours which continued to swirl in parliamentary circles. Apparently George Carman QC, who defended the Liberal Party leader Jeremy Thorpe in 1979, had known of the allegations for many years. In the same year, media

¹⁰ [Jeremy Naunton 27 March 2019 149/1-16](#)

outlets the *Rochdale Alternative Paper* and *Private Eye* had published stories repeating those allegations. The *Private Eye* article was read by David Steel (now Lord Steel), the then leader of the Liberal Party, who decided to speak to Cyril Smith about the content.

During that discussion Cyril Smith told him that the ‘story’ was correct but that no further action had been taken. Lord Steel told the Inquiry that the allegations had arisen before Cyril Smith had become a member of the Liberal Party and he saw “*no reason, or no locus to go back to something that had happened during his time as councillor ...*”.¹¹ In effect, that it was nothing to do with him. This failure to recognise the risk that Cyril Smith potentially posed to children was an abdication of responsibility by a political leader and an example of a highly placed politician turning a blind eye to something that was potentially troublesome to his party, with no apparent regard for criminal acts which might have occurred or for any victims, past or future.

Political response to Sir Peter Morrison

Sir Peter Morrison was the Conservative MP for the City of Chester between 1974 and 1992 and held several senior roles in government. There had been rumours about his sexuality for years and that he liked “*little boys*”.¹² In the late 1980s an allegation arose that Morrison had been removed by police officers from a train in Crewe for sexually molesting a 15-year-old boy. Gyles Brandreth, who succeeded Morrison to become Conservative MP in 1992, described being told that Peter Morrison was a monster who interfered with children, although he went on to describe these allegations as “*slurs*”.¹³

Efforts were made to suppress these rumours rather than conduct any more formal investigation. The local agent for the Conservatives, Frances Mowatt, organised a meeting with her counterpart in the Labour Party prior to the 1987 general election to prevent allegations against Peter Morrison being used in the campaign, promising that Morrison would stand down next time. At the Inquiry hearing Mrs Mowatt denied that this meeting ever took place but a letter dated 7 July 1987 from the Security Services to the then Cabinet Secretary, Sir Robert Armstrong, in effect confirmed the existence of that meeting and broadly what was discussed. Mrs Mowatt was less than frank by concealing what was an attempt by her to cover up for Peter Morrison in 1987.

Whether there was an ongoing pact between local Labour and Conservative parties not to mention Peter Morrison’s behaviour during his time as MP is debatable and was subject to conflicting evidence throughout the Inquiry hearing. There was also some suggestion that the authorities had become involved in a cover-up. Allegations were made that the local police had suppressed charges following the incident on the train at Crewe after a phone call from the Prime Minister’s office and that Peter Morrison was subsequently cautioned by the police but the record had been expunged from the system.

The oral evidence of political campaigners provided only limited evidence that political parties secretly conspired and that the police were willing participants in a cover-up, and there is very little documentary evidence that assists. What is clear, however, is that despite

¹¹ Lord Steel 13 March 2019 122/16-24

¹² Grahame Nicholls 11 March 2019 30/12-31/8

¹³ Gyles Brandreth 12 March 2019 116/14-20; 119/7-18

the seriousness of the rumours and the alleged incident on the train at Crewe, no one considered the potential fate of children; the focus of attention remained unwaveringly on political consequences rather than the welfare of the child.

Officials in the Westminster (rather than the local) environment were alerted to problems in January 1986, when Sir Antony Duff, Director General of MI5, wrote to Sir Robert Armstrong, the then Cabinet Secretary, recalling there had been unsubstantiated rumours circulating about Peter Morrison as early as 1983 that he had been apprehended by police for importuning, and telling him that a member of his staff (which was Eliza Manningham-Buller, now Baroness Manningham-Buller) had passed on information from a friend that Peter Morrison had been caught soliciting in a public lavatory and had narrowly escaped being charged.¹⁴

Sir Robert Armstrong ensured that the then Prime Minister, Margaret Thatcher, was aware of the “*potential problem*”.¹⁵ At the time, Peter Morrison was Minister of State for Trade and Industry and therefore a member of government.

Ten months later, in November 1986, the Conservative agent for Westminster provided information to a staff member of MI5 (not Eliza Manningham-Buller) that Peter Morrison had “*a penchant for small boys*”.¹⁶ At this stage, however, the ‘security context’ of this information appeared uppermost in the minds of the security services rather than any criminality. Some further action was considered in the form of speaking to the Conservative agent for Westminster.

In that same month, Eliza Manningham-Buller alerted Sir Antony Duff to a press article alleging that a prominent Tory was under investigation by police “*because of his interest in small boys*” (although the article did not in fact refer to ‘small boys’), and that Peter Morrison had vehemently denied the rumours and said that the Prime Minister was supporting him.¹⁷ This seemed to dampen down any appetite for further action and the Westminster agent was not involved.

It is unclear now whether the Prime Minister was told that Peter Morrison was engaging in homosexual acts (which were not illegal) or whether he was a danger to children (the rumours contained both elements). Both elements, however, were known to senior officials. The rumours themselves showed no sign of diminishing: they were considered serious enough potentially to be a security threat and to cause reputational damage to the government if they became more widely known. In evidence to the Inquiry, Lord Armstrong (as Sir Robert Armstrong became) considered that any action lay with the Conservative Party rather than government but nothing seems to have happened. It did not occur to anyone that Peter Morrison should be reported to the police.

Notwithstanding the persistence and gravity of these rumours and allegations, Peter Morrison’s career was unaffected. He remained Deputy Chairman of the Conservative Party until June 1987, when he became Minister of State for Energy. He became Margaret Thatcher’s Parliamentary Private Secretary in 1990 and was knighted in 1991.

¹⁴ CAB000126

¹⁵ CAB000099_001

¹⁶ INQ004040

¹⁷ INQ004036; INQ004043

The Green Party's response to David Challenor

In November 2016, David Challenor was charged with 22 serious offences, including false imprisonment, rape and sexual assault of a child. He was convicted and sentenced to 22 years' imprisonment.

At the time, Aimee Challenor, his daughter, was a member of the Green Party and chair of the national LGBTIQ+ Greens. When her father was charged, she sent a private Facebook message to two communications coordinators for the Green Party. She did not mention the fact that her father had been charged with offences against children.

In April 2017, Ms Challenor was selected to be the Green Party General Election candidate for Coventry South and in the following month she appointed her father as election agent. She did so again in May 2018. When the Green Party discovered the situation, it commissioned an independent investigations consultancy, Verita, to carry out a private investigation. The report criticised Aimee Challenor for her failure to take the appropriate action and reminded the Green Party of the significant risk that her father posed throughout the two-year period he worked in a position of authority for the Green Party. A strong safeguarding culture was required to avoid any repetition.

Whips

The whips' offices are a key part of the Westminster system and a repository of information about parliamentarians.

We were prompted to consider the role of whips by concerns raised from the comments of a former Conservative Party whip, Tim Fortescue, in a BBC interview in 1995. He suggested that whips would help to cover up scandals, including, as he described it, "*scandal involving small boys*".¹⁸ We received evidence from a number of party whips, past and present, including Lord Ryder, Baroness Taylor, Lord Wakeham, Lord Foster, Lord Beith, Lord Young, Lord Goodlad, Lord Jopling, Kenneth Clarke, Nick Brown, Lord Arbuthnot and Gyles Brandreth.

Based on the evidence we have seen, we cannot conclude that the whips and whips' offices concealed or suppressed allegations of child sexual abuse by persons of public prominence, or used it as a form of leverage. We recognise that there were certain features of their work which may have assisted with an attempt to cover up such allegations, for example the collation of any possibly relevant information about parliamentarians, which was then shared within party bounds but otherwise kept confidential. Beyond that, we do not have evidence that allegations of child sexual abuse were known about or concealed by the whips' offices.

The honours system

The honours system itself is an institution operated on behalf of the Crown by senior politicians and civil servants within the Westminster establishment. Concerns have been raised as to whether the honours system takes account of allegations of child sexual abuse which have been made against individuals who are being considered for an honour and also against those who have already been granted an honour.

¹⁸ INQ004083

We saw evidence of approximately 30 instances where honours had been forfeited following criminal convictions for offences involving child sexual abuse. Many of these involved individuals working in the community and in education, as well as examples of some prominent people. Peter Hayman was awarded a knighthood in 1971, was involved with PIE, and was convicted and fined for gross indecency with an adult in 1984. Officers of the Order of St Michael and St George decided to give him a warning, with no mention of the Forfeiture Committee.

In another example, Prime Minister Margaret Thatcher pressed for a knighthood for Jimmy Savile for a number of years, which was awarded in 1990. This was despite revelations in the press about his private life. These cases, amongst others including Cyril Smith and David Chesshyre, show preferential or exceptional treatment being given to individuals because of their status and contacts, regardless of the known involvement of child victims.

There continues to be a debate about posthumous forfeiture of honours, primarily prompted by the Savile case. The current policy position of the Cabinet Office is that there should be no change to the rule that an honour cannot be forfeited after the death of the recipient. The Inquiry recommends that the Cabinet Office should re-examine the policy on posthumous forfeiture, in order to consider the perspectives of victims and survivors of child sexual abuse.

Paedophile Information Exchange

Another extraordinary development in the 1970s was the emergence of the Paedophile Information Exchange, known as PIE. Its aim was to campaign for public acceptance of paedophilia as well as for changes to the law on the age of consent, in order to allow adults to have sex with children. It was run by and for paedophiles in the 1970s and 1980s. It is clear from our investigation that a number of its members, some of whom were high profile, were involved in the sexual abuse of children. One of these was Sir Peter Hayman, a former High Commissioner to Canada.

PIE's aims were given foolish and misguided support for several years by people and organisations who should have known better. These included the National Council for Civil Liberties and the Albany Trust. There was a fundamental failure to see the problem and a lack of moral courage to confront it. Some have subsequently expressed regret about what happened during this period.

A central strand of this topic was whether PIE may have received Home Office funding in the late 1970s. This allegation was made by Tim Hulbert, a retired public servant and former consultant at the Voluntary Services Unit attached to the Home Office. It was further suggested that a person or persons working within the Home Office may have intended to channel funding to PIE. Despite detailed investigation, there was no available evidence to confirm that PIE as an organisation actually received any grant of Home Office funding. The available contemporaneous documents and witness evidence suggest that the alleged funding was not provided. Beyond Mr Hulbert's allegation, we have seen no evidence that any employee of the Home Office intended to fund PIE.

Safeguarding policies

The Inquiry received disclosure of current safeguarding policies from political parties, from a large number of government departments and agencies, and from the Palace of Westminster. We appointed an expert, Professor June Thoburn, to examine the adequacy of these. From her work, it is clear that, overall, Westminster institutions have improved their approach to safeguarding in recent years.

However, at the time of the hearing in this investigation, the evidence was that certain political parties had no specific safeguarding and child protection policies at all. It is unacceptable that any political party in England and Wales operates without suitable safeguarding and child protection policies and procedures.

We also heard evidence, notably from the Green Party and the Labour Party, which indicated that there are major gaps in the practical knowledge of even senior people about basic safeguarding. Some of these people considered themselves sufficiently qualified to judge whether abuse is serious enough to be reported to the authorities, even in the Labour Party's case, where it is publicly committed to the policy of mandatory reporting.

The Inquiry recommends that all political parties registered with the Electoral Commission in England and Wales should ensure that they have a comprehensive safeguarding policy and procedures that accompany them. Further, that the Electoral Commission should monitor and oversee compliance with this recommendation. These recommendations are made in order to ensure that government departments and political parties have clear, up-to-date, and transparent policies and procedures for the handling of allegations of child sexual abuse.

Part A

Introduction

Introduction

A.1: Background to the investigation

1. On 24 October 2012 at Prime Minister's Questions in the House of Commons, Tom Watson MP claimed that there was "*clear intelligence suggesting a powerful paedophile network linked to Parliament and No. 10*". Mr Watson asserted that there had been a failure to follow up evidence obtained in the police investigation into convicted child sexual abuser Peter Righton, including evidence that, as he put it, related to a "*senior aide to a former Prime Minister*".¹⁹

2. Mr Watson's question gave rise to considerable public interest. His allegation came at a time of general disquiet regarding allegations of historical child sexual abuse. Mr Watson asked his question just three weeks after the first allegations about Jimmy Savile had been broadcast on ITV and only days after the launch of Operation Yewtree. His question was followed closely by Simon Danczuk MP calling in Parliament for an inquiry into alleged abuses by Cyril Smith.

3. These allegations fed into the growing public concern that a network of child sexual abusers may have operated with a degree of impunity at the highest levels of public life. That concern continued to grow. Two years later, on 6 July 2014, Simon Danczuk wrote in the *Mail on Sunday* calling for a public inquiry into historic child sexual abuse in Westminster. The same day, in a television interview on *The Andrew Marr Show*, Lord Tebbit said that this had to be understood against the "*atmosphere of the times*" and agreed, when asked by Mr Marr, that "*there may well have been*" a "*big political cover-up*" related to child sexual abuse in the 1980s.²⁰ In a subsequent statement to us, Lord Tebbit explained what was in his mind when he referred to "*a big political cover-up*" by the establishment. He referred to his awareness of Jimmy Savile's excessive interest in child patients at Stoke Mandeville Hospital, the lack of action taken against Cyril Smith for allegedly abusing teenage boys, rumours of sexual deviance of senior members of the Church of England and Catholic Church, and suggestions that Peter Morrison MP had an interest in young men, which Lord Tebbit took to mean "*young men of about sixth form age*".²¹

4. The public concern about Westminster child sexual abuse allegations in this two-year period following Mr Watson's Parliamentary question was a significant factor in the Independent Inquiry into Child Sexual Abuse being established. On 7 July 2014, the day after Lord Tebbit's interview, the setting up of the Inquiry in its initial non-statutory form was announced by the then Home Secretary, Theresa May MP.

5. The allegations between 2012 and 2014 of cover-up and conspiracy relating to Westminster child sexual abuse were not entirely new. Public allegations of this nature had been made from time to time over the preceding two or three decades. The two great political sex scandals of the 1960s and 1970s – the Profumo and Thorpe affairs – involved

¹⁹ INQ004102; Hansard 24 Oct 2012, Column 923

²⁰ INQ004091

²¹ INQ001846_002

extensive allegations that the Westminster establishment had turned a blind eye to wrongdoing or covered it up. While those two matters involved adult sexual activity, other high-profile sex scandals during the period involved children.

6. Many historic allegations from the 1960s to the 1990s have been revisited. There has, for example, been extensive commentary and debate concerning events at Elm Guest House, which was advertised as a gay guest house, and what became of the so-called ‘Dickens dossier’ compiled by Geoffrey Dickens MP. Claims have been made by retired police officers to the effect that investigations into prominent individuals suspected of involvement in child sexual abuse were suppressed in the 1980s and earlier. Most prominent of all were the claims of Carl Beech – known as ‘Nick’ – of a Westminster paedophile²² ring in Dolphin Square. Beech’s claims were first made public in 2014, and were the subject of the Metropolitan Police Service’s Operation Midland. For several reasons Beech’s claims did not form any part of this Inquiry, as set out below.

A.2: Scope of this investigation

7. This investigation is entitled ‘Allegations of Child Sexual Abuse Linked to Westminster’. It concerns institutional responses into allegations of child sexual abuse and exploitation involving people of public prominence who were associated with Westminster. By ‘Westminster’, we mean the centre of the United Kingdom’s government, government ministers and officials, as well as Parliament, its members and the political parties represented there.

8. With the exception of Carl Beech’s allegations (discussed below), the Inquiry has sought to investigate and throw light upon the issues giving rise to public concern about child sexual abuse involving Westminster that have come to the fore since 2012. It has not been possible to examine and seek to reach conclusions about all the questions that have arisen over the years. The allegations cover a significant number of factual matters relating to events that took place all over England and Wales over decades. The Westminster investigation is also only one of the many investigations into different subject areas that the Inquiry will undertake. The Inquiry must approach its work in a selective and proportionate manner.

9. Other reviews and inquiries have already investigated some elements of this public concern. Questions around the ‘Dickens dossier’ and the alleged Home Office funding of the Paedophile Information Exchange (PIE) were explored in two internal Home Office reviews and by the further review carried out by Peter Wanless and Richard Whittam QC in November 2014. The Independent Office for Police Conduct (IOPC) has investigated many of the complaints of police misconduct in respect of Westminster child sexual abuse allegations. The Inquiry’s work has built on these previous reviews and inquiries, in accordance with its Terms of Reference.

²² The term ‘paedophile’ is a diagnostic term for a paraphilic disorder, often used inappropriately to describe all perpetrators of child sexual abuse. It applies to a person who has a primary or exclusive sexual preference for prepubescent children. Not all paedophiles act on their sexual preference or interest. Having a sexual preference or interest in children and young people is not a criminal offence, but acting on that sexual preference or interest is a criminal offence.

10. The Inquiry heard evidence in relation to seven topics,²³ which to some extent interact with each other:

- **Police misconduct:** This relates to the allegations that police investigations into cases of possible child sexual abuse linked with Westminster may have been the subject of inappropriate interference.
- **Political parties:** We considered the way in which political parties, and in particular the leadership of those parties, have reacted to allegations of child sexual abuse made about individuals within their own parties.
- **Whips' offices:** This responds to concern generated by comments made by a former Conservative Party whip, Tim Fortescue. In a BBC interview in 1995, Mr Fortescue suggested that whips would help to cover up scandals as a means of gaining loyalty, including what he described as a "*scandal involving small boys*".²⁴
- **PIE:** The Inquiry heard evidence about the links between PIE and other civil society organisations during the 1970s, in particular the Albany Trust and the National Council for Civil Liberties. We also investigated the allegations by Mr Tim Hulbert, a former Home Office Voluntary Services Unit consultant, that PIE may have been in receipt of Home Office funding.
- **Prosecutorial decisions:** There has been concern that decisions whether or not to prosecute persons of public prominence associated with Westminster in child sexual abuse cases may have been the subject of improper interference from within the Westminster establishment.
- **The honours system:** The honours system itself is an institution operated on behalf of the Crown by senior politicians and civil servants within the Westminster establishment. Concerns have been raised as to whether the honours system takes appropriate account of allegations of child sexual abuse that have been made against individuals being considered for an honour or those who have already been granted an honour.
- **Current safeguarding policies of Her Majesty's Government, the Palace of Westminster and political parties:** Finally, the Inquiry considered the sufficiency and efficacy of current safeguarding policies relating to children by Her Majesty's Government, the Palace of Westminster itself and political parties.

11. During the investigation we identified several cross-cutting themes, which will be highlighted throughout the report.

- **Addressing and allaying public concerns:** As set out above, some cases of high-profile politicians or other Westminster figures being involved in child sexual abuse are well-documented and easily verifiable. However, there have also been allegations and rumours which have circulated for many years, about which it is much harder to establish the truth. Some of these are profoundly disturbing and have rightly attracted significant public interest. Part of the Inquiry's role is to look into these allegations and rumours. If on close examination it transpired there was a satisfactory explanation for the underlying facts, we have sought to allay public concerns and put to rest some long-running beliefs which we have concluded have no credible foundation.

²³ Determination of 8 May 2018

²⁴ INQ004083

- **Deference:** This is a major theme that has emerged again and again in the course of this investigation. Westminster lends itself to deference of many types. It is an area of public life steeped in tradition and it is concerned above all with the exercise of power. We have seen examples of deference within political parties and other institutions towards more senior figures, and deference by police and prosecutors towards politicians and other persons of public prominence.
- **Differences in treatment due to socio-economic status:** On several occasions throughout the evidence, we noted a distinct difference in the way wealthy or well-connected individuals have been treated, as opposed to those who were poorer or more deprived and without access to networks of influence. We have formed the distinct impression that wealth and social status have played a key role in insulating perpetrators of child sexual abuse from being brought to justice, and the poverty of victims has led to allegations of child sexual abuse being taken less seriously.
- **Insufficient consideration of the needs of child victims:** A consistent pattern that has emerged from the evidence we have heard is a failure by almost every institution to put the needs and safety of children who have survived sexual abuse first. We heard how the police were more concerned about achieving prosecutions than about the welfare of sexually exploited children. Political parties in a whole variety of ways have shown themselves, even very recently, to be more concerned about political fallout than about safeguarding. Our investigation of the honours system found a process which in some cases prioritised reputation and discretion with little or no regard for victims.
- **The implementation of safeguarding policies in practice:** It is clear that until very recently none of the key Westminster institutions had anything approaching adequate safeguarding policies, frameworks or procedures. That has changed significantly in recent years. However, even the best procedures and policies are useless if they are not implemented and if the members of the institutions are unaware of their requirements. Sadly, we heard evidence that suggested practical working knowledge of relevant procedures was still sorely lacking.

Our findings in relation to each are drawn together in Part K.

12. The focus of this investigation – and of the Inquiry more generally – is on the conduct of institutions, rather than of individuals. In general terms at least, the conduct of individuals is a matter for the police and for the courts. As stated above, this investigation concerns the way in which Westminster institutions responded, or failed to respond, to allegations of child sexual abuse. The clear purpose of the Inquiry hearing evidence about such allegations was not to examine their truth, but to investigate what institutions knew about allegations of this nature and how they responded to them, if at all. It was therefore neither necessary nor proportionate for this investigation to attempt to reach conclusions about the truth of individual allegations of child sexual abuse made against Westminster figures. Indeed, statutory agencies regularly make decisions (in the context of child protection) based on allegations and a complete assessment of all the circumstances, rather than after the substance of allegations has been proven in a formal justice system process. This is because their focus is the welfare of the child rather than establishing guilt or innocence.

Operation Midland and Carl Beech

13. In late 2014 serious allegations of child sexual abuse and murder were made by Carl Beech (initially known only as ‘Nick’ to protect his identity) against a variety of prominent political figures, including Sir Edward Heath, Lord Brittan, Lord Bramall and the former directors of MI5 and MI6. The allegations centred on an apartment complex known as Dolphin Square, but also involved other locations.

14. As has been well publicised, the Metropolitan Police investigation into Beech’s allegations – Operation Midland – ended with no charges being brought. A detailed review of Operation Midland was carried out by a retired High Court Judge, Sir Richard Henriques. His report, published in 2016, made a series of criticisms of the Metropolitan Police relating to the way in which Operation Midland had been conducted.

15. In light of the investigation of Beech’s allegations, and the risk of prejudice to possible future criminal proceedings, those allegations were not included within the scope of our investigation.

16. In July 2019, several months after the conclusion of the hearings in this investigation, Carl Beech was convicted at Newcastle Crown Court of perverting the course of justice and fraud in connection with the allegations referred to above. He was sentenced to 18 years’ imprisonment.

A.3: Methodology

17. The methodology adopted by the Inquiry is set out in Annex 1. Core participant status was granted under Rule 5 of the Inquiry Rules 2006 to 16 core participants, including eight victims.

18. The seven topics considered in this investigation were derived from the scope of the investigation set by the Inquiry,²⁵ and the Terms of Reference for the Inquiry set by the Home Secretary.²⁶

19. In addition to two preliminary hearings, public hearings were held over 14 days in March 2019.

20. At the public hearings, we heard an account from one victim, Robert Montagu, about his experiences as a child who had been sexually abused. Evidence was also provided by institutional witnesses about a wide range of factual matters. These witnesses included retired and serving police officers, civil servants, politicians and journalists.

21. Various institutions also supplied corporate statements and documents, including the Metropolitan Police Service, the IOPC, the Crown Prosecution Service, various government departments, the Security Service, the Secret Intelligence Service, Government Communications Headquarters (GCHQ), and all the Westminster political parties. Finally, the Inquiry reviewed a large amount of witness and documentary evidence, which was disclosed to core participants where relevant and which has been published on the website if it was referred to during the public hearings or in this report.

²⁵ Definition of Scope – Westminster investigation

²⁶ IICSA Terms of Reference

A.4: Terminology and references

22. The Inquiry recognises that some people who have been sexually abused as children identify as victims, and others as survivors, of sexual abuse. In this report we use the term 'victim' rather than 'complainant' when referring to those who have made allegations of child sexual abuse. We use the term neutrally, without making any findings of fact in any specific cases. As stated above, investigating the truth of the allegations or reaching conclusions about them is not within the scope of this investigation.

23. Sexual abuse or exploitation at the time of some of the events in this report was then often described in ways which minimise the events as well as the impact on victims and survivors. For example, child sexual abuse was described as 'paedophilia', and those the Inquiry would regard as children as well as those in their late teens and 20s were often described as 'rent boys'. We do not use such terminology in this report, except where we are repeating words used in evidence or in a record.

24. References in the footnotes of the report such as 'INQ004094' are to documents that have been adduced in evidence or published on the Inquiry website. A reference such as 'Robert Glen 6 March 2019 78/3-13' is to the hearing transcript which is available on the Inquiry's website; that particular reference is to the evidence of Robert Glen on 6 March 2019 at page 78, lines 3 to 13.

Part B

Allegations of child sexual abuse linked to Westminster

Allegations of child sexual abuse linked to Westminster

B.1: The 1960s

1. Sir Ian Horobin was Parliamentary Secretary to the Minister for Power from 1958 to 1959. He was convicted in 1962 of 10 charges of indecency with boys under 16 and young men who were associated with the Mansfield House University Settlement, where Horobin was the warden. He was sentenced to four years' imprisonment.²⁷

B.2: The 1970s

The 'meat rack' and Playland Amusement Arcade

2. In the 1970s and into the early 1980s, the so-called 'meat rack' or 'chicken rack' near the Playland Amusement Arcade at Piccadilly Circus in the West End of London was notorious as a congregating spot for teenagers and young men. It has been reported that many of these boys and men were solicited and sexually exploited by older men, some of whom were alleged to be persons of public prominence associated with Westminster. In 1975, Scotland Yard investigated a number of individuals for sexual abuse of 'rent boys' around Piccadilly Circus. Five men were charged, including Charles Hornby, a wealthy socialite and an old Etonian.²⁸ Hornby pleaded guilty to conspiracy to procure acts of gross indecency by males under 21, committing acts of gross indecency and attempting to pervert the course of justice.

3. The reporting of such scandals in this period often used the term 'rent boy', which was (and is) an ambiguous term in that it does not distinguish between individuals below the age of 18, whom this Inquiry regards as children, and those over 18. The term seems to have been used generally to describe both teenagers and those in their early 20s, an issue which this report will explore further. As was made clear during the hearings,²⁹ the Inquiry does not endorse terms such as 'rent boy', 'male prostitution' or any other such language to describe what could more accurately be described as child sexual exploitation. However, this report will refer to these terms where necessary because they are relevant to the evidence we heard and were used during the time period we have investigated.

4. Allegations have been made much more recently by individuals in relation to events around Piccadilly Circus in the 1970s. The Inquiry obtained evidence from Mr Anthony Daly in relation to his book *Playland: Secrets of a Forgotten Scandal*, which was published in 2018.³⁰ Mr Daly tells the story of his time as a rent boy, when he was aged 20, over three months in 1975. He alleges that he was initially captured and recruited by Charles Hornby and that he became well acquainted with Charles' brother, Simon Hornby, who paid him for sex.

²⁷ INQ004094

²⁸ OHY005124

²⁹ Counsel to the Inquiry 7 March 2019 216/22-217/6

³⁰ INQ003915

Though not a child himself at the time, Mr Daly alleges that he was forced to witness the depraved sexual abuse of two boys aged eight and 10 at a party attended by unnamed persons and two individuals whom he knew. He also made claims in his book that senior establishment figures were present at parties where underage rent boys were sexually abused and exploited.

The Paedophile Information Exchange and Sir Peter Hayman

5. The Paedophile Information Exchange (PIE) was formed in 1974. Its aim was to campaign for changes to the law on the age of consent in order to allow adults to have sex with children. Its members shared these views in its magazines *Understanding Paedophilia* and *Magpie*. PIE's philosophy was asserted in Tom O'Carroll's book *Paedophilia: the Radical Case*, published in 1980. Tom O'Carroll was a member of PIE's executive and a former secretary and chair of PIE.

6. It is clear that a number of PIE members were involved in the sexual abuse of children. High-profile members Peter Righton, Charles Napier, Richard Alston and Dr Morris Fraser were all convicted of offences related to child sexual abuse. In 1981, a number of senior PIE members, including Tom O'Carroll, were tried for conspiracy to corrupt public morals on the basis of 'contact' advertisements published in *Magpie*. Following a retrial, Tom O'Carroll was convicted and sentenced to two years' imprisonment; he later admitted and was jailed for offences of distributing indecent images of children.³¹ It seems that PIE disbanded in 1984.

7. There was at least one connection between PIE and Westminster in the late 1970s and early 1980s. Sir Peter Hayman, a former High Commissioner to Canada, was a member of PIE, using the pseudonym 'Peter Henderson'.³²

8. It has also been claimed that PIE was provided with funding by the Home Office. Tim Hulbert was a consultant at the Home Office Voluntary Service Unit (VSU) from October 1977 until he became Deputy Director of Social Services for Hereford and Worcester County Council in October 1981. The VSU was responsible for providing funding to voluntary organisations that were not the direct responsibility of any single government department. Mr Hulbert recalls seeing a quarterly summary of pending grants or grants for renewal with an entry that read 'WRVS (P.I.E.)'. He went to Clifford Hindley, the head of the unit at the time, and asked why the VSU was funding PIE. Mr Hulbert says that Mr Hindley told him that PIE was funded at the request of Special Branch, which found it useful to identify people with paedophile inclinations.³³

B.3: The 1980s

Elm Guest House

9. There have also been allegations of child sexual abuse associated with Elm Guest House, a former hotel in Rocks Lane near Barnes Common in south-west London, since the 1980s. This establishment was run by husband and wife Haroon and Carole Kasir, and was advertised as a gay guest house. In June 1982, Elm Guest House was raided by police. It appeared that at least one boy, aged 10, had been sexually abused on the premises. The boy made a statement to police in which he said that he had been raped by adult males at

³¹ INQ003739_001

³² CPS004445_003

³³ Timothy Hulbert 25 March 2019 170/13-171/9

the house. A social worker claimed that the boy made an allegation in relation to an “Uncle Leon” that was not reflected in the boy’s formal typed statement. A masseur who worked on the premises, then aged 17, also claimed that two undercover officers had sex with him in the guest house before the raid, and that he was intimidated by officers not to speak the truth about what he knew.

10. Following the raid, the Kasirs were taken into custody. In April 1983, Carole and Haroon Kasir were convicted of running a disorderly house. They were each sentenced to nine months’ imprisonment suspended for two years and fined £1,000. None of the guests at the house was convicted of any offence and no politician or VIP was ever identified as having been involved.

11. In June 1990, Carole Kasir was found dead. At the inquest into her death, which was ruled a suicide, Mr Chris Fay (an employee of the National Association of Young People in Care (NAYPIC)) alleged that he had spoken to Carole Kasir with his colleague, Mary Moss. The so-called ‘Mary Moss List’ of VIP guests to Elm Guest House was produced during these interviews and later published online. Mr Fay alleged that Kasir informed him that boys were trafficked from Grafton Close Children’s Home and abused by VIPs in the guest house.³⁴

12. Mr Fay repeated these allegations years later, in a 2015 BBC *Panorama* programme entitled ‘The VIP Paedophile Ring: What’s the Truth?’, in the wake of the public concern about child sexual abuse associated with Westminster.³⁵

Geoffrey Prime

13. Geoffrey Prime was a former intelligence officer and Soviet spy. He worked for the Royal Air Force and later for Government Communications Headquarters (GCHQ) during the 1960s and 1970s. Prime had made a set of 2,287 index cards containing details of individual girls, their activities and their parents’ routines. In 1982, he pleaded guilty to three counts of sexual offences against children as well as espionage offences. He was sentenced to 35 years’ imprisonment for the espionage offences with three years’ imprisonment to run consecutively for the sex offences. In November 1982, Geoffrey Dickens MP asked Prime Minister Margaret Thatcher about Prime’s membership of PIE. Mrs Thatcher responded that she understood that such stories were false.³⁶

The ‘Dickens dossier’

14. Geoffrey Dickens was a campaigning MP. In March 1981, he used parliamentary privilege to ask the Attorney General if he would prosecute Sir Peter Hayman for sending and receiving pornographic material through the Royal Mail, and whether there would be an investigation of the security implications of the entries in Hayman’s diaries referred to in Tom O’Carroll’s trial at the Old Bailey. In 1983 and 1984, Mr Dickens had a series of meetings with the then Home Secretary Leon Brittan, at which he provided information purporting to identify other high-profile child sexual abusers in government and the Royal Household.

³⁴ INQ004101

³⁵ INQ004095

³⁶ Counsel to the Inquiry 4 March 2019 19/1-15

15. The information he provided has come to be known as the ‘Dickens dossier’ but what exactly was in the ‘Dickens dossier’ and how many dossiers there were is unclear. The evidence suggests there may have been several files or documents which have individually and misleadingly become known as the ‘Dickens dossier’.

16. Claims that a copy of the dossier was seized under threat of imprisonment from journalist Don Hale in 1983 added to the intrigue. Mr Hale was the editor of the *Bury Messenger* and said he had been given substantial parts of the ‘Dickens dossier’ by Barbara Castle MEP, who had herself received it from Mr Dickens. Mr Hale alleges that Special Branch officers burst into his office and demanded that he hand over the material he had received from Barbara Castle, whereupon he was handed what purported to be a ‘D-Notice’ preventing publication of any material contained within the seized documentation.

B.4: The 1990s

Scallywag magazine

17. In the early 1990s, a series of articles concerning an alleged Westminster child sexual abuse ring were published by the controversial magazine *Scallywag*, edited by Simon Regan. The allegations published in *Scallywag* included that there was such a ring in Westminster involving at least one former Cabinet minister; that pictures and videos of child sexual abuse had been copied and distributed in Westminster; that the child sexual abuse ring was an ‘all-party’ affair, though predominantly in the Tory party; that parties were held at Dolphin Square involving sexual and violent conduct towards young boys; that reporting of these allegations was suppressed; that the situation was well known outside of Westminster; and that several police officers were complicit. Allegations were frequently linked to homosexuality.³⁷

18. These articles, while written in a sensationalist style and relying on rumour and innuendo rather than evidence, added oxygen to the rumours already reported in the public domain.

Peter McKelvie

19. Mr Peter McKelvie is a child protection specialist and social services employee and consultant who has campaigned against child sexual abuse activity and made frequent allegations in the press. Many of his allegations concern the case of Peter Righton, a convicted child sexual abuser who, prior to his conviction, held a senior position advising the government on childcare.

20. In June 1994, Peter McKelvie’s allegations concerning Righton formed the basis of an *Inside Story* documentary ‘Children at Risk – The Secret Life of a Paedophile’, which told the story of Peter Righton and two other convicted child sexual abusers with links to the establishment, Richard Alston and Charles Napier.

21. Mr McKelvie has previously claimed to have been the source of Tom Watson’s 2012 Parliamentary question, although in the witness statement that he provided to the Inquiry Mr McKelvie suggested that Mr Watson’s question was primarily based on information provided by two others.³⁸ It is certainly the case that Mr McKelvie has subsequently

³⁷ Counsel to the Inquiry 4 March 2019 33/25-34/19

³⁸ PMK000472

been reported as suggesting that Mr Watson acted precipitately in asking the question in Parliament, and that the language he used did not reflect the information that Mr McKelvie had given him. It was reported by *The Daily Telegraph* in 2015 that Mr McKelvie said that “Tom Watson ‘mixed up’ his facts and made exaggerated claims about a ‘powerful paedophile network’ linked to Downing Street”.³⁹ According to the report, Mr McKelvie said:

“I would never have wanted Tom Watson to do a PMQ as a tactic until he heard the whole story. The only thing I wanted to say about politicians is every institution has abusers in it. The more powerful people are, the more likely they are to get away with it. I never talked about rings.”

22. Mr McKelvie has made a number of more specific allegations. He raised concerns about a child sexual abuse network between four individuals and alleged that a police investigation into it had been shut down because of interference by senior police officers or politicians. He raised concerns that Charles Napier, a convicted child sexual abuser, had obtained a teaching post abroad through his establishment connections, and that the same individual had made use of or had been allowed to use the diplomatic bag while working abroad in Cairo to send or receive child pornography, and that this had not been investigated. Mr McKelvie was also concerned that individuals in the establishment should have known about Charles Napier’s abuse of children. He was concerned that these allegations were not pursued with sufficient rigour by police. His allegations were investigated by the Independent Office for Police Conduct but there was no evidence or corroboration to support them.⁴⁰

³⁹ INQ004098

⁴⁰ IPC000859

Part C

Searches at the security and intelligence agencies and at Metropolitan Police Special Branch

Searches at the security and intelligence agencies and at Metropolitan Police Special Branch

1. As part of this investigation, the Inquiry commissioned searches of documents and records at the Security Service (MI5), the Secret Intelligence Service (SIS, otherwise known as MI6) and Government Communications Headquarters (GCHQ). We also commissioned similar searches of Metropolitan Police Special Branch (MPSB) records, which are now held within the Metropolitan Police Counter Terrorism Command. The purpose of all these searches was to establish whether any of those organisations held documents relevant to allegations of Westminster child sexual abuse. We regarded this as an important element of our work. It responded to some public concern that evidence of Westminster child sexual abuse, perhaps even of a ‘Westminster paedophile network’, might be concealed within the records of these organisations, which are largely held in secret.
2. This was an extensive exercise. We liaised with each organisation to set wide search terms that would form the basis of their searches. The search terms included a comprehensive list of names of prominent individuals connected to Westminster against whom allegations of child sexual abuse had been made.
3. Once the searches had been conducted, security-cleared members of the Inquiry’s legal team spent time validating the searches, examining documents and on occasions requesting further targeted searches. At a later stage, the Chair also examined documents at MI5 headquarters, where the vast majority of relevant documents were found. Some of the documents that we looked at were classified at the highest levels. Each of the four organisations provided us with its full cooperation and complied with all requests for access to documentation.
4. Further details of the way in which the search exercises were conducted and their outcome can be found in the witness statements of:
 - the MI5 Witness, in particular paragraphs 13 to 28;⁴¹
 - the SIS Witness, in particular paragraphs 3 to 8;⁴²
 - the GCHQ Witness, in particular paragraphs 7 to 13;⁴³ and

⁴¹ INQ004032_004-008

⁴² INQ003831_001-002

⁴³ GCQ000001_002-003

- Detective Inspector Alastair Pocock⁴⁴ (paragraphs 2 to 8) and Commander Neil Jerome⁴⁵ (paragraph 6) of the Metropolitan Police Service.

5. The searches did reveal documentation suggesting that some prominent individuals associated with Westminster were or may have been involved in child sexual abuse. Given the scale and breadth of the searches, it would have been surprising had they not done so. Most of the documents in this category were held by MI5, which is again unsurprising given the domestic focus of its work.

6. The MI5 Witness included a table⁴⁶ of these documents, including a column indicating how the information would be dealt with, under MI5's current safeguarding policy, if the information was received now:

Table 1: MI5 Witness information related to potential child sexual abuse

Individual	Information Related to Potential Abuse	How would the current policy have applied if it had been in force at the time?
OLDFIELD, Maurice Chief of SIS	<p>In 1987, the Prime Minister informed the House of Commons that Sir Maurice Oldfield had told her in March 1980 that he had occasionally had homosexual encounters. His Positive Vetting clearance was withdrawn and MI5 conducted a lengthy investigation to determine whether Sir Maurice's sexual activities posed a risk to national security by making him vulnerable to blackmail or other pressure.</p> <p>The investigation included many interviews with Sir Maurice in which he provided information about homosexual encounters with male domestic staff, referred to as 'houseboys', whilst serving in the Middle East in the 1940s and hotel stewards in Asia in the 1950s.</p> <p>This information was previously unknown to MI5 (and, as it was understood by the MI5 Witness, to the other security and intelligence agencies, SIS and GCHQ).</p> <p>There is insufficient information in the records to deduce whether the term 'houseboys' is being used simply to describe domestic staff or to denote youth, leaving ambiguity over the ages of the other parties.</p>	This information would be passed to the police.
HAYMAN, Peter Telford Diplomat	In 1980, MI5 received information that suggested that Peter Hayman engaged in sexual activities with young boys.	This information would be passed to the police.

⁴⁴ MPS003549

⁴⁵ OHY007085

⁴⁶ INQ004032_013-015

Individual	Information Related to Potential Abuse	How would the current policy have applied if it had been in force at the time?
<p>DRIBERG, Tom MP Chairman of the Labour Party</p>	<p>In 1981, MI5 received information that suggested that Tom Driberg had engaged in sexual activities with young boys.</p>	<p>This information would be passed to the police.</p>
<p>MORRISON, Peter MP</p>	<p>In the mid-1980s MI5 received information from two sources that Peter Morrison “<i>has a penchant for small boys</i>”.</p>	<p>This information would be passed to the police.</p>
<p>BRITTAN, Leon MP, Minister</p>	<p>In the mid-1980s, MI5 received information one afternoon that suggested that Leon Brittan or a close MP associate of Leon Brittan engaged in sexual relations with teenagers. Further information was received the next morning clarifying that the information did not in fact relate to Leon Brittan, but was rumoured to relate to the MP associate. Further information was received later in the week that clarified that the rumour had been started by a prisoner turned down for parole out of vindictiveness.</p>	<p>This information would be passed to the police as relating to the MP associate (not to Leon Brittan), together with the information about it being the product of vindictiveness.</p>
<p>CHATAWAY, Christopher MP</p>	<p>In 1973, the Cabinet Office informed MI5 of rumours that Christopher Chataway engaged in sexual activities with children.</p>	<p>As this information came from another government department, MI5 would ask the Cabinet Office if they had passed the information to the police and, if not, would agree who should do so.</p>
<p>IRVING, Charles Graham MP</p>	<p>Over a number of years MI5 received information on several occasions that Charles Irving was homosexual. In 1984, MI5 received information that whilst overseas Charles Irving had rented a hotel room “<i>to take boys</i>”.</p>	<p>This information would be passed to the police.</p>
<p>LAMBTON, Anthony (later Lord Lambton) MP</p>	<p>In 1973, the police passed MI5 information about an alleged video recording that showed Anthony Lambton involved in sexual activities with a boy.</p>	<p>As this information came from the police, MI5 would not take any action.</p>
<p>PETERS, Colin John Meredith Diplomat</p>	<p>In 1968, MI5 received information from the Foreign & Commonwealth Office about the refusal of Positive Vetting clearance for Colin Peters. This was due to his arrest in Naples the previous year on allegations of the criminal assault of three Italian boys and his admission that he had committed homosexual acts.</p>	<p>As this information came from another government department, MI5 would ask the Foreign & Commonwealth Office if they had passed the information to the police and, if not, would agree who should do so.</p>

Individual	Information Related to Potential Abuse	How would the current policy have applied if it had been in force at the time?
VAN STRAUBENZEE, William MP, Minister	In 1982, MI5 received information that suggested that William Van Straubensee engaged in sexual activities with young boys whilst in Northern Ireland. This information was shared with the Cabinet Office, who shared it with the Prime Minister.	This information would be passed to the police.

7. The searches did therefore reveal documents showing individual instances of actual or possible Westminster-related child sexual abuse. However, no material was found at any of the four organisations to indicate either the existence of a 'Westminster paedophile network' or of any attempts to cover up or suppress information about the existence of such a network.

Part D

Police responses to allegations of Westminster child sexual abuse

Police responses to allegations of Westminster child sexual abuse

D.1: Introduction

1. In considering the way in which the police as an institution has responded to allegations of child sexual abuse made against persons of public prominence, the Inquiry has explored a number of related questions.

- Was there a culture of deference or general reluctance amongst police when it came to investigating sexual allegations against persons of public prominence associated with Westminster?
- Were police officers 'warned off' investigating cases of possible child sexual abuse committed by persons of public prominence?
- Were allegations of child sexual abuse involving persons of public prominence associated with Westminster known about by police but inadequate action taken to investigate them?
- Did police officers seek to protect persons of public prominence accused of child sexual abuse from being the subject of investigation or public scrutiny through the media?

2. We heard from witnesses including a senior official from the Independent Office for Police Conduct (IOPC), senior officers from the Metropolitan Police and also a number of 'whistleblower' retired police officers. Much of the evidence related to historic events in the 1970s and 1980s, although we did hear about modern practices by way of comparison. Many of the cases that we considered have been debated in the media and raise clear matters of public concern.

3. The Inquiry's Terms of Reference require us to take into account information available from published and unpublished reviews and investigations. That requirement was of particular significance to this part of the investigation. There have been 37 relevant IOPC-managed investigations of police misconduct, summarised in an overarching IOPC report,⁴⁷ and a further 17 Metropolitan Police local investigations, summarised in the witness statement of Commander Catherine Roper.⁴⁸ We heard detailed oral evidence from Mr Christopher Mahaffey of the IOPC⁴⁹ and also from Commander Roper⁵⁰ about the way in which these investigations were instituted and conducted, which are also fully addressed in the report and the witness statement.

⁴⁷ IPC000830

⁴⁸ MPS003548

⁴⁹ Christopher Mahaffey 5 March 2019 3/11-145/11

⁵⁰ Catherine Roper 5 March 2019 145/16-188/25

4. As set out in Part A of this report, the purpose of the Inquiry's work – and also that of the IOPC and Metropolitan Police investigations – has been to investigate possible failings in the way in which the police have responded to allegations of child sexual abuse. It is a necessary part of any investigation into the police response to refer to and in some cases to analyse the underlying allegations of child sexual abuse. However, it is not part of our function – any more than it was for the IOPC or the Metropolitan Police investigations – to reach conclusions as to whether or not the underlying allegations of abuse, which are allegations of criminal conduct, were or were not well founded. In naming any person about whom an allegation has been made, the Inquiry is making no suggestion that the allegation is true or that the person committed the alleged act. Section 2(1) of the Inquiries Act 2005 prevents the Inquiry from ruling on any person's civil or criminal liability.

5. The Inquiry has treated the IOPC and Metropolitan Police investigations as a starting point for our own work. It would have been disproportionate for us to reinvestigate all these matters. For many of the cases we did not call any further evidence ourselves, and we therefore simply record the IOPC and Metropolitan Police findings. For those cases in which we did call further evidence, we have been able to make our own findings to add to those of the IOPC and Metropolitan Police. In places we have been critical of their conclusions or have indicated that we think there is more work for them to do. It is not our role to mount a general investigation into the way in which the IOPC and the Metropolitan Police have conducted their work and we do not make any recommendations in this regard.

D.2: The Home Secretary and the Metropolitan Police Commissioner

6. In 1966 Lord Taverne was an MP and a minister in the Home Office. He told us about a single meeting that he attended, which Richard Scorer and Kim Harrison of Slater & Gordon, in written submissions on behalf of complainant core participants, described as being “*highly illuminating about the culture of the time*”.⁵¹ The other attendees at the meeting were Roy Jenkins, then the Home Secretary, and Sir Joe Simpson, the Commissioner of the Metropolitan Police.

7. Lord Taverne appeared to have a clear memory of the meeting, which took place the year before homosexual acts in private between consenting males aged 21 and over were decriminalised by the Sexual Offences Act 1967. He explained that Mr Jenkins had been the “*driving force*” behind the campaign in the mid-1960s to legalise homosexual acts.⁵² Mr Jenkins had called the meeting as a result of his concern, as Lord Taverne put it, “*that the police spent quite a lot of time wasting their time, as he saw it, in tracking homosexuals by investigating various so-called cottages*”,⁵³ a slang term for public lavatories frequented by homosexual men. He said that Mr Jenkins had told Sir Joe Simpson that he thought the practice of visiting these ‘cottages’ was a waste of police time, which ought to be discontinued.⁵⁴

8. Lord Taverne told us that Sir Joe Simpson responded by making two comments. First, he told the Home Secretary that it was unconstitutional for him to interfere in operational matters, although he agreed to look at the matter. Then Sir Joe Simpson made what

⁵¹ INQ004281_013

⁵² Lord Taverne 5 March 2019 194/9-15

⁵³ Lord Taverne 5 March 2019 193/20-194/6

⁵⁴ Lord Taverne 5 March 2019 195/7-9

Lord Taverne described as “a surprise remark”, that as “a matter of fact, there are several cottages in Westminster which we don’t investigate”. When asked why these cottages were not investigated, Sir Joe Simpson said that “it would be embarrassing” because “they are frequented by celebrities and MPs”.⁵⁵

9. Lord Taverne said that neither he nor Mr Jenkins had previously been aware of this police practice, which he regarded as selective and unjustified. He added that, to his knowledge, people were still being arrested in cottages at the time, although not in the lavatories around Westminster, which appears to corroborate the existence of the police practice described by Sir Joe Simpson.⁵⁶ Such a practice would amount to a policy giving special treatment to persons of prominence at Westminster (apparently including both MPs and celebrities), which was authorised by the Commissioner of the Metropolitan Police himself. We were not able to ask Sir Joe Simpson (who died in 1968) about this and we have no other information about it, including how long the policy was in operation or the detailed reasons for its implementation.

10. While it does not relate specifically to the sexual abuse of children, this episode is of significance to the cross-cutting themes in this investigation. It is a clear example of the most senior officer in the Metropolitan Police demonstrating deference towards, or at least reluctance to investigate, those in power at Westminster, and it is likely that this approach was shared by others within the force.

D.3: The Clubs Office

The Clubs Office and the ‘meat rack’

11. The Clubs and Vice Unit, known as the ‘Clubs Office’, was a specialist unit within the Metropolitan Police Service. It was based throughout the 1970s at West End Central Police Station on Savile Row, and then from Charing Cross Police Station.⁵⁷

12. Three retired police officers – Robert Glen, Paul Holmes and Malcolm Sinclair – raised concerns about a possible cover-up of child sexual abuse by prominent individuals associated with Westminster.

- Mr Glen had a 30-year career in the Metropolitan Police, retiring at the rank of superintendent in 1994. Between 1977 and 1978, he spent nine months to one year posted to the Clubs Office. At that time he held the rank of inspector.⁵⁸
- Mr Holmes was in the Metropolitan Police between 1971 and 2002, and he spent the majority of his policing career at the Clubs Office, with an initial posting from 1975 to 1980 as a constable, followed by a second stint as a sergeant from 1987 to 1992 and then a final posting from the mid-1990s until he retired at the rank of inspector.⁵⁹
- Mr Sinclair started in the Metropolitan Police in 1966 and retired as an inspector in 1994. He was posted to the Clubs Office as a constable from around 1977 to 1979.⁶⁰

⁵⁵ Lord Taverne 5 March 2019 195/17-196/7

⁵⁶ Lord Taverne 5 March 2019 196/14-197/15

⁵⁷ Paul Holmes 7 March 2019 79/24-80/6

⁵⁸ Robert Glen 6 March 2019 75/20-77/9

⁵⁹ Paul Holmes 7 March 2019 78/1-79/23

⁶⁰ Malcolm Sinclair 7 March 2019 15/16-16/21

13. The Clubs Office handled a range of policing matters that uniformed officers did not usually deal with. It had three main areas of responsibility, covered by separate sections: the licensing and supervision of nightclubs (including casinos), vice and obscene publications.⁶¹ Vice covered a range of activities such as living on immoral earnings (commonly referred to as pimping, or more often in the 1970s as being a ‘ponce’) and prostitution. The vice team was primarily concerned with heterosexual, rather than homosexual, vice offences, and focussed on cases of exploitation and vulnerable victims, whether due to age or other factors.⁶² There was no specialist unit dealing with child sexual abuse or exploitation.⁶³

14. The unit was staffed by uniformed officers operating in plain clothes, who would spend around 90 days at a time at the Clubs Office before returning to their base station to resume normal uniformed duties.⁶⁴ It had a team structure that was unusual within the Metropolitan Police, in that it was led by a chief superintendent but then the next rank down were two inspectors, who had a team of five or six sergeants and a number of police constables. There were no superintendent or chief inspector posts.⁶⁵ It is not clear why the hierarchy of the unit had this unusual form, but it may have heightened the sense of deference towards the chief superintendent and contributed to the inability or unwillingness of more junior officers within the unit to challenge his decisions.

15. All three retired officers told us that an ongoing issue the Clubs Office had to deal with was the presence of boys and young men engaged in prostitution in the Piccadilly Circus area. This was known as the ‘meat rack’ and the boys were referred to as ‘rent boys’.⁶⁶ The boys could be between 11 and 22 years old,⁶⁷ but were mainly in their mid-to-late teens. The police would regularly bring in younger boys who had run away from home and would try to contact their parents or occasionally social services to keep them off the streets.⁶⁸ However, Mr Holmes said that the procedures that existed at the time for looking after children found on the street were “rudimentary”.⁶⁹

16. Mr Sinclair explained the approach was to have an active police presence around Piccadilly to scare the boys off but, when the uniformed officers were not there, the boys would all come back. Police officers would stop them and speak to them, and if they were vulnerable younger children there would be an attempt to contact their parents. However, there were “no hard and fast rules” about what age was a cut-off where the police would no longer do this.⁷⁰ He agreed that the Clubs Office could really only “firefight” the problem of exploitative sexual activity around Piccadilly Circus, and the underlying factors were never really tackled.⁷¹

17. Mr Holmes told us the nature of homosexual vice-related offences changed following the high-profile ‘Playland’ trials in the mid-1970s. He explained that some of the organised abuse of rent boys in the 1970s was perpetrated by “upper echelons of society”, by which he meant mainly wealthy men and members of the aristocracy rather than politicians. After the

⁶¹ Paul Holmes 7 March 2019 80/9-16

⁶² Robert Glen 6 March 2019 78/3-13; Paul Holmes 7 March 2019 80/16-22

⁶³ Paul Holmes 7 March 2019 82/7-20

⁶⁴ Paul Holmes 7 March 2019 81/4-10; Robert Glen 6 March 2019 77/17-21

⁶⁵ Robert Glen 6 March 2019 78/14-79/22

⁶⁶ Robert Glen 6 March 2019 82/7-25

⁶⁷ Paul Holmes 7 March 2019 83/2-84/6

⁶⁸ Robert Glen 6 March 2019 83/1-84/13; Paul Holmes 7 March 2019 84/13-85/13

⁶⁹ Paul Holmes 7 March 2019 86/23-25

⁷⁰ Malcolm Sinclair 7 March 2019 46/4-47/11

⁷¹ Malcolm Sinclair 7 March 2019 47/12-48/10

'Playland' trials, wealthy or aristocratic men looking to buy sex avoided kerb crawling directly in and around Piccadilly Circus (which had previously been the most common practice⁷²) and shifted to using middle men as procurers to reduce the risk of detection.⁷³

Allegations of cover-up

18. Mr Glen told us that during his short time at the Clubs Office in 1977 to 1978 the Chief Superintendent who was in command, Tom Parry, went to Hong Kong for a few weeks. Chief Superintendent Neil Diver (now deceased) temporarily took over responsibility, while also remaining in charge of Vine Street Police Station.⁷⁴

19. At this time some officers in Mr Glen's team informed him that they had gathered evidence through covert observations that Cyril Smith (an MP at this time) was involved in sexual activity with young boys.⁷⁵ Mr Glen did not recall any other names of prominent individuals being mentioned in that investigation.⁷⁶ Mr Glen was of the firm view that there was sufficient evidence to arrest Smith, but given the sensitive nature of making such a high-profile arrest he consulted Chief Superintendent Diver.⁷⁷ Chief Superintendent Diver was "*incredibly annoyed*" and angry. He told Mr Glen that his team should never have got involved, that it was far too political and that they were to stop. Mr Glen was very upset by this reaction, as was his team, because a "*tremendous amount of police time had gone into this*".⁷⁸ Indeed, Mr Glen was so upset that he complained about the shutting down of the investigation to a higher ranking officer, a commander outside the Clubs Office. However, that officer declined to get involved and so the investigation into Cyril Smith ended.⁷⁹

20. Mr Glen said he had several reasons to suspect that Chief Superintendent Diver had some ulterior motive for shutting down the Smith investigation.

20.1. Around the same time, there was another investigation being undertaken by the Clubs Office into the manager of the Hilton Hotel in Park Lane, which had been prompted by a tip-off that he was facilitating prostitution at the rooftop bar.⁸⁰ In the same week that he ordered the Cyril Smith investigation be shut down, Chief Superintendent Diver told the team to close the Hilton Hotel investigation, without giving Mr Glen any reason that would satisfy him.⁸¹ When Mr Glen relayed this order to the team, he allowed them to finish the planned two or three days of provisional observation before ending the investigation. In the early hours of the morning on one of those days, the team observed Chief Superintendent Diver come into the rooftop bar and engage in a lengthy conversation with the manager who was the prime suspect.⁸²

20.2. Mr Glen also considered that Chief Superintendent Diver was alcohol dependent. He said he often disappeared from night shifts in plain clothes and came back to the police station drunk.⁸³

⁷² Malcolm Sinclair 7 March 2019 22/4

⁷³ Paul Holmes 7 March 2019 88/3-92/14

⁷⁴ Robert Glen 6 March 2019 80/4-82/6

⁷⁵ Robert Glen 6 March 2019 85/7-88/15

⁷⁶ Robert Glen 6 March 2019 99/5-17

⁷⁷ Robert Glen 6 March 2019 90/21-92/5

⁷⁸ Robert Glen 6 March 2019 92/7-93/2

⁷⁹ Robert Glen 6 March 2019 95/1-96/12

⁸⁰ Robert Glen 6 March 2019 99/21-100/15

⁸¹ Robert Glen 6 March 2019 100/25-102/25

⁸² Robert Glen 6 March 2019 103/1-104/22

⁸³ Robert Glen 6 March 2019 105/1-25; 108/3-14

20.3. In July 1979, when Mr Glen transferred back to Vine Street, he was told by another senior police officer that Chief Superintendent Diver had been detained at the Regent Palace Hotel for trying to pass a forged cheque. When detained he was in the company of a boy whom the police officer thought had come from the ‘meat rack’. Mr Glen was told that Chief Superintendent Diver was transferred to Battersea, but did not have any disciplinary action or criminal charges brought against him, despite Mr Glen contacting the Metropolitan Police Complaints Investigation Bureau (the precursor to the Directorate of Professional Standards).⁸⁴ We received evidence that the hotel receptionist was interviewed around a year afterwards by officers from the Bureau. The eventual outcome of these enquiries is unclear.⁸⁵

21. At the time, Mr Glen felt that he had done all he could about his concerns relating to Mr Diver and the Smith investigation. He told us that the culture in the police in those days was such that:

*“we did as we were told and you were not encouraged to question operational decisions made by senior officers ... If one rocked the boat too much, it would be very much viewed upon that you were there to cause trouble”.*⁸⁶

He did not think to say anything once he retired, because he thought no one would be interested. However, in November 2012, following press reports about Cyril Smith, Mr Glen reported his concerns to Operation Yewtree.⁸⁷ This led to the IOPC investigating his allegations.⁸⁸

22. Mr Glen was a straightforward and honest witness.⁸⁹ Yet none of the other officers contacted by the IOPC in the course of their investigation could confirm Mr Glen’s account. He did not recall either Mr Sinclair or Mr Holmes, so was unable to provide the IOPC with their names.⁹⁰ The commander with whom Mr Glen says he raised the shutting down of the Smith investigation was spoken to by the IOPC, but he could not recall any such conversation.⁹¹ As a result, the IOPC concluded in 2017 that Mr Glen’s allegations “*are not corroborated to any degree*”.⁹²

Corroboration and further questions

23. However, there was corroborating evidence. In late 2017, following the publication of their summary closure report in Operation Conifer (the investigation into allegations of child sexual abuse made against Sir Edward Heath), Wiltshire Police were contacted by a journalist, Paul Cahalan, who put them in touch with Mr Sinclair and Mr Holmes.⁹³ Wiltshire Police took statements from Mr Cahalan and Mr Sinclair, interviewed Mr Holmes over the telephone,⁹⁴ and sent a report to the Metropolitan Police for the attention of Operation Winter Key, the overarching response of the Metropolitan Police to this Inquiry.⁹⁵

⁸⁴ Robert Glen 6 March 2019 108/15-112/25; 118/21-119/19

⁸⁵ IPC000838_009

⁸⁶ Robert Glen 6 March 2019 113/14-16

⁸⁷ OHY005078; Robert Glen 6 March 2019 113/22-117/24

⁸⁸ IPC000838_001

⁸⁹ INQ004281_009

⁹⁰ Robert Glen 6 March 2019 113/1-21; 119/20-126/14; 136/6-25

⁹¹ Robert Glen 6 March 2019 126/15-130/12; IPC000838_008-009

⁹² IPC000838_013-014

⁹³ Stephen Kirby 7 March 2019 1/12-3/25

⁹⁴ WTP000012

⁹⁵ WTP000013; Stephen Kirby 7 March 2019 13/19-15/1

24. By the time Mr Holmes and Mr Sinclair gave evidence to the Inquiry in March 2019, their accounts had not yet been investigated by the Metropolitan Police or the IOPC. This was despite the Wiltshire Police report having been sent on 6 February 2018 and the allegations having been reported in the *Mail on Sunday* on 12 May 2018.⁹⁶

25. Mr Holmes confirmed that he was aware of the closing of the investigation into Cyril Smith, as described by Mr Glen, and that Dick Griffin and Peter Lamb, two of his fellow Clubs Office team members with whom he worked closely, were frustrated about it.⁹⁷

26. Mr Holmes went further. He gave us a candid explanation of the situation facing the Clubs Office in 1978:

“The proposal that – whether you call it higher-echelon people, establishment, Westminster – were involved in exploiting vulnerable prostitutes, as far as we were concerned was a given. It wasn’t whether it existed; it was a given. The issue was the extent to which it was networked, how high it went, and how on earth you could prove it. That was the issue; it was not the issue of whether it existed.”⁹⁸

He explained how in the 1970s sex workers were treated by the vast majority of police officers and the whole of the criminal justice system as “second-class citizens”. As a result, it was difficult for him or his fellow officers to say to victims ‘make a statement and this will be okay’, “knowing full well that when they got to court, it was going to be anything but okay and they would be traumatised by giving evidence as much probably as by the assault itself”.⁹⁹ Mr Holmes and his team aimed to get sufficient evidence through surveillance to make arrests, and in the aftermath of the arrests convince enough victims to become witnesses. This strategy had worked in the ‘Playland’ trials.¹⁰⁰

27. Mr Holmes and Mr Sinclair told us that in summer 1978 they took part in an investigation into Roddam Twiss, the son of the then Black Rod, Admiral Frank Twiss. Roddam Twiss was a convicted fraudster, active in the underground homosexual scene, and suspected of being a procurer of rent boys from the ‘meat rack’ for wealthy or prominent men. The investigation involved the surveillance-first strategy used in the ‘Playland’ operation, with observation of Twiss’ flat in Cricklewood Broadway for a number of weeks.¹⁰¹

28. Mr Sinclair recalled that during these observations he and Mr Holmes saw Cyril Smith, Jeremy Thorpe, Edward Heath and Leon Brittan.¹⁰² He personally saw Smith enter the flat with “little boys”.¹⁰³ Mr Holmes confirmed that Cyril Smith’s name came up during the Twiss investigation.

“Cyril Smith was allegedly all over it. The name Cyril Smith wasn’t news ... It was expected. We anticipated that he may be seen.”¹⁰⁴

⁹⁶ INQ004078

⁹⁷ Paul Holmes 7 March 2019 94/16-95/6

⁹⁸ Paul Holmes 7 March 2019 95/14-21

⁹⁹ Paul Holmes 7 March 2019 96/6-97/1

¹⁰⁰ Paul Holmes 7 March 2019 97/2-11

¹⁰¹ Paul Holmes 7 March 2019 97/12-99/6; Malcolm Sinclair 7 March 2019 30/10-15, 32/15-23

¹⁰² Malcolm Sinclair 7 March 2019 35/12-36/14

¹⁰³ Malcolm Sinclair 7 March 2019 38/10-15

¹⁰⁴ Paul Holmes 7 March 2019 94/11-17

However, he had no recollection of Leon Brittan, Edward Heath or Jeremy Thorpe being seen on observations or mentioned in the investigation report; the most that happened was that their names were discussed by officers.¹⁰⁵ Mr Sinclair described Mr Holmes as having a photographic memory and was unable to offer any explanation for why Mr Holmes could not remember seeing these four MPs entering the Cricklewood Broadway flat.¹⁰⁶ It is likely that seeing that group of men together and in those circumstances would stick in anyone's mind.

29. Mr Holmes suspected that Twiss may have been protected in some way because he was aware Twiss had previous convictions but a search for any reference to these in the Criminal Records Office and the divisional police intelligence offices' records came back negative. The only record on Twiss that he could find was a card in the Rochester Row Police Station, which covered the Palace of Westminster. It had a red margin (a feature Mr Holmes had never seen before) and said Twiss' father had issued instructions that he was to be prohibited from entering the Parliamentary estate and detained on sight if seen. The lack of any other record suggested to Mr Holmes that Twiss had been "*cleansed from the system*", something which he said could only have been done by a very senior police officer.¹⁰⁷

30. Mr Holmes and Mr Sinclair reported the findings of the Twiss observations, which they both thought warranted further investigation, to the Chief Superintendent of the Clubs Office. They were told to shut the operation down.¹⁰⁸ After so many years, neither officer could be sure which Chief Superintendent gave the order. Mr Sinclair believed it was Mr Diver, but Mr Holmes thought it more likely that it was Brian Sparkes. In any event, both officers were clear that the investigation was stopped without any reasonable explanation and that they were angry about it.¹⁰⁹ Mr Holmes' memory was that there was a heated conversation:

"I remember that we had a very, very Anglo-Saxon row over it, at the conclusion of which he quite rightly told me that, if I continued, then I was history, basically. And I couldn't afford to be history because I had a young family and a mortgage."

31. Like Mr Holmes, Mr Sinclair felt he could not take matters any further without harming his career, and he confirmed that at that time there was a culture within the Metropolitan Police of 'knowing your place'.¹¹⁰

32. Mr Holmes' memory may not have been 'photographic' but it was impressive. Taking his evidence together with that of Mr Glen, it is likely that at least some form of investigation into Cyril Smith was ended by a senior police officer inappropriately. The IOPC's conclusion that Mr Glen's allegations are uncorroborated now appears to be wrong, and it should have been reconsidered upon receipt of the report from Wiltshire Police in February 2018.

33. There remain outstanding questions about these matters which we have not found it possible to resolve.

¹⁰⁵ Paul Holmes 7 March 2019 126/24-127/22

¹⁰⁶ Malcolm Sinclair 7 March 2019 33/14-15; 39/18-40/25

¹⁰⁷ Paul Holmes 7 March 2019 101/13-102/5; 103/10-107/9

¹⁰⁸ Paul Holmes 7 March 2019 115/1-116/13; Malcolm Sinclair 7 March 2019 51/11-14

¹⁰⁹ Paul Holmes 7 March 2019 117/13-118/3; Malcolm Sinclair 7 March 2019 52/10-22, 54/18-55/10

¹¹⁰ Malcolm Sinclair 7 March 2019 54/1-9

33.1. It is not clear whether the two Clubs Office investigations involving Cyril Smith described by these officers were in fact one and the same, or separate incidents within a few months of each other, or two operations which took place at roughly the same time.¹¹¹

33.2. Mr Sinclair's recollection of the general operation of the Clubs Office and the basic facts of the Twiss investigation tallied with Mr Holmes' account. However, it is not likely that his memory of seeing Jeremy Thorpe, Leon Brittan, Edward Heath and Cyril Smith visiting the property on Cricklewood Broadway was accurate. In particular, Mr Holmes' evidence did not corroborate him on this point, but rather tended to undermine it.

34. Despite these difficulties, Mr Holmes' summary of the situation was as follows:

“too many people were saying the same thing for there not to be at least some truth in the assertion that establishment figures were engaged in the sexual abuse of young males and that this activity was being covered up ... The question was not whether it was occurring, but why it was not being exposed ... In my view, there were two main reasons for this absence of probative evidence: the victims of the abuse were either too fearful and distrustful to make formal complaints concerning their abuse and/or the capacity of independent police operations to fully expose the criminality was thwarted by some senior police officers in order to cover it up.”¹¹²

35. Mr Holmes' description of the problems faced by victims of sexual exploitation within the criminal justice system was compelling. This was a significant reason why more robust action was not taken to deal with the 'meat rack'. However, we have also heard convincing evidence that senior police officers stopped operations that could have exposed child sexual abuse by prominent figures, notably Cyril Smith. The question is why. Mr Holmes suggested three possible motives:¹¹³

- very senior police officers were criminally involved themselves in the homosexual vice scene (Mr Glen's evidence about Chief Superintendent Diver might suggest this was part of the reason, at least so far as he was concerned);
- corruption, in the sense of police officers receiving money or some other benefit to terminate the enquiries (Mr Holmes did not consider this likely); or
- an investigation which could expose a person of prominence would be an unwelcome one for an ambitious senior officer with aspirations to rise further.

The last option was considered the most likely explanation by Mr Sinclair.¹¹⁴

36. Although the Metropolitan Police noted that *“there are ... any number of other possible innocent explanations to which Mr Holmes may not have been privy”*,¹¹⁵ the officers involved at the time had the strong impression that this was not the case. We agree with Mr Holmes that outright bribery and corruption does not seem to have been a significant factor but consider it likely that the third motive – deference towards prominent suspects because

¹¹¹ Malcolm Sinclair 7 March 2019 56/17-59/6

¹¹² Paul Holmes 7 March 2019 135/5-137/25

¹¹³ Paul Holmes 7 March 2019 119/9-120/9

¹¹⁴ Malcolm Sinclair 7 March 2019 53/1-22

¹¹⁵ INQ004278_5

investigating them might adversely affect a senior police officer's career – played at least some role in the shutting down of the 'meat rack' investigations in the 1970s. The first motive – of personal involvement in vice activities – may also have played a part.

37. The Inquiry makes no criticism of the Metropolitan Police and IOPC for not identifying the link between Mr Glen's allegations and Mr Holmes' evidence themselves; the original IOPC investigation appears to have been a thorough one and Mr Glen did not mention Mr Holmes' name. However, further questions should have been asked by the Metropolitan Police following its receipt of the Wiltshire Police report in February 2018.

D.4: Howard Groves and Operation Circus

38. Howard Groves retired from the Metropolitan Police in 2014 as a Detective Chief Inspector. He told us about an incident that took place in about 1985 at the very beginning of his career, when he was a police constable. He had been seconded to a large investigation – Operation Circus, which targeted rent boys in and around Piccadilly Circus – involving allegations of indecency with young boys. Mr Groves told us that his role was to examine photographs that had been seized in the course of the investigation and to attempt to identify the individuals shown in them.

“At some point during the investigation, we were briefed by a senior officer, the salient point from the briefing was that: if we identified any prominent members of society ... the enquiry was to cease. I cannot recall who gave the briefing, where it took place or who else was present. At the time, I thought the decision was strange, but as a junior PC, I went with it at the time, throughout my time on the enquiry I was not aware of any prominent people being identified.”¹¹⁶

He explained that he understood the term “prominent members of society” to mean MPs, royalty or other distinguished individuals.¹¹⁷

39. Mr Groves was pressed by Counsel to the Inquiry for any further details that he could recall about the briefing and it is fair to say that his recollection is very limited. He has little or no memory of when or where the briefing took place, how many others attended or who gave the briefing.¹¹⁸ Mr Groves' account has been considered by two IOPC investigations, Operation Osier and Operation Jordana.¹¹⁹ Those investigations contacted a number of officers who had worked on Operation Circus, but none recalled a briefing of the type that Mr Groves described. This does not in itself mean that the briefing did not happen. Mr Groves' evidence to us was that, notwithstanding his lack of recall of the surrounding details, what was said at this briefing was one of two incidents that had “left an indelible mark” on him as a police officer.¹²⁰

40. Mr Groves did not suggest that any allegations against persons of prominence were actually suppressed during Operation Circus. The evidence gathered by Operation Jordana was to a similar effect – it seems that none of the Operation Circus suspects were prominent people. While Mr Groves' evidence may therefore be indicative of the culture of the police at the time, it does not go any further than that.

¹¹⁶ Howard Groves 6 March 2019 8/13-23

¹¹⁷ Howard Groves 6 March 2019 8/16-18

¹¹⁸ Howard Groves 6 March 2019 8/24-15/7

¹¹⁹ IPC000848 (Osier); IPC000842 (Jordana)

¹²⁰ Howard Groves 6 March 2019 26/20-22

41. The evidence of Mr Groves about the deference shown by junior to senior ranks within the police in the mid-1980s echoed that of Mr Holmes and Mr Sinclair. In explaining why he did not object at the time of the briefing to the suggestion that prominent suspects would not be pursued, Mr Groves said that because of his then junior rank *“I didn’t think it was my place”*.¹²¹ He explained that there was a culture of deference within police ranks at the time, although he said that it dissipated as his career progressed – in his words, the police became *“less of a disciplined service”*.¹²²

42. Mr Groves is likely to have a genuine memory of attending an Operation Circus briefing at which he was told that *“if we identified any prominent members of society ... the enquiry was to cease”*. Mr Groves was careful not to overstate his evidence. Other evidence obtained by Operation Jordana provides a measure of support for the idea that the police officers directing Operation Circus did not wish to investigate any allegations against prominent persons that their enquiries might turn up. For example, Inspector John Hoodless, who appears to have been in *“operational command”* of Operation Circus,¹²³ told Operation Jordana investigators about a social meeting of the team in a pub before the start of Operation Circus, in which the team discussed the prospect of encountering high-profile targets in the course of the investigation.

*“We agreed we would not go for high-profile people because we were worried that we might have been shut down, as it might not have been in the public interest if we were to come up with politicians names, or people at Buckingham Palace; so we didn’t do it. We were aware that we had a number of suspects to target and wanted to focus on what we called the ‘street rats’ ... That said, we never came across any high-profile people during the operation, not one.”*¹²⁴

However, Superintendent Colin Reeve, the senior investigating officer, denied that prominent suspects would have received any special treatment.¹²⁵ As already noted, Operation Circus did not encounter any individuals of prominence in any event, so the issue remained hypothetical.

43. Nonetheless, the accounts of Mr Groves and Mr Hoodless provide further evidence, when taken with that of Lord Taverne and Mr Glen, Mr Sinclair and Mr Holmes, that at least on occasions in the 1970s and 1980s the Metropolitan Police was inclined to show deference towards prominent suspects in investigations into child sexual abuse.

D.5: Sir Cyril Smith, Special Branch and the South African connection

44. The name of Cyril Smith arose again in the course of evidence we heard from Bryan Collins and Paul Foulston, two other retired police officers. As there are some echoes between the two accounts, we have considered them together.

¹²¹ Howard Groves 6 March 2019 12/24

¹²² Howard Groves 6 March 2019 13/12-14/7

¹²³ IPC000842_18 para 91

¹²⁴ IPC000842_15

¹²⁵ IPC000842_13 para 59

45. In 1976, Mr Foulston was a temporary detective constable in Thames Valley Police.¹²⁶ As part of an investigation into a murder, Mr Foulston and his partner Sergeant Andy Vallis (now deceased) were sent on 19 May 1976 to Feltham Borstal Institution to undertake a ‘trace, interview and eliminate’ action on an inmate.¹²⁷ When they stopped in the car park to review the background of the inmate, they were interrupted by two men in suits who introduced themselves as Metropolitan Police Special Branch officers, showed warrant cards, and advised Mr Foulston and Sergeant Vallis that interviewing the inmate “*wasn’t in the national interest*”.¹²⁸

46. Mr Foulston remembered the Special Branch officers’ manner as being officious, and Sergeant Vallis becoming angry and saying words to the effect of “*how dare they attempt to interfere in the investigation of a murder as it clearly had precedence over any national interest*”.¹²⁹ He described the experience as “*being treated as a couple of provincial police officers and effectively being spoken down to*”. Sergeant Vallis made it clear the interview would be carried out but agreed that the questioning would be restricted to the murder only.¹³⁰ Having agreed to this, the Special Branch officers said the inmate might mention an unspecified public figure and that no questions should be asked about that person.¹³¹

47. At the interview itself (which was attended by a more senior prison officer than usual), it very quickly became clear that the inmate could be eliminated from the Thames Valley officers’ enquiries because he had been in custody at the time of the murder.¹³² However, he then launched “*completely out of the blue*” into a sexually explicit rant about a relationship he had had with Cyril Smith. The inmate was around 16 or 17 years old, so far as Mr Foulston could recall, and the relationship seemed to have ended just before he was taken into custody. The boy did not complain about the relationship itself but about the fact that he had been “*dumped in favour of a younger boy*”.¹³³

48. Mr Foulston thought that Sergeant Vallis told their senior investigating officer and others in the murder team about what had happened but their team was focussed on the murder and nothing else was said or done about it.¹³⁴

49. When Simon Danczuk MP made allegations about Cyril Smith in 2012, Mr Foulston became aware that Cyril Smith’s brother, Norman Smith, had stated publicly that there was no evidence to support them. This prompted Mr Foulston to take his account to Mr Danczuk, and to appear on the Channel 4 *Dispatches* programme entitled ‘The Paedophile MP: How Cyril Smith Got Away With It’, broadcast on 12 September 2013.¹³⁵ He subsequently spoke to Operation Clifton officers at Greater Manchester Police, who passed him on to the IOPC.¹³⁶

¹²⁶ Paul Foulston 6 March 2019 140/24-141/24

¹²⁷ Paul Foulston 6 March 2019 142/4-25; OHY005569

¹²⁸ Paul Foulston 6 March 2019 145/2-147/18

¹²⁹ Paul Foulston 6 March 2019 148/1-14

¹³⁰ Paul Foulston 6 March 2019 149/7-150/4

¹³¹ Paul Foulston 6 March 2019 151/24-152/12

¹³² Paul Foulston 6 March 2019 154/1-7

¹³³ Paul Foulston 6 March 2019 154/15-156/22

¹³⁴ Paul Foulston 6 March 2019 159/4-160/15

¹³⁵ INQ004105

¹³⁶ Paul Foulston 6 March 2019 161/8-162/8

50. The IOPC investigated Mr Foulston's allegations¹³⁷ but when they contacted the other officers mentioned by Mr Foulston as being part of the murder investigation in 1976, none of them could corroborate what he said.¹³⁸ It was confirmed that Mr Foulston and Sergeant Vallis interviewed a teenage boy (ciphered as WM-A12) at Feltham on 19 May 1976 but when spoken to he denied having any kind of conversation about Cyril Smith. WM-A12 identified the prison officer who was present at the interview as John Bishop.¹³⁹ The investigators tracked down Simon John Bishop, who was a governor at Feltham at the relevant time and who remembered an inmate, who he thought was called 'Foley' but matching WM-A12's description, making complaints of abuse against Cyril Smith, which Mr Bishop passed to the Ministry of Justice. However, Mr Bishop had no recollection of being present at a police interview when Cyril Smith was mentioned.¹⁴⁰

51. The police action sheet from 1976 confirms that Mr Foulston and Sergeant Vallis did conduct an interview with WM-A12 on 19 May 1976 at Feltham. No other officers from the murder team at the time provided any corroboration of Mr Foulston's account, nor did the action sheet mention the incident with Special Branch. However, Mr Foulston's explanation for this, namely that they were all wholly focussed on the murder investigation,¹⁴¹ is plausible. WM-A12's total denial is not likely to be accurate because it is contradicted by Mr Bishop, albeit not definitively.

52. Mr Collins was a sergeant in the Obscene Publications Team of the Metropolitan Police in the 1970s.¹⁴² In the course of his duties he went to visit a boy at Feltham, Andre Thorne, who said that he was a 'rent boy' and had engaged in sexual activity with Cyril Smith and another MP. He also made more wide-ranging allegations about orgies, pornographic films and another boy being killed. Mr Collins passed on the information to his superior officers, and he was made aware that the chief superintendent of C1, the main CID department, would take over the matter.¹⁴³

53. A few weeks later, after searching the police records and finding nothing relevant to Cyril Smith, Mr Collins and his partner were waiting outside the chief superintendent of C1's office to speak about the case, and overheard an argument between him and a commander. The chief superintendent said words to the effect of "*But you can't, because we've got him bang to rights*". Mr Collins formed the impression that they were arguing about Cyril Smith.¹⁴⁴ Following this, the chief superintendent called Mr Collins and his partner into his office and showed them a red file which contained an allegation that Smith had indecently assaulted a nine-year-old boy in Rochdale, but Mr Collins had nothing further to do with the investigation after that point.¹⁴⁵

54. On 18 May 1976, Mr Thorne withdrew his allegations against the other MP mentioned to Mr Collins. On 21 May 1976 he produced an affidavit saying the allegations against Cyril Smith were also lies.¹⁴⁶ Two days later, Mr Thorne was the front-page story of the *Sunday People* under the headline 'I Lied About that Blue Film'.¹⁴⁷ Finally, on 28 May 1976,

¹³⁷ IPC000862

¹³⁸ OHY005568; IPC000862_005-006; Paul Foulston 6 March 2019 158/3-159/9

¹³⁹ IPC000862_007

¹⁴⁰ IPC000862_007-008

¹⁴¹ Paul Foulston 6 March 2019 159/10-160/15, 168/9-21

¹⁴² Bryan Collins 27 March 2019 23/5-22

¹⁴³ IPC000520_001-004; Bryan Collins 27 March 2019 25/22-28/4

¹⁴⁴ Bryan Collins 27 March 2019 29/12-30/10

¹⁴⁵ Bryan Collins 27 March 2019 28/21-29/11

¹⁴⁶ Bryan Collins 27 March 2019 31/19-33/8

¹⁴⁷ OHY005110

Mr Thorne made a statement under caution in which he withdrew his allegations against Smith. This information was collated in a file with the security classification 'secret', which contains details of a C1 investigation into Mr Thorne's allegations which was closed and no further action taken following his statement and affidavit.¹⁴⁸ One document in the file relates to allegations made about Smith in Rochdale which were investigated by Lancashire Constabulary in 1969 to 1970, and which the Inquiry explored in detail in its Rochdale investigation.¹⁴⁹

55. Andre Thorne is now deceased and is not the same person as WM-A12, and Mr Collins knew nothing about Mr Foulston's account.¹⁵⁰ The two interviews at Feltham were distinct.

56. However, Andre Thorne's story was a minor public scandal (involving a plot by the South African Bureau of State Security (BOSS) to smear Liberal MPs who opposed apartheid¹⁵¹) at precisely the time Mr Foulston went to see WM-A12.

57. As suggested on behalf of some complainant core participants,¹⁵² one explanation of Mr Foulston's contact with Special Branch officers on 19 May 1976 may be that the Special Branch officers (who could have been properly involved in the Smith investigation as it touched on issues of national security) mistakenly thought Mr Foulston and Sergeant Vallis were coming to interview Mr Thorne and tried to warn them off in an unnecessarily heavy-handed way. This seems plausible. Even if WM-A12 was not the man with whom Special Branch were concerned, he also had something to say about Cyril Smith. It is unclear whether his allegations were true or not. He denies any involvement now. Similarly, it remains unclear whether the allegations made by Mr Thorne were true or false. It may be that they contained a kernel of truth but, due to an incentive to embellish his account following offers of money from BOSS, he overplayed his hand and then had to withdraw all the allegations. It could also be that there was no truth in any of it, but Mr Thorne heard gossip about Cyril Smith from WM-A12 or others at Feltham and used it to lure BOSS into offering him money.

58. We note that the Metropolitan Police and IOPC are exploring whether there are any further lines of enquiry in Operations Conifer and Sycamore following Mr Foulston's and Mr Collins' evidence to the Inquiry. As suggested on behalf of some complainant core participants,¹⁵³ the classified file on Andre Thorne might be published to dispel any doubts or theories.¹⁵⁴ Counsel to the Inquiry reviewed this file and did not consider its contents clarified events.

D.6: Sir Cyril Smith and the Special Branch raid on the *Bury Messenger*: Don Hale's allegations

59. Don Hale is a journalist who has edited various local newspapers and has conducted several high-profile miscarriage of justice campaigns. He has received a number of awards for his journalism, including the OBE.

¹⁴⁸ IPC000861_002; Bryan Collins 27 March 2019 36/2-39/9

¹⁴⁹ MPS002898; Bryan Collins 27 March 2019 39/10-41/14

¹⁵⁰ Bryan Collins 27 March 2019 30/20-31/11

¹⁵¹ INQ004199; Bryan Collins 27 March 2019 33/20-35/1

¹⁵² INQ004281_019

¹⁵³ INQ004281_020

¹⁵⁴ INQ004281_020

60. Mr Hale has given a well-publicised account of an incident in 1984 when he says his office was raided by Special Branch officers, who served (or at least purported to serve) a ‘D-Notice’ (an official request not to publish certain details of a story for reasons of national security) on him. He said that they seized documents containing names of MPs said to be sympathetic to the Paedophile Information Exchange (PIE), documents that Mr Hale said had been given to him by Barbara Castle, then an MEP. Mr Hale also described Cyril Smith visiting him at his office, threatening him, and demanding that he hand over the same documents.

61. If what Mr Hale said is true, then it is an example of politicians and the police acting to suppress allegations that, in one way or another, linked politicians of the time to child sexual abuse. What he described was a sophisticated and well-organised cover-up, involving physical violence and the misuse of power.

62. However, doubts have been raised about the credibility of Mr Hale’s evidence. An IOPC investigation identified various inconsistencies in the different accounts that Mr Hale has given over time. The Inquiry has investigated these matters, obtaining documentary evidence from the IOPC and from Special Branch. We heard oral evidence both from Mr Hale himself, who was carefully questioned over several hours by Counsel to the Inquiry, and from Brigadier Geoffrey Dodds, the current Secretary of the D-Notice Committee.

63. The core elements of Mr Hale’s oral evidence to us may be summarised as follows.

63.1. Mr Hale was a professional footballer in his youth. Following his retirement from football through injury he became a journalist, working first for BBC radio and thereafter for a series of local newspapers.¹⁵⁵ In 1984, Mr Hale was the acting editor of the *Bury Messenger*, a free weekly newspaper with a circulation of around 60,000.¹⁵⁶

63.2. He told us that he had first met Barbara Castle in the early 1970s, when he was a footballer at Blackburn and she was an MP for a local constituency,¹⁵⁷ and that when he was at the *Bury Messenger* some years later (by which time she had left Parliament and become an MEP) she used to pay regular visits to him in his office.¹⁵⁸ Mr Hale had also come across Cyril Smith, another local MP, in the course of his journalistic activities.¹⁵⁹

63.3. Mr Hale described a six-to-eight-week period in 1984¹⁶⁰ during which Mrs Castle visited him several times at his office in Bury. The theme of these meetings was Mrs Castle’s concern about organised support in Westminster for PIE. She told Mr Hale, on his account, that PIE was receiving Home Office funding and that its journal *Magpie* was distributed discreetly amongst MPs at Westminster by the MP Rhodes Boyson.¹⁶¹ During the course of these meetings, Mr Hale said, Mrs Castle gave him a substantial amount of documentation – he described the total quantity as a “wedge”, perhaps 6–8 inches thick.¹⁶² Many of the documents, Mr Hale said, were minutes of a committee of MPs and prominent people who were attempting to support the work of PIE, in particular in lowering the age of consent. The documents also included, he told us, a

¹⁵⁵ Don Hale 8 March 2019 4/12-5/4

¹⁵⁶ Don Hale 8 March 2019 15/23-18/2

¹⁵⁷ Don Hale 8 March 2019 14/7-24

¹⁵⁸ Don Hale 8 March 2019 18/3-19/8

¹⁵⁹ OHY005512_001

¹⁶⁰ Don Hale 8 March 2019 33/18-21

¹⁶¹ Don Hale 8 March 2019 22-27

¹⁶² Don Hale 8 March 2019 34/5-35/4

list of 16 politicians who were not only PIE supporters but were themselves actively involved in child sexual abuse.¹⁶³ Mr Hale said that he kept the documents locked in his bottom drawer.¹⁶⁴

63.4. In preparation for publishing a story based on the documents, he telephoned several of the politicians named as supporters of PIE in those documents. One of these politicians was Jeremy Thorpe, the former leader of the Liberal Party, who Mr Hale described as being “*stunned*” by his call.¹⁶⁵

63.5. The next stage in the sequence of events that Mr Hale described to us was a visit that he received in his office at the *Bury Messenger* from Cyril Smith. Mr Hale said that this visit took place the day after his telephone call to Jeremy Thorpe, Smith’s former Party leader. It was clearly Mr Hale’s understanding that his call to Mr Thorpe had triggered the visit from Smith. He described Smith being “*very, very aggressive*”, swearing at him, physically pushing him into his office and demanding that he hand over the documents. Mr Hale refused even though he thought that Smith “*was going to go berserk*”. After 5 or 10 minutes, Smith stormed off.¹⁶⁶

63.6. A “*day or two later*”,¹⁶⁷ Mr Hale said, three Special Branch officers in plain clothes and 12 uniformed police officers came “*charging*” into his office at around 8:00am. They showed him “*a couple of screwed-up documents*” which they said were a search warrant and a D-Notice and demanded that he hand over the documents. He said that he was “*pushed and shoved*” until he agreed to release the documents. The officers then took the documents and left.¹⁶⁸

63.7. Mr Hale said that he spoke to Barbara Castle on the telephone after the raid and that she responded by saying words to the effect of “*I thought that might happen*”. She told him, he said, that Special Branch had been following her. She thought she was under surveillance.

64. If Mr Hale’s account is accurate, the events he describes must have involved corruption and serious misconduct on the part of a number of politicians, police officers and other public officials. In deciding how much weight we are able to place on his account, there are a number of factors to consider.

65. There is very little independent evidence that either corroborates or undermines Mr Hale’s account. Cyril Smith and Barbara Castle are both dead. There is no evidence from anyone who witnessed the visits of either Cyril Smith or the Special Branch team to the *Bury Messenger*. At an early stage Mr Hale suggested that a cleaner may have been present at the time of the Special Branch raid, but he explained to us that he no longer thinks that was the case,¹⁶⁹ and we do not regard this as significant. Extensive searches of Special Branch records have been conducted at the request of both the IOPC investigation and this Inquiry;¹⁷⁰ no documents have been found relating to the raid that Mr Hale describes. That does not of course mean that it did not happen, only that there is no documentary

¹⁶³ Don Hale 8 March 2019 48/12-25

¹⁶⁴ Don Hale 8 March 2019 34/19-23

¹⁶⁵ Don Hale 8 March 2019 80/24-88/23

¹⁶⁶ Don Hale 8 March 2019 89/1-92/16

¹⁶⁷ Don Hale 8 March 2019 94/23-24

¹⁶⁸ Don Hale 8 March 2019 95/4-99/25

¹⁶⁹ Don Hale 8 March 2019 96/3-25; 156/9-161/18

¹⁷⁰ Operation Hawthorn Report (IPC000843) paras 57–74; Witness statement of Clive Blackford (INQ003920)

evidence from this source supporting his account. Similarly, the evidence obtained both by the IOPC investigation and by the Inquiry in the form of Brigadier Dodds' statement and oral evidence makes it clear that no D-Notice was or could have been issued in support of the raid that Mr Hale describes or the confiscation of the documents. This does not mean that Mr Hale was not shown a document by someone who falsely claimed that it was a D-Notice.¹⁷¹ Finally, given the serious issues relating to his credibility (discussed in Part G), we are not able to place any great weight on the evidence of Tom O'Carroll insofar as it appears to undermine Mr Hale's account.

66. The reliability or otherwise of Mr Hale's evidence cannot therefore be determined by reference to independent sources and we must consider the content of Mr Hale's own evidence.

66.1. There are several implausible elements to Mr Hale's account. In certain key respects Mr Hale's story simply does not add up. It is extremely unlikely that, if Mrs Castle had evidence of child sexual abuse and support for PIE at Westminster and wished to expose it, she would have sought to do so by giving the documents to the editor of a free newspaper in the North West with a small, local circulation. Even if, as Mr Hale said, the large national newspapers had refused to take the story, there were obvious and better alternatives, such as publication in *Private Eye*, or Mrs Castle simply making a speech to publicise what she had discovered.

66.2. It also seems unlikely that Cyril Smith would have taken the considerable risk of making such a public and violent demonstration inside Mr Hale's office simply to obtain documents that might embarrass Jeremy Thorpe. (Mr Hale was clear that the documents did not name Cyril Smith.) Smith would have had no personal interest in protecting Jeremy Thorpe – Baroness Brinton told us that the two men "*cordially loathed each other*".¹⁷² Nor would there have been any great political purpose served by protecting him. Jeremy Thorpe had been publicly discredited by his trial several years previously in 1979, and by 1984 it was eight years since he had been leader of the Liberal Party and five years since he had ceased to be an MP.

66.3. Finally, if the documents did say what Mr Hale claimed and if the visit by Cyril Smith and the Special Branch raid did take place, it is inconceivable that neither Mr Hale nor Mrs Castle sought to bring these matters to public attention. Mrs Castle was a veteran politician with great experience of challenging the establishment. Mr Hale was an established journalist who went on to lead press campaigns including one that came to national attention and won him industry awards. The raid, if it happened, was itself evidence that there was substance in the concerns about Westminster child sexual abuse and a cover-up that was the subject of public debate led by Geoffrey Dickens MP and others in the mid-1980s. If it all happened in the way that Mr Hale described, it is likely that he and probably also Mrs Castle would have been very vocal about it. One way or another, they would have made certain that their story was told publicly. We do not consider that either of them would have been deterred by what the simplest of enquiries could have established was a false D-Notice. The fact that Mrs Castle appears to have said nothing about these events before her death in 2002 and Mr Hale said

¹⁷¹ Geoffrey Dodds 8 March 2019 170-199; Witness statement of Brigadier Geoffrey Dodds (INQ000972)

¹⁷² Baroness Brinton 13 March 2019 27/13-19

nothing for some 30 years, and then only once other allegations had been made in the wake of Jimmy Savile's death, leads us to doubt whether the events did in fact take place as Mr Hale described them.

66.4. We also have some related concerns arising from what Mr Hale can and cannot remember, and the way in which he has given his account on occasions over recent years. Mr Hale cannot remember a single name from the list of 16 politicians alleged to be active child sexual abusers that he says was amongst the documents he received from Mrs Castle. As Mr Hale acknowledged, this list was, potentially at least, journalistic "dynamite".¹⁷³ The names must have loomed large in his mind as he read the documents and considered how he should go about researching and publishing a story. As his oral evidence to us demonstrates, there are many other detailed facts about these events that he does recall. It is not credible that he cannot now remember any of the list of 16 names that he says he was given. It is also odd that in a July 2014 *Daily Mail* article¹⁷⁴ devoted to relating Mr Hale's account – for which, as he accepted, he was the source – the Special Branch raid is described as taking place before the visit from Cyril Smith. When asked about this discrepancy, Mr Hale said that it must have been a mistake made by the journalist or the sub-editor.¹⁷⁵ That is, of course, possible. It is also possible that Mr Hale himself got the sequencing wrong when giving his account to the journalist, and if that is right then this is a further example of a pattern of surprising features of the way in which Mr Hale has given his account over time.

66.5. Mr Hale has told his story many times over recent years – to the police and IOPC investigators on a number of occasions, to journalists and to this Inquiry. The various accounts have become more detailed over time. Even when giving oral evidence to us, some of the detail that he gave did not appear in any of his previous statements. This included points of some significance, for example the fact that he had spoken to Leon Brittan personally in seeking to research the documents that he had been given,¹⁷⁶ and Barbara Castle's belief that she was under surveillance by Special Branch.¹⁷⁷ Mr Hale gave two explanations. One was that the police had deliberately omitted details from his earlier statements. We do not accept this suggestion. We have seen no evidence to support it and, when Mr Hale said that the final typed version of one statement had changed considerably from the initial handwritten version, we obtained the original handwritten document and saw that its content was in fact identical to the typed version. The second explanation, which Mr Hale gave more than once, was that details of these events had come back to him over the course of time and that even now he was still remembering some fresh details.¹⁷⁸ Given the length of time that has passed since 1984, and the obvious risk that Mr Hale's memory has been contaminated by extraneous factors, the fact that his memories seem to have 'developed' in this way is a reason, we think, to treat his entire account with a degree of caution.

66.6. During the hearing Mr Hale was asked about a statement from Northamptonshire Police, which was to the effect that they had no record of interviewing him about an incident involving Cyril Smith being stopped on the M1 motorway in the 1980s. Mr Hale

¹⁷³ Don Hale 8 March 2019 48/14-52/4

¹⁷⁴ INQ004071

¹⁷⁵ Don Hale 8 March 2019 129/5-144/11

¹⁷⁶ Don Hale 8 March 2019 81/25-85/9

¹⁷⁷ Don Hale 8 March 2019 100/17-101/4

¹⁷⁸ Don Hale 8 March 2019 13/2-5; 85/1-4

was adamant that he had been interviewed about this incident and that the police statement was therefore mistaken. It subsequently transpired that the police statement was in error and that Mr Hale was right.¹⁷⁹ This does not change our view set out above.

67. For all the reasons set out above, we cannot place weight on the evidence that Mr Hale has given us. It may be that something along the lines of what he has described took place. But given the lack of any corroborative evidence and the problems described with Mr Hale's own evidence, we are not able to make any positive finding in this regard.

D.7: Allegations connected to Elm Guest House

68. Elm Guest House was a hotel in Rocks Lane near Barnes Common in south-west London. In the early 1980s it was run by husband and wife Haroon and Carole Kasir, and was advertised as a gay guest house. In June 1982, Elm Guest House was raided by police.

69. Elm Guest House has featured in many well-publicised allegations of child sexual abuse. It has been alleged that a host of politicians and other prominent individuals visited Elm Guest House, and that children were abused at sex parties held there. Allegations have also been made of possible misconduct on the part of the Metropolitan Police in the way in which investigations into alleged events at Elm Guest House were conducted, and also allegations that the results of those investigations were covered up. The allegations include the suggestion that evidence relating to Leon Brittan's presence at or involvement with Elm Guest House was suppressed.

70. The Metropolitan Police and the IOPC¹⁸⁰ have conducted a series of investigations into allegations of police misconduct connected with Elm Guest House. The Inquiry has not reinvestigated any of these matters, but Commander Neil Jerome, a senior Metropolitan Police officer, described to us the investigations that had taken place and their outcome.¹⁸¹

The June 1982 raid and following investigations

71. Commander Jerome explained that Elm Guest House had first come to the notice of the police towards the end of 1981, when an individual came into Richmond Police Station and reported concerns about a 10-year-old boy at the premises. A police surveillance operation was launched, which involved both external observations and also two undercover officers entering Elm Guest House on a number of occasions purporting to be members of the public. It seems that, whilst there was no direct evidence that the boy was being abused, the police remained concerned about his safety.¹⁸² As a result, the police raided Elm Guest House on the night of 19 June 1982. Twenty people were arrested, including Mr and Mrs Kasir, who were subsequently convicted of running a disorderly house.¹⁸³

72. There are four significant elements of the evidence that Commander Jerome gave about the initial surveillance operation, the raid and its aftermath, bearing in mind the public concern relating to Elm Guest House that had arisen in recent years.

¹⁷⁹ Don Hale 8 March 2019 146/3-154/4

¹⁸⁰ IPC000830

¹⁸¹ OHY006904

¹⁸² Neil Jerome 7 March 2019 151/2-152/5

¹⁸³ Neil Jerome 7 March 2019 160/8-12

72.1. The police investigation only identified evidence that a single child had been sexually abused at Elm Guest House. That was the 10-year-old boy about whom concerns had initially been expressed. The boy's own account, together with a medical examination, provided evidence that the boy had been the subject of extensive sexual abuse.¹⁸⁴ There was no evidence that any other children had been abused.¹⁸⁵

72.2. Commander Jerome stated that “no individuals of prominence or ... that could be described as being well known” were either observed at Elm Guest House by the police during the initial surveillance operation or found there on the night of the raid.¹⁸⁶

72.3. There has been a detailed investigation into an allegation that when interviewed on the night of the raid the 10-year-old boy referred to one of his abusers as “Uncle Leon” who may have been a politician and came from “the big house”. This allegation was made by Andrew Keir, a social worker who was present at the interview with the boy on the night of the raid, his suggestion apparently being either that this detail was deliberately omitted from the contemporaneous manuscript notes of the interview or that it was removed when the typed version was subsequently prepared. The IOPC investigation into this allegation was Operation Helena.¹⁸⁷ In summary, Commander Jerome informed us, having regard to some of the contemporaneous documentation, the records of an earlier inquiry, and the evidence of the officers involved, the investigation concluded that “there was no substance ... at all” to the allegation that Mr Keir had made.¹⁸⁸

72.4. Commander Jerome also explained the IOPC Operation Yvonne, which investigated allegations made by an individual who had been a 17-year-old masseur at Elm Guest House at the time of the surveillance operation and raid in 1982.¹⁸⁹ He made a number of allegations, the most serious of which was that the undercover policemen had sex with him prior to the raid, and that he was sexually abused whilst in police custody following the raid. Commander Jerome explained the detail of the investigation,¹⁹⁰ the conclusion of which was that there was no evidence to support the allegations that had been made.¹⁹¹

The ‘Elm Guest House List’

73. Commander Jerome also gave evidence about investigations that the police have conducted into the so-called ‘Elm Guest House List’, which can be found on the internet. He said it has “zero evidential value”.

“I don’t think it is clear as to the origin and who the author or authors of that list are, but it’s certainly very clear that evidentially that list has no value, and how it’s been created is certainly dubious.”¹⁹²

¹⁸⁴ Neil Jerome 7 March 2019 158/7-159/12

¹⁸⁵ Neil Jerome 7 March 2019 156/11-15, 157/3-5

¹⁸⁶ Neil Jerome 7 March 2019 156/2-10

¹⁸⁷ IPC000834

¹⁸⁸ Neil Jerome 7 March 2019 163/12-176/1-4

¹⁸⁹ IPC000860

¹⁹⁰ Neil Jerome 7 March 2019 200/15-207/11

¹⁹¹ Neil Jerome 7 March 2019 207/10-11

¹⁹² Neil Jerome 7 March 2019 194/1-10

74. In giving his evidence Commander Jerome expressed doubts, on occasions serious doubts, as to the reliability of the two individuals who have promoted the list, Chris Fay and Mary Moss.

74.1. He said Mr Fay has a conviction for money laundering and had repeatedly failed to provide the police with documentary evidence in support of the claims that he made about famous people attending Elm Guest House.¹⁹³ Commander Jerome also pointed to significant inconsistencies and other difficulties with the evidence that Mr Fay had given to an IOPC investigation named Operation Meryta, and suggested that these matters were also relevant to his general credibility.¹⁹⁴

74.2. Mary Moss published an ‘Elm Guest House list’ of prominent persons on the internet in 2013. Commander Jerome stated that Ms Moss had refused to provide police with documentation supporting her claims. He said that when the police obtained a search warrant and searched her property they found a quantity of documents, the provenance of which Commander Jerome described as “*dubious*”. Interviews were conducted with all of those whose names appeared on the documents, but all those interviewed denied ever having been to Elm Guest House.¹⁹⁵

75. For the reasons set out above, we considered that it would be proportionate to hear evidence about the Metropolitan Police and IOPC investigations into Elm Guest House allegations. Commander Jerome’s conclusions were clear and forthrightly stated and should do much to allay public concern relating to Elm Guest House.

D.8: Concerns raised by Peter McKelvie

76. Peter McKelvie, a child protection specialist and retired social services employee and consultant, has raised concerns about child sexual abuse links to Westminster. Many of his concerns focus on Peter Righton, a convicted child sexual abuser who, prior to his conviction, held a senior position advising the government on childcare. The Inquiry received a large volume of documentation from Mr McKelvie, including a written statement.¹⁹⁶ He summarised his main concerns as follows:

“I consider that the Peter Righton case and the evidence uncovered by the police during their investigations provided powerful evidence of a long-term and widespread paedophile network. Based on the evidence obtained by the police and seen by me, it appears clear that a number of the persons involved in the paedophile network were prominent individuals. I consider that the evidence shows that there was a failure to properly or fully investigate the full extent of the paedophile network.”¹⁹⁷

77. Mr McKelvie has identified himself as “*the source*” of Tom Watson’s 2012 Parliamentary question,¹⁹⁸ in which Mr Watson alleged that there was “*clear intelligence*” of “*a powerful paedophile network linked to Parliament and No. 10*”.¹⁹⁹ However, in his witness statement,

¹⁹³ Neil Jerome 7 March 2019 178/11-180/20

¹⁹⁴ Neil Jerome 7 March 2019 180/21-188/2

¹⁹⁵ Neil Jerome 7 March 2019 194/1-3

¹⁹⁶ PMK000472

¹⁹⁷ PMK000472_006

¹⁹⁸ PMK000213; PMK000472_004-5

¹⁹⁹ INQ004102

Mr McKelvie suggested that Mr Watson's question was based on information provided by "a number of sources",²⁰⁰ primarily two others, and that Mr McKelvie did not meet with Mr Watson until after the question had been asked.²⁰¹

78. *The Daily Telegraph* subsequently reported that Mr McKelvie had suggested that Mr Watson acted prematurely in asking the question in Parliament, and that he "made exaggerated claims about a 'powerful paedophile network' linked to Downing Street".²⁰²

*"I would never have wanted Tom Watson to do a PMQ as a tactic until he heard the whole story. The only thing I wanted to say about politicians is every institution has abusers in it. The more powerful people are, the more likely they are to get away with it. I never talked about rings."*²⁰³

In his witness statement, Mr McKelvie claimed that *The Daily Telegraph* report had been published without his approval and had misquoted him.²⁰⁴

79. Mr McKelvie also played a role in bringing to light the allegation of Timothy Hulbert that the Home Office had funded PIE.²⁰⁵

80. Mr McKelvie's concerns were the subject of an IOPC investigation known as Operation Redrail 2. A draft closing report of Operation Redrail 2 was provided to the Inquiry.²⁰⁶ Mr McKelvie had concerns that Metropolitan Police investigations into Peter Righton had not been conducted properly due to the interference of prominent individuals.²⁰⁷ Peter Righton was investigated initially by West Mercia Police, but later by the Paedophile Unit of the Obscene Publications Squad at New Scotland Yard as part of a broader police operation known as Operation Clarence, which mainly investigated teachers, doctors and clergymen. Operation Clarence ran for 10 years between 1988 and 1998 and is said in the Operation Redrail 2 report to have resulted in 12 convictions, four cautions, seizure of indecent material and valuable intelligence.²⁰⁸

81. The Operation Redrail 2 report records that Mr McKelvie stated that he did not have any complaints but believed that certain links were not pursued sufficiently rigorously.²⁰⁹ He raised several separate areas of concern, which can be summarised as follows:

81.1. The Metropolitan Police had failed to investigate connections between a peer, Lord Henniker (who died in 2004, and was never convicted of child sexual abuse²¹⁰), and three convicted child sexual abusers, Peter Righton, Charles Napier and Richard Alston. Mr McKelvie believed that these individuals were involved in child sexual abuse together and were protected from investigation by the establishment.²¹¹ Mr McKelvie did not have any direct evidence but believed that there was enough circumstantial evidence to require an investigation.²¹²

²⁰⁰ PMK000472_022

²⁰¹ PMK000472_002

²⁰² INQ004098

²⁰³ INQ004098

²⁰⁴ PMK000472_23

²⁰⁵ PMK000233_001; Timothy Hulbert 25 March 2019 74/6-77/8

²⁰⁶ IPC000859

²⁰⁷ Christopher Mahaffey 5 March 2019 119/11-19

²⁰⁸ IPC000859_002

²⁰⁹ IPC000859_002, 008

²¹⁰ Christopher Mahaffey 5 March 2019 119/25-120/2

²¹¹ IPC000859_005-008

²¹² IPC000859_004; Christopher Mahaffey 5 March 2019 123/25-124/1-8

81.2. Despite being a convicted child sexual abuser, Mr Napier had obtained a teaching post abroad with the British Council through his relationship with Lord Henniker, who was Director General of the British Council.²¹³ While working abroad in Cairo, Napier also made use of or had been allowed to use the diplomatic bag to send or receive child pornography,²¹⁴ which had not been investigated.

81.3. An individual who later became an MP knew about Napier's abuse of children but was not interviewed.²¹⁵

81.4. Mr McKelvie had raised these concerns with the detective superintendent who ran Operation Clarence, but was informed by him in 1993 that the investigation would not be taken any further due to decisions made "*from above*".²¹⁶

82. Each of Mr McKelvie's areas of concern was investigated, but none could be supported. There was no information to corroborate Mr McKelvie's concern that Lord Henniker, Righton, Napier and Alston were abusing children together.²¹⁷ Charles Napier did work overseas with the British Council, but this was well after Lord Henniker had ceased to be its Director General.²¹⁸ No evidence was referred to in the Operation Redrail 2 report in relation to Mr McKelvie's concern that a person who later became an MP may have known about Napier's abuse of children. The report found that Napier did have use of the diplomatic bag and it was possible that he may have used it to send indecent images of children; there was no evidence either way. His authority to use the diplomatic bag was removed at the same time that he was suspended from his teaching role, when it became known that he was a risk.²¹⁹

83. No evidence was found to suggest that Operation Clarence was closed prematurely.²²⁰ The detective superintendent was interviewed by Operation Winter Key officers and denied that any outside influences had interfered with the investigation and that he had had the reported conversation with Mr McKelvie.²²¹ Individuals put forward by Mr McKelvie as supporting his concerns did not provide that support.²²² While Mr McKelvie believed that Operation Clarence was stopped in 1993, the evidence shows that it finished in 1998.²²³ The IOPC, in its closing submissions,²²⁴ identified Operation Clarence as an example of a police investigation that in reality had been successful although it was believed to have been closed inappropriately prematurely.

84. We received post-hearing submissions from Mr McKelvie, the Metropolitan Police and the IOPC, which clarified a number of points.

84.1. In response to Mr McKelvie's questions about the remit and extent of Operation Clarence, the Metropolitan Police explained that Operation Clarence was an intelligence-gathering exercise initially prompted by material found at Charles Napier's address. It began in 1988 and ran until 1998, and identified 17 suspects in all. Righton,

²¹³ IPC000859_007

²¹⁴ IPC000859_007

²¹⁵ IPC000859_007

²¹⁶ IPC000859_003-004; 006

²¹⁷ IPC000859_024

²¹⁸ IPC000859_024

²¹⁹ IPC000859_024

²²⁰ IPC000859_025

²²¹ IPC000859_011

²²² IPC000859_024

²²³ IPC000859_024

²²⁴ INQ004280_003

Alston and Napier fell within Operation Clarence. Righton was a person of interest from 1992 and did not feature after 1994. There were also many other persons of interest to Operation Clarence and its focus was not limited to Righton, Alston and Napier. Neither the Operation Redrail 2 report nor Mr Mahaffey implied otherwise.

84.2. The Metropolitan Police further explained that several police forces were briefed with intelligence from Operation Clarence. Relevant investigations were also carried out by other police forces, notably, West Mercia Police and Gloucestershire Constabulary, which included efforts to trace victims and witnesses. Useful documents were passed to Operation Clarence. The Metropolitan Police also clarified that there is no reliable evidence that an MP was at Napier's home when boys were present. In addition, there is no mention in the Operation Clarence file that a diplomatic bag was ever investigated by the Obscene Publications Squad. Two officers have denied it, despite a press article that suggested otherwise.

84.3. Mr McKelvie raised questions about the number and nature of the convictions arising from Operation Clarence; in particular, whether any were for physical child sexual abuse rather than possession of indecent images, and whether any were linked to the intelligence gathered from Peter Righton's home in 1992. The Metropolitan Police provided some further information on the number of arrests and convictions, but noted that there is no single database that collates the exact figures, and that further detailed research would be needed to answer this point. Although the Operation Redrail 2 report refers to 12 convictions and four cautions resulting from Operation Clarence,²²⁵ the Metropolitan Police have since told us that there were 14 convictions and two cautions. It is unsatisfactory that neither the IOPC nor the Metropolitan Police could substantiate what offences those convictions were for or to which cases they related.

84.4. Both the IOPC and the Metropolitan Police have acknowledged Mr McKelvie's proactive role in assisting police investigations. Mr McKelvie may have lacked knowledge about the actions and investigations carried out by Operation Clarence because he was not told about them. This may also have been because of inconsistent press reporting. The Metropolitan Police Service, with the support of the IOPC, have undertaken to offer to meet Mr McKelvie in order to assess whether his concerns have been fully answered and whether any further action is required, including the reopening of Operation Redrail 2, the opening of a new investigation or whether all matters have been satisfactorily dealt with.

85. Mr McKelvie appears genuine in his concerns. However, he has not claimed to have hard evidence to support them. A police investigation was conducted over a period of 10 years which resulted in convictions. Righton, Napier and Alston were all at one time or another convicted of offences related to child sexual abuse. We have seen no evidence of Lord Henniker being involved in child sexual abuse activities and no evidence that other figures in the establishment were aware of the activities of Righton, Alston and Napier.

86. Mr McKelvie might have had more confidence in the police investigations in which he assisted had the Metropolitan Police kept him better informed about their progress.

²²⁵ IPC000859_002

Part E

Political parties

Political parties

E.1: Introduction

1. The Inquiry examined the way in which political parties and their leadership, in particular, reacted to allegations of child sexual abuse made about persons within their own parties. The purpose was to determine whether there had been a tendency to protect the party or the political establishment more widely rather than take allegations of child sexual abuse seriously or pass them on to the police.
2. We considered three examples of how political parties dealt with, and reacted to, allegations about child sexual abuse. Two were from the 1970s and 1980s, and relate to the Liberal Party (later the Liberal Democrats) and the Conservative Party. The third example concerns the Green Party and was comparatively recent, having occurred in 2017–18. We deal with this third example in Part J (Safeguarding).

E.2: The Liberal Party and Sir Cyril Smith

3. Baroness Brinton, the President of the Liberal Democrats, provided the Inquiry with evidence about the structure and the organisation of the Liberal Party between the late 1960s and early 1990s.²²⁶ We were interested in its process of candidate selection and how the Party dealt with allegations of child sexual abuse.

Selection as a Liberal Party candidate

4. Baroness Brinton told us that, from 1969 to 1988, the Liberal Party was “*extremely decentralised*”.²²⁷ Local Liberal associations did not have to be affiliated to the national party, so they could operate in isolation of it. She said that, in the 1970s, the selection of a candidate contesting an election would be entirely in the hands of the local association. The arrangements for a by-election were different in that, regardless of whether a candidate had been selected to fight the seat at the next general election, a by-election required a fresh selection process.²²⁸
5. Baroness Brinton said that a tripartite committee, whose role it was to decide whether to contest the by-election, would be attended by representatives of the local party association, the regional federation and the national head office, with each having one vote. The main difference for fighting a winnable by-election was that “*HQ staff would work with the Chief Whip to ensure a strong candidate was nominated*”.²²⁹ Baroness Brinton emphasised in her oral evidence that the decision to select candidates was, with the exception of by-elections, entirely in the hands of the local association.²³⁰ She confirmed that this is still true today and that a by-election is very different, with high media coverage, local or national, and where

²²⁶ LDP000018; LDP000019; Baroness Brinton 13 March 2019 5/10-6/6

²²⁷ LDP000018_003; Baroness Brinton 13 March 2019 13/11-18

²²⁸ LDP000018_005

²²⁹ LDP000018_005

²³⁰ Baroness Brinton 13 March 2019 13/19-14/3; 18/18-20/22

the level of campaigning, particularly if it is a hotly fought seat, is likely to require a lot more from a candidate. Baroness Brinton told us that, as a result, particularly in a winnable seat, “HQ does have a hand”.²³¹

6. While the Liberal Party may well have been decentralised during the period we are considering, the fact is that the national party played a role in the selection of candidates for a by-election. Indeed, Des Wilson, who gave evidence to us, and was President of the Liberal Party between 1986 and 1987, told us that he was invited to fight the Hove by-election in 1973 during a personal call from David Steel, who was then the Liberal Party chief whip and became Liberal Party leader in 1976. Des Wilson was not even a Liberal Party member at the time.²³² It demonstrates both the direct involvement of a senior figure in the national party in identifying a strong candidate to fight a by-election and the informality of the process. The selection process in Mr Wilson’s case involved an interview with a selection committee and then tea with Lord Beaumont (then President of the Party), which took place halfway through the Hove by-election because an interview at national level had been forgotten.²³³ Although he did not win the seat, Mr Wilson secured one of the largest swings in any by-election ever.²³⁴

7. Cyril Smith first came to prominence as a Rochdale local councillor, then Mayor and later as MP for Rochdale from 1972 until his retirement in 1992. He was knighted in 1988 and died in 2010.

8. It is likely that the selection of Cyril Smith as a candidate for the Rochdale by-election in 1972, which took place only a year before Mr Wilson’s selection for Hove, was run along similar informal lines with the Westminster Liberal Party’s direct involvement in, and endorsement of, his selection as a strong candidate for what was a winnable seat in Rochdale. While the Party might have thought there were advantages to an informal process, it risked adopting a candidate whose conduct and character were wholly suspect, as was the case with Smith.

9. Cyril Smith had been a Liberal Party member from 1945 to 1950 but then joined the Labour Party and was a Labour councillor from 1950 to 1967. Baroness Brinton said that the politics between the Liberal Party and the Labour Party at this time was “*very tribal ... on both sides, and absolutely no love or caring to try to compromise at all ... they hated each other*”.²³⁵

10. In 1969, Cyril Smith was investigated by Lancashire Constabulary over allegations that he had sexually abused teenage boys at Cambridge House Hostel in Rochdale. When he was interviewed by the investigating police officers on 24 January 1970, Smith told them that he had to make a decision in three weeks’ time whether he was going to fight the next parliamentary election as a Liberal candidate in Rochdale out of fairness to the Liberal Party and so he was asking for a quick decision on whether he would be charged.²³⁶ On 19 March 1970, more than three weeks later, the Director of Public Prosecutions decided that Smith

²³¹ Baroness Brinton 13 March 2019 20/4-14

²³² Des Wilson 13 March 2019 66/2-18; Lord Steel 13 March 2019 114/16-18

²³³ Des Wilson 13 March 2019 68/6-69/13

²³⁴ Des Wilson 13 March 2019 67/18-25

²³⁵ Baroness Brinton 13 March 2019 23/2-6

²³⁶ CPS002703_006

would not be charged. (We commented on aspects of this decision in our Cambridge House, Knowl View and Rochdale investigation report.²³⁷) Smith was selected as the Prospective Parliamentary Candidate (PPC) for Rochdale in 1970.

11. Michael Steed, the Liberal Party President between 1978 and 1979, visited Rochdale in 1966 and familiarised himself with the politics of the region and “*the towering personality and media impact of Cyril Smith*”.²³⁸ Rochdale was regarded as a prime Liberal target. Mr Steed knew Garth Pratt (a university student friend of his) who had been selected as the PPC for Rochdale. Smith’s selection had the effect of displacing Mr Pratt as PPC. Mr Steed said this was resented by many in the North-West who thought that a coup had been staged centrally and believed that Jeremy Thorpe, the Liberal Party leader at the time, had “*fixed it*”.²³⁹ However, Baroness Brinton did not think Jeremy Thorpe would have become involved in Smith’s selection as PPC. Her view was that the local Party selected Smith over Mr Pratt simply because he was seen as “*a safer pair of hands*”.²⁴⁰

The Liberal Party’s awareness of the allegations against Sir Cyril Smith

12. There are two key questions for us to consider. First, whether the Liberal Party in Westminster was aware of the serious allegations made against Cyril Smith before his selection as PPC in 1970 and his later reselection as the Liberal candidate for the Rochdale by-election in 1972. Second, if the Liberal Party in Westminster was aware of it, what they did or ought to have done about it.

13. Michael Meadowcroft, who was Chair of the Liberal Party’s Assembly between 1977 and 1981, recalled receiving an email from Garth Pratt’s widow, Jill, following Channel 4’s *Dispatches* programme ‘The Paedophile MP: How Cyril Smith Got Away With It’, which aired on 12 September 2013. In her email, Mrs Pratt told Mr Meadowcroft that Ted Wheeler, who at the time was the Liberal Party’s chief agent, had visited Rochdale following Mr Pratt’s deselection in 1970 in order to see whether Rochdale was winnable.²⁴¹ She said she had told Mr Wheeler about allegations regarding Smith’s activities and had mentioned to him that there was a Baptist minister who had reported the allegations to Mr Pratt. Mr Wheeler visited the minister, who gave him the names of boys who alleged they had been abused by Smith. Mrs Pratt said:

*“With hindsight, Ted must have been reporting to JJT [Thorpe] so ‘senior Liberals’ knew well before he [Smith] became candidate.”*²⁴²

Mr Meadowcroft passed the information on to Greater Manchester Police when they came to speak to him about Cyril Smith in 2015. Mr Pratt died in 2007 and Mrs Pratt in 2015.²⁴³

14. In his response to a request from the Inquiry under Rule 9 of the Inquiry Rules 2006,²⁴⁴ Mr Meadowcroft asserted that he had no personal knowledge of the Lancashire Constabulary investigation into Cyril Smith or what the Liberal Party may have known about it. He said, as he had told Channel 4’s *Dispatches* programme, that the Party in Westminster were unaware of complaints or allegations coming from sources in Rochdale. He had heard

²³⁷ *Cambridge House, Knowl View and Rochdale investigation report*, pp21–25

²³⁸ LDP000011_006

²³⁹ LDP000011_006

²⁴⁰ Baroness Brinton 13 March 2019 27/5-30/8

²⁴¹ INQ003803_001

²⁴² INQ003803_001

²⁴³ INQ003803_002

²⁴⁴ INQ003871_001-002

occasional comments that Smith liked boys but they were non-specific and he thought symptomatic of the unpleasant gossip that permeated Westminster, much of which never amounted to anything substantial, which had been the case in relation to Smith at the time.²⁴⁵ He did not elaborate on when he had heard these comments.

15. Michael Steed did not recall anyone saying a word about Cyril Smith's personal sexual behaviour or his "*smacking of delinquent boys when any evidence at that time relevant to his unsuitability to be a Liberal PPC could so easily have helped save Garth Pratt's candidature*".²⁴⁶

16. Baroness Brinton told us that John Spiller, Cyril Smith's election agent for the 1972 by-election, was contacted early in the by-election campaign by the editor of the *Rochdale Alternative Paper* who made the allegations about Smith which emerged later. Mr Spiller considered that these were wild allegations of the sort not uncommon in by-elections in those days, especially when a candidate had defected from another party. Mr Spiller said he had told the editor that if he had evidence he should pass it to the police but heard no more and thought no more of it.²⁴⁷

17. Philip Goldenberg, a member of the Liberal Party National Executive Committee and Candidates Committee from 1975, recalled some allegations (but not what they were) coming into the public domain in the mid-1970s. Mr Goldenberg believed this was in 1976 when Cyril Smith was chief whip. The allegations had been published in the *Evening Standard* and Smith instructed solicitors to deal with the matter on his behalf.²⁴⁸ In light of all the evidence seen by the Inquiry, it is highly probable that the allegations Mr Goldenberg heard related to Smith's sexual impropriety with children.

18. Des Wilson withdrew into other career activities from the mid-1970s to 1982 but resumed active involvement with the Liberal Party in 1982, later being elected its President. Mr Wilson had read the *Private Eye* article in 1979 about Cyril Smith but was not involved in the Party at the time.²⁴⁹ He told us that he believed the stories.²⁵⁰ Occasionally he would hear references to 'Spanker Smith' from Party members but could not recollect specific instances.²⁵¹

19. Lord Steel told us that he had not been aware of anyone in the Liberal Party who knew of allegations of sexual assault of teenage boys by Cyril Smith in 1969–70 at the time Smith was selected as a PPC. He said he had not heard of any allegations of child sexual abuse being made against Smith and he was unaware of the Lancashire Constabulary investigation or that papers had gone to the Director of Public Prosecutions.²⁵²

20. Dominic Carman, son of the late George Carman QC, recounting his father's defence in the Thorpe trial in May–June 1979 and the *Rochdale Alternative Paper* and *Private Eye* articles in the same year containing allegations of child sexual abuse by Smith,²⁵³ said that his father had known about Smith's alleged abuse of boys for years and that 1979 was not the first time he had become aware of the allegations.²⁵⁴

²⁴⁵ INQ003870_001-004; Rule 9 request from the Inquiry (INQ003871_001-002)

²⁴⁶ LDP000011_006

²⁴⁷ Baroness Brinton 13 March 2019 35/6-36/4

²⁴⁸ Baroness Brinton 13 March 2019 37/8-23

²⁴⁹ INQ000963_004

²⁵⁰ Des Wilson 13 March 2019 90/15-93/13

²⁵¹ INQ003670_001-003; INQ003670_004

²⁵² INQ002748_001-003; Lord Steel 13 March 2019 115/18-116/13

²⁵³ *Cambridge House, Knowl View and Rochdale investigation report*, pp25–28; INQ000963_004; INQ000963_005-007

²⁵⁴ INQ004013_003

21. Sir David Trippier was the Conservative candidate for Rochdale in the 1972 by-election. He confirmed that it was widely known among all political parties competing in the by-election that there had been some allegations of a sexual nature involving Cyril Smith and boys.²⁵⁵ He had understood that there had been a police investigation and they had decided to take no further action. In light of that, he said the subject was taboo and the view was taken that using it would incur legal action for slander and for that reason no one used it.

22. Baroness Brinton concluded that most of the people they had contacted had clear memories of issues involving Jeremy Thorpe taking up Liberal Party time in the 1970s but had no memory of any allegations about Cyril Smith prior to the *Private Eye* article in 1979.²⁵⁶

23. The idea that the Liberal Party in Westminster knew nothing about the allegations concerning Cyril Smith at or after the time he was selected as PPC for Rochdale is highly unlikely. If, as we accept, Mrs Pratt told Mr Wheeler about the allegations, it is highly improbable he would not have shared the information with other senior Liberal politicians in Westminster, including Jeremy Thorpe, just as Mrs Pratt surmised he had. Indeed, Mr Meadowcroft himself recalled hearing comments about Smith liking boys but dismissed it as Westminster gossip, although he was non-specific about when he heard them. Mr Goldenberg heard allegations in 1976 – when Smith was chief whip – which were serious enough for Smith to engage solicitors, yet Mr Goldenberg was unable to recall what the allegations were, and the late George Carman QC had been aware of the alleged abuse of boys by Smith before the Thorpe trial in 1979.

24. The evidence we have heard makes it clear that Cyril Smith's reselection for the Rochdale by-election was likely to have been directed centrally at Westminster. If, as is highly likely, the Liberal Party knew about the allegations, they did nothing about them.

25. Mr Wheeler is now deceased. Whatever he did with the information, it did not prevent Cyril Smith standing for the Liberals at the Rochdale by-election in 1972. This allowed a man accused of crimes of sexual abuse of vulnerable children to enter the Westminster Parliament, where he was to cement his power further and where he remained as an MP for two decades until 1992.

26. If there were such rumours about Cyril Smith, no political capital was made of them by his rivals. It is unclear whether the Labour Party knew of the rumours but took a deliberate decision not to deploy them during the campaign in the Rochdale by-election or did not know about them. We have seen an election leaflet for the 1970 general election which was all about Smith, rather than the Liberal Party, boasting of his working-class background and his good works for youth and poor children.²⁵⁷ Yet the incumbent Labour Party in Rochdale, who were the main opposition party, made nothing of the allegations as part of their campaign to hold the seat. Baroness Brinton, who told us of the hatred between the two parties, could not explain why Labour made no use of it.²⁵⁸

²⁵⁵ [INQ004207](#)

²⁵⁶ [Baroness Brinton 13 March 2019 39/22-40/22](#)

²⁵⁷ [INQ003959_001-002](#)

²⁵⁸ [Baroness Brinton 13 March 2019 33/21-34/17](#)

27. In our Cambridge House, Knowl View and Rochdale investigation, we found there was no evidence of a pact between Labour and the Liberal Party at a local level in Rochdale.²⁵⁹ We have heard nothing during the Westminster investigation to suggest there was any such pact at Westminster either.

The Liberal Party's response to the allegations about Sir Cyril Smith

The procedures

28. Michael Steed could not say what action would have been taken in response to an allegation of child sexual abuse on the part of a prominent member of the Liberal Party, and he doubted anyone else from the period could do so.²⁶⁰ He also was unable to say how misconduct by members of the Liberal Party was dealt with in the 1970s.

29. Baroness Brinton told us that, since the merger of the Liberal Party and the Social Democratic Party (SDP) in 1988, there were more formal procedures and rules to deal with misconduct. Prior to 1992, there were no established procedures. Complaints would be handled by the local party association, which could take whatever action they felt appropriate. If key officers were involved, the state or regional party in the case of England would deal with it. Complaints “very rarely got to HQ”. Baroness Brinton explained that, unlike now, at that time HQ would never have been aware of complaints or about the disciplinary process as it would have been handled at local level.²⁶¹

30. She also told us that, as cases started to surface, the Liberal Party rethought its approach to safeguarding rather than simply saying ‘you must go to the police’. In 2013 the Party created the post of pastoral care officer to provide support for complainants and for staff, and to act as a first point of contact for complainants. We were told the system was brought into being, in part, as a result of the Cyril Smith allegations which emerged in 2012 and, in part, due to a review by Helena Morrissey into the Party’s disciplinary procedures regarding sexual harassment. Lord MacDonald, the former Director of Public Prosecutions, was also asked to review the Party’s disciplinary processes in 2017.²⁶²

31. Baroness Brinton said that Lord MacDonald was a Liberal Party member and was not independent but held no office with the Party. However, the Party had not had their policies and procedures independently reviewed. She also confirmed that at no time was anyone commissioned to look at the handling of the Cyril Smith allegations.²⁶³

32. Des Wilson, who had been on the inside and the outside of the Liberal Party at different times between 1973 and 1992, was asked what ought to have been the Party’s response to the allegations in *Private Eye*. He was in no doubt that Cyril Smith should have been called in by the leader and the Chief Whip and given a “*real going over*”, and they should have set up an internal inquiry. His understanding had been that Smith had met David Steel, that Smith had said the police had taken no action and it was all in the past, and David Steel decided to leave it there. Mr Wilson said it was incredible that the Party did not look into it properly immediately.²⁶⁴ Mr Wilson found extraordinary Michael Steed’s response to the *Private Eye* article that the story was no more “*than the stories one heard in those days*”. He did not agree

²⁵⁹ *Cambridge House, Knowl View and Rochdale investigation report*, pp36–38

²⁶⁰ LDP000011_005

²⁶¹ Baroness Brinton 13 March 2019 14/9-15/20

²⁶² Baroness Brinton 13 March 2019 55/23-60/15

²⁶³ Baroness Brinton 13 March 2019 62/7-19

²⁶⁴ Des Wilson 13 March 2019 93/11-94/25

with Mr Steed's view that the story was "*politically embarrassing (just like Cyril's known view on corporal punishment), but not as potentially embarrassing as what he might do when capital punishment came before the 1979 parliament*".²⁶⁵

33. In April 2014, the *Mail Online* asked Mr Wilson to review Simon Danczuk's book *Smile for the Camera*.²⁶⁶ In asking whether there had been a deliberate, cynical cover-up by the leadership, Mr Wilson commented that he was "*a believer in the cock-up theory of politics rather than the conspiracy one*",²⁶⁷ and he posed two questions:

"(1) Should Smith be confronted with the rumours? I doubt anyone had the appetite for that. Personally, it was a frightening prospect.

(2) Should there be a formal inquiry? Coming so soon after the Jeremy Thorpe scandal, politically it was potentially catastrophic."²⁶⁸

Mr Wilson continued:

*"I think they got the biggest spade they could find, dug the biggest hole in the sand they could manage, and buried their collective heads in it, hoping the rumours were unfounded or that it would all go away. In other words, it was cowardice rather than conspiracy."*²⁶⁹

34. He expected there to have been a confrontation or a formal inquiry as there had been in the case of Jeremy Thorpe. But David Steel, the Party leader at the time, did not like confrontation; cowardice was, said Mr Wilson, an element of "*cock-up*".²⁷⁰ He added:

*"as Liberal leader, [David Steel] hated confrontation; that's why he didn't want to hear about the nocturnal behaviour of some of those round that table ... And herein lies part of the answer to the question: 'Why was Smith not questioned about the rumours beginning to emerge from his political fortress of Rochdale, rumours that at the time were publicly referred to in Private Eye?' Apart from the fact no one would have had the courage to confront the Rochdale bully, a significant number of the wider parliamentary party had a guilty secret of one sort or another. They had no desire for questions to be raised about what MPs did in their ample spare time."*²⁷¹

By "*guilty secret*", he did not mean "*child abuse or activity of that sort*". It might, he said, be drinking too much. Mr Wilson was making the point that quite a few MPs engaged in extracurricular activity in their lives which they would not want exposed to public discussion.²⁷² He was also asked to explain what he meant when he wrote in the *Mail Online* review "*Smith was protected as much by the culture within the parliamentary party as Savile was by the culture within the BBC*".²⁷³ He told us he was talking about a culture of self-interest, adding that, in David Steel's case, he had seen Cyril Smith but nothing had emerged from it, some other MPs had not even read the *Private Eye* article and no inquiry was set up.²⁷⁴

²⁶⁵ LDP000011_008; Des Wilson 13 March 2019 95/7-97/14

²⁶⁶ INQ004084

²⁶⁷ INQ004084_006

²⁶⁸ INQ004084_006; Des Wilson 13 March 2019 101/8-102/7

²⁶⁹ INQ004084_006

²⁷⁰ Des Wilson 13 March 2019 102/14-107/1

²⁷¹ INQ004084_004; Des Wilson 13 March 2019 105/4-107/12

²⁷² Des Wilson 13 March 2019 106/8-107/12

²⁷³ INQ004084_004

²⁷⁴ Des Wilson 13 March 2019 108/8-109/5

35. Mr Wilson said that the allegations in *Private Eye* should have been addressed definitively at the time but no one felt the need to push it, either because they did not know about it, they had missed it completely or because they simply did not want to start stirring things up. It was, he said, amazing that the parliamentary Liberal Party failed to act but he could not explain why they failed to do so. There was a clear distinction to be made between criminal allegations and other activities such as drinking too much or extra-marital affairs. Mr Wilson would have expected criminal allegations of the kind made about Cyril Smith to have been treated “*with the utmost seriousness*”.²⁷⁵ Mr Wilson’s description painted a picture of a chaotic and dysfunctional party at that time.

36. David Steel (Lord Steel of Aikwood as he is today) was Liberal Party leader between 1976 and 1988 and leader of the Liberal Democrats between March and July 1988, as well as chief whip between 1970 and 1975–76.²⁷⁶

37. In Lord Steel’s witness statement to the Inquiry,²⁷⁷ he said he had read the report published by *Private Eye* which contained allegations about Cyril Smith and he tackled him about it. Smith had said that the story was correct – that he had been investigated by the police at the time and that no further action had been taken. Lord Steel added that he had taken no further action because the report referred to events before Smith was even a member of the Liberal Party but it seemed to him that Smith had “*possibly exceeded his role as a local Labour Councillor in the place for which he had some responsibility*”.²⁷⁸ He said the matter had been fully investigated and there was nothing more for him to do.

38. In the course of Lord Steel’s oral evidence to the Inquiry, parts of the *Private Eye* article were read to him. Those parts were allegations of the spanking of boys’ bare bottoms and the fondling of a boy’s testicles during a fake medical examination. Lord Steel was asked whether he accepted that the allegations were not limited to the spanking of bare bottoms but included allegations which were far more serious. Lord Steel’s response was “*Well, I accepted the article as presumably correct, which is why I questioned Cyril Smith about it*”.²⁷⁹

39. Lord Steel said he knew that the allegations were old and had arisen before Cyril Smith had become an MP and before he had even become a member of the Liberal Party, that he had gone on to become Mayor of Rochdale, received an MBE for services to local government, then joined the Liberal Party and had been elected as an MP with increasing majorities four times, adding:

*“So I saw no reason, or no locus, to go back to something that had happened during his time as a councillor in Rochdale.”*²⁸⁰

It is therefore unclear why Lord Steel tackled Smith about the allegations, if he was not going to do anything about it. His answer was he was concerned, having read the *Private Eye* report, it seemed the natural thing to do and his concern was that the allegations might be true. He said he did not know at the time that the investigation had come to nothing, and he did not recall any mention of the Director of Public Prosecutions during the conversation. He raised it with Smith as he thought it “*only right*” he did so.²⁸¹

²⁷⁵ Des Wilson 13 March 2019 111/8-113/3

²⁷⁶ Lord Steel 13 March 2019 113/25-114/18

²⁷⁷ INQ002748

²⁷⁸ INQ002748_002

²⁷⁹ Lord Steel 13 March 2019 118/9-120/2

²⁸⁰ Lord Steel 13 March 2019 122/16-24

²⁸¹ Lord Steel 13 March 2019 123/1-24

40. He was asked what he had meant by saying in his witness statement that it had seemed to him that Cyril Smith had “*possibly exceeded his role as a local Labour Councillor in the place for which he had some responsibility*”.²⁸² Lord Steel told us Smith had claimed to have some supervisory role in the hostel which entitled him to do these things but Lord Steel said he had disagreed. The impression Smith had given him was that his supervisory role had permitted him to perform medical inspections.²⁸³

41. Counsel to the Inquiry then asked Lord Steel whether he had come away from the meeting not knowing if Cyril Smith had in fact “*committed these offences*”. Lord Steel’s response was both forthright and immediate:

*“Well, I assumed he had because he said the account was correct. Why would he have been investigated if he hadn’t done something that was possibly wrong?”*²⁸⁴

In light of that answer, Lord Steel was asked whether, from what Smith had said to him, he had understood that Smith had actually committed the offences. Lord Steel provided an unequivocal answer: “*I assumed that*”.²⁸⁵ He was asked, therefore, whether that did not provide more reason for Lord Steel to hold some form of inquiry, to which he responded, “*No, because it was, as I say, before he was an MP, before he was even a member of my party. It had nothing to do with me.*”²⁸⁶

42. We disagree. It had everything to do with Lord Steel as leader of the Liberal Party for which Cyril Smith was Rochdale’s MP in 1979. The mere fact that the offences were not recent and were committed before Smith became an MP or before he was a member of the Liberal Party was an irrelevance and did not begin to relieve Lord Steel of a responsibility as Party leader to inquire further. Indeed, as Des Wilson told us, there had been a formal inquiry into Jeremy Thorpe and there should have been one into Smith.²⁸⁷ Lord Steel considered that the Thorpe scandal was current and Smith’s was not, so a formal inquiry was justified in Jeremy Thorpe’s case but not in Smith’s.²⁸⁸ That overlooked the fact that Lord Steel had assumed Smith had committed the offences. Because of that response, Lord Steel was asked how he could have any confidence that Smith was not continuing to sexually abuse children on his watch. Lord Steel’s response to this was to say Smith was no longer involved with the children’s home as it had closed down and he said he had no suspicion or reason to think he could have had access to children by other means.²⁸⁹ However, as Lord Steel admitted, he had never heard of Knowl View School (a residential school for vulnerable boys in Rochdale, with which Smith had a longstanding connection; Smith was the subject of further allegations of serious sexual offences against boys resident there²⁹⁰).

43. Counsel suggested to Lord Steel that Cyril Smith could still have been offending against children. His response was:

²⁸² INQ002748_002

²⁸³ Lord Steel 13 March 2019 124/12-125/9

²⁸⁴ Lord Steel 13 March 2019 126/23-127/2

²⁸⁵ Lord Steel 13 March 2019 127/3-5

²⁸⁶ Lord Steel 13 March 2019 127/6-10

²⁸⁷ Des Wilson 13 March 2019 105/4-107/12

²⁸⁸ Lord Steel 13 March 2019 127/11-16

²⁸⁹ Lord Steel 13 March 2019 127/17-128/9

²⁹⁰ Cambridge House, Knowl View and Rochdale investigation report, pp45–46

"I have to admit that never occurred to me and I'm not sure it would occur to me even today".²⁹¹

This answer demonstrated a failure to accept the seriousness of what he had been told by Smith. In his answer, there was no suggestion he would act any differently today or recognition that his inaction had been completely misguided. However, in recent correspondence with the Inquiry, it was said on behalf of Lord Steel that:

"With hindsight, and with the insight of observing abuse cases reported in recent years, Lord Steel accepts that he would have acted differently now, and is sorry that he did not do so then."

44. Lord Steel was referred next in his evidence to the first *Rochdale Alternative Paper* article published in May 1979, in which there appeared a quotation attributed to Lord Steel's press office of 22 April 1979 which reads *"It's not a very friendly gesture publishing that. All he seems to have done is spanked a few bare bottoms."*²⁹² Lord Steel told us that he had no press officer so it may have been the Party press officer who said this but he did not know, and he said this statement had never been brought to his attention.²⁹³ It is unclear if Lord Steel was personally responsible for the press statement quoted by the *Rochdale Alternative Paper* in May 1979 but what is clear is that someone within the Liberal Party was aware of these serious allegations in April 1979 during the run-up to the May elections. As Slater & Gordon for the complainant core participants argue in their written closing submissions, the content and the date of the press statement confirm institutional knowledge on the part of the Liberal Party at Westminster of the allegations against Cyril Smith before the *Rochdale Alternative Paper* article was published which is at odds with Lord Steel's claims that he only found out about the allegations for the first time when he read the *Private Eye* article.²⁹⁴ In light of the fact the Liberal Party press office made this press statement before any allegations about Smith were published, we do not understand why they were not brought to the attention of the party leader. Lord Steel told us he was likely to have been campaigning in Scotland due to the May 1979 election and nowhere near party headquarters.²⁹⁵ That would not have prevented him being told about the allegations.

45. These allegations emerged at the time Jeremy Thorpe was being tried in court for conspiracy to murder. Lord Steel told us that he saw no connection between the two things. He dismissed the idea that the Liberal Party's inaction regarding Cyril Smith was to avoid another scandal at the same time as that of Jeremy Thorpe.²⁹⁶

46. Lord Steel denied hiding his head in the sand rather than getting involved in a nasty confrontation. He told us that he tended his whole political life to be more in favour of seeking compromise rather than confrontation.²⁹⁷

47. The Liberal Party's inaction, in light of its understanding of the serious nature of the allegations being made about Cyril Smith as revealed by the statement made to the *Rochdale Alternative Paper* on 22 April 1979, and Lord Steel's personal inaction, given his understanding from Smith that the allegations were true, is inexplicable unless it was borne

²⁹¹ Lord Steel 13 March 2019 129/9-12

²⁹² INQ000963_004; INQ000963_005-007

²⁹³ Lord Steel 13 March 2019 129/15-135/2

²⁹⁴ INQ004281_004; Lord Steel 13 March 2019 115/18-22; 134/4-5

²⁹⁵ Lord Steel 13 March 2019 131/15-23

²⁹⁶ Lord Steel 13 March 2019 137/25-138/8

²⁹⁷ Lord Steel 13 March 2019 141/12-143/16

of a fear of more scandal at a time when the Party could not afford it. We do not accept Lord Steel's reasons for doing nothing, ie that he had "no locus" as it was all in the past when Smith was not an MP or a Liberal Party member. It ignored the fact that Lord Steel was uniquely in possession of an account from Smith of having committed acts of abuse. It ignored also the obvious risk that Smith was potentially a continuing danger to children. For all Lord Steel knew, Smith was continuing to offend against children.

48. Lord Steel, as leader of the Liberal Party, and the Party at Westminster, had a responsibility to inquire into the allegations and the risk that Cyril Smith posed to children as a powerful Westminster MP.

49. Later, Lord Steel recommended Cyril Smith for a knighthood without confronting him to ask if he was still committing offences against boys. Lord Steel said he had no reason to.²⁹⁸ We disagree. He had every reason to do so. He assumed from his conversation with him in 1979 that Smith had committed criminal offences involving child sexual abuse. The Political Honours Scrutiny Committee, which considered the 1970 police investigation and the various press articles, concluded it was open to the Prime Minister to recommend Smith for a knighthood. There was little further investigation into the allegations against him by the committee.²⁹⁹ Had Lord Steel's assumption that Smith had committed the offences been communicated to the committee, they may well have come to a different view about whether the Prime Minister should recommend Smith for a knighthood. In Part I of this report (Honours System), we consider other aspects of the granting of Smith's knighthood.

50. Lord Steel should have provided leadership. Instead, he abdicated his responsibility. He looked at Cyril Smith not through the lens of child protection but through the lens of political expediency. As suggested in the written closing submissions on behalf of the complainant core participants, when attending the Inquiry, far from recognising the consequences of his inaction, Lord Steel was completely unrepentant.³⁰⁰

51. We agree with Des Wilson regarding Lord Steel and the Liberal Party:

*"I think they got the biggest spade they could find, dug the biggest hole in the sand they could manage, and buried their collective heads in it, hoping the rumours were unfounded or that it would all go away. In other words, it was cowardice rather than conspiracy."*³⁰¹

52. On 14 March 2019, the day following Lord Steel's evidence, the Liberal Democrats issued a statement saying:

*"Following the evidence concerning Cyril Smith given by Lord Steel to the Independent Inquiry into Child Sexual Abuse on 13th March 2019 the office bearers of the Scottish Liberal Democrats have met and agreed that an investigation is needed. The party membership of Lord Steel has been suspended pending the outcome of that investigation. That work will now commence. It is important that everyone in the party, and in wider society, understands the importance of vigilance and safeguarding to protect people from abuse, and that everyone has confidence in the seriousness with which we take it. We appreciate the difficult work that the Independent Inquiry into Child Sexual Abuse is doing on behalf of the victims and survivors of abuse, and the country as a whole."*³⁰²

²⁹⁸ Lord Steel 13 March 2019 147/16-151/23

²⁹⁹ Cambridge House, Knowl View and Rochdale investigation report, p141 para 12

³⁰⁰ INQ004281_006

³⁰¹ INQ004084_006

³⁰² <https://www.telegraph.co.uk/news/2019/03/14/lord-steel-suspended-following-admission-cyril-smith/>

53. *The Guardian* newspaper reported that Lord Steel sought to defend his decision not to investigate Cyril Smith, complaining that the media had generated “*sensationalist headlines*”. The newspaper quoted him as saying “*It is unfortunate that some sections of the media have chosen to extract certain passages of evidence and present them without the full context.*”³⁰³

54. On the evening of 14 March 2019, Lord Steel sent the Inquiry an email,³⁰⁴ suggesting that he could be recalled to give evidence. He registered his surprise that he had not been sent the Inquiry’s Cambridge House, Knowl View and Rochdale investigation report (which Inquiry staff had emailed him after his evidence on 13 March 2019), of which he said he had previously been unaware. In the email, Lord Steel also claimed to have had difficulty hearing questions and said he “*did not pick up Counsel’s use of the word ‘confess’*” in some of the questions. He said what Cyril Smith had admitted to him was that he had been investigated by the police and no action had been taken. It was wrong to say that Smith had “*confessed*” to the alleged abuse.

55. On 19 March 2019, the Solicitor to the Inquiry responded to Lord Steel’s email, answering his points, and asked him to copy the letter to the Liberal Democrats “*in the event you seek to explain your evidence to the Inquiry during the course of its disciplinary investigation*”.³⁰⁵ The Inquiry did not hear from the Scottish Liberal Democrats. On 14 May 2019, Lord Steel’s suspension was lifted. Scottish Liberal Democrat leader Willie Rennie MSP was reported as saying the executive had:

*“determined, after careful consideration, that there are no grounds for action against David Steel. We take the issue of vigilance and safeguarding incredibly seriously, so it was important to investigate following the evidence that David Steel gave to the independent public inquiry. In part because of a hearing difficulty and a lack of precision in providing some answers it was necessary to seek further information from him for clarification. The clarifications that David Steel has provided to us state clearly that Cyril Smith did not confess to any criminality which is why he took no further action at the time.”*³⁰⁶

56. On 16 May 2019, Sir Vince Cable, then leader of the Westminster Liberal Democrats, denied that the inquiry into Lord Steel was a whitewash:

*“He had made some comments at the child abuse inquiry that weren’t clear, so there was a detailed inquiry by the Scottish party – as he’s a member of the Scottish party – and there was nothing ultimately to answer.”*³⁰⁷

57. As is plain from Lord Steel’s evidence to the Inquiry, it was Lord Steel who volunteered that he had “*assumed*” from what he was told – that is, he accepted as true – that Cyril Smith had committed the offences. The word “*confess*” (and derivations of it) was used several times in the course of questioning without demur from Lord Steel. The only time he raised an objection was to Counsel’s use of the word “*guilty*” but that was only because no action was taken against Smith.³⁰⁸

³⁰³ <https://www.theguardian.com/politics/2019/mar/14/david-steel-faces-suspension-from-lib-dems-over-cyril-smith-revelation>

³⁰⁴ INQ004549

³⁰⁵ INQ004550

³⁰⁶ <https://www.scotsman.com/news/politics/lord-steel-suspension-lifted-after-probe-into-cyril-smith-comments-1-4926776>

³⁰⁷ <https://www.scotsman.com/news/politics/vince-cable-defends-lib-dems-inquiry-into-lord-steel-1-4928674>

³⁰⁸ Lord Steel 13 March 2019 128/14-22

58. Lord Steel had every opportunity to correct or clarify his evidence to this Inquiry if it lacked clarity, or was misunderstood or misrepresented. He did not do so at that time. He also had every opportunity to say if he was struggling to hear or understand the questions. As the video recording³⁰⁹ and the transcript of Lord Steel's evidence show, there was only a single occasion when Lord Steel said he could not hear a question but that question had nothing to do with Smith's account to him.³¹⁰ For the rest of his evidence, Lord Steel answered the questions immediately and without seeking or providing clarification.

59. In our view, on a fair and complete reading of the whole of his evidence to the Inquiry, it is clear that Lord Steel assumed from what Cyril Smith told him that he had committed the offences which *Private Eye* had reported, yet he did nothing about it.

60. Regarding Lord Steel's claim that he was unaware of the Cambridge House, Knowl View and Rochdale investigation report (published in April 2018³¹¹), the Inquiry held three weeks of hearings in October 2017 including allegations about Cyril Smith. This was highly publicised. In the course of his evidence, Lord Steel was asked about an interview he gave to BBC's *Newsnight* on 4 June 2018,³¹² during which Lord Steel described the allegations against Smith as "*scurrilous hearsay*". He advised the interviewer that care should be taken, adding "*we are waiting for the final outcome of the Inquiry ... we have to wait till the Inquiry has finished its work*", and that he did not think it right to say Smith was guilty just because of "*tittle-tattle*". Lord Steel told us that in using the terms "*scurrilous hearsay*" and "*tittle-tattle*" he did not have in mind the fact that "*Cyril Smith had confessed*" to him in 1979 but allegations featuring in the Danczuk book *Smile for the Camera*.³¹³

61. In evidence, Lord Steel said he could not recall if he was aware of the Inquiry at the time of the *Newsnight* interview in June 2018.³¹⁴ In our view, he did know about this Inquiry and was well aware that part of it related to Cyril Smith and Rochdale. Lord Steel also told us that he had never read the Inquiry's Cambridge House, Knowl View and Rochdale investigation report.³¹⁵ The report details the compelling accounts of several complainants about the abuse they alleged they had suffered at the hands of Smith. Lord Steel says he remained ignorant of it when he came to give evidence to the Inquiry.

The decision of the Director of Public Prosecutions on the 1969–70 investigation

62. Our Cambridge House, Knowl View and Rochdale investigation dealt with the decision-making of the Director of Public Prosecutions on the 1969–70 police investigation. In the report following our investigation we commented on the cursory nature of the analysis and the speed with which the case was dispatched and Cyril Smith told of the outcome.³¹⁶

63. Lord Jopling gave evidence to the Inquiry on 15 March 2019. He was an MP between 1964 and 1997. He was a junior whip in the Heath government in the early 1970s, he was chief whip between 1979 and 1983, and was thereafter Minister for Agriculture, Fisheries and Food. In 1997 he was made a life peer.³¹⁷

³⁰⁹ <https://www.iicsa.org.uk/video/iicsa-westminster-investigation-day-8-13032019-pm1>

³¹⁰ Lord Steel 13 March 2019 157/23

³¹¹ *Cambridge House, Knowl View and Rochdale investigation report*

³¹² INQ004085

³¹³ Lord Steel 13 March 2019 151/24-154/7

³¹⁴ Lord Steel 13 March 2019 154/8-21

³¹⁵ Lord Steel 13 March 2019 154/22-156/4

³¹⁶ *Cambridge House, Knowl View and Rochdale investigation report*, p22 para 47

³¹⁷ Lord Jopling 15 March 2019 31/5-32/6

64. Lord Jopling provided the Inquiry with a second witness statement on 12 March 2019,³¹⁸ the day before Lord Steel gave evidence. In it, Lord Jopling recalled some 50 years previously a private conversation with John Cobb QC (later Sir John Cobb), who told him in an informal capacity that he had been asked by the police or the Director of Public Prosecutions “to look at papers regarding child abuse allegations against Cyril Smith”. Lord Jopling said that John Cobb QC had told him that, after going through all the papers, he had advised the police or the Director of Public Prosecutions that he did not think there was evidence sufficiently strong to get a conviction.

65. Lord Jopling added that he heard a few years ago that Lord Steel was being criticised about a potential cover-up of evidence against Cyril Smith. He told Lord Steel informally about his conversation with John Cobb QC and believed that Lord Steel had subsequently referred publicly to the conversation without naming him. Lord Steel was asked if he had any recollection of the conversation with Lord Jopling. He said he did remember it but said he could not recall referring to the matter publicly.³¹⁹

66. Lord Jopling was sure he had not confused the conversation with something else or another case.³²⁰ We reported in the Cambridge House, Knowl View and Rochdale investigation that, on Friday 13 March 1970, the Lancashire Constabulary file (comprising over 80 pages of material) was sent to the Director of Public Prosecutions. It was received on Monday 16 March 1970, and the Director of Public Prosecutions provided his advice by letter dated Thursday 19 March 1970. This timeline allowed for a total of three working days for the papers to be read and advice produced.³²¹ There was no reference to any advice in writing or otherwise from counsel in any of the material we saw during that investigation. If the Director of Public Prosecutions had sought Leading Counsel’s advice, we consider it highly unlikely that there should have been no reference to it in the decision letter the Director of Public Prosecutions sent to the police. Indeed, in the pre-digital age when everything was done on paper, there was a very short time for counsel to receive the papers, which were not insubstantial, and advise the Director of Public Prosecutions on them (whether in writing or verbally) in order for the Director of Public Prosecutions to revert to the police within three working days with a decision.

67. It has been suggested on behalf of the complainant core participants³²² that an opinion could not have been obtained from Leading Counsel in that very short window, so that the conversation Lord Jopling had with John Cobb QC cannot have been about the Lancashire investigation. They suggest this raises the concern that there may have been a separate police investigation on which the Director of Public Prosecutions sought counsel’s opinion but it was not this one. This is nothing but a speculative possibility with no evidence to support it and we reject it. If the advice was sought not by the Director of Public Prosecutions but by the police then there would have been ample time for John Cobb QC to have considered the papers. However, this possibility raises a further issue. If Lancashire Constabulary sought the advice, why did they make no mention of it in the papers they submitted to the Director of Public Prosecutions? In the absence of any evidence to assist resolution of the issue, it would be wrong to speculate about it.

³¹⁸ INQ004197

³¹⁹ Lord Steel 13 March 2019 160/15-163/6

³²⁰ Lord Jopling 15 March 2019 75/3-78/1

³²¹ Cambridge House, Knowl View and Rochdale investigation report, p22 para 46

³²² INQ004281_012-013

68. Whether or not advice was sought by the police or the Director of Public Prosecutions from John Cobb QC, we saw no mention of any advice from counsel in all the material that was placed before us in the course of the Cambridge House, Knowl View and Rochdale investigation. Whether the Director of Public Prosecutions received any independent advice before making the decision we cannot determine now. Gregor McGill, Director of Legal Services at the Crown Prosecution Service, who gave evidence in the Cambridge House, Knowl View and Rochdale investigation about the decision of the Director of Public Prosecutions in the case of Cyril Smith, was asked about Lord Jopling's evidence. He was unable to say from what he had read whether counsel had been instructed by the police or the Director of Public Prosecutions. He said he had seen nothing to suggest counsel had been instructed.³²³

69. If the Director of Public Prosecutions did receive independent advice on the Lancashire case from Leading Counsel, then direct reference to that fact in the Director of Public Prosecutions' decision letter might have firmly established that his decision had not been the subject of improper influence. All we were able to say in the Cambridge House, Knowl View and Rochdale investigation report was that, on the material we had seen, it would be no more than speculation to say there had been improper influence by those interested in the matter.³²⁴

E.3: The Conservative Party and Sir Peter Morrison

70. Sir Peter Morrison was the Conservative MP for the City of Chester between 1974 and 1992.

71. Peter Morrison held several senior roles in government and in the Conservative Party. Between May 1979 and January 1982 he was Lord Commissioner of HM Treasury (a senior whip).³²⁵ Between June 1983 and September 1985 he was Minister of State for Employment, and between September 1985 and September 1986 he was Minister of State for Trade and Industry. From September 1986 to June 1987 he was the Conservative Party Deputy Chairman. Norman Tebbit (now Lord Tebbit) was Conservative Party Chairman between September 1985 and June 1987, so their time in Central Office overlapped by about nine months. From June 1987 to July 1990 Peter Morrison was Minister of State for Energy and from July to November 1990 he was Parliamentary Private Secretary (PPS) to the Prime Minister, Margaret Thatcher. He was knighted in 1991 and stood down from Parliament before the 1992 general election. He died in 1995 aged 51.

72. In the course of the investigation, we examined some of the allegations made against Peter Morrison. We focussed in particular on how those allegations were responded to not only by the Conservative Party, both locally and nationally, but also by the wider political community and other institutions in Westminster. We heard from witnesses who were politically active in Chester during the period when Peter Morrison was the city's MP and those in Westminster who had dealings with him and his alleged conduct. The questions we have to consider are what people knew about those matters and what they did about them. Was there a cover-up and, if so, who was complicit in it?

³²³ Gregor McGill 27 March 2019 182/24-185/10

³²⁴ Cambridge House, Knowl View and Rochdale investigation report, p25 para 61

³²⁵ Gyles Brandreth 12 March 2019 133/4-12

Chester

73. There had been rumours in Chester about Peter Morrison’s sexuality for many years. According to Grahame Nicholls, who was a lifelong trade unionist and Labour Party member, in the 1970s and 1980s the rumours that Peter Morrison liked “*little boys*” had been “*rife*”, and not only had he heard it but also “*the political elite of Chester*” knew the rumours. The political elite included the Conservatives.³²⁶ By “*little boys*”, Mr Nicholls was talking about 11 to 17-year-olds. Mr Nicholls continued “*Nobody did anything but everybody knew he had a way for young children*”.³²⁷ Mr Nicholls had also heard a particular rumour about an incident at Crewe railway station with a 15-year-old boy.³²⁸

74. Christine Russell was the Labour Party election agent for Chester between 1986 and 1992, later becoming PPC for Labour and then MP for Chester in 1997. Ms Russell, who met Peter Morrison three times in the 1980s, said she found him to be “*quite aloof and arrogant*”.³²⁹ She heard about an incident at Crewe railway station which, depending on who was telling the story, involved him being taken off a train for having molested a boy on the train or being arrested in the men’s toilets at the station, having indulged in some sexual activity with young men.³³⁰ A third allegation was of wild parties at his constituency home involving a select list of guests and young men.³³¹ Ms Russell confirmed that Chester had been “*awash with rumours about Peter Morrison’s private life – his alcoholism and penchant for young men – from the early 1980s onwards*”.³³² Ms Russell told us that the rumours were widespread not only within the political community but also throughout Chester. She said the allegations were being made by police officers and Conservative councillors. When she asked them what they were doing about the rumours, the response would be “*he’s being protected*”, which she thought meant they had tried to substantiate the rumours or had not bothered as it would be a pointless exercise.³³³ She told us that Conservative councillors would say he was “*being protected from on high*”, in other words by the upper echelons of the Conservative Party.³³⁴

75. Gyles Brandreth, who succeeded Morrison to become Conservative MP for Chester in 1992, recalled meeting Peter Morrison during his candidacy for the seat. He found him to be a heavy drinker and smoker, and he sensed that he was homosexual. Morrison told him that he had been a Minister of State, a Privy Councillor and PPS to Mrs Thatcher, that he could not see himself moving further and that it had been made clear to him he was not going to join the Cabinet. Peter Morrison told Mr Brandreth that it was therefore time to get out and make some money by going into business.³³⁵ Other evidence, to which we will come, suggests this was nothing more than Peter Morrison window-dressing to conceal the true reason for his standing down. When he was out canvassing knocking on doors, Mr Brandreth was told in no uncertain terms that Peter Morrison was “*a monster who interfered with children*” but there was nothing to substantiate these “*slurs*”, as he described them.³³⁶

³²⁶ Grahame Nicholls 11 March 2019 30/12-31/8; 56/16-21

³²⁷ Grahame Nicholls 11 March 2019 31/6-18

³²⁸ Grahame Nicholls 11 March 2019 31/19-21

³²⁹ Christine Russell 11 March 2019 81/19-83/14

³³⁰ Christine Russell 11 March 2019 85/5-86/1

³³¹ Christine Russell 11 March 2019 86/2-10

³³² LAB000037_003; Christine Russell 11 March 2019 87/6-13

³³³ Christine Russell 11 March 2019 87/17-88/14

³³⁴ Christine Russell 11 March 2019 88/15-24

³³⁵ Gyles Brandreth 12 March 2019 109/12-23; 111/8-17

³³⁶ Gyles Brandreth 12 March 2019 116/14-20; 119/7-18

76. Patricia Green's late husband, Ralph Green, was selected to stand for the Liberal Party in Chester in 1974. In a 2018 police interview, Mrs Green said she and her husband were aware that Peter Morrison was homosexual but were unconcerned about that. In the late 1980s, they became aware that Peter Morrison had been involved in an incident on a train involving a boy. The allegation was that he had sexually assaulted the boy. They understood that he had been removed from the train at Crewe railway station. She recalled Peter Morrison had been travelling back from Westminster. Mrs Green said she had no direct evidence and her knowledge was based on rumour, adding both Labour and the Liberal Party "*were talking about the information, which was so strongly believed that a by-election was going to be proposed*". She thought news of the Crewe incident "*was suppressed due to his privileged background*".³³⁷ In her 2019 Inquiry witness statement,³³⁸ Mrs Green added that rumours circulated about Peter Morrison's behaviour during his time as an MP, suggesting that he took an unhealthy interest in young people.

77. Frances Mowatt was the agent and secretary to the City of Chester Conservative Association in 1974. In 1988, she left the area to move to Essex after the 1987 election. She knew both Grahame Nicholls and Christine Russell. Mrs Mowatt told us that she heard no rumours about Peter Morrison's sexual life or private life the whole time she was in Chester. The words 'sexual life or private life' were used by Counsel to the Inquiry when asking Mrs Mowatt if she had heard rumours about those aspects of his life. The words are sufficiently broad to embrace child sexual abuse, homosexuality and drunkenness but Mrs Mowatt said she had heard no such rumours. She said she did not recognise Christine Russell's description of the rumours in Chester, and as far as she was concerned Ms Russell was mistaken.³³⁹

78. In the course of her evidence, Ms Russell told us about a meeting Mrs Mowatt initiated between Mrs Mowatt and the late David Robinson, the former Labour Party agent and PPC who became the Labour candidate in the 1987 election. She said that the meeting took place during an election period but she could not recall if it was the 1987 general election or the 1988 local elections. What she could remember was a call from Mrs Mowatt asking if David Robinson was there and it ended up with him meeting Mrs Mowatt in a mews running between Labour Party headquarters and the Conservative office. She recalled Mr Robinson returning and telling people in the office that Peter Morrison was not going to stand down but that Mrs Mowatt had told him that Morrison was "*not a well man and probably won't be standing in the next election*". Ms Russell understood the meeting to be connected with the allegations against Peter Morrison. Ms Russell thought Mrs Mowatt was trying "*to protect Morrison against coverup*", and was "*naively assuming that if she was reasonable and assured David that Peter Morrison would be standing down at the next election, then, ... in return, we would desist from joining in the accusations*", although as she pointed out, Labour were not making them.³⁴⁰

79. A letter from Patrick Walker of the Security Service (MI5) to Sir Robert Armstrong, then Cabinet Secretary, dated 7 July 1987, shortly after the 1987 general election, confirmed the meeting. The letter related to the content of a security briefing Mr Walker had given Peter

³³⁷ OHY005914

³³⁸ INQ004031

³³⁹ LAB000037_003; Christine Russell 11 March 2019 87/6-13; Frances Mowatt 11 March 2019 8/23-11/13

³⁴⁰ Christine Russell 11 March 2019 88/25-91/17

Morrison on 2 July 1987. In the course of it, Peter Morrison mentioned to Mr Walker stories about his alleged homosexual behaviour which had surfaced in his Chester constituency during the general election. Mr Walker wrote:

*“Unfortunately, his election agent, in a well-meaning but clumsy attempt to spare Morrison embarrassment, had spoken without Morrison’s authority or knowledge to the Labour candidate. She chose to do so in a back street of all places. Morrison feared that if his agent’s approach reached the wrong ears it could be misrepresented as an attempted cover-up.”*³⁴¹

80. Ms Russell confirmed that Mrs Mowatt was Morrison’s agent in 1987, that she (Ms Russell) was the Labour Party agent and David Robinson was the candidate. She said she had no doubt that the letter described the meeting.³⁴² In the meeting with Mr Walker of MI5, Peter Morrison had himself described a woman agent meeting the Labour candidate (who was David Robinson) in a Chester back street. In his letter to Sir Robert Armstrong, Mr Walker referred to an “election agent”. Mrs Mowatt was not an election agent but was the agent and secretary to the City of Chester Conservative Association. The confusion between whether or not the person who spoke to David Robinson was an election agent rather than the agent to the Conservative Association is immaterial. There is no question Peter Morrison was reporting the same meeting to Mr Walker.

81. By contrast, Mrs Mowatt told us that she was “utterly bewildered” by Ms Russell’s claim that she had requested a meeting with David Robinson, saying she was “completely mistaken”. She was referred to Ms Russell’s witness statement in which Ms Russell had recalled Mr Robinson telling her that Mrs Mowatt had told him:

“there would not be a by-election and that Peter Morrison would not be resigning ‘although he was not a well man’ ... and that he would not be standing at the next election”.

Mrs Mowatt told us there was never any such suggestion.³⁴³

82. Mrs Mowatt was also asked about the letter from Mr Walker to Sir Robert Armstrong. She commented that only Peter Morrison knew why he made those remarks, adding that he could have been referring to any one of 19 subagents. Mrs Mowatt insisted it was not her, despite the reference to a woman agent.³⁴⁴

83. We have no doubt that the back street meeting described by Ms Russell and mentioned by Peter Morrison to Mr Walker took place. The evidence of Ms Russell and the content of the Walker letter in combination suggests that the woman agent being referred to was Mrs Mowatt rather than anyone else. In our view, Mrs Mowatt was less than frank with us by concealing what was an attempt by her to cover up for Peter Morrison in 1987. We do not accept Mrs Mowatt’s evidence that she had not heard the rumours about Peter Morrison’s sexual life or his private life. We agree with Mr Nicholls, who described Mrs Mowatt’s claim not to know anything about them as “absolutely incredible”.³⁴⁵ Her attempt to cover up his alleged behaviour could be for no reason other than that she knew about it and was protecting him.

³⁴¹ CAB000123

³⁴² Christine Russell 11 March 2019 93/1-94/6

³⁴³ LAB000037; Frances Mowatt 11 March 2019 11/14-13/5

³⁴⁴ Frances Mowatt 11 March 2019 16/1-19/6

³⁴⁵ Grahame Nicholls 11 March 2019 33/3-5

84. In 2002, Edwina Currie Jones published her diaries for 1987 to 1992. In an entry for 24 July 1990, she wrote:

“One appointment in the recent reshuffle has attracted a lot of gossip and could be very dangerous: Peter Morrison has become the PM’s PPS. Now he’s what they call ‘a noted pederast’, with a liking for young boys; he admitted as much to Norman Tebbit when he became deputy chairman of the party, but added, ‘However, I’m very discreet’ – and he must be! She either knows and is taking a chance, or doesn’t; either way it is a really dumb move. Teresa Gorman told me this evening (in a taxi coming back from a drinks party at the BBC) that she inherited Morrison’s (woman) agent, who claimed to have been offered money to keep quiet about his activities. It scares me, as all the press know, and as we get closer to the election someone is going to make trouble, very close to her indeed.”³⁴⁶

Mrs Currie Jones later explained in a police statement that she was using the term “young boys” to describe teenagers aged 16 and above.³⁴⁷

85. The matter appears only to have been considered serious, if at all, in political terms. In a witness statement Mrs Currie Jones made to the Inquiry in 2018,³⁴⁸ she said that what had scared her was the fact that Peter Morrison had only recently been appointed to be Margaret Thatcher’s PPS and, if the information was or might have been true, he was consorting with males below the age of consent which might cause reputational damage for the Prime Minister herself.

86. Mrs Currie Jones’s Twitter account reveals that in February 2013 she responded to a Tweet asserting that Peter Morrison “was protected by a culture of sniggering, of giggling and of nudgenudge, wink-wink” by commenting “Correct quote. And I deeply disapproved”.³⁴⁹ She was asked to explain her response, but in a 2019 witness statement was only able to say that at this distance in time she could not explain it, far less provide information as to whether and how Peter Morrison was protected, adding that she would always disapprove of a culture that protected any wrongdoing.³⁵⁰

87. Mrs Mowatt was asked about the second part of the diary entry concerning her. She said that, despite this appearing to be a description of her, she was never Teresa Gorman’s agent and what Mrs Gorman (who died in 2015) had said to Mrs Currie Jones about her being offered money and that she was her agent was “a wicked lie”.³⁵¹ Mrs Mowatt told us following her move from Chester to Essex she became active in the Essex South West European Parliament constituency.³⁵² The constituency included Billericay, Mrs Gorman’s Westminster constituency.

88. Grahame Nicholls told us that he had first heard the rumour about the Crewe railway station incident from Cynthia Body (since deceased), a reporter on the *Cheshire Observer*, and then again at a Labour Party meeting at Labour Party headquarters after the 1987 election but before the 1992 election; some time between 1988 and 1990 was his best estimate.³⁵³ Mr Nicholls said that both Christine Russell and David Robinson were at the meeting,

³⁴⁶ INQ004107

³⁴⁷ OHY006572_002

³⁴⁸ INQ003867_001

³⁴⁹ OHY006953_002-003

³⁵⁰ INQ003995

³⁵¹ Frances Mowatt 11 March 2019 13/6-15/25

³⁵² Frances Mowatt 11 March 2019 7/9-8/10

³⁵³ Grahame Nicholls 11 March 2019 35/4-37/2

at which Ms Russell said that an agreement had been reached with the Conservative Association that Peter Morrison would stand down and the police would not take the matter any further. He added that the local newspapers were aware of the arrangement. He was unsure if Ms Russell had been at the meeting with the Conservative Association at which the arrangement had been reached but he was sure it was she who had imparted the information at the Labour Party meeting. He said he was not making it up or imagining it.³⁵⁴

89. The agreement was Peter Morrison would not be standing in 1992 and, if that was so, Labour “*wouldn’t break cover on this particular story*”, by which he meant release the information about the Crewe incident to the local media who had decided not to publish. When asked if the local media had “*bought into some agreement of this nature*” he answered “*I presume, yes*”. Mr Nicholls said he understood, from what Christine Russell had said at the meeting, that the police were also involved in the cover-up by taking no action. He could not answer why the Labour Party had covered up a story that would have given them considerable advantage at the next election.³⁵⁵ He accepted that, if he had disagreed with it, he could have done something about it but had failed to. He told us he took the information and was just pleased that Peter Morrison was standing down. He accepted no thought was given to the 15-year-old boy who was the alleged victim of the abuse. He added it was “*a Chester cover-up ... Nobody was going to break ranks*”.³⁵⁶

90. The story did not emerge until 20 years later when Simon Hoggart wrote a piece in *The Guardian* newspaper published on 16 November 2012 based on information Mr Nicholls had given him, although Mr Nicholls had not intended the information to be published. In the article, Mr Hoggart reported the deal which was struck between Labour, the local Tories, the press and police that if Peter Morrison stood down the matter would go no further.³⁵⁷

91. Jane Lee (formerly Leach) was the secretary of the Gresford and Rossett branch of the Labour Party in 1989 and 1990. Gresford and Rossett are in the County of Wrexham, some seven miles from Chester. At the time, Ian Lucas was the chair of that branch of the Labour Party.³⁵⁸

92. Ms Lee recalled a get-together at a pub following a monthly branch meeting at which she spoke to a woman she named as ‘Eileen Neidermeyer’. The meeting took place in 1989 or 1990. Eileen Neidermeyer was, she said, a Labour Party branch member. Ms Lee could not recall if her last name was in fact ‘Neidermeyer’, ‘Neiderlov’ or ‘Neider’ but it was Dutch. She recalled Ms Neidermeyer telling her that she should get tomorrow’s newspaper because it was ready to publish the fact that Peter Morrison had been found in the toilets at Crewe railway station. The newspaper she was talking about was the *Wrexham Leader* where Eileen Neidermeyer worked as journalist. Ms Lee told us she felt guilty about her reaction at the time which was only to see the political gain from the story, as it meant Labour would win Chester. However, the story failed to appear and at the following branch meeting Ms Neidermeyer told her that the Chief Constable of Cheshire had received a phone call from the Prime Minister’s office and he had been persuaded not to press charges but to caution Morrison instead. Ms Neidermeyer had told her that the story was pulled at the last minute because of the phone call.³⁵⁹

³⁵⁴ Grahame Nicholls 11 March 2019 37/9-41/7

³⁵⁵ Grahame Nicholls 11 March 2019 41/8-44/15

³⁵⁶ Grahame Nicholls 11 March 2019 44/19-49/10

³⁵⁷ INQ003856_002-003; Grahame Nicholls 11 March 2019 49/11-55/7

³⁵⁸ Jane Lee 11 March 2019 57/23-58/15

³⁵⁹ Jane Lee 11 March 2019 58/25-65/20

93. Ms Lee told us that she raised the issue with Mr Lucas, as she felt they needed to do something about it. According to her, Mr Lucas said he had rung someone in the Labour Party hierarchy, and he told her “*There is an unwritten rule: we don’t tell on them and they don’t tell on us*”, and that he had been told “*For every one they’ve got, we’ve got one*”, which she took to mean paedophiles, although the word was not used.³⁶⁰ She said she did not think this was about outing homosexuals as opposed to paedophiles.³⁶¹

94. Ms Lee said that she had done nothing with the information and had kept it quiet for years. She was “*disappointed*” with Mr Lucas’s Inquiry statement in which he denied having discussed the matter with anyone in the Chester Labour Party or at national level. She understood the seriousness of what she was saying and that Mr Lucas was an MP.³⁶² She was asked if she thought that the deal struck between Labour and the local Tories she heard about in Mr Nicholls’ evidence was the same deal she had heard about from Mr Lucas. Her answer was that she thought the implication was the same.³⁶³ She told us that in 2014 she reported the matter to the police; she had been thinking about the matter for years and had been “*thinking of the children*”. She said that she thought she had been a party to a conspiracy and a cover-up and that she had to hand herself in to the police.³⁶⁴ She agreed that she had wrestled with her conscience and she told the Inquiry finally “*I just feel as if ... we are all guilty, everyone who kept quiet. It’s just terrible*”.³⁶⁵

95. In light of Ms Lee’s account, Ian Lucas provided the Inquiry with a second statement dated 25 March 2019.³⁶⁶ In it, he challenged Ms Lee on some of the details of her account, and he robustly denied having any direct conversation solely with her concerning the allegations made by ‘Eileen Nederlof’ (which was the correct name for the *Wrexham Leader* journalist, according to Mr Lucas). He denied having any contact with anyone outside Wrexham, and he categorically denied having spoken the words attributed to him by Ms Lee. So far as he is concerned she had made a false allegation against him, he would never conceal or cover up such allegations and did not do so, not least because in the course of his parliamentary career he had raised matters linked to sexual abuse on a number of occasions.

96. Christine Russell was asked about the meeting at which Mr Nicholls said an agreement had been reached. She said there was no truth in it whatsoever. She said that the Mowatt/Robinson meeting was not kept secret, so people within the Labour Party knew about it and it was common knowledge that Peter Morrison was going to step down. She could not explain the common thread in the accounts given by Ms Lee and Mr Nicholls, prompted by the alleged Crewe railway station incident, and how or why they remembered something she could not but she was firm in her evidence that there was no agreement to cover the matter up, adding it would not have been in the electoral interests of the Labour Party to stop the rumours. She remembered telling activists they could campaign on Peter Morrison’s right-wing views but not to gossip about the rumours. In her witness statement, she added recalling having to refute national press allegations of a deal and that such a move would not have been in Labour’s best interests “*as the rumour-mill was doing an excellent job at eroding Conservative Party support in Chester*”.³⁶⁷ She agreed that none of the local newspapers

³⁶⁰ Jane Lee 11 March 2019 65/21-69/4

³⁶¹ Jane Lee 11 March 2019 79/18-80/5

³⁶² INQ004087_002; Jane Lee 11 March 2019 69/5-70/7

³⁶³ Jane Lee 11 March 2019 70/18-72/6

³⁶⁴ Jane Lee 11 March 2019 72/7-73/11

³⁶⁵ Jane Lee 11 March 2019 80/6-12

³⁶⁶ LAB000070

³⁶⁷ LAB000037_004

reported the Crewe railway station incident despite knowing about it. It was, she said, unsubstantiated gossip but she told us she had informed the regional office so they were aware of it.³⁶⁸

97. Ms Russell was shown Patricia Green's 2018 police interview,³⁶⁹ in which she had said she and her husband had heard the rumours which both Labour and Liberal Party members were talking about, and they were so strong that it was believed a by-election was to be proposed. Ms Russell maintained her position that she had not attended any meeting of the type mentioned by Mr Nicholls and had there been any mention of a by-election she would have been present, which made her think no such meeting ever took place.³⁷⁰ She told the hearing she had discussed the matter at length with Mrs Green "*when the Inquiry was first brought up*" and they did not disagree about what she had told us in her evidence or about what Mrs Green had said in her statement. She was then asked about Mrs Green's recent Inquiry statement of 31 January 2019,³⁷¹ in which Mrs Green stated that Ms Russell had told her she had been present at the discussion described by Mr Nicholls when it was agreed Peter Morrison would stand down and she would not pursue other matters concerning his previous conduct.³⁷² Ms Russell's response was to say that Mrs Green had got it wrong and that she probably had been speaking about the Mowatt/Robinson meeting. It was, however, pointed out to her that Mrs Green could not have been speaking about the Mowatt/Robinson meeting because there was no mention in her statement of Frances Mowatt or David Robinson, yet she did mention Grahame Nicholls. Ms Russell agreed these were two different incidents. So the question was why Mrs Green was mentioning a different incident to the one Ms Russell claimed to have been speaking to her about. Ms Russell's answer was to say Mrs Green was mistaken or had possibly misunderstood.³⁷³

98. Ms Russell suggested that there may have been individual conversations between members of different political parties but there were no formal discussions and no informal discussions leading to an arrangement could have occurred without her being aware of it. She was asked how the accounts of Mr Nicholls, Ms Lee and Mrs Green might be reconciled with hers. She suggested there had been some confusion between the earlier Mowatt/Robinson meeting and the time when Peter Morrison in fact stood down, saying that the rumours continued after his re-election in 1987 until the time he announced he was not seeking re-election.³⁷⁴

99. Gyles Brandreth told us that he had never heard about any deal between the parties, the press and the police as the reason underlying Peter Morrison's stepping down. He had met local journalists and the local political activists of all the parties and he was on good terms with senior local police officers but it had not come up, and it was not surprising that it had not come up, because Peter Morrison was associated with Margaret Thatcher, this was a new era, it was reasonable for him to move on, and it was a marginal seat which he might have lost.³⁷⁵

³⁶⁸ Christine Russell 11 March 2019 95/7-99/11

³⁶⁹ OHY005914

³⁷⁰ Christine Russell 11 March 2019 99/12-103/11

³⁷¹ INQ004031

³⁷² INQ004031_002

³⁷³ Christine Russell 11 March 2019 103/12-105/22

³⁷⁴ Christine Russell 11 March 2019 105/23-107/14

³⁷⁵ Gyles Brandreth 12 March 2019 114/10-116/9

100. British Transport Police made enquiries to discover what information it holds in relation to Peter Morrison. The information on their system was not inputted until 2012.³⁷⁶ There is no contemporary record to confirm Peter Morrison was ever removed from a train or found in the public toilets at Crewe railway station, far less any record of an arrest or proof that he was cautioned.³⁷⁷

101. Ms Eleanor Grey QC, who represented the Labour Party, invited us to cast a very critical eye over Ms Lee's account of a deal, not least her own failure to explore the matter further. She emphasised that we have not called Mr Lucas to hear his side of the story. Ms Grey suggested that this would generally mean we are content with the contents of his statement and will accept them; she argued that to do otherwise would be wholly wrong, having not heard from Mr Lucas.³⁷⁸ She submitted that neither Mr Nicholls nor Mrs Green could identify who agreed to the deal and that there was "*great vagueness about dates*".³⁷⁹ She emphasised Ms Russell's denial of being party to any agreement or knowing the Labour Party had been so. She argued Mr Brandreth failed to support the suggestion of any agreement and overall there was the absence of Conservative Party, police or press witnesses to support it. Ms Grey pointed also to the inherent implausibility of the involvement of the Labour Party, the fact the rumours were not new in 1988–1990, and that being party to an agreement of the type described by Mr Nicholls made no sense from the Labour Party's perspective. There were, she submitted, good valid reasons why a political party would not seek to make capital out of such rumours. She concluded this topic by saying:

"the idea that unidentified members of the Labour Party would be party to an agreement with regards to Peter Morrison's political future is to be firmly rejected".³⁸⁰

102. We are confronted by a fundamental conflict of evidence between the witnesses.

102.1. Some of the evidence, although not in identical terms, suggests there were discussions leading to an arrangement or agreement between the local parties, police and press to cover up Peter Morrison's alleged misconduct in consideration of him standing down at the next election. Other witnesses (both past and present MPs) who were said to be directly involved in the discussions or arrangements in the cover-up vehemently deny it.

102.2. We find credible Mr Nicholls' account that at a meeting attended by him Ms Russell spoke about an agreement to cover up the alleged Crewe railway station incident. She denies presence at such a meeting, far less involvement in any deal. We conclude Ms Russell was present at the meeting described by Mr Nicholls as supported by Mrs Green's recent account but she has sought to downplay her role. We cannot and do not conclude on the evidence that she was a direct party to the alleged agreement.

102.3. Ms Lee was genuine but we cannot determine whether the journalist she named as Eileen Neidermeyer had simply found an explanation why the story she had previously bragged about was not to be published or whether Ms Lee misinterpreted

³⁷⁶ BTP000001; OHY007098

³⁷⁷ OHY003183_001-002

³⁷⁸ Eleanor Grey QC 29 March 2019 115/20-116/16

³⁷⁹ Eleanor Grey QC 29 March 2019 116/25-117/1

³⁸⁰ Eleanor Grey QC 29 March 2019 117/20-119/18

what she was told. There is no evidence in support of the account that the Chief Constable of Cheshire had received a call from the Prime Minister's office in about 1989–90 intervening in order to persuade him to drop charges and to caution instead. This contrasts with the period before 1987, to which we will come, when records do show that concerns about Peter Morrison were expressed to Mrs Thatcher. Moreover, there are no contemporary records to support the allegation that Peter Morrison was apprehended at Crewe railway station, far less arrested and cautioned.

102.4. We acknowledge Ms Lee's evidence that she took her concerns to Mr Lucas who told her he had spoken to the hierarchy and explained to her the "*unwritten rule*"³⁸¹ of not informing. Mr Lucas denies it. We did not hear from him at the hearing and, although we do not agree that that means we must accept what he says, we do agree it would not be fair to make any finding about the conflict between them and we do not do so.

Westminster

103. Baroness Eliza Manningham-Buller joined the Security Service (MI5) in 1974, rising to become Director General of the Service in 2002. At the time of the events we are concerned with, she was in the Secretariat "*with responsibility for the oversight of its foreign relationships with foreign services*". Towards the end of the 1980s she was promoted and put "*in charge of the work on Middle East terrorism*".³⁸²

104. She was friends with Peter Morrison through much of the 1980s. She described her friendship with him as "*quite good ... not close*". She would see him socially and occasionally have dinner with him. They also had friends in common.³⁸³ She was asked about the evidence of Susan Hogg, Peter Morrison's former diary secretary between 1983 and 1985 when he was the Minister of State for Employment,³⁸⁴ who told us that at night when he phoned into the office from home she was aware of the presence of an 'Eliza' in the background. Mrs Hogg had also seen her when on one occasion she visited the department.³⁸⁵

105. Baroness Manningham-Buller denied being in Peter Morrison's house with the frequency Mrs Hogg's evidence implied. She said that impression fitted the concern she later developed that he had been suggesting to people that she was his girlfriend which was why towards the end of the 1980s she saw less of him. She speculated that the impression he was trying to give related to his sexuality.³⁸⁶

106. On 6 January 1986, Sir Antony Duff, then Director General of MI5, wrote to Sir Robert Armstrong, then Cabinet Secretary, recalling there had been unsubstantiated rumours circulating about Peter Morrison as early as 1983 that he had been apprehended by police for importuning. He informed Sir Robert that a member of his staff had passed on information they had been told by a friend a couple of months before that Peter Morrison had been caught soliciting in a public lavatory and had narrowly escaped being charged; also that a second friend had said that Lord Cranborne had been telling the story quite openly to people.³⁸⁷ In his reply of 13 January 1986, Sir Robert recalled the 1983 information and

³⁸¹ Jane Lee 11 March 2019 68/2

³⁸² Baroness Manningham-Buller 12 March 2019 14/14-25

³⁸³ Baroness Manningham-Buller 12 March 2019 15/3-13

³⁸⁴ Susan Hogg 12 March 2019 1/16-2/25

³⁸⁵ Susan Hogg 12 March 2019 6/20-10/9

³⁸⁶ Baroness Manningham-Buller 12 March 2019 15/18-17/9

³⁸⁷ CAB0000126

said he had ensured the Prime Minister had been made aware of the “*potential problem*”.³⁸⁸ From September 1985 to September 1986, Peter Morrison was Minister of State for Trade and Industry and therefore the information imparted by the member of staff arose during a period when Peter Morrison was in government.

107. Baroness Manningham-Buller was asked about those letters. She thought that she was the member of staff who had passed on the information, saying it had been her duty to do so.³⁸⁹

108. She was also asked to consider five other documents dated between 4 November 1986 and 17 December 1986, by which time Peter Morrison was Conservative Party Deputy Chairman. Baroness Manningham-Buller had not previously seen two of the documents.³⁹⁰

109. The first document in the series, dated 4 November 1986, is a letter from Sir Antony Duff to Sir Robert Armstrong.³⁹¹ It referred back to Sir Robert’s 13 January letter, and informed him that the rumours persisted. Sir Antony wrote that a member of staff had heard from Donald Stewart, the Conservative agent for Westminster, that Peter Morrison had “*a penchant for small boys*”, which Mr Stewart had heard from two sources. Sir Antony wrote that despite the fact Peter Morrison had only just taken up his position in Conservative Central Office there might be a real possibility that he would be a candidate for office in the future and the stories would need to be reconsidered “*in the security context*”. He advised that the first step was to speak to Mr Stewart and that “*in the light of the Jeffrey Archer case, the risk of political embarrassment to the Government is rather greater than the security danger*”. He thought that the chief whip might speak to him rather than MI5 in order that they should not get directly involved “*for the time being*”. It is notable that no consideration was given to or mention made of the risks to children of alleged sexual abuse by Peter Morrison.

110. Baroness Manningham-Buller had clearly seen the letter because she had dated and initialled it, though she thought the date ‘3/11/86’ she had written by her initials ‘EMB’ could not be right and should probably have been ‘4/11/86’, the date of the letter.³⁹² She believed she had been shown the letter as she had been the source of the information in the January letter, even though it was Mr Stewart who had been the source of the information in this letter. She said that on this occasion she was not the member of staff to whom Mr Stewart had given the information.³⁹³

111. Counsel to the Inquiry asked her whether she could think of any reason why MI5 was going to stay in the background for the time being. She responded by saying this was the first time children were mentioned and the fact they were not given prominence in the letter “*is shocking*” but security and Peter Morrison’s vulnerability to potential blackmail were the narrow focus at that stage. She added that even if the reference to children had been given greater prominence, the matter should have been passed to the police but it was not, albeit this had not been her decision. She agreed that because Peter Morrison was at this time Conservative Party Deputy Chairman, he was no longer in government and therefore did not represent the same security risk as a minister.³⁹⁴

³⁸⁸ CAB000099_001

³⁸⁹ Baroness Manningham-Buller 12 March 2019 18/12-21/17

³⁹⁰ Baroness Manningham-Buller 12 March 2019 28/18-29/3

³⁹¹ INQ004040

³⁹² Baroness Manningham-Buller 12 March 2019 29/4-32/16

³⁹³ Baroness Manningham-Buller 12 March 2019 32/17-34/15

³⁹⁴ Baroness Manningham-Buller 12 March 2019 34/19-36/4

112. Baroness Manningham-Buller had produced two memos, respectively dated 11 November 1986 and 13 November 1986, in which she was to impart further information to her superiors.³⁹⁵ In the first of them, she provided information that a friend had told her the previous day that there had been a report in *The Star* of 3 November 1986 that a prominent Tory was under investigation by police “because of his interest in small boys” (although her handwritten annotation on the memo indicated that the press cutting did not in fact refer to “small boys”), and that as a result Peter Morrison was being hounded by the press, representatives of which had followed him from London to Islay (his country home). She added that Peter Morrison had vehemently denied to another friend of hers that there was any truth to the story. In the second memo, she reported seeing Morrison and his father the previous night when both separately told her that the press had been camping on his doorstep over the past two weeks and seeking comments.

113. Peter Morrison told her that he had first learned of the allegation five years before when Norman Tebbit had asked him about it. He said the Prime Minister was aware of it and was supporting him, and he hoped the press would publish so he could “*sue and nail the lies that were being spread about him*”.³⁹⁶

114. A note on the memo of 13 November in the handwriting of the Director General’s private secretary indicated that the Cabinet Office had been informed by phone, and that Sir Robert Armstrong had taken no action yet on the Director General’s letter of 4 November 1986. Another handwritten note by Sir Antony Duff states “*Subject to agreement from F*” (Director F is the director in charge of countersubversion) he “*would write as in the attached*”, which referred to the draft of a letter.³⁹⁷

115. Baroness Manningham-Buller told us these were the days before any safeguarding policy was introduced at MI5 and she and her sources (who she could no longer remember) were never questioned and the police were not involved.³⁹⁸

116. The two documents she had not seen before were a letter from Sir Antony Duff to Sir Robert Armstrong of 18 November 1986 and Sir Robert’s letter in response of 17 December 1986. In his 18 November letter, Sir Antony summarised the information Baroness Manningham-Buller had provided in her second memo, concluding “*In the circumstances, there would seem to be little point in carrying this further*”.³⁹⁹ Sir Robert agreed with him in his response letter.⁴⁰⁰

117. Baroness Manningham-Buller agreed it was “*ironic*” that within the space of two weeks Sir Antony Duff had moved from a position of advising that the chief whip should speak to Donald Stewart regarding his information, with MI5 remaining in the background, to a position where because of her information in the second memo no action was to be taken at all.⁴⁰¹

118. The decision to take no action was based on information which had originated from Peter Morrison himself: that the Prime Minister was aware of the matter and she was supporting him. There is evidence to support his assertion that this was indeed the Prime

³⁹⁵ INQ004036; INQ004043

³⁹⁶ INQ004043

³⁹⁷ Baroness Manningham-Buller 12 March 2019 36/5-43/9

³⁹⁸ Baroness Manningham-Buller 12 March 2019 43/10-45/1

³⁹⁹ INQ004037

⁴⁰⁰ INQ004037

⁴⁰¹ Baroness Manningham-Buller 12 March 2019 45/11-47/10

Minister's position. The statement and evidence before us of Lord Armstrong confirmed the Prime Minister had been aware of the continuing rumours since 1983 but considered there was nothing that could be done, although she had asked to be kept informed of developments.

119. As regards the 4 November 1986 Duff letter, Lord Armstrong said he had reported the development orally to the Prime Minister who was aware from other sources of the current rumours of "*Morrison's activities and propensities*",⁴⁰² but she did not think it necessary to ask the government chief whip to interview Mr Stewart.

120. Lord Armstrong said he "*presumed*" the Prime Minister had come to the view that it was unnecessary to interview Mr Stewart due to enquiries which had been made through Party channels, and he agreed with her view; Peter Morrison was Conservative Party Deputy Chairman and "*that was where the action should lie*", in other words with the Party. In that role, Peter Morrison was no longer a member of the government and so had no security-sensitive position. This is why, according to Lord Armstrong, Sir Antony Duff suggested the chief whip interview Mr Stewart: it was not MI5's role to become involved with political parties.⁴⁰³

121. Lord Armstrong accepted that rumours Peter Morrison had "*a penchant for small boys*" did change the complexion of the information the government had about him but said to us "*clearly, also, the Conservative Party had this information*" and so it was for them to report it to the police to investigate and it was not his position as Cabinet Secretary to advise the Prime Minister on the course that should be adopted, as he assumed she was getting that advice from the Party, anymore than it was his duty to advise her to pass on the information, given she was already aware of the rumours.⁴⁰⁴ He added that Norman Tebbit, the then Chairman of the Conservative Party, was also aware of the matter and it was for the Prime Minister and him to consider any action that might be taken as regards the Deputy Chairman of the Party as there was clearly no security concern.⁴⁰⁵

122. Lord Armstrong was asked by Counsel about the fact that neither MI5, the Cabinet Office, the Prime Minister nor the Conservative Party had reported Peter Morrison to the police, and was asked to consider, whether in retrospect, that had been the correct decision. His response was:

*"I thought that was correct at the time. I thought that the police had been aware ... we knew from ... what the Chief Whip had said in November 1983 that the police were aware of the affairs then and that they would presumably be following up that information if they needed to do so."*⁴⁰⁶

123. This appears to be little more than buck-passing, with no one actually thinking about, or taking any responsibility for, the obvious issues of child protection and safety.

124. There is evidence of another source of information about Peter Morrison that reached the Prime Minister's ears. Barry Strevens, Mrs Thatcher's former personal protection officer and a Detective Inspector, recalls a visit Mrs Thatcher was making to Chester which he dates as being in 1985. This was around the time Peter Morrison was being considered for

⁴⁰² INQ004057_003

⁴⁰³ INQ004057_001-003; Lord Armstrong 12 March 2019 57/8-67/11

⁴⁰⁴ Lord Armstrong 12 March 2019 68/12-69/17

⁴⁰⁵ Lord Armstrong 12 March 2019 74/2-9

⁴⁰⁶ Lord Armstrong 12 March 2019 76/14-77/1

Deputy Chairman of the Conservative Party. Mr Strevens recalled mentioning to a police officer who was head of operations in a local police force about the fact that consideration was being given to Peter Morrison becoming Deputy Chairman of the Party. The officer told Mr Strevens that he thought he should know about the rumours circulating regarding Peter Morrison holding parties in his Chester home and the local press who were looking into rumours that a 15-year-old boy was frequenting the parties. Mr Strevens decided to tell Mrs Thatcher when they returned to Downing Street. He saw her in her flat at 10 Downing Street. Present was Archie Hamilton, who preceded Peter Morrison as her PPS. Mr Strevens told her what he had heard, for which she thanked him. According to Mr Strevens, Mr Hamilton took notes during the meeting. Mr Strevens heard no more about it but had expected the instigation of some form of investigation, by which he meant a conversation with Peter Morrison and Archie Hamilton and some action depending on the outcome. Despite his information, Peter Morrison did become Deputy Chairman of the Party. Much later, in the early 1990s, Peter Morrison revealed to Mr Strevens without any animosity that he knew about the conversation he had had with Mrs Thatcher.⁴⁰⁷

125. Lord Hamilton (as he is today) recalled the meeting, although his memory was that it took place in the Prime Minister's office in the House of Commons. He was a friend of Peter Morrison's. Lord Hamilton recalled Mr Strevens telling them about a party at Peter Morrison's Cheshire home that was exclusively male. He did not remember any reference to young men but does not deny Mr Strevens might have said this. The tenor of the conversation was, he recalled, that Peter Morrison was homosexual, to which the Prime Minister said something like "*well, that's that then*" and Mr Strevens left. He did not think he had taken notes but might have. Lord Hamilton added that Mrs Thatcher would have been aware of his friendship with Peter Morrison, and "*she herself had a long relationship with the family including Peter's father, who had also been a Member of Parliament*". He states that nothing Mr Strevens said led him to believe Peter Morrison "*was a paedophile or having sexual relations with underage males*". Lord Hamilton said he was surprised that she had appointed him as her PPS but only because he was unreliable due to his drinking.⁴⁰⁸

126. The conflict of evidence about what precisely was said to the Prime Minister is irreconcilable but this was a source of information about Peter Morrison which appears not to have been taken sufficiently seriously, far less enquired into. Had proper enquiries been made with Peter Morrison and the police, then they might have resolved whether he was engaging in homosexual acts which were not illegal or whether he was a danger to children.

127. MI5's inaction led the MI5 witness from whom we heard to describe it as:

"a matter of regret that no consideration was given at the time to the criminal aspects of the matter because if these rumours were in any way true then ideally they would have been passed to the police so the police could investigate them".

It appeared from the corporate record that "*that consideration was never given ... They took a narrow, security-related view ... not a broader one*".⁴⁰⁹ Today, under their safeguarding policy, MI5 would pass such information to the police.⁴¹⁰

⁴⁰⁷ OHY006477; INQ003986

⁴⁰⁸ OHY006588; INQ003985

⁴⁰⁹ MI5 Witness 11 March 2019 138/5-20; 154/19-156/7

⁴¹⁰ MI5 Witness 11 March 2019 186/3-7

128. Baroness Manningham-Buller was clear that, notwithstanding the lack of any MI5 safeguarding policy, the police should have been involved. We agree with her that her information, together with that of Donald Stewart had he been interviewed, might have been extremely pertinent to the police overview of the matter. However, none of the information was ever interrogated.⁴¹¹

129. Lord Armstrong said Peter Morrison had denied the truth of the allegations and had threatened to sue, and the Prime Minister would not have appointed him her PPS if she had doubts about him. He said he was unaware of any cover-up.⁴¹²

130. Gyles Brandreth echoed those views in his evidence to the Inquiry. He did not think Peter Morrison would have been appointed as Deputy Chairman of the Conservative Party if anyone had thought there was anything in the stories. He told us that he had later discussed Peter Morrison with Baroness Thatcher who had known he was a heavy drinker and assumed him to be gay. It was, he said, inconceivable that if she had thought he was “*in any way a paedophile or an abuser of children*” she would have countenanced the possibility of him becoming her PPS or that he would have had her approval as an MP. Mr Brandreth agreed that a proper police investigation would have been preferable.⁴¹³

131. Notwithstanding the persistence and gravity of the rumours, they were not properly investigated and Peter Morrison’s career was unaffected. He remained Deputy Chairman of the Conservative Party until June 1987, when he became Minister of State for Energy. He became Margaret Thatcher’s PPS in July 1990 and headed her ill-fated campaign in the Conservative leadership election later that year. He was knighted in 1991.

132. Lord Tebbit said in a statement he made in 2018 that it was possibly in 1986 that he was visited by a police officer from Cheshire Constabulary who told him “*Peter Morrison had an interest in young men and may have overstepped the mark.*” He took that to be a reference to “*sexualised activity with young men of about sixth form age*”, the age of consent for sexual activity between men then being 21. Lord Tebbit said also that the police officer did not provide any evidence of these allegations, nor did he say that Peter Morrison had been arrested. He said he spoke to Peter Morrison about what the police officer had said, telling him “*not to be a fool and to mind his behaviour, not only in that matter, but also his excessive drinking*” but Morrison “*denied that anything had happened and certainly did not indicate he had been arrested or anything like that*”.⁴¹⁴ There is no evidence to assist the determination of whether the police visit to Lord Tebbit related to the alleged Crewe railway station incident or some other alleged misbehaviour in Cheshire.

133. During a television interview on *The Andrew Marr Show* aired on 6 July 2014, Lord Tebbit was asked about a piece Simon Danczuk had written in *The Mail on Sunday* that same day calling for a public inquiry into historic child sexual abuse in Westminster. Lord Tebbit said that the situation had to be understood against the “*atmosphere of the times*”.

⁴¹¹ Baroness Manningham-Buller 12 March 2019 49/4-18

⁴¹² Lord Armstrong 12 March 2019 77/18-79/22

⁴¹³ Gyles Brandreth 12 March 2019 125/14-128/6; 130/5-132/15

⁴¹⁴ INQ001846_004

“at that time most people would have thought that the establishment – the system – was to be protected. And if a few things had gone wrong here and there, that it was more important to protect the system than to delve too far into them. That view, I think, was wrong then and it is spectacularly shown to have been wrong because the abuses have grown”.

He added *“there may well have been a big political cover-up”* related to child sexual abuse in the 1980s but that it was *“almost unconscious”* and *“the thing that people did at that time ... you didn’t talk about those sort of things”*.⁴¹⁵

134. According to Lord Armstrong, both Margaret Thatcher and Norman Tebbit had been aware of the rumours about Peter Morrison. Norman Tebbit had been the Chairman of the Party during the period Peter Morrison was Deputy Chairman. Their tenure in Central Office overlapped during a nine-month period from September 1986 to June 1987. This is the period in which Lord Tebbit recalled receiving a visit from Cheshire Constabulary about Peter Morrison’s conduct. It is also the period in which MI5 and the Cabinet Office were informed about Peter Morrison’s alleged conduct but did nothing about it.

135. In light of this and Lord Tebbit’s comments on *The Andrew Marr Show*, it was suggested by Counsel to Lord Armstrong that if anyone knew of any cover-up, Norman Tebbit did. Lord Armstrong said he could not say whether Lord Tebbit did or did not know of any cover-up.⁴¹⁶ We cannot conclude on the evidence we have seen and heard that there was a deliberate rather than an *“almost unconscious”* cover-up in the language of Lord Tebbit but we do consider that Peter Morrison was protected as a member of the establishment.

136. In their supplementary report to the Home Office, published in July 2015,⁴¹⁷ Peter Wanless and Richard Whittam QC commented on a batch of documents that had come to light in the Cabinet Office, and which they had been shown after they had completed their initial report on behalf of the Home Office. They made the following comment about these additional documents which included the 4 November 1986 Duff letter:

*“there were a number of references across the papers we saw that reinforced the observation we made in our Review ... that issues of crimes against children, particularly the rights of the complainant, were given considerably less serious consideration than would be expected today. To give one striking example, in response to claims from two sources that a named Member of Parliament ‘has a penchant for small boys’, matters conclude with acceptance of his word that he does not and the observation that ‘at the present stage ... the risks of political embarrassment to the Government is rather greater than the security danger’. The risk to children is not considered at all.”*⁴¹⁸

137. We agree. There is no evidence that any appropriate attention was paid to the information in the 4 November 1986 letter from two sources referring to Peter Morrison having *“a penchant for small boys”*⁴¹⁹ or the information in the 11 November 1986 memo alleging that he was under investigation by police *“because of his interest in small boys”*.⁴²⁰

⁴¹⁵ INQ004091

⁴¹⁶ Lord Armstrong 12 March 2019 83/12-84/15

⁴¹⁷ INQ003817_002

⁴¹⁸ INQ004040

⁴¹⁹ INQ004040

⁴²⁰ INQ004036

138. The coincidence of identical information from different sources separated by one week should have rung alarm bells in government in Westminster. It did not do so. Instead, considerations of political embarrassment and the risk to security were paramount, while the activities of an alleged child sexual abuser who held senior positions in government and the Conservative Party were deliberately overlooked, as was the course of public justice.

Part F

Whips

Whips

F.1: Introduction

1. The function of the government whips is to ensure the government's business proceeds through the Houses of Parliament with the support of MPs, who are 'whipped' to vote in support of the government. The Private Secretary to the government chief whip manages the business of the House of Commons and seeks to get the government's business through the House. Opposition whips' offices operate in a similar manner with respect to their own MPs.⁴²¹
2. This part of the investigation responded to concern generated by comments made by a former Conservative Party whip, Trevor (known as Tim) Fortescue, who was MP for Liverpool Garston from 1966 to 1974. In a BBC interview for the programme 'Westminster's Secret Service', aired in 1995, Mr Fortescue said this:

*"anyone with any sense, who was in trouble, would come to the whips and tell them the truth, and say, 'Now, I'm in a jam, can you help?' It might be debt, it might be ... a scandal involving small boys, or any kind of scandal in which a member seemed likely to be mixed up in. They'd come and ask if we could help, and if we could, we did. And we would do everything we can because we would store up brownie points ... and if I mean, that sounds a pretty, pretty nasty reason, but it's one of the reasons because if we could get a chap out of trouble then, he will do as we ask forever more ..."*⁴²²

This suggests not only that the whips were aware of scandal "involving small boys" but also that the whips would have helped the Member of Parliament concerned in order to "store up brownie points", to the whips' (and their respective political party's) advantage.

3. We have considered whether the conduct Tim Fortescue described actually took place, either at that time or since, and whether the whips were aware of allegations of child sexual abuse by MPs and peers and used them to their advantage. In addition, we have examined whether this was part of a 'cover-up' of child sexual abuse in the 1980s as considered possible by Lord Tebbit, in the television interview on *The Andrew Marr Show* on 6 July 2014,⁴²³ almost 20 years after Mr Fortescue's comments.⁴²⁴

F.2: The whips' offices in Westminster

4. Although there are a variety of published and publicly accessible accounts of the workings of the whips' offices, an air of mystery continues to surround them. Gyles Brandreth, MP from 1992 to 1997 and a Conservative government whip from 1995 to 1997, told us that one of the reasons he published *Breaking the Code: Westminster Diaries* was that "the idea of mystery and magic – the mystique of the Whips' Office, it encourages people to feel that there are

⁴²¹ For further information about the whips' offices, see the House of Commons Library Standard Note *The Whip's Office*, House of Commons Library, 10 October 2008 ([INQ001179_002](#)).

⁴²² [INQ004083](#)

⁴²³ [INQ001846_002](#)

⁴²⁴ [INQ004091](#)

dark goings-on".⁴²⁵ As the chief whip in his time had said to Mr Brandreth, "our mystery is part of our potency".⁴²⁶ This was echoed by other witnesses from whom the Inquiry took evidence. For example, Kenneth Clarke MP told us that "a lot of entertaining nonsense surrounds the work of a Whips' Office"⁴²⁷ and that "the very word 'Whips' Office' conjures up sinister men twisting arms and so on, which is a slightly comic parody of a perfectly straightforward political activity".⁴²⁸

5. Each whip is responsible for a group of MPs, commonly referred to as their "flock",⁴²⁹ for whom they were responsible and whom they would get to know. Gyles Brandreth described the whips' offices as both managers of the business of Parliament and a kind of human resources arm of Parliament.⁴³⁰ It is clear from the evidence received by the Inquiry that the whips were and remain the Parliamentary "eyes and ears" of their respective parties (and, if in power, of the government). Several witnesses used this phrase, which appeared to be generally accepted across the political spectrum. Lord Arbuthnot agreed that it was important to know individual MPs well and to be "the eyes and ears" of the parliamentary party⁴³¹ and said that "a rounded view is very helpful and ... you can be there, if they want you to be, to help".⁴³² Some witnesses also described the whips as receiving rather than seeking out information. For example, Nick Brown MP said that:

*"We don't run an Intelligence Service. The way you find out is that people come and tell you that they have a particular problem."*⁴³³

Lord Arbuthnot agreed, and told us that the whips were not intrusive, acting as sponges for information.⁴³⁴

6. It is also clear that these "eyes and ears" received not only information about MPs' political views and ambitions but information about their personal lives as well, including what was described by witnesses as "gossip". "Gossip" or "gossiping" was referred to by Gyles Brandreth,⁴³⁵ Kenneth Clarke MP⁴³⁶ and Lord Jopling.⁴³⁷ Lord Jopling said that it was essential to have some idea about the personal lives of MPs.⁴³⁸ We were told that this included information about health, family, marital and financial problems.⁴³⁹ Gyles Brandreth made clear that the information did not extend to circumstances of breaking the law.⁴⁴⁰

7. Kenneth Clarke MP and Lord Arbuthnot⁴⁴¹ told us that the whips tend to report whatever they heard, leaving it to others to determine if the information was significant. Mr Clarke said that whips would "probably report a lot of rubbish half the time, but what you had to ask yourself is: could this be of some political significance in keeping the governing party's majority

⁴²⁵ Gyles Brandreth 12 March 2019 141/25-142/11

⁴²⁶ INQ004169_017

⁴²⁷ Kenneth Clarke 15 March 2019 11/2-24

⁴²⁸ Kenneth Clarke 15 March 2019 19/5-20/1

⁴²⁹ Gyles Brandreth 12 March 2019 134/12-135/4; Kenneth Clarke 15 March 2019 6/5-7; Nick Brown 15 March 2019 86/3-10; 87/14-19; Lord Arbuthnot 15 March 2019 110/19-111/7; 114/18-115/3; 125/18-24; 133/11-21

⁴³⁰ Gyles Brandreth 12 March 2019 134/13-135/4

⁴³¹ Lord Arbuthnot 15 March 2019 111/8-12

⁴³² Lord Arbuthnot 15 March 2019 112/2-10

⁴³³ Nick Brown 15 March 2019 87/23-88/11

⁴³⁴ Lord Arbuthnot 15 March 2019 114/4-14

⁴³⁵ Gyles Brandreth 12 March 2019 132/20-133/1, 137/11-20, 142/12-20, 143/15-22

⁴³⁶ Kenneth Clarke 15 March 2019 5/1-6, 6/8-8/11

⁴³⁷ Lord Jopling 15 March 2019 34/4-35/6

⁴³⁸ Lord Jopling 15 March 2019 37/4-19

⁴³⁹ Lord Beith INQ003885; Lord Wakeham INQ001704; Lord Young INQ003990

⁴⁴⁰ Gyles Brandreth 12 March 2019 139/23-140/23

⁴⁴¹ Lord Arbuthnot 15 March 2019 121/17-23

on the road?”⁴⁴² As well as giving a rounded view of an MP,⁴⁴³ we were told that personal information about MPs was politically relevant as it might impact on MPs’ attendance and voting (or even, in the case of financial problems, as it might lead to bankruptcy or the possibility of a by-election).⁴⁴⁴ MPs might also look to the whips’ office for help if they were in difficulties.⁴⁴⁵ But witnesses emphasised that the overall focus of the whips’ office was “political”, rather than personal. Kenneth Clarke MP stressed in his evidence to us that “the point was the politics”.⁴⁴⁶

8. In his evidence to us, Lord Arbuthnot also said that confidentiality was “the key strength of the Whips’ Office”.⁴⁴⁷ He said that MPs “will also know that the Whips keep things confidential, and that they can trust the Whips’ Office not to talk about the information that they know”.⁴⁴⁸ This keeping of confidences contributes to the “mystery” surrounding the whips’ offices (and to the “code of silence” to which Gyles Brandreth referred, and which he sought to break in publishing his diaries).⁴⁴⁹

9. Witnesses denied that information received by whips about MPs was used to pressure them to vote or in other ways, as suggested by Tim Fortescue in his BBC interview, saying that they did not recognise this as part of the culture or ethos of the whips’ office in their time.⁴⁵⁰ Lord Jopling was asked if MPs knowing that the whips had a store of information about them was a subtle way of managing a party.

“No. In my view, you made an enemy of an MP if you did that, and the one thing that is essential if you are trying to manage a political party is to maintain goodwill, particularly with your more difficult – your difficult members.”⁴⁵¹

This was echoed by other witnesses, including Lord Arbuthnot,⁴⁵² Lord Beith,⁴⁵³ Lord Goodlad,⁴⁵⁴ Lord Young⁴⁵⁵ and Lord Wakeham.⁴⁵⁶

10. However, witnesses did acknowledge that the whips’ offices had a degree of power or leverage given their role (now reduced) in suggesting candidates for appointment to select committees and other posts.⁴⁵⁷ Lord Beith said it was quite common to hear whips of other parties talk of favours being called in and he was aware that patronage might be used as an element of persuasion.⁴⁵⁸

11. Based on the evidence before us, it would be speculation to conclude that personal information was used to pressure MPs. It may reasonably be assumed that all information about a parliamentarian – including personal or private information – might be used as an element of persuasion, for the same reasons that personal circumstances might be relevant

⁴⁴² Kenneth Clarke 15 March 2019 9/5-8

⁴⁴³ Lord Arbuthnot 15 March 2019 112/2-10

⁴⁴⁴ Lord Jopling 15 March 2019 35/7-20

⁴⁴⁵ Kenneth Clarke 15 March 2019 7/23-8/11

⁴⁴⁶ Kenneth Clarke 15 March 2019 6/17-7/14, 10/1-4, 11/13-14, 29/22-30/20

⁴⁴⁷ Lord Arbuthnot 15 March 2019 120/22-121/1

⁴⁴⁸ Lord Arbuthnot 15 March 2019 120/14-20

⁴⁴⁹ GBR000001

⁴⁵⁰ Lord Jopling 15 March 2019 35/25-36/19; Lord Arbuthnot 15 March 2019 119/2-120/5; Lord Beith INQ003885; Lord Goodlad INQ003539; Lord Young INQ003990; Lord Wakeham INQ001704

⁴⁵¹ Lord Jopling 15 March 2019 36/15-19

⁴⁵² Lord Arbuthnot 15 March 2019 119/24-120/5

⁴⁵³ Lord Beith INQ003885

⁴⁵⁴ Lord Goodlad INQ003539

⁴⁵⁵ Lord Young INQ003990

⁴⁵⁶ Lord Wakeham INQ001704

⁴⁵⁷ Lord Arbuthnot 15 March 2019 108/10-109/25

⁴⁵⁸ Lord Beith INQ003885

politically. For example, a sex scandal could lead to resignation, triggering a by-election. However, the witnesses from whom we heard strongly rejected any improper pressure being applied and we heard no evidence that this was done in respect of allegations of child sexual abuse. Lord Arbuthnot said that, to the extent that there was a degree of deference towards the establishment, this did not extend to criminal behaviour of a serious nature.⁴⁵⁹

F.3: The keeping of notes and ‘dirt books’

12. That personal information passed through the whips’ offices is evident from the Conservative Party whips’ notes which we received in evidence. The keeping of whips’ notes or ‘dirt books’ by the whips is another part of the mystery surrounding the whips’ offices. It is clear on the evidence before us that whips’ notes were kept by the Conservative Party, often in carbon-copy books where the top page would be detached and read nightly by the chief whip. The notes or books could be consulted by other whips, but were regarded as the personal property of the chief whip,⁴⁶⁰ as demonstrated by Lord Jopling still retaining notes from his time as chief whip from 1979 to 1983. Lord Jopling explained to us that “*they were my property. They were notes written by the Whips to me*”.⁴⁶¹ It appears that in or around 1996 the Conservative Party’s practice of retaining notes in carbon-copy form ceased,⁴⁶² although notes continued to be made. Lord Arbuthnot told us that during his time as Opposition chief whip from 1997 to 2001, notes were kept for two weeks only. We also heard evidence that the practice had ceased long before this in the Labour Party (in around 1964,⁴⁶³ although Nick Brown MP felt he had to reiterate this on becoming chief whip in 1997⁴⁶⁴). Lord Beith provided a witness statement to the Inquiry in which he said that confidential information was not usually kept in written form in the Liberal Party whips’ office and that no “*black book*” was kept during his time.⁴⁶⁵

13. Kenneth Clarke MP explained to us that, as a whip, in the “*dirt book*” or “*black book*” “*you reported things which you thought might have been of interest to the Chief Whip in particular and your colleagues*”.⁴⁶⁶ Lord Jopling said that he gave his whips “*a free rein to put in the book whatever they thought was relevant*”.⁴⁶⁷ We were told that the bulk of whips’ notes concerned matters of Parliamentary business, legislation and policy.⁴⁶⁸ Notes were sometimes shared with the Private Secretary to the government chief whip.⁴⁶⁹

14. We examined a number of whips’ notes retained by Lord Jopling from the period 1979 to 1983, when he was government chief whip. These examples showed not only that the whips recorded information about MPs’ personal lives, but also information about members of other political parties⁴⁷⁰ and about candidates who were not yet MPs.⁴⁷¹ The notes also

⁴⁵⁹ Lord Arbuthnot 15 March 2019 131/25-132/4

⁴⁶⁰ Kenneth Clarke 15 March 2019 29/22-30/20; Lord Jopling 15 March 2019 40/16-21

⁴⁶¹ Lord Jopling 15 March 2019 40/16-21

⁴⁶² INQ004169_006

⁴⁶³ Nick Brown 15 March 2019 91/18-92/4; LAB000035_005

⁴⁶⁴ Nick Brown 15 March 2019 92/10-15

⁴⁶⁵ Lord Beith INQ003885

⁴⁶⁶ Kenneth Clarke 15 March 2019 10/17-11/24

⁴⁶⁷ Lord Jopling 15 March 2019 59/13-60/5

⁴⁶⁸ Lord Jopling 15 March 2019 41/8-17; Lord Arbuthnot 15 March 2019 122/9-14

⁴⁶⁹ Sir Murdo Maclean 15 March 2019 148/23-149/7

⁴⁷⁰ INQ002385

⁴⁷¹ INQ002378

mentioned scandals likely to break in the news⁴⁷² or in *Private Eye*.⁴⁷³ In respect of one note about details of an affair involving a Scottish Conservative MP,⁴⁷⁴ Lord Jopling explained:

*“The purpose of this note was so that the Chief Whip was aware of situations, private situations, with regard to the members.”*⁴⁷⁵

15. Among others, we saw notes about the state of an MP’s marriage,⁴⁷⁶ a forthcoming *Private Eye* issue containing “a little snippet in it, suggesting that there is a ‘Sex Scandal in a Sauna Bath’, which involves a Cabinet Minister”,⁴⁷⁷ a Conservative MP being seen “in the lower office with his secretary and two others. All rather pretty young men”⁴⁷⁸ and the Monday Club⁴⁷⁹ (the Monday Club was a group of MPs on the right wing of the Conservative Party⁴⁸⁰).

16. The most significant example, for our purposes, was the following whip’s note:

“March 23rd

*Telephone call from Michael Havers to tell Chief Whip that it would be likely to break within 48 hours that [WM-F23] present woman a Call Girl also a letter of homosexual nature in existence from [WM-F23] to a boy.”*⁴⁸¹

17. Lord Jopling told us:

*“I think that is the most serious note which I received from the Whips during my period as Chief Whip. I think I put in my original submission to the inquiry that it is the only event I can recall during my period which alleged there might be a case of child abuse.”*⁴⁸²

Lord Jopling was asked if he could remember now receiving the note. He told us:

*“I remember at the time very much. And I can remember that there was – shock and horror went through the entire office at that time, having read that.”*⁴⁸³

Asked why there was shock and horror, he said “Well, because we were into the business of paedophilia”.⁴⁸⁴

18. Lord Jopling said that at the time he spoke to Sir Michael Havers, the Attorney General, and that, given the Attorney General was aware, Lord Jopling understood that the matter was being properly handled by the investigating authorities.⁴⁸⁵ This was the only occasion which Lord Jopling could remember when information came into the whips’ office about sexual abuse or possible sexual abuse of children.⁴⁸⁶

19. This note demonstrates that if those in authority were aware of allegations of child sexual abuse, it is possible that this information would have found its way to the whips’ offices and into the whips’ notes, as it did on this occasion. We heard evidence that

⁴⁷² For example INQ002386

⁴⁷³ For example INQ002034

⁴⁷⁴ INQ002376

⁴⁷⁵ Lord Jopling 15 March 2019 59/24-60/5

⁴⁷⁶ INQ002024

⁴⁷⁷ INQ002033

⁴⁷⁸ INQ002392

⁴⁷⁹ INQ002027

⁴⁸⁰ Lord Jopling 15 March 2019 53/17-21

⁴⁸¹ INQ002044

⁴⁸² Lord Jopling 15 March 2019 69/14-18

⁴⁸³ Lord Jopling 15 March 2019 69/19-22

⁴⁸⁴ Lord Jopling 15 March 2019 69/23-24

⁴⁸⁵ Lord Jopling 15 March 2019 70/14-19

⁴⁸⁶ Lord Jopling 15 March 2019 71/9-12

numerous whips' notes would have been produced on a daily basis, and that most whips' notes were about policy matters and legislation. Due to the passage of time and patchy retention of notes, few were available for examination by this Inquiry. In the circumstances, it is not possible for us to conclude one way or the other whether allegations of child sexual abuse or exploitation featured in other whips' notes. We can say that it was the clear evidence of Lord Jopling that this was the only instance of this nature during his period as chief whip, and that we did not receive evidence from other whips of other notes recording any such allegations.

F.4: Allegations of child sexual abuse

20. Witnesses denied hearing allegations of MPs committing child sexual abuse through the whips' offices and denied that there was any cover-up by the whips of criminal offences. There was no recognition of the approach described by Tim Fortescue or of the "cover-up" described by Lord Tebbit.

21. Kenneth Clarke MP said that during his time in the whips' office he "*can't remember any gossip or anything about, as it happens, small boys*".⁴⁸⁷ Lord Jopling said that he had "*no recollection from the period of the Pym Whips' Office of any sort of scandal suggestion with regard to the abuse of children*" (Francis Pym MP was government chief whip from 1970 to 1973) or in his own.⁴⁸⁸ He also had no knowledge of Lord Tebbit's suggestion of a big political cover-up.⁴⁸⁹ We note in passing that both Kenneth Clarke MP and Lord Jopling served in the whips' office at the same time as Tim Fortescue, whose comments about whips helping MPs regarding "*a scandal involving small boys*" triggered much of the concern about the whips at Westminster. Gyles Brandreth never heard any allegations concerning child sexual abuse relating to any MP of any party serving in the 1992 to 1997 Parliament.⁴⁹⁰ Lord Arbuthnot acknowledged that there may have been a degree of deference in the whips' office, but not to criminal behaviour of a serious nature,⁴⁹¹ and he could not remember any criminal allegations that were made when he was chief whip or junior whip.⁴⁹² Sir Murdo Maclean, Private Secretary to the government chief whip from 1978 to 2000, never heard of any suggestion or saw evidence of child sexual abuse by MPs⁴⁹³ and did not recognise the description by Tim Fortescue.⁴⁹⁴ In written witness statements, Lord Ryder,⁴⁹⁵ Baroness Taylor,⁴⁹⁶ Lord Wakeham,⁴⁹⁷ Lord Beith,⁴⁹⁸ Lord Foster,⁴⁹⁹ Lord Young⁵⁰⁰ and Lord Goodlad⁵⁰¹ similarly denied knowledge of allegations of child sexual abuse and denied recognition of what Tim Fortescue and Lord Tebbit had described.

⁴⁸⁷ Kenneth Clarke 15 March 2019 14/24-15/5

⁴⁸⁸ Lord Jopling 15 March 2019 73/6-14

⁴⁸⁹ Lord Jopling 15 March 2019 81/4-7

⁴⁹⁰ Gyles Brandreth 12 March 2019 138/11-20

⁴⁹¹ Lord Arbuthnot 15 March 2019 131/25-132/4

⁴⁹² Lord Arbuthnot 15 March 2019 131/1-4

⁴⁹³ Sir Murdo Maclean 15 March 2019 146/8-147/7

⁴⁹⁴ Sir Murdo Maclean 15 March 2019 151/21-24

⁴⁹⁵ INQ001705

⁴⁹⁶ INQ001189

⁴⁹⁷ INQ001704

⁴⁹⁸ INQ003885

⁴⁹⁹ INQ003919

⁵⁰⁰ INQ003990

⁵⁰¹ INQ003539

22. Based on the evidence we have seen, we cannot conclude that the whips and whips' offices concealed or suppressed allegations of child sexual abuse by persons of public prominence, or used it as a form of leverage. There were certain features of the whips' offices which may have assisted with an attempt to cover up such allegations, for example the collation of any and all possibly relevant information about parliamentarians, which was then shared within party bounds but otherwise kept confidential. Beyond that, we do not have evidence that allegations of child sexual abuse were either known about or concealed by the whips' offices.

23. The whips' offices remain a key part of the Westminster system and a repository of information about parliamentarians. As a result, people may report allegations of child sexual abuse and other criminal conduct to them, as they may do to other MPs. It is crucial that party whips understand the appropriate safeguarding and child protection procedures so that any information which comes to their attention in the future can be dealt with appropriately and not kept within party walls or used simply to 'head off' trouble.⁵⁰² We heard evidence from Nick Brown MP, chief whip of the Labour Party, about how he would approach allegations of child sexual abuse. We deal with this and the issue of safeguarding by political parties in Part J.

⁵⁰² [Kenneth Clarke 15 March 2019 5/7-5/19](#)

Part G

The Paedophile Information Exchange

The Paedophile Information Exchange

G.1: Introduction

1. For almost 10 years between 1974 and 1984, an organisation known as the Paedophile Information Exchange (PIE) operated across the UK. It openly campaigned for the lowering of the age of consent and made concerted efforts to normalise and justify sexual relationships between adults and children.
2. During the late 1970s, PIE was not simply tolerated as part of the authorities' proper commitment to freedom of speech and freedom of association but was accepted as a legitimate voice of an oppressed sexual minority by respected and well-established civil society organisations such as the National Council for Civil Liberties (NCCL, now known as Liberty) and the Albany Trust (a specialist counselling and psychotherapy charity). It achieved some traction and influence in civil libertarian and gay rights groups generally in that period.
3. Given the awareness now of the extent of child sexual abuse and the damage caused to victims and survivors, it is extraordinary that such an organisation could have attracted support for such a long period of time. In an effort to understand how this could have happened, the Inquiry obtained extensive evidence from the archives of the London School of Economics about the history and activities of PIE and the other civil society organisations it interacted with. We also received a lengthy witness statement and numerous documents from the NCCL and heard oral evidence from one of the current trustees of the Albany Trust.
4. Our investigation has also examined the allegation that PIE may have had sufficient backing within government that it actually received funding or other support from the Home Office, either directly or via the Albany Trust. We heard evidence from Timothy (Tim) Hulbert, the former Home Office Voluntary Services Unit (VSU) consultant who made this allegation, and examined the previous investigation into the matter carried out by Peter Wanless and Richard Whittam QC.

Chronology of main events during the existence of PIE

5. PIE was founded in September 1974 by Michael Hanson, a gay student living in Edinburgh, as part of the Scottish Minorities Group (which later became the Scottish Homosexual Rights Group). Its inaugural meeting was held in Edinburgh in March 1975. In July 1975, Keith Hose became its chair and the centre of activity moved to London.⁵⁰³
6. Mr Hose gave a speech at the annual conference of the Campaign for Homosexual Equality (CHE) in November 1975, calling for a more sympathetic approach to people with 'paedophilic tendencies', which garnered attention from several more well-established

⁵⁰³ OHY006463_002

organisations.⁵⁰⁴ Indeed, the Albany Trust had already made contact with PIE following an earlier speech given by Mr Hose at a conference on the mental health of sexual minorities hosted by Mind, the mental health charity, in September 1975.⁵⁰⁵

7. In around November 1975, PIE composed and submitted a paper to the Home Office Criminal Law Revision Committee, which proposed the abolition of the age of consent and the removal of sexual activity between adults and children from the criminal law.⁵⁰⁶

8. Tom O'Carroll became PIE's Secretary in early 1976.⁵⁰⁷ In April 1976, PIE launched its first magazine, entitled *Understanding Paedophilia*. This was renamed *Magpie* in March 1977⁵⁰⁸ and numerous editions were published between 1977 and 1983. *Magpie* was brazen in its promotion of sexual activity with children, with a wide variety of content including photographs or drawings of children in provocative poses, comment pieces, as well as 'travelogue' and academic-style articles.⁵⁰⁹

9. In September 1977, PIE held its first public meeting in London, and Mr O'Carroll (who was by then Chair) also attended the British Psychological Society's conference. This led to significant media attention for the first time.⁵¹⁰

10. In May 1978, PIE published a booklet entitled *Paedophilia – Some Questions and Answers*,⁵¹¹ and distributed copies to every MP and peer in Parliament as well as to the media and various prominent civil rights campaigners.⁵¹² The initial work on this pamphlet was carried out in conjunction with the Albany Trust, as discussed below.

11. By July 1979, PIE's window of acceptance and influence began to draw to a close. Charges of conspiracy to corrupt public morals were brought against five serving or former members of the PIE executive committee (one of whom died before trial). The initial trial in January 1981 collapsed and a retrial took place in March 1981 against three of the defendants (one having been acquitted in the first trial).⁵¹³ At the retrial O'Carroll was convicted and sentenced to two years' imprisonment.⁵¹⁴

12. PIE continued to exist in a diminished form for two or three years. It made some efforts to appear in public, such as taking part in the London Gay Pride march in 1983. However, in late 1983, there was a further prosecution of members of its new executive committee on charges of distributing 'child pornography' and incitement to commit unlawful sexual acts with children. In light of this PIE was shut down by its leadership in July 1984.⁵¹⁵

PIE's attempts to lobby parliamentarians and government

13. At its height in around 1978, it seems that PIE had some 300 members in total.⁵¹⁶ The Inquiry has seen no evidence to suggest that PIE had any members who were MPs or peers, or who could be described more broadly as senior Westminster figures, with the exception

⁵⁰⁴ OHY006463_002

⁵⁰⁵ Jeremy Clarke 26 March 2019 16/15-17/8

⁵⁰⁶ LSE000760; Jeremy Clarke 26 March 2019 66/10-67/5

⁵⁰⁷ INQ003739_001

⁵⁰⁸ OHY006463_002

⁵⁰⁹ LSE001241; LSE000754; LSE001252; LSE001261

⁵¹⁰ OHY006463_002

⁵¹¹ LSE000435

⁵¹² OHY006463_002; Jeremy Clarke 26 March 2019 64/18-66/9

⁵¹³ OHY006463_003

⁵¹⁴ INQ003739_001

⁵¹⁵ LSE001442

⁵¹⁶ INQ003739_002

of Sir Peter Hayman. There were two members of the PIE executive committee – Charles Napier and Peter Righton⁵¹⁷ – who had significant establishment connections of a more general kind, such as holding prominent positions in schools and academia or (in Mr Righton’s case) in public advisory roles, but we have seen no evidence of any other prominent persons.

14. Despite this, PIE made some concerted efforts to lobby government and politicians. In addition to the submission to the Criminal Law Revision Committee in 1975 and the distribution of *Paedophilia – Some Questions and Answers*, there appear to have been many other attempts to get favourable political, media and cultural attention for PIE’s views.

15. The evidence we have seen suggests that PIE did not make much impact through these efforts, apart from briefly amongst certain civil libertarian organisations and some gay rights campaigners. For example, in the early 1980s, Edward Heath chaired the Youth Affairs Lobby,⁵¹⁸ a precursor to the Youth Parliament,⁵¹⁹ which members of PIE and supporters of PIE’s ideas tried to lobby. Mr Heath’s private secretary of the time, Peter Batey, recalled informing Mr Heath he had received a letter from PIE and him replying “*We don’t want anything to do with them*” with a strength of reaction that was notable.⁵²⁰

16. We also obtained evidence showing that when he was Home Secretary, in November 1983, Leon Brittan held a meeting with Geoffrey Dickens MP to discuss banning PIE. Although it was decided not to do so, there is no hint of sympathy for PIE in any of the documents. On the contrary, the discussion is about the need to be seen to act following an attack on a boy in Brighton, but also about the legal difficulties in banning PIE and whether it was necessary given that by 1983 its influence had largely disappeared as a result of the criminal prosecutions.⁵²¹

G.2: PIE’s links with other organisations

The Albany Trust

17. The Albany Trust was set up in 1958 as the sister charity to the Homosexual Law Reform Society (HLRS). While the HLRS campaigned and lobbied to persuade the government to implement the recommendations of the Wolfenden Report and decriminalise same-sex sexual activity, the focus of the Albany Trust was to provide support for gay, lesbian and bisexual people (as well as other sexual minorities) who needed counselling or advice.⁵²² After homosexual acts between adults over 21 years of age were decriminalised in 1967, the Albany Trust worked to build a network of expertise within London and then the rest of the UK with two main aims. First, to tackle the stigma surrounding homosexuality and educate mainstream counselling and healthcare services about the needs of sexual minorities. Second, to provide specialist expertise, train counsellors and meet the counselling needs of individuals.⁵²³

⁵¹⁷ INQ003739_003

⁵¹⁸ <https://bitsofbooksblog.wordpress.com/2019/02/03/1978-1983-architects-of-pie-infiltrate-islington-gay-youth-group-to-lobby-mps-directly-with-heath-mandelsons-help/>

⁵¹⁹ <http://www.ukyouthparliament.org.uk/about-us/history/>

⁵²⁰ INQ004216

⁵²¹ HOM000806; HOM000811

⁵²² Jeremy Clarke 26 March 2019 4/7-5/8; INQ003988_001

⁵²³ Jeremy Clarke 26 March 2019 5/9-6/7

18. The Albany Trust still exists today. It does not engage in campaigning, but primarily provides counselling to those seeking help with relationships, sexuality or gender identity issues, with a continued focus on the LGBT community given its history.⁵²⁴

Meetings with PIE and joint production of a pamphlet

19. The first contact between the Albany Trust and PIE took place in around September 1975, when Antony Grey, then secretary of the Albany Trust and a key figure in the early years of its work and the gay rights movement more broadly, wrote to Mr Hose. The Albany Trust was already involved in providing counselling to people who experience sexual attraction towards children with the aim of reducing such feelings. Mr Grey had seen Mr Hose speak at the Mind conference on the needs of sexual minorities and suggested, having “*greatly admired*” Mr Hose’s courage, that they organise a meeting to discuss what could be done to meet the needs of ‘paedophiles’.⁵²⁵

20. A series of meetings did then take place between January and November 1976, convened by the Albany Trust and involving representatives from PIE, psychiatrists and other professionals known to the Albany Trust who had an interest in the subject of ‘paedophilia’. These meetings led to two projects. The first was to explore setting up some kind of support group or counselling for people who experienced sexual attraction towards children. The second was to produce a pamphlet which would try to educate the public about paedophilia, dispel some myths about it, describe the social pressures and difficulties that paedophiles experienced, and improve the general public’s attitude towards paedophiles.⁵²⁶ Neither of the two projects was ever fully developed.⁵²⁷

21. The pamphlet project did progress quite far before it was stopped. Some of the language used in the minutes of the meetings was unattractive:

- “*The legal position relating to consent, while ostensibly protective, was felt to make potential victims not only of adult paedophiles, but also of nearly all children when they engaged in sexual experimentation and were found out in doing so ... It needed to be emphasised that there were more positive ways of protecting children in their period of sexual development than through the criminal law.*”⁵²⁸
- The pamphlet “*should be framed so that the public could identify with it in terms of their own growth experience. Case histories of positive relations and also of those which had been destroyed by legal and social interference should be included*”.⁵²⁹
- In a suggested list of topics to be covered: “*some interviews with older and younger partners in paedophile relationships, confusion of paedophilia with child molesting, primitive attitudes to sex offenders*”.⁵³⁰

22. This language strongly suggests that at least some of the other participants in the meetings (not only the PIE representatives) had sympathy for the position that adults engaging in sexual activity with children could be valid or positive. One aim of the pamphlet was to excuse or justify such sexual activity. Jeremy Clarke, a current trustee from whom we

⁵²⁴ INQ003988_007-008

⁵²⁵ LSE000026; Jeremy Clarke 26 March 2019 16/18-17/20

⁵²⁶ Jeremy Clarke 26 March 2019 17/21-21/15

⁵²⁷ INQ003988_003

⁵²⁸ LSE000038

⁵²⁹ LSE000038

⁵³⁰ LSE000040

heard evidence, tried diligently to explain or downplay this feature of the documents,⁵³¹ no doubt out of an understandable concern for the reputation of the Albany Trust. However, he had to admit that at times the aims of the pamphlet were “*something that starts to sound like propaganda for the campaign of the Paedophile Information Exchange*”.⁵³² It is clear that the Albany Trust did a considerable amount of work with PIE on a pamphlet which would have gone some way towards promoting PIE’s views about sex with children, and which if jointly published as initially discussed would have had a respectability and gravitas because of the Albany Trust’s name being attached to it.

23. Mr Clarke thought that the pamphlet project was stopped because the PIE representatives were starting to make its contents sound like propaganda or advocacy for PIE’s views, and the Albany Trust trustees were “*simply not willing to go along*” with that.⁵³³ That may have been part of the reason, but the archive documents tell a more complicated story. It seems that the initial concern from the Albany Trust employees and volunteers who were involved in the meetings with PIE was that “*it was not felt that the document would advance the understanding and acceptance of paedophiles, and it might adversely affect the Albany Trust*”.⁵³⁴ It appears the primary objection was not that the views expressed by PIE and included in the draft pamphlet were likely to harm children or were morally wrong, rather that it would not further the acceptance of paedophiles and may harm the reputation of the Albany Trust.

24. When the Albany Trust trustees discussed the pamphlet project in November 1976 and January 1977,⁵³⁵ its connection with PIE had been in the newspapers because Mary Whitehouse, the General Secretary of the National Viewers’ and Listeners’ Association, had made an allegation that PIE was receiving support via the Albany Trust. The trustees came to the view the project was simply too controversial, and so it was put on hold in November 1976 and then stopped completely at the start of the following year. By October and November 1977, the Albany Trust was concerned about being connected to PIE in any way and decided no longer to work with them, although “*help, advice and information*” would still be provided.⁵³⁶ The VSU also expressed disquiet about the way the Albany Trust had been linked to PIE.⁵³⁷

Referral of inquiries to PIE

25. Despite the difficult experience with the pamphlet project, the Albany Trust continued to refer people to PIE. In February 1977, the Albany Trust’s standard information sheet of suggested organisations to contact for help included details for PIE.⁵³⁸ We saw from the archives further evidence of an individual being assisted in corresponding with PIE in late 1978 and early 1979 after he wrote to the Albany Trust from prison, having been convicted and sentenced to a term of imprisonment for sexually assaulting a 14-year-old boy.⁵³⁹

⁵³¹ Jeremy Clarke 26 March 2019 27/9-34/6

⁵³² Jeremy Clarke 26 March 2019 29/24-30/2

⁵³³ Jeremy Clarke 26 March 2019 30/1-4, 33/18-22

⁵³⁴ LSE002515

⁵³⁵ LSE002515; HOM001420_008-010

⁵³⁶ Jeremy Clarke 26 March 2019 34/11-38/14; INQ003988_002, 004-005

⁵³⁷ HOM001420_011; Jeremy Clarke 26 March 2019 38/15-39/22

⁵³⁸ LSE003101

⁵³⁹ LSE000027; LSE000029

26. Finally, there is warm correspondence between Antony Grey and Tom O'Carroll dated 17 April 1978, which refers to support being given by Mr Grey to PIE at the NCCL annual general meeting and in relation to NUPE, a trade union.⁵⁴⁰ Mr Grey had formally left the Albany Trust by that time due to concerns expressed by some about the project with PIE.⁵⁴¹ However, he was seen by others as having ongoing ties to the Albany Trust; for example he publicly defended it from criticism by Sir Bernard Braine in late 1977. It is of concern that such links were continuing in any way so long after the termination of the pamphlet project. This project should have alerted the Albany Trust, and Mr Grey, to how dangerous an organisation PIE really was.

Mary Whitehouse and questions about funding PIE

27. The Home Office VSU provided £10,000 of funding each year to the Albany Trust between 1974 and 1977, and then increased its grant to £15,000 between 1978 and 1979. The VSU was aware throughout this period that the Albany Trust's work included work with and about paedophiles; it is referred to openly in the Albany Trust's reports to the VSU at the time. This stream of funding constituted a significant proportion of its income at that time.⁵⁴²

28. As noted above, on 24 November 1976 Mary Whitehouse made a speech in which she alleged that:

"the support given by [the Albany Trust] to paedophile groups means that we are all subsidising and supporting, at least indirectly, a cause which seeks to normalise sexual attraction and activity between adult males and little girls".⁵⁴³

29. This caused a media furore, and elicited a strong denial from Antony Grey that *"the Albany Trust does not give support (financial or otherwise) to paedophile groups".⁵⁴⁴* It is not clear whether this was an entirely accurate response, despite Mr Clarke's attempts to persuade us of its validity.⁵⁴⁵ While it may have been correct that the Trust had never endorsed PIE's aims or publicly supported them, and it was certainly true that the Trust never made any direct financial contribution to PIE, it was misleading to deny there had been any form of support. The meetings to discuss both a counselling service and the pamphlet, and the work on the pamphlet itself, both constituted a type of support on any view.

30. The controversy reignited on 15 December 1977, when Sir Bernard Braine asked a Parliamentary question to the Home Office:

"Is the Minister aware that there is evidence ... that both these trusts [the Princedale Trust and the Albany Trust] have given encouragement and publicity to the Paedophile Information Exchange, an organisation which exists as openly dedicated to the sexual corruption of children? Before paying any balance of grants, or before renewing any such grants, will the minister obtain assurances that public money is not being used to help a disgusting organisation which most people would regard as having criminal objectives?"⁵⁴⁶

⁵⁴⁰ LSE001910

⁵⁴¹ Jeremy Clarke 26 March 2019 44/13-45/21

⁵⁴² Jeremy Clarke 26 March 2019 11/3-13/9; LSE003159_003; HOM001420_002; HOM001422

⁵⁴³ LSE003058

⁵⁴⁴ LSE002694

⁵⁴⁵ Jeremy Clarke 26 March 2019 50/22-53/3

⁵⁴⁶ HOM001468

31. A careful answer was given that did not quite answer the question asked, stating “no public money is being used for any propaganda purposes on behalf of such an organisation”.⁵⁴⁷ The Inquiry considers this was reflective of the reality that there were some fairly extensive links between the Trust and PIE which the Home Office was aware of, but not links actually furthering the objectives or aims of PIE.⁵⁴⁸ Despite a further full explanation of the links in a letter from Antony Grey to Sir Bernard Braine, Clifford Hindley (the head of the VSU) contacted the chair of the Albany Trust at that time, Rodney Bennett-England, to ask further clarificatory questions.⁵⁴⁹

Effects on the Albany Trust of associating with PIE

32. There was an immediate impact on the Albany Trust as a result of all these events. Mr Clarke said he believed all the trustees of the Albany Trust resigned at the end of 1977 as a result of the PIE controversy and the resulting damage to the Trust’s reputation. Antony Grey, the secretary, also resigned.⁵⁵⁰

33. There was also longer-lasting damage. Mr Clarke told us that he started volunteering with the Albany Trust in 1987, and so knew many of the individuals who were around at the time of the links with PIE.⁵⁵¹ When he first started volunteering he described how the PIE scandal still affected the organisation:

*“I arrived as a volunteer with this kind of shadow, even ten years later, that was hanging over the counselling team. They were quite traumatised, I think, by the events of the late 1970s and felt very bruised, I think, by what had happened. So there wasn’t much communication between the counselling team ... and Antony Grey, who it was felt had sort of got the trust into all this trouble ... ”*⁵⁵²

34. Mr Clarke and his fellow trustee, Keith Mitchell, expressed their regret that the Albany Trust had not been more careful in how it responded to PIE, and acknowledged the involvement with PIE was a mistake.⁵⁵³

The National Council for Civil Liberties

35. PIE was an affiliate organisation to the National Council for Civil Liberties (NCCL, now known as Liberty) from the late 1970s until the early 1980s.⁵⁵⁴ Patricia Hewitt held the most senior staff position in the NCCL, General Secretary, between 1974 and 1983. She has more recently held senior positions in the Labour Party. She has expressed regret for PIE’s affiliation with the NCCL and has said she personally never supported PIE’s aims or its members.⁵⁵⁵ Leaders and office-bearers of the NCCL at the time must accept responsibility for PIE’s affiliation with the NCCL. The fact that PIE was allowed to remain connected to the NCCL for several years had the effect of giving spurious legitimacy to an organisation that promoted sex with children.

⁵⁴⁷ HOM001468

⁵⁴⁸ Jeremy Clarke 26 March 2019 53/20-55/16

⁵⁴⁹ LSE003081; LSE001781; Jeremy Clarke 26 March 2019 55/19-61/3

⁵⁵⁰ Jeremy Clarke 26 March 2019 41/1-10

⁵⁵¹ Jeremy Clarke 26 March 2019 2/13-15

⁵⁵² Jeremy Clarke 26 March 2019 8/1-9

⁵⁵³ Jeremy Clarke 26 March 2019 71/12-74/7; INQ003988_006

⁵⁵⁴ INQ003972_015-016

⁵⁵⁵ <https://www.bbc.co.uk/news/uk-politics-26376896>

36. We received a comprehensive and candid witness statement from the Acting Director of Liberty, Ms Corey Stoughton, which set out carefully all of the available information from the Liberty archives about PIE. It appears that there was a substantive relationship between the NCCL and PIE. For instance, the NCCL advertised in PIE's publication *Understanding Paedophilia* in 1977 and in PIE's magazine *Magpie* in April 1979, and in 1979 PIE asked to advertise in the NCCL's magazine *Rights!*, although after some internal debate within the NCCL the advertisement was not placed.⁵⁵⁶

37. The main link between PIE and the NCCL seems to have been the Gay Rights Committee (GRC), which was operated by the NCCL from the mid-1970s until some time in the 1980s.⁵⁵⁷ It was primarily made up of volunteers rather than NCCL staff, and had around 25 members, who did not necessarily have to be members of the NCCL and who could not speak for the NCCL without prior permission.⁵⁵⁸

37.1. Nettie Pollard was a key figure on the GRC and a member of NCCL staff. She was the NCCL's receptionist from at least 1977, and described herself in correspondence as Gay Rights Organiser.⁵⁵⁹ Numerous documents from the time suggest that Ms Pollard was sympathetic to PIE's aims and objectives.⁵⁶⁰

37.2. Keith Hose, PIE's one-time Chair, was a member of the GRC. Significantly, Mr Hose successfully pushed for the NCCL evidence to the Home Office in 1976 to incorporate some of PIE's ideas.⁵⁶¹ In March 1976, the NCCL proposed a reduction of the age of consent to 14, and in some cases 10.

*"NCCL proposes that the age of consent should be lowered to 14, with special provision for situations where the partners are close in age, or where consent of a child over ten can be proved."*⁵⁶²

A version of this policy was then adopted as a recommendation by Home Office advisers in a later 1979 paper.

37.3. In May 1977 the NCCL held a conference on gay rights, which included presentations from PIE members such as Tom O'Carroll that were apparently "well-received".⁵⁶³ O'Carroll was a member of the GRC for a period in 1977-1978 (at the same time, notably, as Antony Grey), and the GRC minutes from March to November 1978 show that support was expressed for O'Carroll when he lost his job as Open University press officer because of his association with PIE.⁵⁶⁴

It is fair to say that the relationship between the GRC and the NCCL's core executive and leadership was not particularly close and at times somewhat strained.⁵⁶⁵ However, Ms Pollard in particular was a significant link between the NCCL and PIE for a number of years, and it is clear that key PIE members such as Hose and O'Carroll had an active presence on the GRC.

⁵⁵⁶ [INQ003972_018; LBY000001_134-142](#)

⁵⁵⁷ [INQ003972_007](#)

⁵⁵⁸ [INQ003972_008; LBY000001_045](#)

⁵⁵⁹ [INQ003972_009-010; LBY000001_091-093](#)

⁵⁶⁰ [INQ003972_010-011; LBY000001_086-111](#)

⁵⁶¹ [LBY000001_040; INQ003739_008-009](#)

⁵⁶² [INQ003972_021-022; LBY000001_176-199](#)

⁵⁶³ [INQ003972_012; LBY000001_093](#)

⁵⁶⁴ [INQ003972_011-012; LBY000001_043, 112-118](#)

⁵⁶⁵ [INQ003972_008](#)

38. In 1981, when O’Carroll was convicted, the NCCL was asked to intervene in his favour. Ms Hewitt refused the request. Although the NCCL did generally oppose the law on conspiracy as it then stood, and in particular the offence of conspiracy to corrupt public morals, of which O’Carroll was convicted, there does not appear to have been an appetite to campaign on his particular case.⁵⁶⁶

39. Following the 1981 prosecution, the relationship between the NCCL and PIE appears to have become more tense, and by 1984 steps were underway to remove PIE’s affiliation. PIE was disbanded before this happened.⁵⁶⁷

40. As with the Albany Trust, links with PIE have had a negative effect on the NCCL’s reputation. In 2014, the then-director Shami Chakrabarti made a statement expressing “*disgust and horror*” that PIE had managed to infiltrate the NCCL so successfully. Liberty repeated this in its evidence to us, and also set out a clear explanation of how the institutional failures and blindspots which led to the relationship with PIE in the 1970s and 1980s could not and would not be repeated today.⁵⁶⁸

G.3: Allegation that the Home Office funded PIE

41. Tim Hulbert, a retired public servant and former consultant to the Home Office VSU who is a core participant in this investigation, alleges that PIE was funded by the Home Office. Mr Hulbert was a consultant at the VSU from 1977 until 1981, when he became the Deputy Director of Social Services for Hereford and Worcester County Council.⁵⁶⁹

42. The VSU was an inter-departmental unit attached to the Home Office which was responsible for coordinating government policy in relation to the voluntary sector, providing grants to organisations which fell between or crossed over the responsibilities of other departments, and contributing to the development of the relationship between statutory and voluntary organisations.⁵⁷⁰ A consultant was equivalent to the civil service grade of ‘principal’. Mr Hulbert explained that his duties included providing expert advice at all levels, both administratively and politically, to ministers, other advisers and the unit itself on matters that related to the voluntary sector and to local government.⁵⁷¹ Mr Hulbert assessed organisations that had made applications for grants and reviewed grants that had been made.⁵⁷² He told us that he had free rein to speak to numerous people across all the hierarchies of the Home Office.⁵⁷³

43. Key personnel in the VSU in the late 1970s to early 1980s included Dennis Peach (the deputy secretary or undersecretary), Geoffrey de Deney (the undersecretary), Clifford Hindley (now deceased, the head of the unit and Mr Hulbert’s line manager)⁵⁷⁴ and Alan Davies (later Reverend Davies, also deceased, a principal with responsibility for some grants).⁵⁷⁵

⁵⁶⁶ INQ003972_013-014; LBY000001_119-121

⁵⁶⁷ INQ003972_014, 020-021; LBY000001_168

⁵⁶⁸ INQ003972_022-024

⁵⁶⁹ Tim Hulbert 25 March 2019 54/25-55/3

⁵⁷⁰ Tim Hulbert 25 March 2019 55/23-56/11

⁵⁷¹ Tim Hulbert 25 March 2019 59/6-24

⁵⁷² Tim Hulbert 25 March 2019 58/25-59/4

⁵⁷³ Tim Hulbert 25 March 2019 60/8-12

⁵⁷⁴ Tim Hulbert 25 March 2019 62/1-15

⁵⁷⁵ Tim Hulbert 25 March 2019 63/19-20

44. Mr Hulbert recalls that he saw a spreadsheet listing grants for renewal, of the type that was circulated around the VSU on a quarterly basis,⁵⁷⁶ which included an entry which stated ‘WRVS (P.I.E.)’.⁵⁷⁷ He has given various accounts of that allegation in 2013 and 2014, and to this Inquiry in 2016 and 2019.⁵⁷⁸

45. In his evidence, Mr Hulbert said that the entry was pointed out to him by Reverend Davies. Mr Hulbert thought that the amount of the grant renewal might have been about £30,000, but he could not be sure.⁵⁷⁹ He recalled that when his statement was taken in 2013, the police asked how much the figure was, and he said that he thought it was a five-figure sum. The police asked whether it was “*about £30,000*”. Mr Hulbert said that he thought at the time, and still thinks, that it “*may well have been*” that amount, “*because, if it was a repeat grant for three years over a three-year period, then most of the VSU grants were not below £10,000 a year*”. He said that £30,000 was therefore “*not an unreasonable figure to estimate*”.⁵⁸⁰

46. The letters ‘WRVS’ stood for Women’s Royal Voluntary Service (now Royal Voluntary Service or RVS). The WRVS received three substantial grants-in-aid from the VSU, the sum of which in 1978/79 was £2,650,000.⁵⁸¹ Mr Hulbert told us he and Reverend Davies both knew a lot about the WRVS.⁵⁸² Reverend Davies was responsible for reviewing the WRVS grant application and preparing the draft submission for approval.⁵⁸³ Mr Hulbert said that it was clear to him and to Reverend Davies that the letters ‘P.I.E.’ referred to the Paedophile Information Exchange.⁵⁸⁴ Mr Hulbert said that this was because there was no other organisation which received grants and had the acronym PIE,⁵⁸⁵ and both he and Reverend Davies knew about PIE from commentary in the press.⁵⁸⁶ He said that both he and Reverend Davies were horrified upon seeing the reference to PIE,⁵⁸⁷ and that both were puzzled by the juxtaposition of the WRVS and PIE, because they were very different organisations.⁵⁸⁸

47. It makes little sense for the letters ‘WRVS (PIE)’ to have been openly referred to on a spreadsheet which was circulated around the VSU if the channelling of money from the Home Office to PIE through the WRVS was being done covertly. If funding to PIE was being openly referred to, it also seems curious that there was any need to channel it through, or label it as pertaining to, an unrelated organisation. Mr Hulbert speculated that the reference to ‘WRVS (PIE)’ was included on the spreadsheet by mistake.⁵⁸⁹

48. We considered whether there could be another explanation for an entry on a grant renewal spreadsheet marked ‘WRVS (P.I.E.)’ or ‘WRVS (PIE)’. We saw evidence that during the Second World War, the WRVS administered a national ‘Pie Scheme’ (a scheme for the manufacture and distribution of pies and snacks to agricultural workers in rural areas), which had a Pie Fund or Funds maintained after the Second World War. We saw at least one example from the 1940s–1950s of a WRVS Pie Fund that was administered by a Pie

⁵⁷⁶ Tim Hulbert 25 March 2019 117/3-18

⁵⁷⁷ Tim Hulbert 25 March 2019 87/21; 94/1

⁵⁷⁸ OHY006536; INQ001267; INQ003974_001_004_005_006; INQ003974_007_008; INQ003974_012_013_014

⁵⁷⁹ Tim Hulbert 25 March 2019 106/3-108/20

⁵⁸⁰ Tim Hulbert 25 March 2019 107/6-19

⁵⁸¹ HOM001676_001

⁵⁸² Tim Hulbert 25 March 2019 95/2

⁵⁸³ Tim Hulbert 25 March 2019 95/9-12

⁵⁸⁴ Tim Hulbert 25 March 2019 103/23-104/15

⁵⁸⁵ Tim Hulbert 25 March 2019 120/19-122/13

⁵⁸⁶ Tim Hulbert 25 March 2019 121/1-122/7

⁵⁸⁷ Tim Hulbert 25 March 2019 103/22-116/22

⁵⁸⁸ Tim Hulbert 25 March 2019 102/5-18

⁵⁸⁹ Tim Hulbert 25 March 2019 104/16-105/10

Committee, which managed investments and expenditure and had a constitution.⁵⁹⁰ In his 2019 statement, Mr Hulbert said that he and Reverend Davies had joked about whether the WRVS was having a “*national bake-up*” because of the reference to PIE.⁵⁹¹ Mr Hulbert denied that this could have explained what he saw, both because RVS records suggest that the Pie Scheme had concluded by the early 1950s⁵⁹² and because he was not aware of the Pie Scheme when he saw the entry on the spreadsheet.⁵⁹³ Whether Mr Hulbert was aware of the WRVS Pie Scheme is not relevant to the question of whether it could have provided an alternative explanation for the entry. However, there is insufficient evidence to conclude whether there was any alternative explanation for what Mr Hulbert saw, although we are not able to rule out the possibility that there may have been one. Also, we are not able to rule out that the word or acronym ‘PIE’ or ‘P.I.E.’ may have signified something other than the Paedophile Information Exchange.

49. Having seen the entry, Mr Hulbert says he told Reverend Davies that he would take the matter up with Mr Hindley.⁵⁹⁴ Although Reverend Davies was responsible for reviewing the WRVS grant, Mr Hulbert recalls that Reverend Davies was content for him to take up the matter with Mr Hindley.⁵⁹⁵ Mr Hulbert later went to Mr Hindley’s office and asked him why the VSU was funding PIE. Mr Hulbert recalls that Mr Hindley stated that PIE was a bona fide campaigning organisation even if its objectives appeared objectionable; that it was funded at the request of either the Security Services or Special Branch, who found it useful to identify people with paedophile inclinations; and that it was a grant being extended for a further period and therefore did not require a consultant’s input.⁵⁹⁶ Mr Hulbert did not take the matter further.

50. Mr Hulbert says that some time later he was in the general office of the VSU when Brian Chaplin, another principal, was present. Also present was David Scagell, senior principal, and the registry clerk, Irene Cole.⁵⁹⁷ Mr Hulbert asked to see the WRVS file, which Mr Chaplin had in his hand. Mr Scagell said he could not have it as it was nothing to do with a consultant. That was the only time Mr Hulbert was ever refused access to any file while he worked at the VSU.⁵⁹⁸ Mr Hulbert also said that he saw a copy of *Magpie*, the PIE magazine, at the VSU after he saw the entry ‘WRVS (PIE)’ and that it may have been in Mr Hindley’s office.⁵⁹⁹

51. There were some inconsistencies in the detail of Mr Hulbert’s accounts. He gave much more detail in his later accounts than in his 2013 account to police. He gave different descriptions of what he saw. In 2013, he said “*at the tip of the spreadsheet near to a line referring to the WRVS was a column or line that had PIE on it*”.⁶⁰⁰ He believed this was some time in 1980. In 2014, he described “*a hazy recollection of seeing a spreadsheet listing grants for renewal which included PIE and which I think may have shown an entry as ‘WRVS (PIE)’*”.⁶⁰¹ He dated this “*around 1978*”. In 2019, he provided a detailed description of a spreadsheet

⁵⁹⁰ RVS000002_62; RVS000007_004-005

⁵⁹¹ INQ003974_005

⁵⁹² RVS000007_004

⁵⁹³ Tim Hulbert 25 March 2019 103/1-14; 113/18-114/14

⁵⁹⁴ Tim Hulbert 25 March 2019 126/23-127/1

⁵⁹⁵ Tim Hulbert 25 March 2019 126/2-127/9

⁵⁹⁶ Tim Hulbert 25 March 2019 170/13-171/9

⁵⁹⁷ INQ003974_008

⁵⁹⁸ Tim Hulbert 25 March 2019 173/18-174/16

⁵⁹⁹ Tim Hulbert 25 March 2019 86/7-23

⁶⁰⁰ OHY006536_003

⁶⁰¹ Tim Hulbert 25 March 2019 99/12-14

containing “an entry which read ‘WRVS (P.I.E.)’ which was shown as a grant for renewal and the amount was at least a five figure sum”.⁶⁰² He estimated the date as being “in the early summer of approximately 1979”.

52. In relation to Mr Hindley’s response, in his 2013 statement Mr Hulbert said:

*“Clifford responded by saying that it was nothing to do with me, and I was to have nothing to do with it. The impression Clifford gave was that the funding was in fact at the request of Security Services in order to give them some sort of access to PIE.”*⁶⁰³

In 2019, he described a three-part response, but by reference to Special Branch rather than to the Security Services:

*“My recollection is that Clifford Hindley’s response was, firstly, that PIE was a bona fide campaigning organisation even if its objectives appeared objectionable; secondly, that it was funded at the request of Special Branch who he said found it useful to identify people with paedophile inclinations; and thirdly, that it was a grant being extended for a further period and therefore did not require a consultant’s input ... I left the meeting with Clifford Hindley with a clear understanding that he wished me to ‘back off’. I believe Clifford Hindley’s reference to Special Branch interest was sufficient for me to accept this without further challenge.”*⁶⁰⁴

53. In oral evidence, Mr Hulbert strongly rejected any suggestion that these inconsistencies might undermine his core allegation. He explained this by saying that his 2013 police statement was not satisfactory, the police did not ask the “right questions”, it was the first time he had given a police statement, he had read over it quickly, and he may not have realised the significance of signing that statement at the time.⁶⁰⁵ On the question of the increasing level of detail in his accounts from 2013 to 2019, Mr Hulbert said that he has tried to avoid speculating, but that as he has examined this matter over time, there are things that he remembers now that he did not remember at the time.⁶⁰⁶ He said that every time he has looked at the matter, his recollection has become clearer because his memory is stirred.⁶⁰⁷ Mr Hulbert also said that because the allegations are now 40 years old, it is natural that there are some changes and discrepancies in his statements.⁶⁰⁸

54. Mr Hulbert made the allegation that PIE had been funded by the Home Office in a telephone call to the BBC in 1994 after he had watched the television documentary ‘The Secret Life of a Paedophile’.⁶⁰⁹ In 2013, a note of the call was discovered by Peter McKelvie, who put Mr Hulbert in touch with Tom Watson MP and the police.⁶¹⁰ The note reads:

*“PIE was funded by Home Office, says Tim Hulbert, now Bed CC director – Clifford Hindley – head of Vol. Service Unit + Home Office, was involved”.*⁶¹¹

⁶⁰² INQ003974_005

⁶⁰³ OHY006536_003

⁶⁰⁴ INQ003974_006; INQ003974_007

⁶⁰⁵ Tim Hulbert 25 March 2019 77/10-78/25

⁶⁰⁶ Tim Hulbert 25 March 2019 96/15-97/9

⁶⁰⁷ Tim Hulbert 25 March 2019 92/4-15

⁶⁰⁸ Tim Hulbert 25 March 2019 96/15-97/9

⁶⁰⁹ PMK000233_001; Tim Hulbert 25 March 2019 73/14-77/8

⁶¹⁰ Tim Hulbert 25 March 2019 74/6-77/8

⁶¹¹ PMK000233_001; Tim Hulbert 25 March 2019 73/14-77/8

Mr Hulbert had worked with Mr McKelvie at Hereford and Worcester Social Services Department.⁶¹²

55. We saw evidence that, in 1980, Mr Hulbert was asked by Clifford Hindley⁶¹³ to prepare a report putting forward grounds on which the VSU might consider a “Review of WRVS” in order to satisfy itself that the high level of the WRVS grant was justified, to address accountability expectations and to assist WRVS in its own assessment of its role in a developing voluntary sector.⁶¹⁴ While Mr Peach and other senior VSU staff were against the idea,⁶¹⁵ Clifford Hindley wrote a note to Mr Peach dated 15 January 1981 arguing in favour of a “large-scale review” because of the VSU’s “ignorance of how WRVS operates”. He continued:

“None of this makes a review imperative. Still less is there any suggestion of impropriety or wastefulness. There is however a great ignorance of how the money is spent.”⁶¹⁶

The proposed review did not appear to take place.

56. Mr Hulbert said that he was not surprised that Mr Hindley was agitating for a large-scale review of the WRVS account and grant level in 1980 and 1981.⁶¹⁷ Mr Hulbert said that the issue of PIE funding and the proposed WRVS review were separate,⁶¹⁸ that the three-year grant renewal he saw some time between 1978 and 1980 would have been “almost extinct” by the time of a review,⁶¹⁹ and that Mr Hindley would have been under “extreme pressure from the Treasury to have some accountability” given the size of the WRVS grant.⁶²⁰ Alternatively, he contemplated that Mr Hindley’s agitation in favour of a large-scale review could have been a double-bluff on Mr Hindley’s part.⁶²¹

57. The final written submissions made to the Inquiry on Mr Hulbert’s behalf stated:

“It is crucial to the understanding of this evidence that this review was of the accounting practices of the WRVS and not the internal accounting with the Home Office VSU. This misunderstanding reveals the conflation of two separate issues: the accounts kept by the WRVS and the accounts of funding records kept by the Home Office/VSU. Mr Hulbert saw the reference to the funding of PIE on the internal records within the Home Office/VSU of accounting for various grants to various organisations. This would never have been a record available to the WRVS as it was an internal Home Office document.”⁶²²

58. From the documents we have seen, it is not entirely clear that a “Review of WRVS” would refer only to records held and activities conducted by the WRVS externally to the VSU. The terms of the proposed review were not precisely defined; Mr Peach referred to “some kind of review of WRVS activities and funding”.⁶²³ It is not inconceivable that VSU records of the level of grants allocated to the WRVS may have been provided to a reviewer as part of such a review. This may have included a ‘WRVS (PIE)’ spreadsheet entry.

⁶¹² Tim Hulbert 25 March 2019 75/6-11

⁶¹³ Tim Hulbert 25 March 2019 151/22-24, 153/7-9

⁶¹⁴ HOM001673

⁶¹⁵ HOM001674

⁶¹⁶ HOM001677

⁶¹⁷ Tim Hulbert 25 March 2019 156/9-10

⁶¹⁸ Tim Hulbert 25 March 2019 156/9-10

⁶¹⁹ Tim Hulbert 25 March 2019 159/10-11

⁶²⁰ Tim Hulbert 25 March 2019 159/13-15

⁶²¹ Tim Hulbert 25 March 2019 159/25-160/20

⁶²² INQ004279_19

⁶²³ HOM001674

59. Mr Hulbert’s explanations of Mr Hindley’s position are necessarily hypothetical. However, Mr Hindley could easily have sided with his more senior colleagues had he wished to avoid independent scrutiny of WRVS funding, and especially any possible questions of “impropriety”.⁶²⁴ It would be illogical for a person who was attempting to cover up the funding of a controversial organisation by channelling funds through the account of another organisation to advocate for a large-scale review of the activities and funding of the cover organisation. The review was proposed little more than a year after the covert grant was said to have been renewed. By ceding control of the review question, first to Mr Hulbert in asking him to prepare the initial note, then to his superiors and then to an external reviewer, Mr Hindley would have risked exposing the arrangement and his role in it. The attitude conveyed in Mr Hindley’s note of 15 January 1981 is not consistent with that of someone who wished to suppress such an arrangement. There is a mismatch between the language in the note and the language Mr Hulbert described from their conversation in Mr Hindley’s office.

60. The Home Office commissioned an independent review into the claim that the VSU had provided funds to PIE in the 1970s.⁶²⁵ The review concluded, on the balance of probabilities, that the funding of PIE by the Home Office did not take place.⁶²⁶

61. This independent review was itself reviewed by Peter Wanless and Richard Whittam QC.⁶²⁷ Mr Wanless and Mr Whittam considered that the conclusion that the alleged funding of PIE did not take place “is not a fully satisfactory answer to whether the Home Office ever directly or indirectly funded PIE” and that they could not “offer categorical assurance one way or the other”.⁶²⁸ They concluded that it would be “odd but not impossible”⁶²⁹ that Special Branch funded PIE via a Home Office budget to somehow keep track of its members and their activity:

*“the official records offer no direct evidence to suggest it did, and no other civil servant we have had contact with has corroborated Mr Hulbert’s memory, but the records are insufficiently complete to rule it out entirely”.*⁶³⁰

62. The final submissions made to the Inquiry on Mr Hulbert’s behalf by his Counsel, Sam Stein QC, revealed a subtle but significant change of position. In oral closing submissions, Mr Stein submitted “you should find, and should report, that Mr Hulbert told the truth; and find that he did see evidence that the Home Office, or persons working within the Home Office, had provided, or had intended to provide, substantial funding to the Paedophile Information Exchange”⁶³¹ (although he conceded that there was no corroboration or evidence of a “money trail”⁶³²). In written closing submissions, Mr Stein repeatedly asserted that the Home Office “or persons working within the Home Office, did fund, or intended to fund the Paedophile

⁶²⁴ [HOM001677](#)

⁶²⁵ [INQ003804_003](#)

⁶²⁶ [INQ003804_010](#)

⁶²⁷ [INQ003815](#). Mr Wanless and Mr Whittam also looked at a second review, which considered what information the Home Office had received in relation to organised child abuse ([HOM002414](#); [INQ003810](#)) but this is not relevant to our investigation.

⁶²⁸ [INQ003815_036](#)

⁶²⁹ [INQ003815_037](#)

⁶³⁰ [INQ003815_036](#)

⁶³¹ [Sam Stein QC 29 March 2019 74/18-23, 75/17-18](#)

⁶³² [Sam Stein QC 29 March 2019 75/17-21](#)

Information Exchange".⁶³³ This extends the allegation from the Home Office itself to include the alternative of "persons working within the Home Office" and from actual provision of funding to possibly only an intention to fund PIE.

63. Until this point, Mr Hulbert had alleged that PIE was funded by the Home Office, at the request of either the Security Services or Special Branch, not that it was merely intended to be funded by persons working within the Home Office. Mr Hulbert's allegation was that he saw a grant renewal spreadsheet entry indicating that the Home Office was funding PIE, and that Mr Hindley then confirmed, first, that the entry did refer to PIE and, second, that the VSU was funding PIE at the request of the Security Services or Special Branch. This is the allegation that was investigated by the Home Office, the findings of which were considered by the Wanless and Whittam review. While Mr Wanless and Mr Whittam did briefly consider whether "money might have been passed through to PIE without Government sanction, but instead by an individual exceeding their authority knowing that there was no real audit",⁶³⁴ they expressly noted that this was not Mr Hulbert's allegation:

*"The only material that directly supports the existence of such a payment currently comes from Mr Hulbert who recollects that may only have been done on behalf of those investigating PIE, not as a way of the HO, or someone within the HO exceeding their authority, providing financial assistance for PIE because either supported it[s] aims."*⁶³⁵

64. Before this Inquiry, Mr Hulbert stated in oral evidence that he cannot prove that the funds did in fact go through the WRVS.⁶³⁶ In his written closing submissions after the hearing, he stated that he is "entirely unaware of whether the grant renewal was ever transferred to the Paedophile Information Exchange, or what Mr Hindley did subsequently".⁶³⁷ The change in emphasis matters because it is more serious to allege that the Home Office provided funding to PIE at the request of the Security Services or Special Branch than to suggest, as Mr Hulbert's counsel now has, that an individual employee of the Home Office planned to channel VSU funding to PIE but the plan was ultimately not carried out.

65. Reverend Davies died in 2018. He worked in the VSU from 1977 to 1979.⁶³⁸ The Wanless and Whittam review did not contact him, apparently because they understood that Mr Hulbert had been in touch with him in 2014 and so he was considered to be a less satisfactory source of information than others.⁶³⁹ Mr Hulbert had drawn Mr Wanless and Mr Whittam's attention to the potential importance of Reverend Davies' evidence as the person who he thought had first drawn his attention to the funding of PIE.⁶⁴⁰ Mr Hulbert's suggestion was not followed up. We are not satisfied that sufficient steps have yet been taken by the Home Office to contact other relevant individuals, including Brian Chaplin. We were told that enquiries are still ongoing. It appears that they have been significantly delayed given no substantive steps appear to have been made to locate Brian Chaplin since May 2015.⁶⁴¹

⁶³³ INQ004279_1_5, 25, 27.

⁶³⁴ INQ0003815_032.

⁶³⁵ INQ003815_033.

⁶³⁶ Tim Hulbert 25 March 2019 108/21-109/2.

⁶³⁷ INQ004279_20.

⁶³⁸ INQ000130.

⁶³⁹ HOM003218_008; Michael Box 25 March 2019 15/6-9, 26/3-20.

⁶⁴⁰ HOM001268_016.

⁶⁴¹ Michael Box 25 March 2019 21/8-22/19.

66. In February 2014, Reverend Davies told police that he could not recall any funding or any paperwork in relation to PIE funding while he worked at the VSU. He also could not recall ever showing Mr Hulbert a spreadsheet, ledger or any document about PIE funding or grants.⁶⁴² In 2017, Reverend Davies told the Inquiry that he had a vague recollection, possibly from early 1979, when the general conversation was about WRVS funding and someone used the expression 'PIE'. He could not be sure but thought it was Mr Hulbert. He did not recognise the expression 'PIE' and never gave it another thought because it was not something on his radar. He did not see any documents to the best of his recollection with 'PIE' marked on them. He had no thoughts about money being diverted. If he had, he would have raised it with Mr Hindley.⁶⁴³

67. Reverend Davies referred to an email exchange with Mr Hulbert on 30 June 2016 following a phone call with Mr Hulbert.⁶⁴⁴ Mr Hulbert subsequently sent an email to Reverend Davies referring to his memory of seeing 'WRVS (P.I.E.)' and asking him to put in writing what he had said on the phone. In response, Reverend Davies stated that he did "recall very clearly the questions raised on the WRVS renewal" and assured Mr Hulbert that his memory was "still very accurate", but did not mention or confirm the allegation concerning PIE. Mr Hulbert submitted that he was "unable to say why Mr Davies' evidence has been equivocal", and "because of his personal regard for Mr Davies" Mr Hulbert was "very reluctant to speculate as to the reasons for Mr Davies' apparent failure to more clearly corroborate" his account.⁶⁴⁵ Reverend Davies' evidence was inconclusive and inconsistent with the accounts Mr Hulbert has given. Reverend Davies did not, in his email, provide any clear confirmation of Mr Hulbert's allegation, but it also appears to be inconsistent with his 2014 and 2017 statements where he said that he could not recall any paperwork in relation to PIE funding and that he did not recognise the expression 'PIE' at the time.

68. Tom O'Carroll joined PIE in 1974 and eventually became its chair, before being convicted in 1981 of conspiracy to corrupt public morals and in 2006 of distributing indecent photographs of children. O'Carroll provided a written statement to the Inquiry, the relevant part of which was adduced in evidence.⁶⁴⁶ O'Carroll said he found any suggestion that PIE received up to £70,000 in funding to be "preposterous". He said that PIE operated on very limited funds and relied largely on membership fees, and that he was not aware of any large donations to PIE of any sort, including personal donations.⁶⁴⁷ He said that PIE's financial report for 1977/78 appears to make it clear that PIE did not receive large grants from any source and was running at a loss.⁶⁴⁸ O'Carroll further stated:

"With a membership that never exceeded about 250 people at any one time, and members paying probably around £5 each, that would have given us an annual income of about £1250, plus the sales etc. The overall total would have been no more than £2000 or so, which would just about have funded the production, by the cheapest methods possible, of future publications. To appreciate that we were running on a shoestring, you only need to look at the production quality of the magazines etc. that we produced. You would not have mistaken Magpie for Vogue."⁶⁴⁹

⁶⁴² MPS000161_001-002

⁶⁴³ INQ000130

⁶⁴⁴ INQ000132

⁶⁴⁵ INQ004279_16

⁶⁴⁶ INQ003739

⁶⁴⁷ INQ003739_005_008

⁶⁴⁸ INQ003739_008

⁶⁴⁹ INQ003739_012-013

However, he said that PIE was associated with organisations that did receive public funds and in that sense may have benefited from that funding.⁶⁵⁰

69. Tom O'Carroll is an unashamed advocate and apologist for paedophilia, as well as having convictions for corruption of public morals and distributing indecent photographs of children. Despite this, on this issue, his account is in keeping with other evidence tending to suggest that PIE was not supported financially in the way and to the extent suggested by Mr Hulbert.

70. O'Carroll's account on this issue is supported by contemporaneous documents. PIE's magazine *Magpie* dated October–December 1979 (a few months after Mr Hulbert alleges he saw the spreadsheet entry, according to his 2019 statement) contains a section entitled 'Blood, Sweat and Tears Department: The Continuing Crisis' which states, insofar as relevant:

*"Many thanks to those who have sent in money and offers of help in the present crisis ... PIE's general financial state is now looking grim, thanks to the soaring cost of producing Magpie ... in the meantime funds are desperately needed ... the EC recently decided ... (i) to bring out this issue of Magpie in unchanged format – later issues, unless money is forthcoming, will have to be much less lavishly produced, (ii) to forego an a.g.m. this year."*⁶⁵¹

These remarks do not suggest an organisation which had received a grant (or multiple grants, as the grant was said to be a renewal) of £30,000 in government funding, or was due to receive the renewal of such a grant.

71. The Inquiry's legal team conducted searches at MI5 for documents that might indicate that PIE was funded by the Home Office. An internal MI5 note dated 1983 positively suggested to the contrary:

*"A Treasurer's Report which was compiled in October 1982 showed that there was £460.48½ in the P.I.E.'s account. Recently, P.I.E.'s finances are thought to be in a parlous state. There is no evidence of any other source of funds except from the membership."*⁶⁵²

72. Searches were also conducted of Metropolitan Police Special Branch (MPSB) records, and the records of Special Branch offices throughout the country. None of these searches has revealed any documents which suggest that PIE may have been funded by the VSU. However, there was a Special Branch file opened on PIE in July 1978 that was destroyed in 1999 in accordance with standard destruction criteria.⁶⁵³ The Commander of the Counterterrorism Command confirmed by letter to the Wanless and Whittam Review in 2014 that a search of records produced no information that suggests that the MPSB had any role in investigating PIE, or that the MPSB would have wanted or encouraged any financial support from the Home Office in order to continue any MPSB investigations into PIE.⁶⁵⁴

73. Accounts for the relevant period are not available from the WRVS.⁶⁵⁵ The Inquiry has seen a Home Office document dated 11 October 1978 which includes amounts for three VSU grants-in-aid to the WRVS for each of the seven financial years from 1971/72 to 1977/78, and estimates of overall amounts to be granted to the WRVS in the years 1978/79

⁶⁵⁰ INQ003739_006

⁶⁵¹ LSE001258_002

⁶⁵² INQ004034_003

⁶⁵³ MPS003549_002

⁶⁵⁴ HOM003183

⁶⁵⁵ RVS000012_003-004

and 1979/80.⁶⁵⁶ It was argued for Mr Hulbert in opening that records for both the Home Office and WRVS are missing “for, and only for, the very three years in which Mr Hulbert says that a grant was made from the Home Office VSU to PIE via WRVS”.⁶⁵⁷ It is not correct that both sets of records are missing “only for” those years; records for the WRVS, at least, are not available for any year until 1991/92.⁶⁵⁸ Grants made to the WRVS were approved by ministers and put before Parliament by way of a global sum that was not broken down.⁶⁵⁹ There is nothing suspicious in the fact that the WRVS did not keep accounts from that time. We have received evidence that the Home Office had no specific document retention and disposal policies prior to 1982.⁶⁶⁰ It would have been preferable if the Home Office had kept records of grants made.

74. Counsel on Mr Hulbert’s behalf insisted that there could be no doubt that his evidence was factually correct. He submitted that nothing explains Mr Hulbert’s evidence “*other than the fact that it is true*”,⁶⁶¹ and that Mr Hulbert’s account of his meeting with Mr Hindley confirmed “*in a manner incapable of any misinterpretation*”⁶⁶² that the grant renewal was intended for PIE:

*“There clearly could not have been a mistake on the part of Mr Hulbert ... ”.*⁶⁶³

*“There is no room for mistake, for confusion or for any misunderstanding of Mr Hulbert’s evidence regarding this crucial meeting [with Mr Hindley]. The funding was for the Paedophile Information Exchange”.*⁶⁶⁴

There is a possibility of misinterpretation, given the lesser degree of certainty in Mr Hulbert’s original 2013 account which referred to an “*impression*”⁶⁶⁵ as to Mr Hindley’s response and not the detailed three points that Mr Hulbert later recalled. Moreover, even if taken at its height, this does not mean that the Home Office did in fact fund PIE, only that Mr Hulbert took from what Mr Hindley said that the Home Office did fund PIE. Mr Hulbert appears to accept that there may be an explanation for what he heard and saw that is consistent with the Home Office not providing funds to PIE, or that his account does not inevitably mean that funds were provided to PIE.

75. Mr Hulbert’s counsel submitted that he “*has previously been found, by two separate Home Office Reviews, to have been a credible and a truthful witness in relation to his account*”.⁶⁶⁶ That is not right; his account was found credible by one review, that of the first independent reviewer.⁶⁶⁷ However, that review also concluded that on the balance of probabilities the alleged funding of PIE by the VSU did not take place.⁶⁶⁸ The Wanless and Whittam review did not specifically find Mr Hulbert to be credible, but appeared to accept that he was honest.

⁶⁵⁶ [HOM001676_005](#)

⁶⁵⁷ [Sam Stein QC 4 March 2019 130/3-5](#)

⁶⁵⁸ [RVS000012_003-004](#)

⁶⁵⁹ [Tim Hulbert 25 March 2019 65/3-70/3](#)

⁶⁶⁰ [HOM003222_004](#)

⁶⁶¹ [INQ004279_2](#)

⁶⁶² [INQ004279_9](#)

⁶⁶³ [INQ004279_9](#)

⁶⁶⁴ [INQ004279_14](#)

⁶⁶⁵ [OHY006536_003](#)

⁶⁶⁶ [INQ004279_3](#)

⁶⁶⁷ [INQ003804_010](#)

⁶⁶⁸ [INQ003804_010](#)

76. On the basis of this finding of credibility by the Home Office-commissioned review, it was suggested that “*the Inquiry will have to approach, treat and find that Mr Hulbert’s testimony is very likely to be true*”,⁶⁶⁹ “*that the core elements of Mr Hulbert’s evidence are true and that the events he described occurred*”⁶⁷⁰ and that “*the Inquiry must find that Mr Hulbert’s account is true*”.⁶⁷¹ This does not follow. First, this Inquiry is independent of what has gone before and is not bound by what any previous review has found in the past, not least because we have heard Mr Hulbert’s evidence on oath which the first independent reviewer and Mr Wanless and Mr Whittam did not. Second, there may be some distance between an account given honestly and it being wholly factually accurate. A witness may give an honest and intelligent account of their own experience, and genuinely believe that what they are saying is true, but also be susceptible to the fallibility of memory, the memory playing tricks,⁶⁷² mistake, misinterpretation, misrepresentation on the part of another, or an incomplete understanding of what they heard or saw.

77. Mr Hulbert gave his account honestly, and candidly conceded its limitations. At least some of the inconsistencies among his accounts can be explained by the passage of several decades since the time of the events in question. However, we were not convinced by Mr Hulbert’s assertion that his memory has improved over time. It is clear that, following a conversation with Mr Hindley, Mr Hulbert left Mr Hindley’s office under the impression that the Home Office had provided (and was continuing to provide) funding to PIE at the request of the Security Services or Special Branch. We do not consider that Mr Hulbert has done other than his honest best to assist the Inquiry, but it does not follow that PIE was in fact funded in the way he has alleged (as Mr Hulbert himself accepts).⁶⁷³ In all the evidence we have seen and heard, there is no independent support for Mr Hulbert’s allegation that PIE was funded in this way, and there is some evidence which undermines it.

78. We were referred by Mr Hulbert’s counsel to a number of academic articles authored by Clifford Hindley during the 1990s and published in journals such as *The Musical Quarterly* and *The Classical Quarterly*, focussing for example on the works of Benjamin Britten. In his oral closing submissions on behalf of Mr Hulbert, Mr Stein submitted that these writings demonstrate that Mr Hindley was, as he put it, “*sympathetic to pederasty*”.⁶⁷⁴ We do not consider that these writings assist us. They do not go to the issue of whether the Home Office provided funding to PIE; in particular, they do not lend support to the assertion that it did.

79. There is no available evidence to suggest that PIE as an organisation actually received a grant or grants of Home Office funding. This should go some way towards assuaging the central public concern that taxpayers’ money was used to fund PIE. We have not heard or seen any evidence apart from Mr Hulbert’s account that the Home Office provided funding to PIE. The available contemporaneous documents and witness evidence suggest that the alleged funding was not provided.

⁶⁶⁹ INQ004279_3

⁶⁷⁰ INQ004279_5

⁶⁷¹ INQ004279_26

⁶⁷² INQ000132_001; Tim Hulbert 25 March 2019 144/6-145/1

⁶⁷³ INQ004279_20

⁶⁷⁴ Sam Stein QC 29 March 2019 72/23-73/18

Part H

Prosecutorial decisions

Prosecutorial decisions

H.1: Introduction

1. We have examined the cases of Victor Montagu and Sir Peter Hayman, both prominent men linked with Westminster. Montagu was accused of committing serious offences of child sexual abuse, while Hayman was a member of the Paedophile Information Exchange (PIE) and frequently exchanged obscene material in the post with others. We consider the decisions made by the Director of Public Prosecutions or his office in both instances and compare the position today.

H.2: Victor Montagu

2. Alexander Victor Edward Paulet Montagu (known as Victor) was born in 1906, and was Viscount Hinchinbrooke from 1916 until 1962. He was the Conservative MP for South Dorset between 1941 and 1962. In 1962, when his father died, he succeeded as 10th Earl of Sandwich. Having renounced his titles under the Peerage Act 1963, he was then known as Victor Montagu and stood as a Conservative Party candidate in Accrington in the 1964 general election. He died in 1995.

Robert Montagu

3. Robert Montagu is the youngest (born in 1949) of seven children of Victor Montagu and Rosemary Peto. His parents separated when he was five and divorced in 1958. After college he became an importer of goods and then a business consultant. He retrained as a family therapist, working for NHS child and adolescent mental health services and then went into private practice in Dorset. In 2005, he founded the Dorset Child and Family Counselling Trust which went on to become the Family Counselling Trust, operating across Dorset and Somerset, Wiltshire and Hampshire.⁶⁷⁵

4. In 1955, Victor Montagu bought Mapperton House in West Dorset where Robert Montagu would stay every year during summer, Easter and Christmas vacations until he was between 16 and 18.⁶⁷⁶ While other siblings and house staff were in the house, Robert would visit his father before breakfast every day. He was the only child to do so. Robert remembered this practice starting when he was about six and a half and it continued until he was aged around 11. He told us that he used to go into his father's bedroom for the 7:30am morning news and then a story. After 15 or 20 minutes, his father would sexually abuse him by removing Robert's pyjamas or asking him to do so, and he would then fondle him all over his body, and kiss, stroke as well as suck his penis, sometimes for some duration. These acts continued until Robert was about nine and a half. He recalled at this point in time the sexual activity escalating with his father positioning him on his front, placing a handkerchief over his bottom and rubbing his penis between the cheeks of his bottom, sometimes with and sometimes without ejaculation. These were invariably daily occurrences at the same time each day. There were acts Robert refused, such as touching and kissing him.

⁶⁷⁵ INQ003588_001; Robert Montagu 27 March 2019 18/24-20/16

⁶⁷⁶ Robert Montagu 27 March 2019 1/11-3/9

5. He also recalled one full act of anal penetration when he was around 11 years old in his father's London house just before a skiing holiday. On that occasion, Victor Montagu ran the bath, he then asked Robert to strip and they wrestled for a short time. He then asked Robert to position himself on the side of the bed with his top half leaning over the bed, when he put his penis inside him and masturbated until he ejaculated. The day continued as if nothing had happened.⁶⁷⁷ This act of anal rape was the only instance he could recall, although he said there might have been others he had overlooked.⁶⁷⁸
6. Robert believed that presents his father gave him were larger than those given to his siblings. This only increased his self-criticism because they made him believe that he was serving as a prostitute for mercenary reasons. There were no threats not to tell and no encouragement to treat the acts as their secret. He did feel however that his special position with his father was envied by his siblings who teased him about it.⁶⁷⁹
7. He told us how it felt as a child to be the victim of his father's sexual abuse. Despite the absence of any compliance on his side, he was filled with shame and self-disgust. He thought of suicide and he might have carried it out but for what he took to be an instance of divine intervention in church when he heard a booming voice saying "*This is my beloved son in whom I am well pleased*".⁶⁸⁰
8. The abuse came to an end when Robert was around 11 years old. Two of his sisters discovered he was sharing a bath with his father and later quizzed him about it, and then shared it with their mother. As a result, he was "*interviewed*" by his mother and the family doctor when he was in London before returning to school. He told them "*very painfully*" everything and in graphic terms. On his return to school, he waited "*for the police to arrive and an investigation to begin, and nothing happened*". After a period of separation, he was returned to his father's care "*as if nothing had happened*" and his father sought "*to continue the relationship*".⁶⁸¹
9. Robert Montagu made clear that no adult within the family sought to intervene or defend him. His deliberate use of the word 'interview' to describe the meeting with his mother and the family doctor was insightful. He says his mother was disgusted by the news. He imagined that she had discussions with his doctor, their lawyer and friends, and decided it was "*more important to keep this horrible news from examination by the police partly in order to protect me, in a sense, thinking that was the best thing to do*".⁶⁸²
10. As he rightly points out, had there been an investigation his father would have been stopped and there would have been no further victims.⁶⁸³ He told us that at the age of around 12 he discovered other boys – a newspaper boy or an estate worker's son, for example – had attended his father's bedroom just as he had, which came as a shock to him. Later, he became more aware of it when his own school friends and neighbours' friends were approached. His own research indicated there had been at least 10 victims, probably nearer 20.⁶⁸⁴

⁶⁷⁷ Robert Montagu 27 March 2019 3/20-6/1

⁶⁷⁸ Robert Montagu 27 March 2019 6/2-23

⁶⁷⁹ Robert Montagu 27 March 2019 8/3-9/12

⁶⁸⁰ Robert Montagu 27 March 2019 9/13-10/25

⁶⁸¹ Robert Montagu 27 March 2019 11/15-13/9

⁶⁸² Robert Montagu 27 March 2019 14/2-12

⁶⁸³ Robert Montagu 27 March 2019 13/10-14/12

⁶⁸⁴ Robert Montagu 27 March 2019 16/12-17/16

11. Although his mother's and doctor's inaction might in part have been to protect Robert from police intrusion, it was shortsighted and neglectful, because it ignored the suffering he had endured. It also risked further abuse. Yet despite the abuse he complained of, Robert Montagu has demonstrated courage and determination to escape his past, even though it is plainly never far from his mind.

12. In 2014, after his parents' deaths, Robert Montagu published *A Humour of Love* about his experiences, in order "to establish not only my voice but the multifold of voices" by interviewing in his imagination his father to understand his motivations, as well as his mother, the family doctor and their lawyer.⁶⁸⁵ He was asked, from his standpoint as a victim of child sexual abuse and from his own professional experience, what steps he considered might reduce the risk of child sexual abuse allegations not being taken seriously, not just by public authorities but also by the family or powerful people being treated with undue deference when such allegations are made. He strongly advocated that mandatory reporting should be made law in schools and within the domestic setting (subject to extenuating circumstances) and he invited us to make a recommendation for mandatory reporting.⁶⁸⁶ In September 2018 and in April 2019, the Inquiry held a seminar which examined existing obligations to report child sexual abuse and the arguments for and against mandatory reporting.⁶⁸⁷ Mandatory reporting will be considered further in the Inquiry's final report.

The 1972 police report

13. On 24 November 1972, Detective Chief Inspector (DCI) Newman of Dorset & Bournemouth Constabulary submitted a report of 17 November 1972 to the Director of Public Prosecutions concerning two suggested offences of indecent assault committed by Victor Montagu against a 10-year-old boy between 31 December 1970 and 11 November 1972.⁶⁸⁸ As the dates make clear, the boy in question (ciphered as WM-A108) was not Robert Montagu.

14. WM-A108 lived on the Mapperton Estate and had known Victor Montagu since he was a little boy. One weekend during 1971, Victor Montagu had asked the boy to go with him to his bedroom. There, Montagu removed his own trousers and lay on the bed. He took down WM-A108's trousers to his knees, leaving the boy's underpants on and then asked if he would like a little fight. The boy did not want one. Montagu changed trousers, the boy pulled his trousers up and they left the bedroom.

15. On another occasion about a month later, Victor Montagu and the boy went for a walk during which he suggested that he and the boy have a fight. Montagu removed his clothing so he was naked to the waist and the boy took off his jumper but kept his shirt on. They rolled around, ending up with Montagu on top of WM-A108. Montagu kissed the boy on the lips and tickled him, touching the insides of his legs and his "private parts" over his clothing, as well as tickling his back.⁶⁸⁹

16. During similar activity two weeks later in Montagu's bedroom, Montagu kissed WM-A108's private parts twice. A similar incident occurred some two months later. The boy described another incident when Montagu kissed him on the lips. In summer

⁶⁸⁵ Robert Montagu 27 March 2019 15/5-16/11

⁶⁸⁶ Robert Montagu 27 March 2019 20/17-22/4

⁶⁸⁷ <https://www.iicsa.org.uk/research-seminars/mandatory-reporting-child-sexual-abuse>

⁶⁸⁸ CPS003345_005; CPS004383_001

⁶⁸⁹ CPS003345_007

1972 in a swimming pool, Montagu and the boy swam together in the nude, after which Montagu dried him with a towel including his private parts although he did not touch him with his hand.

17. On a final occasion, Montagu wrestled with WM-A108 in an attic bedroom, when he kissed the boy's private parts and rubbed his penis along the boy's legs. On this occasion, he held the boy's hand against his (Montagu's) own private parts. There was also an incident in Montagu's London house when he kissed WM-A108 on the lips.

18. During the investigation, WM-A108 told the police about the many gifts Montagu had given him and about a forthcoming trip to Switzerland.⁶⁹⁰ In the 'Observations' section of the report, DCI Newman described the boy as *"a simple lad, perhaps to be pitied"*. He was sure WM-A108 had not taken advantage of the situation to *"furnish his nest"* by demanding gifts from Montagu. DCI Newman then focussed attention on the mother's reaction to Montagu's gifts to WM-A108 and his disclosures to her about what had happened, concluding that the mother had *"an animal-like approach to life"* and *"failed to attach much importance to the boy's possible exposure to moral danger"*. The father had eventually understood that *"the association had now become dangerous in the interests of the boy's future"*.⁶⁹¹

19. As for Victor Montagu, DCI Newman noted that all persons on the estate at Mapperton thought very highly of him as an employer and friend. It was also rumoured that his second marriage (in 1962 which ended in 1965) had not been consummated, since which time *"he appears to have lived a lonely life and it was thought that his interest in [WM-A108] was no more than fatherly"*. DCI Newman continued:

"From his replies, I am certain that he does not realise the seriousness of what has occurred but when one considers that he has grandchildren of a similar age, and incidentally these grandchildren, together with [WM-A108] and other adults were going to form a 'skiing party' to Switzerland later this year, then perhaps some sympathy may be afforded him."

DCI Newman closed his report by saying that Montagu had said WM-A108's family's position on the estate was not in jeopardy, adding:

*"He also accepted my advice that the association with [WM-A108] should end immediately. I warned him that if it continued, my Superiors would have to consider that the boy be brought before a Juvenile Committee for consideration of putting him into safe custody as being exposed to moral danger."*⁶⁹²

20. In interview, Montagu described the activity as *"romping"* and said that there had been no sex at all as he was 66 and past sex. He said of the several allegations made that *"The whole thing is almost entirely true"*.⁶⁹³

The decision of the Director of Public Prosecutions' office

21. A decision note from the Director of Public Prosecutions' office records that Victor Montagu had *"admitted outwardly all that the boy says but says there was no sex in it – at 66 he is past sex"*, and that the assaults consisted in the main of *"romping and wrestling in the nude"*

⁶⁹⁰ CPS003345_006-009

⁶⁹¹ CPS003345_011-012

⁶⁹² CPS003345_013-014

⁶⁹³ CPS003345_033-036

but there were occasions when Montagu kissed the boy's penis". The note describes the case as *"bedevilled by the relationship in a rural community of employer and employee"*. The decision was recorded as *"Borderline – but with a man of previous good character, and no fear of repetition with this boy, I think we could caution."* The decision was made by Assistant Director South on 28 November 1972 and endorsed by Assistant Director Smith with the words *"I agree"* on 29 November 1972.⁶⁹⁴

22. A letter dated that same day, 29 November 1972, from the Director of Public Prosecutions' office addressed to the Chief Constable of Dorset & Bournemouth Constabulary advised that the case could properly be dealt with by way of a caution:

*"The assaults, which are admitted, are not of themselves very serious and if Mr Montagu is prepared to take the excellent advice given to him by Det Chief Inspector Newman and avoid any contact with the boy in the future I do not think that proceedings are called for."*⁶⁹⁵

There is no indication whose letter it is, other than a reference at the top beginning 'AJS'.

23. Gregor McGill, Director of Legal Services at the Crown Prosecution Service, who gave evidence to our Cambridge House, Knowl View and Rochdale investigation about the Director of Public Prosecutions' decision in the case of Cyril Smith, was asked about the documentation in the Montagu case and the decision-making. He thought 'South' might be the Assistant Director's name or the geographical area covered by him.⁶⁹⁶ He was unable to shed any light on the decision-making in the case and did not have the benefit of understanding what, if any, policies may have applied to offences of indecent assault or what guidance there may have been on the giving of a caution. He agreed that the decision was turned round far more quickly than would be the case today.⁶⁹⁷

24. Mr McGill said he could only judge the case by how it would have been approached today. He said today the decision would be to prosecute. There was sufficient evidence for a realistic prospect of conviction in the Code for Crown Prosecutors and there was a clear public interest to prosecute; he pointed to the several aggravating features such as the age and vulnerability of the complainant, the marked disparity in age, the position of authority and trust held by Montagu, the grooming nature of the interaction with the boy and the fact the contact had occurred when they were naked and involved touching of, as well as kissing, the boy's genitals.⁶⁹⁸ Mr McGill said that matters such as Victor Montagu's failure to consummate his second marriage, his apparent fatherly interest in the boy and his alleged failure to realise the gravity of what had occurred would not be given any credence today by a prosecutor. Ms Zoe Johnson QC, who represented the Crown Prosecution Service in this investigation, noted that the same factors which tipped the balance away from prosecuting in 1972 would tip the balance in favour of a prosecution today.⁶⁹⁹

25. We agree with Mr McGill that the Detective Chief Inspector's advice to Montagu to avoid contact with the boy, which if it continued put the boy at risk of being taken into safe custody, made *"uncomfortable reading"*.⁷⁰⁰ The effect of any resumption of offending

⁶⁹⁴ CPS003345_003

⁶⁹⁵ CPS004383_002

⁶⁹⁶ Gregor McGill 27 March 2019 162/21-163/9

⁶⁹⁷ Gregor McGill 27 March 2019 166/7-22

⁶⁹⁸ Gregor McGill 27 March 2019 168/22-170/7; CPS004659_004

⁶⁹⁹ Zoe Johnson QC 29 March 2019 96/1-22

⁷⁰⁰ Gregor McGill 27 March 2019 170/8-172/17

by Victor Montagu was that the boy would be the one to be removed from his family and community rather than the offender, which highlights the relatively less important position occupied by a child victim as against that of an adult offender at the time.

26. Mr McGill agreed that if Victor Montagu had been charged and convicted of offences against his own son between 1955 and 1961, then he could not have been advanced as a person of good character in 1972, which was an aspect of the decision not to prosecute. He accepted that the facts in Robert Montagu's case might arguably have amounted to similar fact evidence as to satisfy the requirement for corroboration when considering a prosecution in WM-A108's case.⁷⁰¹

27. Robert Montagu told us it had been a shock to discover there had been a police investigation in 1972. His reaction to reading the material revealing that his father's good character had been regarded as justifying not proceeding and that a caution would suffice was to say that it was "*entirely wrong, and very indicative of the attitude of the time towards people in public positions*". He said times had changed but from his experience, at that time, these were treated as private matters which should not come to public notice or be brought to court.⁷⁰² As noted on behalf of the Crown Prosecution Service:

"In a society riddled with class distinction and behaviour which was assessed on grounds of morality rather than criminality, the real offending was lost".⁷⁰³

The real offending was lost, but it was an assessment of morality and the class distinction between him and the boy he sexually abused that swung the decision in Victor Montagu's favour, as is evident from the tenor of the police report. This must have influenced the Director of Public Prosecutions' decision to caution Victor Montagu rather than to prosecute him.

H.3: Sir Peter Hayman

28. Peter Hayman was born in 1914. He married in 1942 and had two children. He held a number of important roles in the Diplomatic Service. Between 1964 and 1966 he was with the British Military Government in Berlin, between 1966 and 1969 he was Assistant Under Secretary at the Foreign & Commonwealth Office, between 1969 and 1970 he was Deputy Under Secretary of State at the Foreign & Commonwealth Office, and between 1970 and 1974 he was the British High Commissioner in Canada. He was knighted in 1971.⁷⁰⁴ He retired in 1974 and died in 1992.

29. There were allegations Hayman had been a member of PIE using an assumed name and that he had been sending and receiving through the post obscene material, for which he was not prosecuted. There has been long-standing public concern whether the decision not to prosecute Hayman either for his involvement with PIE or for sending obscene material through the post might have been politically motivated. Those concerns were first expressed in the House of Commons by Geoffrey Dickens MP in 1981 but they have continued to be aired ever since.

⁷⁰¹ Gregor McGill 27 March 2019 173/22-174/22

⁷⁰² Robert Montagu 27 March 2019 18/2-23

⁷⁰³ Zoe Johnson QC 29 March 2019 94/24-95/3

⁷⁰⁴ CPS004445_018; CAB000043_036. In Part I of this report (Honours System), we deal with the approach taken to Peter Hayman's knighthood in light of his membership of PIE and the 1984 conviction for gross indecency.

30. One of the investigating police officers in the Hayman and PIE cases, Bryan Collins (now retired), made a series of allegations to the Independent Office for Police Conduct (IOPC) to the effect that the prosecution of Hayman was dropped inappropriately, that Hayman's name was intentionally kept out of the trial of other PIE members which did go ahead, and that Hayman unsuccessfully attempted to bribe Bryan Collins and his fellow police officer. These allegations formed the basis of IOPC investigations.

The police investigation

31. In about 1974, Bryan Collins joined the Obscene Publications Squad at Scotland Yard as a police sergeant (PS). His role was to investigate the production and sale of pornography.

32. As a result of a *News of the World* article, an investigation was commenced into PIE which focussed on Tom O'Carroll, one of the group's organisers. PS Collins and his partner, Police Constable (PC) Dave Atkins, were in possession of a list of members of PIE, from which they selected for interview a dozen or so of "*probably the worst*" individuals, based on their correspondence with PIE through *Magpie* (PIE's publication) indicating their "*desire in connection with sexual activity with children*". It was by those means PS Collins and PC Atkins put together a case against O'Carroll for conspiracy to corrupt public morals.⁷⁰⁵ One individual selected for interview on the list was a member of PIE called 'Peter Henderson'.

33. In a police report titled 'Hayman & Others', date-stamped as received by the Director of Public Prosecutions' office on 7 December 1978, PS Collins set out the facts.⁷⁰⁶

34. A quantity of obscene photographs and correspondence, sent through the post to an individual named Peter Henderson at 95 Linden Gardens, London, W2, was found on a bus on 21 March 1978 by a member of the public and handed in to the police. The officers discovered Henderson was a member of PIE "*which consists of people who advocate sexual acts between adult and child*".⁷⁰⁷ They went to the address on 2 October 1978 where they were let in by the managing agents and a locked wardrobe was forced open. In it, on shelves, were 45 volumes of photographs and writings, each of about 200 pages, which contained a record of sexual activities over the previous six years. The report states:

*"These records contain nothing but obscenities on every conceivable sexual act, deviation and perversion ... are a complete, specific record of Henderson's sexual acts with other men and women, both pictorially and of written matter."*⁷⁰⁸

Trophy items were pressed between the leaves of the volumes and other items were found fixed to the wardrobe.

35. When Henderson arrived at the flat that day, the officers spoke to him. He accepted all the items were his and that he had been engaged for many years in exchanging obscenities through the post with others. He made a short statement under caution. It was obvious to the officers that he was not who he claimed to be but at no time did he reveal his true identity.⁷⁰⁹

⁷⁰⁵ Bryan Collins 27 March 2019 43/7-45/14

⁷⁰⁶ CPS004445_001

⁷⁰⁷ CPS004445_002

⁷⁰⁸ CPS004445_003

⁷⁰⁹ CPS004445_002-004

36. A few weeks later, a briefcase containing various obscene writings and photographs was found and handed in to police. The IOPC Operation Hesper closing report refers to this. It was found in St James's Park by an officer of the Royal Parks Police with Metropolitan Police dog handlers. Documents inside the briefcase named Peter Hayman. Also found were envelopes containing black and white photographs of boys aged between eight and 11 dressed only in their underpants.⁷¹⁰ Mr Collins said he did not recall this.⁷¹¹

37. Henderson was seen again by police on 24 October 1978, when he identified himself as Peter Hayman. He identified the briefcase and its contents as his, saying it had been stolen from his car some weeks earlier.⁷¹² In the police report, PS Collins wrote:

*"Many of the obscenities written in Hayman's books referred to children and although it was reasonable to assume that much of it was fantasy, further enquiries were made in this direction."*⁷¹³

38. Other parts of the police report mention children. Some of the images circulated among Peter Hayman's correspondents were "*normal snaps*" of children but pages from Hayman's records for 1975 included a photograph of an 11-year-old girl with obscene comments written about her.⁷¹⁴ 'The Circle' was Hayman's description of those with whom he corresponded.⁷¹⁵ In relation to a family Hayman had become involved with, the report states:

*"Although the sex volumes contain references to the ... children there is no evidence to suggest they have been involved in any way in this matter apart from being fantasised about by Hayman and other members of 'The Circle' ..."*⁷¹⁶

The report states Hayman had made contact and corresponded with a man (ciphered as WM-F24) through PIE. WM-F24 was in possession of a quantity of obscene material relating to young children. He also had two photographs of naked young girls which Hayman had sent to him.⁷¹⁷

39. Robert Wardell was a bus inspector and a PIE member. He and Hayman had established contact, and exchanged obscene letters through the post. In the report, PS Collins wrote that Wardell had sexual fantasies which were:

"the most horrific and sickening accounts of sexual desires that one could possibly imagine. He has a consuming passion for the activities supposedly carried out by the German SS towards Jewish children. These incredibly sadistic accounts of atrocities directed towards children he has sent to Hayman who, just as incredibly, enjoyed them."

Wardell also sent Hayman photographs of children fully clothed.⁷¹⁸

40. A retired headmaster, John Sewell, was a member of Hayman's 'Circle'. He had convictions for indecent assault of young boys. He was spoken to by police in relation to the PIE enquiry, when he denied association with an advert in the PIE contact sheet advertising

⁷¹⁰ IPC000510_002-003_006

⁷¹¹ Bryan Collins 27 March 2019 52/22-53/3

⁷¹² CPS004445_005

⁷¹³ CPS004445_005

⁷¹⁴ CPS004445_006-007

⁷¹⁵ CPS004445_003

⁷¹⁶ CPS004445_011

⁷¹⁷ CPS004445_012

⁷¹⁸ CPS004445_013

an interest in “*little girls in white pants and little boys without them*”. Sewell had sent Hayman two photographs of young girls showing their underwear with obscene comments on them. Sewell had further similar material in his possession.⁷¹⁹

41. Another correspondent (ciphered as WM-F25) sent letters to Hayman through the post which related to sexual activity with young boys. The report states “*although they will be claimed to be fantasy, [WM-F25] admitted when seen originally that he had indecently assaulted a young boy some five years ago*”.⁷²⁰

42. In light of this, Mr Collins was asked in the course of his evidence why he had felt that Hayman’s writings in relation to children were fantasy. He said it was because they were so extreme. In some instances, he said, Hayman was referring to well-known people as well as friends of his family. He added:

*“It was obvious that some of the stuff, or most of the stuff ... no, not most; some of it was fantasy”.*⁷²¹

He said there was no evidence to charge Hayman with any offence of child sexual abuse. He was asked what “*further enquiries*” had been made in relation to Hayman’s writings about children.⁷²² He recalled visiting some addresses where there were families with children.⁷²³

43. In a subsequent and very lengthy police report which focussed on the activities of PIE, PS Collins noted that Hayman, using the assumed name Henderson, had corresponded with PIE “*in the person of David Grove*”⁷²⁴ seeking advice about progressing a sexual relationship with a little girl. In light of this material, and Hayman’s association with PIE, Mr Collins was asked whether, at the time, the police could have had confidence that Hayman was not in fact a paedophile. His response was:

*“I can’t see how anyone would say that. I think he would have grasped at any opportunity to take advantage of man, woman or child sexually.”*⁷²⁵

44. PS Collins concluded his first report by remarking that Hayman had a great deal to lose by reason of his position in society but:

*“the sheer filth spread far and wide by him, particularly its content with regard to the sexual and physical abuse of children, must place him in the category of being one of the worst offenders in relation to sending obscene material through the post”.*⁷²⁶

⁷¹⁹ CPS004445_014-015

⁷²⁰ CPS004445_015-016

⁷²¹ Bryan Collins 27 March 2019 63/8-64/8

⁷²² CPS004445_005

⁷²³ Bryan Collins 27 March 2019 64/25-65/16

⁷²⁴ OHY007089_003-004

⁷²⁵ Bryan Collins 27 March 2019 91/14-96/1

⁷²⁶ CPS004445_017

The Director of Public Prosecutions' decision not to prosecute Sir Peter Hayman

45. PS Collins expressed the view in his report that offences had been committed under section 11(1)(b) of the Post Office Act 1953,⁷²⁷ which provided:

“A person shall not send or attempt to send or procure to be sent a postal packet which – (b) encloses any indecent or obscene print, painting, photograph, lithograph, engraving, cinematograph film, book, card or written communication, or any indecent or obscene article whether similar to the above or not.”

The sentence for conviction on indictment was imprisonment for not more than 12 months.

46. He told us in evidence that he recalled receiving a phone call from Sir David Napley, who was Peter Hayman's solicitor. He asked him if he was dealing with the Hayman case and then asked him who was dealing with it at the Director of Public Prosecutions' office. Mr Collins knew it was Jeremy Naunton, as he had been talking to him about the dates of charges. He did not wish to land Mr Naunton with a call from Sir David Napley and so he told Sir David he would find out and get back to him, to which Sir David replied *“Don't bother. I'll talk to Hetherington”*.⁷²⁸ Sir Thomas Hetherington was the Director of Public Prosecutions at the time.

47. It was, said Mr Collins, the next day that he and his partner were called into Chief Inspector Shepherd's office to be told that Hayman was not to be prosecuted but cautioned instead. Mr Collins said he was never told why. (It was not until he read material in advance of giving his evidence to the Inquiry that he learned that Hayman had been claiming to be suicidal. Mr Collins remarked that being suicidal had not prevented Hayman from appearing on *Mastermind* or subsequently importuning a lorry driver in a public toilet.⁷²⁹) Hayman subsequently accepted the caution, so he admitted the offending.⁷³⁰

48. Jeremy Naunton was a solicitor who began working in the Director of Public Prosecutions' office in around 1971. Following the submission by PS Collins of his police report on the investigation into Hayman and its receipt by the Director of Public Prosecutions' office on 7 December 1978, an interim advice note was written within the office.⁷³¹ Mr Naunton told us he thought the advice note was *“probably my note”*; he recognised the handwriting at the end of the note as his. The note was addressed *“A/D Met”* which was an abbreviated reference to the Assistant Director of the Met Division, who was Mr Naunton's line manager.⁷³² The note stated that, like most of Scotland Yard's investigations under section 11 of the Post Office Act 1953, this case left *“a lot to be desired and it is difficult to make a decision without seeing the original photos or the latest letters”*.⁷³³ Mr Naunton said he had not seen any of the original exhibits and therefore no decision could be made until they were available, though the idea had been to progress the case towards a prosecution.⁷³⁴

⁷²⁷ CPS004445_017

⁷²⁸ Bryan Collins 27 March 2019 62/1-63/7; 70/6-71/9

⁷²⁹ Bryan Collins 27 March 2019 71/10-73/6. This incident led to Hayman being convicted and fined for gross indecency in 1984.

⁷³⁰ Bryan Collins 27 March 2019 76/23-77/8; Jeremy Naunton 27 March 2019 149/17-22

⁷³¹ CPS004445_022-025

⁷³² Jeremy Naunton 27 March 2019 109/15-111/11

⁷³³ CPS004445_022

⁷³⁴ Jeremy Naunton 27 March 2019 116/6-19

49. He wrote that despite the theme of PIE running through the papers, there was “no evidence to suggest that any of them have committed offences with children”. He added:

*“Whilst we are shortly to receive a full report on the activities of PIE I am told by the police that this is an independent offshoot that can be dealt with separately. I hope that any decision we make here will not be a rod for our own backs when the PIE case arrives.”*⁷³⁵

50. This cautionary note was rather prescient in light of PS Collins’ later report on PIE which noted Hayman’s correspondence with a ‘David Grove’ about his sexual desires involving a little girl.⁷³⁶ Mr McGill remarked this was:

*“a salutary reminder to all prosecutors that, before making a decision, you need to have all the facts at your disposal ... Because if you do it too quickly, there could be material that may materially affect the decision you’ve made.”*⁷³⁷

51. In his advice note, Mr Naunton recorded that:

- The police were anxious that proceedings were taken against those named and possibly for conspiracy to contravene section 11 of the Post Office Act 1953.
- The articles found in Hayman’s flat were obscene and indecent and must have been sent through the post.
- There was no organised general postal distribution of obscene articles.
- While Hayman’s articles were obscene, they did not appear to fall within the usual categories under the Obscene Publications Act, because although money did pass there was no real arrangement for a financial gain to be made.

He added the activities described were for the personal and private sexual benefit of the individuals, some of whom had been known to each other for years, and not for indiscriminate circulation. Thus, he noted, the case fell into a lower category than others they saw and could possibly be dealt with by individual substantive charges under section 11 of the Post Office Act 1953.⁷³⁸

52. Mr Naunton told us there had been no policy in the Director of Public Prosecutions’ office when considering Post Office Act offences or Obscene Publications Act offences. Obscene Publications Act offences required the person to publish or have an obscene article for publication for gain, whereas the Post Office Act was, he said, aimed at the protection of Post Office employees and was “*slightly obsolete*”.⁷³⁹

53. In the view of Mr McGill, the decision not to prosecute Hayman under the Post Office Act 1953 was reasonable given the offence was considered to be outdated. It was aimed at protecting Post Office employees and so the circulation of the material had not harmed those it was designed to protect; the material was circulated among like-minded adults and there was no intention to make any financial gain from it.⁷⁴⁰

⁷³⁵ CPS004445_022

⁷³⁶ OHY007089_003-004

⁷³⁷ Gregor McGill 27 March 2019 180/18-181/21

⁷³⁸ CPS004445_022

⁷³⁹ Jeremy Naunton 27 March 2019 118/23-119/15

⁷⁴⁰ Gregor McGill 27 March 2019 177/3-21; CPS004666_004

54. Mr Naunton's advice note went on to consider each of the suspects, beginning with Hayman. Mr Naunton noted that Hayman had admitted being a member of PIE "for a while about a year ago" and in his statement under caution he had said he "disagreed totally with PIE's views". When later questioned about his relationship with PIE, Hayman had said:

*"I wish you to believe that I have never interfered with children, all I have written about is pure fantasy, I suppose I know I should never have sent those things through the post but I never really thought about it".*⁷⁴¹

The advice note concludes with Mr Naunton observing:

*"No one can really support what the 'defendants' have been doing but I consider that the police are making a storm in a tea cup – as far as I can see (subject to [WM-F25] ...) no child has been affected by their group activities and no one has been offended by seeing any obscene writing through the post."*⁷⁴²

55. As for the suggestion that Hayman's writings about children were pure fantasy, Mr McGill told the Inquiry that, today, in such circumstances, he would expect prosecutors to consider the offence under section 1 of the Obscene Publications Act 1959 of publishing obscene material. In particular, where there did not appear to be any evidence of contact abuse offences against children, fantasy discussion of abusing children can fall within the definition of obscenity and can also be captured by the offence.⁷⁴³

56. Mr Naunton denied knowledge of PS Collins' later report on PIE, and said the decision to caution had not been his but, had it been, he said he would have taken into account the information in the PIE report in deciding on charge.⁷⁴⁴ He added even though Hayman had been cautioned, there was no reason why he should not have been prosecuted for any other offences disclosed in the later report.⁷⁴⁵ Mr McGill agreed.⁷⁴⁶

57. Mr Naunton had questioned in the advice note whether there was any useful purpose in prosecuting any of the possible defendants, as no harm had been done to anyone, but if proceedings were to be instituted he advised substantive charges under section 11 of the Post Office Act 1953. He made clear that his opinion was based on the papers and what he had been told by the police.⁷⁴⁷

58. In evidence he said that he had not been considering the public interest but the evidential test only, ie whether there was a reasonable prospect of conviction (which was the test before the Code for Crown Prosecutors). He said that consideration of public interest factors would probably have "gone up higher" because of Hayman's background.⁷⁴⁸

59. Mr Collins gave evidence that, before the decision was made to caution him, Hayman had turned up at Scotland Yard to speak to him and PC Atkins, and had tried bribing them with £25,000 each. Mr Collins recalled telling him not to be so stupid as he was in enough trouble already. However, neither officer reported the bribe because, said Mr Collins in

⁷⁴¹ CPS004445_022-023

⁷⁴² CPS004445_025

⁷⁴³ Gregor McGill 27 March 2019 177/22-178/7; CPS004666_004

⁷⁴⁴ Jeremy Naunton 27 March 2019 126/24-129/7

⁷⁴⁵ Jeremy Naunton 27 March 2019 129/20-130/13

⁷⁴⁶ Gregor McGill 27 March 2019 179/10-180/17

⁷⁴⁷ CPS004445_025

⁷⁴⁸ Jeremy Naunton 27 March 2019 136/8-25

evidence, Hayman did not actually try giving them any money. Mr Collins recalled but rejected the criticism in the Operation Magnolia report that they did not follow Metropolitan Police policy.

60. Mr Collins told us that he had not considered that Hayman's approach had amounted to perverting the course of justice, which might have strengthened the case against Hayman on the other offences.⁷⁴⁹ Mr Collins said Hayman was in a terrible state, by which he said he meant "*his whole family, his future ... it was diabolical for the man and his family that it should come to light*". He said he was sympathetic towards him in that sense.⁷⁵⁰

61. In Mr Naunton's view, if the bribe had been a genuine offer it ought to have been reported. He agreed it would have been taken seriously but said he had no idea if it would have led to a further investigation or charge. He was not prepared to be drawn on whether a substantial sentence of imprisonment would have followed a conviction for perverting the course of justice in such circumstances.⁷⁵¹

62. Mr Naunton told us he had later become aware that a meeting had in fact taken place between Sir David Napley and the Director of Public Prosecutions, but had known nothing about it at the time and was not invited to attend. Mr Naunton would not say whether a meeting between a suspect's solicitor and the Director of Public Prosecutions was normal but asserted that the Director of Public Prosecutions had control over his office and could decide whether to meet Sir David Napley. Mr Naunton said he had no idea if anyone else had been in attendance or if minutes of the meeting had been taken. He did however accept that, in all his time as a solicitor in the Director of Public Prosecutions' office and then the Crown Prosecution Service, he had no experience of the Director of Public Prosecutions entertaining a suspect's solicitor and coming to a resolution of a case.⁷⁵² The impression we are left with is this was an exceptional if not unique occurrence.

63. Mr Naunton said he had never discovered the reason why Hayman was cautioned. He was asked why at the end of his advice note he had written "*I am told by Sir David Napley that Hayman has suicidal tendencies because of the case*".⁷⁵³ He claimed Sir David Napley might have rung him and it was merely his "*assumption*" that his suicidal tendencies was the point that was raised with the Director of Public Prosecutions. He thought he annotated the advice note before Sir David Napley had seen the Director of Public Prosecutions. He could not recall PS Collins ever tipping him off that Sir David Napley might call. He accepted the possibility that Sir David Napley had discovered his name and had spoken to him about Hayman. He did not accept participating in the decision to caution. He said he might not have taken an enormous amount of notice of what he had been told about Hayman's suicidal tendencies, unless he had received some psychiatric evidence because, as he put it, those who claim to be suicidal tend not to act on it.⁷⁵⁴ He did not know if the Director of Public Prosecutions had been provided with any psychiatric evidence to support the claim that Hayman was suicidal. He was not prepared to agree that the decision that was taken was highly charitable.⁷⁵⁵

⁷⁴⁹ Bryan Collins 27 March 2019 82/4-86/8

⁷⁵⁰ Bryan Collins 27 March 2019 86/9-87/6

⁷⁵¹ Jeremy Naunton 27 March 2019 140/9-142/2

⁷⁵² Jeremy Naunton 27 March 2019 137/7-139/24

⁷⁵³ CPS004445_025

⁷⁵⁴ Jeremy Naunton 27 March 2019 142/3-147/23

⁷⁵⁵ Jeremy Naunton 27 March 2019 148/4-25

64. For his part, Mr McGill thought that any suggestion that a person arrested for crime is suicidal had to be treated with some scepticism. Faced with such a claim today, the Crown Prosecution Service would expect to see some medical evidence in support and, for a serious offence, would ask that the suspect be examined independently by a psychiatrist instructed for the prosecution. It would not be accepted at face value.⁷⁵⁶

Wardell and Norris

65. On 2 October 1980, Robert Wardell and a co-accused John Norris pleaded guilty at St Albans Crown Court to an offence of conspiracy to infringe the provisions of section 11(1) (b) of the Post Office Act 1953. The particulars of the offence in the indictment were that, between 1 January 1975 and 18 April 1979:

“they conspired together unlawfully to send packets to each other containing obscene written communications namely sadistic accounts of the sexual torture and killing of children”.

They were conditionally discharged for three years and ordered to pay costs.⁷⁵⁷

66. John Sewell was not charged with Wardell and Norris but he became a witness in Tom O’Carroll’s trial.⁷⁵⁸ Following a retrial at the Central Criminal Court (Old Bailey), on 13 March 1981, O’Carroll was convicted of conspiracy to corrupt public morals in the PIE case and was sentenced to two years’ imprisonment.⁷⁵⁹

67. Mr Collins distinguished the way Peter Hayman and Robert Wardell were treated. Hayman, he said, had the services of Sir David Napley and was not prosecuted, yet Robert Wardell, a bus inspector, was prosecuted on exactly the same material. The IOPC Operation Magnolia report noted that Wardell had been charged due to the serious and extreme nature of the content.⁷⁶⁰ Mr Collins said he thought there was *“one law for Wardell and another for Hayman”*.⁷⁶¹ It was obvious that Mr Collins remained greatly affected by the decision in the Hayman case.

68. Mr Naunton did not know whether Hayman and Wardell had received differential treatment or whether the outcome in Hayman’s case could be explained by him being shown undue deference. He said *“I wasn’t responsible, as far as I know, for the prosecutions of those two people”*. Mr Naunton then remarked:

*“The taller they are, the harder they fall, and Hayman was fairly tall in respect of the diplomatic side of it. Therefore ... he had a lot to lose. I’m not saying the others didn’t but he had a lot to lose if he was prosecuted.”*⁷⁶²

Mr Naunton told us he did not think that the decision in Hayman’s case had anything to do with showing him undue deference; he thought that the decision was made due to the serious risk that Hayman might commit suicide *“because of his position in society”*.⁷⁶³

⁷⁵⁶ Gregor McGill 27 March 2019 181/25-182/18

⁷⁵⁷ MPS003580

⁷⁵⁸ MPS003581

⁷⁵⁹ INQ003739_001; Bryan Collins 27 March 2019 56/15-57/21

⁷⁶⁰ IPC000514_004

⁷⁶¹ Bryan Collins 27 March 2019 87/7-89/8

⁷⁶² Jeremy Naunton 27 March 2019 149/1-16

⁷⁶³ Jeremy Naunton 27 March 2019 151/23-153/2

The political fallout

69. On 24 October 1980, *Private Eye* exposed the Hayman case in an article entitled ‘The Beast of Berlin’. It reported that his role had emerged:

*“after two men were conditionally discharged for three years after pleading guilty to sending obscene material through the post. The decision not to prosecute Hayman, who was certainly as guilty as these two unfortunates, came from high up, much to the disgust of DPP Tony Hetherington’s aides and also the policemen involved in the case”.*⁷⁶⁴

The “two unfortunates” were Wardell and Norris.

70. Lord Armstong told us that neither the Foreign & Commonwealth Office, the Cabinet Office nor the Security Service knew anything about the matters in the article until it was published.⁷⁶⁵ In a minute of 27 October 1980 from Lord Armstrong (then Cabinet Secretary, Sir Robert Armstrong) to the Prime Minister, he drew attention to the *Private Eye* article and made reference to the Collins 1978 police report, including the fact Hayman was a member of PIE. He observed that the only sexual activity that could be shown to have occurred was with consenting adults and there was “no evidence for actual activities with children”.⁷⁶⁶

71. *Private Eye* published a second article on 7 January 1981 claiming there had been a “flaming row” between the Director of Public Prosecutions and the Attorney General.⁷⁶⁷ On the same day, the Director of Public Prosecutions produced a memo saying that he was not aware of any disagreement between the Attorney General and himself.⁷⁶⁸ Lord Armstrong told us that assertion related to the Hayman case.⁷⁶⁹ He said that he had been wrong to say in his witness statement that the Director of Public Prosecutions had been minded to authorise a prosecution but had been overruled by a higher authority and that the Attorney General had in fact accepted the Director of Public Prosecutions’ advice not to prosecute.⁷⁷⁰

72. In another memo to the Prime Minister, dated 9 January 1981, Lord Armstrong discussed Security Service enquiries thus far and the need once they were over for the Security Service to speak to Hayman himself. Those enquiries involving colleagues had revealed two instances of concern when Hayman had been in Baghdad and Ottawa but “Hayman gave his colleagues no cause to suspect that he might be engaged in irregular sexual activities”.⁷⁷¹ Lord Armstrong said he could not recall if, by the use of that term, Hayman’s colleagues were aware he was engaged in “irregular sexual activities”. Lord Armstrong said he thought he had been referring to Hayman’s general activities as described in his diaries and the term did not mean sexual activity with children but “irregular sexual activities” outside marriage.⁷⁷²

⁷⁶⁴ [HOM002200_001](#)

⁷⁶⁵ [Lord Armstrong 12 March 2019 88/3-9](#)

⁷⁶⁶ [HOM002203_002-005](#)

⁷⁶⁷ [INQ004035_001](#)

⁷⁶⁸ [CAB000071_024](#)

⁷⁶⁹ [Lord Armstrong 12 March 2019 94/17-95/21](#)

⁷⁷⁰ [Lord Armstrong 12 March 2019 94/2-14](#)

⁷⁷¹ [CAB000071_022](#)

⁷⁷² [Lord Armstrong 12 March 2019 98/24-101/23](#)

73. The Security Service (MI5) had indeed been involved in making enquiries. They had first become involved within days as a result of the first *Private Eye* article.⁷⁷³ The MI5 witness told us about MI5's interviews with Hayman, in which he denied reports that local boys had visited his house in Baghdad, saying "*I am not interested in boys*". Hayman said he had been given "*immunity from prosecution*" by the Director of Public Prosecutions on the ground that his offence did not warrant such punishment, adding "*I have been punished by the press.*" The MI5 witness was unable to interpret Hayman's use of the word "*immunity*" other than to say that it normally meant an assurance not to prosecute a person if they do something.⁷⁷⁴ (Mr McGill agreed, saying that there was nothing in the material he had seen to suggest Hayman was given any immunity and that the word is sometimes used by suspects to mean that because a decision has been taken that they will not be prosecuted on particular facts, that is usually an end to that matter and they are unlikely to be prosecuted on the same facts in the future.⁷⁷⁵) The MI5 witness told us that the outcome of the investigation was, while Hayman had rendered himself vulnerable to pressure by a foreign intelligence service, there had been no actual prejudice to security.⁷⁷⁶

74. Peter Hayman's name had been inadvertently mentioned during the O'Carroll retrial. The Director of Public Prosecutions' memo of 7 January 1981 noted that the first O'Carroll trial was to commence on 14 January 1981, adding that:

*"Hayman was never considered to be an organiser, and is not involved in the prosecution, although the possibility that his name will be mentioned cannot be excluded."*⁷⁷⁷

75. A background note of 17 March 1981 from the Law Officers' Department (now the Attorney General's Office) stated there had been no policy that Hayman's name should not be mentioned in the PIE case, or, if mentioned, only under his assumed pseudonym. The note added that Hayman's name had cropped up at the committal proceedings and he was then referred to by the name under which the witness being examined knew him, which was "*normal practice*"; Hayman was not called as a witness and it was understood that he was not referred to by the prosecution at the Crown Court; and the defence had only made reference to a "*senior civil servant*".⁷⁷⁸

76. Mr McGill understood from the material he had read that during the O'Carroll trial Hayman had been referred to as Peter Henderson. He had seen nothing to suggest there had been any positive decision not to name Hayman. The parties only knew Hayman by his alias and it was likely they referred to him that way for the sake of consistency.⁷⁷⁹

77. Newspaper articles in *The Guardian* and *The Times* on 7 April 1981 show that Sir Michael Havers, the Attorney General, denied Hayman had received special treatment and explained that Hayman's name had not been mentioned in the O'Carroll trial because witnesses only knew him as Henderson, and because he was not directly involved in the case.⁷⁸⁰

⁷⁷³ MI5 Witness 11 March 2019 158/21-161/10; INQ004042_001; INQ004035

⁷⁷⁴ MI5 Witness 11 March 2019 163/14-169/9

⁷⁷⁵ CPS004666_005-006

⁷⁷⁶ MI5 Witness 11 March 2019 171/25-172/6

⁷⁷⁷ CAB000071_024

⁷⁷⁸ CAB000043_018-020

⁷⁷⁹ CPS004666_006

⁷⁸⁰ <https://spotlightonabuse.files.wordpress.com/2014/03/g070481.jpg>; <https://spotlightonabuse.files.wordpress.com/2014/03/times070481.jpg>

78. There is no evidence of the existence of any arrangement not to name Hayman during the O’Carroll trial, and it is implicit from the sentence quoted from the Director of Public Prosecutions’ memo of 7 January 1981 that there was none.

79. Fearing an establishment cover-up and using parliamentary privilege, on 18 March 1981, Geoffrey Dickens MP publicly named Sir Peter Hayman in written Commons questions as being the diplomat referred to in O’Carroll’s Old Bailey trial. He asked about the security implications Hayman’s activities might have posed, and if the Attorney General would prosecute Hayman for sending and receiving pornographic material through the Royal Mail.⁷⁸¹

80. The Attorney General’s written answer provided on 19 March 1981 was that the Director of Public Prosecutions had advised against prosecuting any of the persons under the Post Office Act 1953 or for any other offence and that among the considerations he took into account were the factors that the correspondence had been in sealed envelopes passing between adults in a non-commercial context and that none of it was unsolicited. A further report had shown that two others had shared an obsession about the systemic killing and torture of young people and children, and the Director of Public Prosecutions had decided to prosecute them for conspiracy to contravene section 11 of the Post Office Act 1953 (a clear reference to Wardell and Norris). The Attorney General added Hayman had never sent or received that kind of material through the post (yet PS Collins’ police report said Hayman had in fact received “*sadistic accounts of atrocities directed towards children*” and that he “*enjoyed them*”⁷⁸²). Insofar as PIE was concerned, the Attorney General said Hayman had never been involved in PIE’s management. The Attorney General said he was in agreement with the Director of Public Prosecutions not to prosecute Hayman and the other persons with whom he had carried on an obscene correspondence.⁷⁸³

Undue deference

81. In his oral closing submissions on behalf of the complainant core participants, Mr Richard Scorer submitted that the Director of Public Prosecutions had “*dismissive attitudes towards child sex offending*” as illustrated by the Montagu and the Hayman cases.⁷⁸⁴ It was, Ms Johnson QC argued, an age of deference and an age when victims were not placed at the forefront of the criminal justice system. She suggests we cannot safely conclude that the decisions were taken because the accused were members of the establishment rather than because as defendants their interests were placed above those of their victims.⁷⁸⁵ Indeed, at the end of his evidence, the Chair asked Mr Collins if there was a general sense at the time that possessing indecent images was a victimless crime. Mr Collins said there were different attitudes then and children did not take precedence.⁷⁸⁶

82. A newspaper article written by Ronald Butt appeared in *The Times* of 26 March 1981 in which Sir David Napley was quoted as justifying the decision in Hayman’s case not to prosecute:

⁷⁸¹ CAB000043_010-011

⁷⁸² CPS004445_013

⁷⁸³ CAB000043_005-007

⁷⁸⁴ Richard Scorer 29 March 2019 28/6-28

⁷⁸⁵ Zoe Johnson QC 29 March 2019 101/16-102/7

⁷⁸⁶ Bryan Collins 27 March 2019 101/8-13

“on the quite different grounds that a customary factor taken into account when deciding whether to prosecute was ‘whether the indirect punishment and hardship which a defendant may suffer is likely to be so disproportionate to the severity of the alleged offence and to any penalty imposed by a court that it would be unjust to prosecute. This’, Sir David asserted, ‘was overwhelmingly the situation in Sir Peter’s case and manifestly justifies the director’s decision’. On the contrary, far from justifying the DPP’s decision, the excuse condemns it. If a man is to be excused the due process of law, other things being equal, because he is well known, then we are indeed in a two nations society.”⁷⁸⁷

83. The 17 March 1981 background note from the Law Officers’ Department, which was written in anticipation of Mr Dickens publicly naming Hayman, also states:

“The first decision not to prosecute Sir Peter Hayman was based on policy and his eight potential co-accused were also not prosecuted under the same policy. He was never seriously under consideration as a potential defendant in the second case. His former position was not a factor taken into consideration in reaching these decisions and no attempt was made to cover up the facts to save either him or the Government embarrassment.”⁷⁸⁸

84. There is no mention in the background note of Hayman’s claimed suicidal tendencies or that *“the first decision”* resulted in a caution. This is a surprising omission if Hayman’s suicidal tendencies played a part in the Director of Public Prosecutions’ decision not to prosecute but only to caution him. If the risk of suicide played no part in the decision, the question arises why Hayman was not prosecuted and only cautioned following a private meeting between Hayman’s solicitor and the Director of Public Prosecutions. Was the disposal in his case due to some prosecution policy as suggested in the Law Officers’ note? Mr Naunton told us there was no prosecutorial policy under the Post Office Act 1953.⁷⁸⁹ It suggests that no faith can be had in the accuracy of the Law Officers’ note of 17 March 1981 when it claimed that Hayman’s former position was not a factor taken into consideration and that no attempt was made to cover up the facts to save him or the government embarrassment.

85. Moreover, the quotation in *The Times* from Sir David Napley did not seek to justify the decision in Hayman’s case as based on the risk of suicide. In fact, Sir David was not quoted as making any mention of Hayman’s alleged mental state at all. The implication of his justification of the Director of Public Prosecutions’ decision is that Hayman was a special case because he had suffered a very public fall from grace.

86. The evidence leads to the firm impression that Hayman was indeed the beneficiary of preferential, differential and unduly deferential treatment as a person of public prominence. We sympathise with Mr Collins’ view that Wardell, who was a bus inspector, was prosecuted for sending the most seriously obscene material to Hayman, while Hayman, who was the recipient of it from Wardell, was only cautioned. If PS Collins’ 1978 report about Hayman having received that material from Wardell is accurate (and there is no reason to think otherwise) then the Attorney General’s answer to Mr Dickens on 19 March 1981 that Hayman had never received that kind of material through the post was incorrect and misleading.

⁷⁸⁷ <https://www.iicsa.org.uk/key-documents/10439/view/times26381a.pdf>

⁷⁸⁸ CAB000043_018-020

⁷⁸⁹ Jeremy Naunton 27 March 2019 118/23-119/15

87. Ms Johnson was right to decry the access Sir David Napley had to the Director of Public Prosecutions. It is difficult to imagine less-well-known solicitors for less-well-known clients being given the same level of access. She argued that it did not mean there had been a cover-up but that it was more indicative of the “*old boys’ network*”.⁷⁹⁰ It is now clear that Wardell was prosecuted for sending through the post the very kind of seriously obscene material Hayman had received from him.

88. Based on all the evidence it is clear that, because of his prominent position, Hayman was able to engage in special pleading for which he received special treatment, to which he referred in his later interview with MI5 as “*immunity from prosecution*”.⁷⁹¹

⁷⁹⁰ Zoe Johnson QC 29 March 2019 99/3-100/6

⁷⁹¹ MI5 Witness 11 March 2019 163/14-169/9

Part I

Honours system

Honours system

I.1: Introduction

1. One area of public concern addressed in the Westminster investigation is how the honours system responds to allegations of child sexual abuse against those being considered for an honour and those who have already been granted an honour.
2. Honours are distinct from appointments.⁷⁹² This investigation is largely concerned with the New Year's and Queen's Birthday Honours Lists. Those lists in fact comprise three sections, of which we are concerned with the Prime Minister's List, from which the vast majority of honours emanate. Other lists are smaller and administered separately.⁷⁹³ All honours are awarded by the Queen on the advice of the Prime Minister.⁷⁹⁴ There is also a separate list of honours awarded by the Queen to members of her household.⁷⁹⁵

I.2: Operation of the honours system

Overview

3. The modern honours system stems from 1917, with the creation of the Order of the British Empire (OBE).⁷⁹⁶ It was reformed in 1993 by the then Prime Minister John Major, with the aim of making the honours system more open,⁷⁹⁷ and in 2005 following reports by the Public Administration Select Committee of the House of Commons and Sir Hayden Phillips, which led to the establishment of the independent honours committees.⁷⁹⁸ Most honours today are awarded for voluntary service.⁷⁹⁹
4. There are 10 independent honours committees which are arranged by subject area. Honours committees have a majority of independent members who are knowledgeable about the relevant subject areas. They are recruited through an open competition and appointed for a renewable three-year term.⁸⁰⁰ Each committee will consider nominations within their subject areas from members of the public and government departments. Final decisions are made by the Main Committee.⁸⁰¹
5. We heard corporate evidence from Ms Helen MacNamara, the Director General of Propriety and Ethics in the Private Offices Group within the Cabinet Office. Ms MacNamara's role includes oversight of the administration of the Honours and Appointments Secretariat.⁸⁰² As is customary, the head of the Civil Service has delegated

⁷⁹² Appointments are appointments to the House of Lords and are managed by the House of Lords Appointments Commission. Honours are awards such as CBE, OBE and MBE, which are published in the Queen's Birthday and New Year's honours lists. Appointments to the House of Lords and forfeiture of peerages are not part of the honours process.

⁷⁹³ [Helen MacNamara 14 March 2019 54/22-55/22](#)

⁷⁹⁴ [Helen MacNamara 14 March 2019 56/2-9](#)

⁷⁹⁵ [Helen MacNamara 14 March 2019 56/13-22](#)

⁷⁹⁶ [Helen MacNamara 14 March 2019 57/1-13](#)

⁷⁹⁷ [Helen MacNamara 14 March 2019 57/18-58/4](#)

⁷⁹⁸ [Helen MacNamara 14 March 2019 58/8-13](#)

⁷⁹⁹ [Helen MacNamara 14 March 2019 57/1-13](#)

⁸⁰⁰ [CAB000040_002](#)

⁸⁰¹ [Helen MacNamara 14 March 2019 61/3-63/15](#)

⁸⁰² [Helen MacNamara 14 March 2019 47/21-48/13; CAB000040_001](#)

responsibility for the honours system to a permanent secretary. This is currently Sir Jonathan Stephens, the Permanent Secretary of the Northern Ireland Office. The Honours and Appointments Secretariat supports Sir Jonathan Stephens in his role, runs the honours committees and the process of receiving nominations, and supports decision-making.

Probity checks

6. Probity issues are considered both by the independent committees and by the Main Committee. The overarching principle is that even if a person merits an award, where they are of bad character or will bring the honours system into disrepute they will not be granted an award.⁸⁰³

7. In the past, the Political Honours Scrutiny Committee (PHSC) performed the role of undertaking probity checks. For the more senior-level honours, there would have then been checks from the police and HM Revenue & Customs (HMRC).⁸⁰⁴ Criminal record checks were previously not carried out for OBEs.⁸⁰⁵

8. The current system of checking is more robust. Probity checks vary from nominee to nominee depending on the type of service given, the degree of information provided about the candidate, relevant published information and the level of award proposed. Checks are carried out with government departments including HMRC and relevant professional bodies, as well as using open source information.⁸⁰⁶

9. Criminal record checks are now carried out on all nominees.⁸⁰⁷ A criminal conviction will not always disbar a nominee and each case is considered with reference to spent convictions under the Rehabilitation of Offenders Act 1974.⁸⁰⁸

10. Checks on the merit of what has been claimed in the nomination are carried out alongside probity checks to ensure that the special and meaningful nature of the honour is preserved.⁸⁰⁹ Presentational issues, such as the timing of a particular honour, are also considered.⁸¹⁰ Committees will err on the side of caution and tend not to recommend a candidate if there is any possible issue.⁸¹¹

11. Ms MacNamara's evidence on the operation of the honours system was clear and cogent. Decisions on honours appear to be carefully considered and based on filtering and checking mechanisms that have been functioning for some time.

Forfeiture

12. It is more serious to take an honour away from someone than not to bestow it in the first place; therefore, the tests that apply for forfeiture are slightly different.⁸¹² An issue of probity that might not be serious enough to justify forfeiting an honour might be serious enough to prevent a person receiving an honour in the first place.

⁸⁰³ Helen MacNamara 14 March 2019 65/18-66/5

⁸⁰⁴ Helen MacNamara 14 March 2019 67/3-8

⁸⁰⁵ Helen MacNamara 14 March 2019 70/19-71/9

⁸⁰⁶ Helen MacNamara 14 March 2019 71/14-72/23

⁸⁰⁷ Helen MacNamara 14 March 2019 70/12-71/9

⁸⁰⁸ Helen MacNamara 14 March 2019 73/14-74/18

⁸⁰⁹ Helen MacNamara 14 March 2019 68/21-69/15

⁸¹⁰ Helen MacNamara 14 March 2019 69/16-70/5

⁸¹¹ Helen MacNamara 14 March 2019 70/5-7

⁸¹² Helen MacNamara 14 March 2019 74/21-76/8

13. Forfeiture has also changed. There has been a Forfeiture Committee for at least 50 years. It is composed of the most senior civil servant with responsibility for honours, a rotation of at least three of the independent committee chairs, the Permanent Secretary and the Treasury Solicitor.⁸¹³ Recently, all those for whom an honour is proposed are made aware, at the time they are asked if they want the honour, that forfeiture is a possibility, that forfeitures are published in the *London Gazette*⁸¹⁴ and that written representations will be allowed in all cases where forfeiture is proposed that do not involve a 'hard trigger' (discussed below).⁸¹⁵ The Forfeiture Committee will also now meet more regularly than it has in the past as more cases are being referred to it. Ms MacNamara emphasised that it is important for forfeiture to be considered quickly.⁸¹⁶

14. Consideration of forfeiture may be prompted by a letter from a member of the public or government department, among other ways.⁸¹⁷

15. There are two 'hard triggers' for forfeiture: a criminal conviction resulting in a sentence of at least three months, or disbarment or censure by a professional body or regulator.⁸¹⁸ The Forfeiture Committee will then make a decision but would almost invariably decide that the honour should be forfeited in those circumstances.⁸¹⁹ A recommendation is then made to the Queen.⁸²⁰ The Forfeiture Committee is not an investigatory body and will not second-guess the outcome of a legal process or act when the legal process is still ongoing, including appeal processes, but will inform itself of the circumstances.⁸²¹

16. In cases of child sexual abuse, Ms MacNamara told us, the sentence is irrelevant. Even if a person received a caution, their honour would be forfeited.⁸²² This is because of the significance of offences of this nature. It was not clear what is meant by 'child sexual abuse' in this context; for example, whether it includes convictions concerning indecent images of children.

17. There was evidence of approximately 30 cases where honours have been forfeited following criminal convictions for offences of child sexual abuse.⁸²³ Many of these involved individuals working with the community and in education. The Inquiry also considered a number of case examples concerning prominent individuals.

I.3: Particular cases

Sir Jimmy Savile

18. Jimmy Savile was awarded the OBE in 1971 and was made a Knight Bachelor in 1990. He died in 2011. After his death, significant numbers of allegations of child sexual abuse came to light (although some had been made during his lifetime) which led to an extensive criminal investigation by the Metropolitan Police. As a result, there has been public pressure for his knighthood to be forfeited.

⁸¹³ Helen MacNamara 14 March 2019 76/20-77/4; CAB000040_003

⁸¹⁴ CAB000146_004

⁸¹⁵ Helen MacNamara 14 March 2019 78/17-79/20

⁸¹⁶ Helen MacNamara 14 March 2019 80/1-15

⁸¹⁷ Helen MacNamara 14 March 2019 80/18-81/7

⁸¹⁸ CAB000040_003-4

⁸¹⁹ Helen MacNamara 14 March 2019 82/11-16

⁸²⁰ Helen MacNamara 14 March 2019 91/5-10

⁸²¹ Helen MacNamara 14 March 2019 83/1-84/8

⁸²² Helen MacNamara 14 March 2019 84/10-16

⁸²³ CAB000159

19. The Savile case raises the question of posthumous forfeiture of honours. The position is, and has historically been, that an honour cannot be forfeited after the death of the recipient. This is because an honour is considered a living award for the duration of the recipient's life; after their death the recipient is no longer a member of the particular Order and the award dies with them.⁸²⁴

20. The Cabinet Office, prompted by the Savile case, considered in a 2012 paper whether to change the current policy to permit posthumous forfeiture.⁸²⁵ The reasons for maintaining the current policy are said to be based on “*convention and long-standing precedent*”.⁸²⁶ The paper presents a ‘floodgates’ argument against changing the policy:

“The main practical argument for maintaining the current position is around where we would draw the line if the Forfeiture Committee agreed to consider the cases of deceased individuals – would the flood gates be opened and how far back in time would the Committee be expected to go when considering cases? We cannot find any precedents for forfeiting honours from deceased individuals.”

The paper goes on to say that the Palace has been consulted informally and they consider that the current policy should be maintained. The paper continues:

“There is also the question of what advantage there would be in the Forfeiture Committee considering cases concerning deceased individuals. It may satisfy immediate media hunger for action to be taken, but it can be argued that forfeiting an honour after death would have a greater impact on the individual's family and friends – they would be the ones to suffer rather than the individual.”⁸²⁷

21. Ms MacNamara told us that she was “*not particularly comfortable with some of the arguments*” advanced in this paper.⁸²⁸ She accepted that the paper focussed on the interests of the recipient's family and friends, while making no reference whatsoever about the impact on victims of a perpetrator retaining an honour. Ms MacNamara conceded that the Cabinet Office would consider the matter again if the Inquiry made a recommendation to this effect. She stressed that posthumous forfeiture would be complicated to implement in practice for various reasons, including because the recipient could not make representations.⁸²⁹

22. However, the convention which militates against changing the policy is out of step with modern usage. Recipients of knighthoods and damehoods are invariably referred to as ‘Sir’ or ‘Dame’ after their death. There is no sense as a matter of practice that the award has died with the recipient.

23. It appears from the documents that then Prime Minister Margaret Thatcher pressed for a knighthood for Savile for a number of years but it was not considered appropriate to award it because of revelations in the press about Savile's private life.⁸³⁰ In a letter dated 7 July 1998 an anonymous member of the public told the Cabinet Office that:

⁸²⁴ Helen MacNamara 14 March 2019 96/17; 96/24-97/1

⁸²⁵ CAB000143

⁸²⁶ CAB000143_002

⁸²⁷ CAB000143_002

⁸²⁸ Helen MacNamara 14 March 2019 100/22-24

⁸²⁹ Helen MacNamara 14 March 2019 96/14-101/20

⁸³⁰ CAB000153; Helen MacNamara 14 March 2019 105/1-109/11

*“investigative reporters have uncovered unspeakable facts concerning the personality Jimmy Savile. They have been aware for some time of his homosexual rendezvous with rent boys. Indeed, some years ago, he had considerable trouble, which I may add he hid very well, with certain of these rent boys. I am sure you are aware of an unfortunate timing that could occur if such was implemented and certain reports of a paedophiliac nature was to become public knowledge.”*⁸³¹

24. Ms MacNamara stated that if such a letter were sent today it would raise an alarm, that action would be taken and that it would be passed to the police.⁸³² There does not seem to be a specific written policy to this effect in the forfeiture action procedures document.⁸³³

Sir Peter Hayman

25. Peter Hayman was alleged to have been a member of the Paedophile Information Exchange and to have sent and received obscene material through the post. He was given a knighthood in 1971. While he was not prosecuted for child sexual abuse offences, in 1984 he was convicted and fined for gross indecency when he was caught with a man in a public lavatory.

26. A letter from the Permanent Secretary at the Foreign Office, Sir Antony Acland, to the Foreign Secretary, Geoffrey Howe, dated June 1984 referred to allegations that Hayman was *“involved in an organisation called the Paedophile Information Exchange, a homosexual organisation putting those inclined in touch with young boys”*. It also noted that he *“was not charged with any offence, but there seemed to be a good deal of circumstantial evidence of his involvement to some extent and he certainly did not bring any libel action, nor were there categorical denials”*.⁸³⁴

27. The letter also stated that Hayman had been convicted of gross indecency that year, and recorded a gathering of senior officers of the Order of St Michael and St George to decide on what should be done in relation to Hayman’s knighthood. There was a difference of opinion between officers of the Order.

*“Lord Saint Brides thought that the officers of the Order should recommend that he be stripped, since to do nothing might offend members of the Order, and possibly members of the general public, and appear ineffective. The Dean of St Paul’s also took this view, largely because of his anxiety to protect young children, although Sir Peter Hayman was not specifically convicted of any charge in this respect. All those present said that their feelings were a mixture of repugnance and compassion and Sir Charles Johnson and I, taking into account the publicity and the sadness caused to Sir Peter’s family, felt that compassion should be uppermost. The prelate, Bishop Woods, suggested that Sir Peter Hayman should be given a formal warning by him to the effect that if there was any recurrence of these activities or if they came to the notice of the Officers of the Order with or without publicity, there would be no alternative but to recommend the stripping of his knighthood.”*⁸³⁵

⁸³¹ CAB000152

⁸³² Helen MacNamara 14 March 2019 111/17-114/7

⁸³³ CAB000148

⁸³⁴ CAB000077_017

⁸³⁵ CAB000077_017; Helen MacNamara 14 March 2019 116/13-117/7

Sir Antony considered that a formal warning “*would enable Officers of the Order to say to those who feel outraged that the matter has not been ignored*”. A warning was given.⁸³⁶

28. Ms MacNamara did not know of another time when a warning had been given in this way and noted that there was also no mention of the Forfeiture Committee, which was “*really unusual*”.⁸³⁷ It is worth saying that the Forfeiture Committee operated slightly differently at that time, as Sir Robert Armstrong stated:

*“Even in cases where a custodial sentence has been given, we could well recommend against forfeiture where the offence seems likely to be an isolated incident and does not call into question the reliability of the person concerned.”*⁸³⁸

29. Nevertheless, it seems clear that Hayman was given preferential or exceptional treatment because of his status and contacts. The letter referred to measures taken to ensure that Hayman’s activities did not come “*to the notice of the Officers of the Order with or without publicity*”.⁸³⁹ This suggests that members of the Order were more concerned about covering up the bad behaviour of other members and preventing the Order’s reputation being tarnished than they were about fair and open process or protecting victims. The Dean of St Paul’s appears to have been the only member who was concerned about the protection of children.

Sir Cyril Smith

30. Cyril Smith received a knighthood in 1988. He was nominated by Lord Steel.⁸⁴⁰ A nomination was usual for an MP of long-standing service.⁸⁴¹ Prior to that time, according to Lord Steel’s own account, Smith had confirmed to Lord Steel that he had been investigated by the police for spanking boys’ bottoms and holding boys’ testicles.⁸⁴² Lord Steel had assumed that Smith had committed these offences.⁸⁴³ Given what Lord Steel knew, it was inappropriate that he saw fit to nominate Smith for a knighthood. It was wrong that he was uninterested and did not think it relevant that Smith had abused children.

31. The Inquiry has previously investigated the circumstances of the granting of Smith’s knighthood as part of the Rochdale investigation.⁸⁴⁴ In addition to the details set out in the Inquiry’s Cambridge House, Knowl View and Rochdale investigation report, we note that the Security Service provided input on whether Smith should be granted a knighthood. Sir Patrick Walker, the Director General of MI5 at the time, wrote to Cabinet Secretary Lord Butler drawing his attention to the news article in which the police investigation was reported.⁸⁴⁵ This is how the PHSC came to consider it some weeks later.

32. The Cabinet Office accepted the Inquiry’s criticisms about the process adopted in Smith’s case, particularly that Smith was wrongly given the benefit of the doubt and that victims were not considered.⁸⁴⁶ Ms MacNamara said that if a similar situation arose today in

⁸³⁶ Helen MacNamara 14 March 2019 117/25

⁸³⁷ Helen MacNamara 14 March 2019 118/7

⁸³⁸ CAB000077_019

⁸³⁹ CAB000077_017

⁸⁴⁰ Lord Steel 13 March 2019 147/21-24

⁸⁴¹ Lord Steel 13 March 2019 148/14-18

⁸⁴² Lord Steel 13 March 2019 121/3-8

⁸⁴³ Lord Steel 13 March 2019 126/23-127/5

⁸⁴⁴ INQ004181_044; Cambridge House, Knowl View and Rochdale investigation report

⁸⁴⁵ CAB000124

⁸⁴⁶ Helen MacNamara 14 March 2019 125/8-18

the considerations of the honours committees, the benefit of the doubt would now go the other way, and that far more weight would be given to an issue of integrity relating to child sexual abuse even if not yet evidenced.⁸⁴⁷

David Chesshyre

33. The case of David Hubert Boothby Chesshyre was referred to in evidence as an example of a case where a flexible approach was taken to forfeiture.⁸⁴⁸ In 2004, Chesshyre had been awarded a CVO (Commander of the Royal Victorian Order (RVO), an honour within the personal gift of the sovereign). In October 2015, he was charged and tried at Snaresbrook Crown Court on charges of sexual offences against a child⁸⁴⁹ committed between 1995 and 1998. He was found unfit to plead, but at a trial of the facts was found by the jury to have committed the acts underlying two specimen counts of indecent assault against a child; a third charge was ordered to lie on file. Because Chesshyre had been found to be unfit to plead, no conviction ensued and he was granted an absolute discharge by the court.

34. Following the oral hearing in this investigation, WM-A120, who was the victim of indecent assaults committed by Chesshyre, provided a detailed witness statement to the Inquiry.⁸⁵⁰ WM-A120 told us about the ways in which Chesshyre persistently groomed and abused him when he was a child aged between 12 and 16 years. He also raised a number of concerns in relation to the forfeiture process, which we examine below. We subsequently received further clarificatory evidence from Sir Jonathan Stephens⁸⁵¹ who, as explained above, is responsible for the honours system.⁸⁵²

35. In October 2015, following the trial of the facts, WM-A120 contacted the Honours and Appointments Secretariat at the Cabinet Office to enquire about the process for forfeiture. He was told to contact Sir Alan Reid, Keeper of the Privy Purse, because the CVO is within the personal gift of the sovereign. He sent a letter to Sir Alan Reid setting out his concerns and requesting a recommendation to the Queen that Chesshyre's CVO and other awards be annulled.⁸⁵³ On 10 November 2015, Sir Alan Reid sent a short response, the substance of which stated:

*"Mr Chesshyre was given an absolute discharge and no conviction is registered. In these circumstances it would be wrong to submit a recommendation to The Queen."*⁸⁵⁴

36. Sir Jonathan Stephens provided documents to the Inquiry⁸⁵⁵ showing that prior to sending that response, Sir Alan Reid had been in correspondence with Thomas Woodcock CVO, Garter Principal King of Arms. The Garter Principal King of Arms is the senior officer of the College of Arms, of which Chesshyre was a member for 40 years and registrar from 1992 to 2000. Sir Alan Reid had asked Mr Woodcock for some suitable wording to incorporate into his response to WM-A120. On 4 November 2015, Mr Woodcock wrote to Sir Alan

⁸⁴⁷ Helen MacNamara 14 March 2019 125/19-126/22

⁸⁴⁸ Helen MacNamara 14 March 2019 93/2-94/15

⁸⁴⁹ The Forfeiture Committee document CAB000155_007 refers to "sexual offences against children". This is not correct as the charges related to one child, WM-A120.

⁸⁵⁰ INQ004519; INQ004458

⁸⁵¹ CAB000185

⁸⁵² CAB000185_001

⁸⁵³ INQ004519_012

⁸⁵⁴ INQ004462

⁸⁵⁵ CAB000187

Reid enclosing a copy of a letter from Chesshyre’s solicitors containing their advice on the outcome of the trial of the facts. Mr Woodcock also provided a form of words which was almost identical to the substance of Sir Alan Reid’s response to WM-A120.

37. Sir Alan Reid responded expressing his gratitude to Mr Woodcock “*for providing the precise wording which I can use to answer [WM-A120’s] letter, and I have written to him today to this effect*”.⁸⁵⁶ Sir Alan did not seek representations directly from Chesshyre’s representatives or consider them in a balanced way against the concerns raised by WM-A120. Neither did he explain his reasoning to WM-A120, including the application of any guidelines on forfeiture. Instead, Sir Alan Reid wrote to Mr Woodcock, who was closely associated with Chesshyre in his honorary role, and asked him to provide wording for a response to WM-A120. He then adopted that precise wording in the response, and gave no other explanation. This was a complex and unprecedented case upon which different decision-makers might come to different conclusions depending on the degree of discretion allowed. However, the process adopted by Sir Alan in responding to WM-A120’s concerns was flawed and not impartial.

38. Following receipt of Sir Alan Reid’s letter, WM-A120 raised the matter with his MP, Jim Dowd, who wrote to the Prime Minister.⁸⁵⁷ Sir Jonathan Stephens explained that as a result, the Honours and Appointments Secretariat and the Royal Household agreed that the Forfeiture Committee should consider the matter notwithstanding that it related to the forfeiture of a CVO, an honour within the personal gift of the sovereign.⁸⁵⁸ The agreement means that any future complaint against an RVO recipient would fall to the Forfeiture Committee to act as the independent assessor of whether it was a forfeiture matter.⁸⁵⁹

39. The Forfeiture Committee considered the Chesshyre case and came to the following conclusion:

*“The secretariat takes the view that the outcome of the trial holds equivalent weight to a full criminal investigation. There is no precedent of which the secretariat is aware for recommending forfeiture following a trial of the facts. However, there is a precedent for forfeiture where the sentence fell short of the ‘three months’ imprisonment’ hard trigger, in a previous case involving child abuse.”*⁸⁶⁰

Forfeiture was recommended. Taking a flexible approach in a novel situation appears to have been appropriate, notwithstanding the technical lack of a conviction. Sir Jonathan Stephens indicated that he regards this approach as setting a precedent for any future cases concerning a trial of the facts.⁸⁶¹ On 15 May 2018, the Queen approved the recommendation and the CVO was forfeited on that date.⁸⁶²

40. However, WM-A120 was not told of the forfeiture for five months after the decision, and he continued to follow it up in the meantime.⁸⁶³ We were told by Sir Jonathan Stephens that this was because the Forfeiture Committee was considering representations and new information provided to it by Chesshyre’s brother on his behalf.⁸⁶⁴ It was considered

⁸⁵⁶ CAB000187

⁸⁵⁷ INQ004519_012-013

⁸⁵⁸ CAB000185_005-006

⁸⁵⁹ CAB000185_006

⁸⁶⁰ CAB000155_007

⁸⁶¹ CAB000185_005

⁸⁶² CAB000159_001; CAB000185_011

⁸⁶³ INQ004519_013

⁸⁶⁴ CAB000185_011

inappropriate to inform WM-A120 of an outcome which may change, as honours can be reinstated. However, it is regrettable that the Cabinet Office did not write to WM-A120 during this period, at least to inform him that the process remained ongoing.

41. In Chesshyre's case, the Forfeiture Committee decided exceptionally that the forfeiture would not be published in the *London Gazette*. Sir Jonathan Stephens stated that this was "*a reflection of the circumstances of how the case had been handled and, to a lesser degree, in light of Mr Chesshyre's ill-health*".⁸⁶⁵ In our view, neither of these reasons provides a satisfactory explanation as to why an exception was made to the usual rule that forfeitures are published.

42. Further, as acknowledged by Sir Jonathan Stephens,⁸⁶⁶ it is likely that the lack of publication has hindered WM-A120 in highlighting the issue to third parties. WM-A120 has made concerted efforts to advise organisations with which Chesshyre was involved to remove his honorary status or associations because he was found to have committed acts of child sexual abuse.⁸⁶⁷ Most of those organisations have chosen not to cease their association with Chesshyre. While it may not have changed the outcome, it is likely that publication of the forfeiture in the usual way would have assisted WM-A120 in making those approaches. In addition, Chesshyre has recently been referred to as holding the CVO in materials published by organisations with which he is associated. He should not have used or been referred to as holding the honour after it had been forfeited.

⁸⁶⁵ CAB000185_008_012

⁸⁶⁶ CAB000185_009

⁸⁶⁷ INQ004519_014-016

Part J

Safeguarding

Safeguarding

J.1: Introduction

1. This part of the Westminster investigation seeks to ensure that, today and in the future, any allegations of child sexual abuse or exploitation involving people of public prominence associated with Westminster are dealt with appropriately and in accordance with best practice.
2. We examined the adequacy of existing safeguarding and child protection policies in place within political parties, in government departments and agencies, and in the intelligence and security agencies. We received evidence about how political parties have dealt with recent safeguarding and child protection matters and evidence from the intelligence and security agencies about how historic allegations would be dealt with, were they to happen today and current policies be applied.
3. Most Westminster organisations have safeguarding and child protection policies in place. However, there remain significant gaps, including political parties that have no such policies, and considerable variation in approach among the policies currently in place.

J.2: Safeguarding and child protection policies in government departments, political parties and the Palace of Westminster

4. The Inquiry instructed Professor June Thoburn, Emeritus Professor of Social Work at the University of East Anglia (UEA) and member of the UEA Centre for Research on Children and Families, to provide an expert report examining the safeguarding and child protection policies of government departments, political parties and the Palace of Westminster.⁸⁶⁸
5. Professor Thoburn made a number of observations about how Westminster institutions respond to allegations of child sexual abuse and exploitation.

5.1. There is considerable variation in the content and detail of policies on safeguarding and child protection in government departments and political parties. In Professor Thoburn's opinion, no department or political party provided documentation that met all the requirements for child safeguarding policies and procedures that she considers necessary in the light of current knowledge about the nature and extent of child sexual abuse and exploitation. Some came very close while for others there were important deficits.⁸⁶⁹

5.2. At the time of the hearing in this investigation, some political parties had no specific safeguarding and child protection policies at all, and relied instead on member codes of conduct and disciplinary procedures (the Conservative and Unionist Party, the Democratic Unionist Party, the Co-operative Party, Plaid Cymru and the United Kingdom Independence Party). Insofar as the Co-operative Party, the Democratic Unionist Party and Plaid Cymru are concerned, in their evidence to the Inquiry they

⁸⁶⁸ INQ004088

⁸⁶⁹ INQ004088_056

stated that they were each reviewing the requirement for a safeguarding and child protection policy.⁸⁷⁰ By contrast, other parties (the Green Party, the Labour Party, the Liberal Democrat Party, the Scottish National Party and the Ulster Unionist Party) had detailed policies and procedures, some of which had undergone detailed review recently, and which had elements of best practice endorsed by Professor Thoburn.

5.3. Further, a number of the policies for political parties were not accessible online, meaning that party members and volunteers – including those overseeing youth groups – would not be able to avail themselves of what to do, or what to be aware of, when carrying out their duties and functions.

5.4. Professor Thoburn found that the Palace of Westminster's policies provide a good example of practical guidance for Westminster managers and employees who may come into contact with children but who do not have specific mandated child protection responsibilities.⁸⁷¹

6. Child safeguarding policies and procedures appropriate to the function of each government department, the Palace of Westminster and all political parties are essential, even though it may not be immediately obvious that it is something that they need to consider. As Professor Thoburn explained, "*safeguarding is everyone's business*".⁸⁷² It is critical that even Westminster organisations or institutions which do not regard themselves as having regular contact with children have policies in place. Professor Thoburn concluded that:

"it is the role and/or degree of access to children and not whether they are a volunteer, an elected member or an employee that should determine the policies and contractual terms relevant to them".⁸⁷³

7. Professor Thoburn recommended that a cross-departmental review should be undertaken of child safeguarding statements, policies and procedures, and that the Cabinet Office would likely be best placed to undertake this task. This would build on work already being undertaken within individual departments.⁸⁷⁴ This is a sensible way forward and would ensure that the necessary consistency is achieved. We welcome the indication on behalf of Her Majesty's Government that government departments are considering Professor Thoburn's recommendations carefully.⁸⁷⁵ The government should consider in particular Professor Thoburn's recommendation that the Cabinet Office take the lead on this policy issue across Whitehall.

8. It is unacceptable that any political party in England and Wales operates without suitable safeguarding and child protection policies and procedures. It is incumbent on all political parties to ensure that they have suitable policies in place, that these policies are kept up to date and that they are implemented effectively in practice.

⁸⁷⁰ [INQ004088_047](#); [INQ004088_052](#)

⁸⁷¹ [INQ004088_043](#)

⁸⁷² [INQ004088_056](#); June Thoburn 26 March 2019 82/18-21

⁸⁷³ [INQ004088_011-012](#)

⁸⁷⁴ June Thoburn 26 March 2019 105/25-106/3

⁸⁷⁵ [INQ004277_012](#)

Policies in practice

The Labour Party and Nick Brown MP

9. Whether a policy is effective in practice is key. As Richard Scorer and Kim Harrison of Slater & Gordon suggested in written submissions on behalf of a group of complainant core participants:

*“it’s one thing to have a safeguarding policy, it’s quite another to embed that policy in the party culture so that MPs, party officials and party activists understand it and clearly abide by it”.*⁸⁷⁶

10. We heard evidence which gave rise to concern that even the policies which were regarded as comprehensive and effective by Professor Thoburn may not be understood by those in a position to apply them. In his witness statement to the Inquiry, Nick Brown MP, Labour Party chief whip, said that:

*“If an allegation of criminal conduct against a member of parliament came to my attention, I would immediately advise them to contact the relevant authorities, including, of course, the police”.*⁸⁷⁷

When asked by Counsel to the Inquiry whether he would make a referral to the police himself of an allegation he received of child sexual abuse and whether this reflected Labour Party policy, Mr Brown told us:

*“it really does depend on the strength of the evidence. But if I – and it is quite difficult to fully answer without having understood the nature of the complaint and who the complainant was and what sort of supportive evidence there was, but if I thought it was credible, then I would raise it with the police myself. But it would have to be – you know, I don’t regard myself as having to report every bit of gossip I hear to the police. I mean, the distinction is: look, how serious is this?”*⁸⁷⁸

Similarly, when asked about the case of an allegation of child sexual abuse against an MP, he answered that *“It would depend on what the evidence was for that”* and said that he would be *“forced to”* make an assessment of that.⁸⁷⁹

11. Professor Thoburn’s view of this was that *“the Labour Party’s policy makes it absolutely clear that it applies to every MP, every volunteer, every party member, and since he has somebody called a safeguarding manager and a safeguarding team, I would have expected him to say, well, I will get in touch with them to check out whether I’m doing the right thing”.*⁸⁸⁰

12. In her closing submissions on behalf of the Labour Party, Ms Eleanor Grey QC said that:

“there is often, in many contexts, a potential gap between policies and their practical or full implementation, and that the evidence implies that there is still work to be done to embed knowledge of the policies into the Party and its members. We are certainly not complacent. However, we would respectfully point out that Mr Brown was clear that he had not actually been faced with a situation which required him to exercise any sort

⁸⁷⁶ INQ004281_007

⁸⁷⁷ Nick Brown MP 15 March 2019 98/6-10

⁸⁷⁸ Nick Brown MP 15 March 2019 100/20-101/4

⁸⁷⁹ Nick Brown MP 15 March 2019 101/5-20

⁸⁸⁰ June Thoburn 26 March 2019 109/2-8

of judgment with regards to allegations of child sexual abuse, or to 'triage', still less to discard, any allegations. Considering such allegations might well, of course, have been the very point when policies were checked, and advice sought. So the importance of this point should not be exaggerated or used to single out an individual who has not, in fact, let children down or actually failed to follow procedures in any way. We do accept that these safeguarding policies are relatively new, and so the fact that knowledge of them is not yet second nature is not, perhaps, surprising."⁸⁸¹

13. However, the importance of safeguarding is not a new matter for political parties. We would expect the chief whip of a major political party to be familiar with his party's own safeguarding and child protection policies and procedures. He might well receive reports of child sexual abuse. Mr Brown's evidence demonstrates that despite its well-drafted policy, the Labour Party has failed to ensure that those who may receive allegations, such as the chief whip, have an adequate grasp of the procedure to be followed. We reiterate that it is not for Mr Brown, as chief whip, to attempt to assess an allegation of child sexual abuse or exploitation. That he would consider attempting this demonstrates that comprehensive policies are not sufficiently embedded into the culture of Westminster organisations. In recent correspondence with the Inquiry, Mr Brown stated that he intends to undertake some training in this area.

14. Those in senior positions within political parties must show leadership in order to achieve the necessary culture change in the recognition and handling of allegations of child sexual abuse and exploitation. As Mr Scorer and Ms Harrison said in their written submissions on behalf of a group of complainant core participants, this:

*"illustrates the depth of the problem at Westminster – the Labour Party policy looks great on paper, ticks all the boxes, but the Chief Whip – who is more likely than anyone to be in receipt of an allegation – doesn't really understand the policy or the philosophy behind it. This is in a political party which, in its public policy platform, is officially committed to mandatory reporting in its policy programme."*⁸⁸²

The Green Party and Aimee and David Challenor

15. In November 2016, David Challenor was charged with 22 serious criminal offences, including taking indecent photographs, false imprisonment, rape, sexual assault of a child, assault by penetration and assault occasioning actual bodily harm. He was subsequently convicted of 20 offences including rape and was sentenced to 22 years' imprisonment.

16. At the time, Ms Aimee Challenor, David Challenor's daughter, was a member of the Green Party and chair of the national LGBTIQ+⁸⁸³ Greens. When her father was charged, she informed two external communications coordinators for the Green Party, Matt Hawkins and Clare Phipps. This was in general terms (via a private Facebook message) that her father was being charged; she did not mention that the charges related to offences against children. On the same date Ms Challenor also informed Coventry Pride, of which she was a trustee.

⁸⁸¹ LAB000072_006

⁸⁸² INQ004281_007

⁸⁸³ On its website, the Green Party defines "LGBTIQ+" as lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual and other diverse sexual orientations and gender identities (<https://lgbtiqa.greenparty.org.uk/acronym/>).

17. On the same day, 5 November 2016, Mr Hawkins informed three Green Party staff members in the press team by email that a close relative of a Green Party spokesperson had been arrested. He asked the staff members to contact him if anyone contacted them concerning the matter.

18. In April 2017, Ms Challenor was selected to be the Green Party General Election candidate for Coventry South. In May 2017, she appointed her father David Challenor as her election agent when she stood as a general election candidate. In May 2018, David Challenor was appointed as election agent for Aimee and for Tina Challenor, his wife, in the May 2018 local elections. In June or July 2018, Ms Challenor was selected as a candidate for deputy leader of the Green Party.

19. Throughout this period, David Challenor was facing very serious charges of child sexual abuse.

20. The Green Party commissioned Verita, an independent investigations consultancy, to carry out a private investigation. Its report dated January 2019⁸⁸⁴ found that:

“Prioritising the safety of children and vulnerable people is an individual responsibility of every member of society. There could hardly be a bigger ‘red flag’ in this respect than someone being charged with 22 sexual offences. Irrespective of where the responsibility lies, one of the effects of the way this case was handled was that someone who had committed serious sexual offences was given roles of responsibility within the Green Party during a period of almost two years after a major safeguarding risk should have been apparent. David Challenor bears some responsibility for this, but Aimee Challenor, as an officer of the party both nationally and locally should have considered safeguarding issues.”⁸⁸⁵

“Aimee Challenor had a number of roles, both locally and nationally, each of which carried important responsibilities. In not ensuring that the right people in the party were told what they needed to know, Aimee failed to fulfil her roles adequately. This is even clearer in her encouragement of her father to become more involved in the party by, for example, appointing him as her election agent in 2017 after she knew of charges against him. This was a serious error of judgement, which she repeated when she appointed him as her election agent in 2018.”⁸⁸⁶

21. The Verita report also stressed the importance of the Green Party developing a strong safeguarding culture and made the following observation:

⁸⁸⁴ GNP001003

⁸⁸⁵ GNP001003_012

⁸⁸⁶ GNP001003_016

“It is disappointing that many people we spoke to in the party failed to see the safeguarding issues that arise here. Those in the party who were told about David Challenor’s activities saw the issue as primarily a communications one – about protecting the reputation of the party. Awareness of safeguarding issues in the party in general appears to be low.”⁸⁸⁷

22. From the evidence we heard from Liz Reason, Chair of the Green Party Executive, safeguarding issues remain a matter which the Green Party needs to address.

On 17 December 2014, the Green Party received an email containing allegations of child sexual abuse against a Green Party candidate for the House of Commons.⁸⁸⁸ Ms Reason told us that the Green Party could not find a record of this on their system or of any action taken in response to the email at the time.⁸⁸⁹ In a supplementary witness statement, she said that the Green Party was still investigating how they had responded to the email when it was received in December 2014, adding:

“From the information ascertained so far it appears that key officers spoke to the party member accused of child sexual abuse in the email and established that no child sexual abuse charges had been brought against them.”⁸⁹⁰

23. The 2014 email was provided to the Inquiry in response to its request for any information held by the Green Party pertaining to child sexual abuse. However, it was not until the Inquiry made a rule 9 request to the Green Party on 8 November 2018 that further internal inquiries were triggered. Ms Reason explained this on the basis that the first time any current officers and staff in the Green Party had seen the email was when a copy was provided along with the Inquiry’s request (notwithstanding that the email had originally been provided to the Inquiry by the Green Party itself).

24. The information contained in this email appears not to have been dealt with in accordance with appropriate safeguarding and child protection procedures. The email was archived when staff members left. This was a failing. If it is correct that the only action taken was to speak to the member concerned, it supports the Verita findings that the Green Party saw allegations of child sexual abuse as primarily a communications issue – about protecting the reputation of the Party – rather than a safeguarding one.

25. After these events, Aimee Challenor joined the Liberal Democrat Party. At the time of the hearing, we understand she was the Diversity Officer on the Coventry Liberal Democrats Executive Committee.⁸⁹¹ In light of this, Mr Scorer and Ms Harrison asked whether action should be taken where an individual who is known or suspected of having failed to respond appropriately to safeguarding concerns as a member of one political party joins another political party at a later point in time.⁸⁹²

26. Professor Thoburn told us that she would expect the matter to be covered by a crossover of safeguarding and child protection policy and disciplinary policy, and that further training may be appropriate for any such person.⁸⁹³ For child protection and safeguarding

⁸⁸⁷ GNP001003_021

⁸⁸⁸ GNP000016

⁸⁸⁹ GNP001004_004; Liz Reason 14 March 2019 42/16-43/1

⁸⁹⁰ GNP001006_002

⁸⁹¹ INQ004281_008

⁸⁹² INQ004281_007-008

⁸⁹³ June Thoburn 26 March 2019 110/21-112/1

to be effective, political parties must ensure that their members and those in positions of authority – including those who may have joined from other parties – are appropriately trained and aware of safeguarding and child protection policies and procedures.

J.3: The intelligence and security agencies

27. The Secret Intelligence Service (SIS), the Security Service (MI5) and Government Communications Headquarters (GCHQ) provided witness statements⁸⁹⁴ and safeguarding policies to the Inquiry.

28. The SIS confirmed that there was no formal policy in place concerning safeguarding and child protection before November 2015.⁸⁹⁵ However, in two cases prior to 2015, despite the absence of a formal policy, referrals were made to relevant authorities regarding information about child sexual abuse or exploitation.

28.1. In one case involving the discovery of pornographic material, including indecent photographs of children on a computer used by SIS staff, a referral was made to police.⁸⁹⁶

28.2. In another case, where an SIS officer found out that a new contact was believed to be in the possession of a cache of illegal images of children, a referral was made to the National Crime Agency's Child Exploitation and Online Protection Centre.⁸⁹⁷

The SIS policy, which was revised and updated in June 2018 and January 2019, provides guidance on the reporting of any information or allegations of child sexual abuse or exploitation. This forms part of mandatory legal training for all SIS members, including contractors and secondees. In February 2018, for example, the policy was applied in practice to a case where the SIS became aware that a foreign contact was in possession of a video clip which might have involved child sexual abuse.⁸⁹⁸

29. Prior to 2014, there was no specific MI5 policy relating to the protection of children at risk.⁸⁹⁹ A policy has been in place since 2014 and has undergone a number of revisions.⁹⁰⁰ We heard evidence from an MI5 witness about three case studies demonstrating how the policy works in practice, two involving possible child sexual abuse and one involving possible violence against a child. In summary, in each case the information was passed to the police.⁹⁰¹

30. The GCHQ Deputy Director for Mission Policy explained that the day-to-day intelligence and information assurance activities undertaken by GCHQ staff in their professional capacities rarely, if ever, bring them into direct contact with children.⁹⁰² However, GCHQ provides members of staff with policy and guidance on what action they should take if they encounter material related to child sexual abuse in the course of examining operational data. One of GCHQ's intelligence missions is to provide support to countering online child sexual

⁸⁹⁴ SIS Officer witness statement [INQ003831](#); MI5 witness statement [INQ004032](#); GCHQ witness statement [GCQ000001](#)

⁸⁹⁵ SIS Officer 26 March 2019 [125/2-6](#)

⁸⁹⁶ SIS Officer 26 March 2019 [125/17-126/23](#)

⁸⁹⁷ SIS Officer 26 March 2019 [127/1-129/8](#)

⁸⁹⁸ SIS Officer 26 March 2019 [141/6-142/25](#)

⁸⁹⁹ MI5 Witness 11 March 2019 [180/11-181/1](#); [INQ004032_008](#)

⁹⁰⁰ MI5 Witness 11 March 2019 [181/2-10](#)

⁹⁰¹ MI5 Witness 11 March 2019 [182/9-183/17](#); [INQ004032_012-013](#)

⁹⁰² [GCQ000001_004](#)

exploitation and abuse and members of staff working in this mission seek out evidence of abuse. Should intelligence analysts working on unrelated missions encounter material related to child sexual abuse, they are guided by the GCHQ policy on Offensive Material which gives instructions on how to handle such information. We were provided with a number of policies relevant to child safeguarding and protection.

Part K

Conclusions and recommendations

Conclusions and recommendations

K.1: Conclusions

Addressing and allaying public concerns

1. There is ample evidence that individual perpetrators of child sexual abuse have been linked to Westminster.⁹⁰³ However, the Inquiry has found no evidence to support the most sensational of the various allegations of child sexual abuse made over recent years that there has been a powerful paedophile network operating within Westminster. There is no evidence to suggest an organised network of abusers in Westminster, or that individuals with a Westminster connection who sexually abused children were part of a coordinated, organised group.
2. It is clear that there have been significant failures by Westminster institutions in their dealing with, and confrontation of, allegations of child sexual abuse. This has included not recognising it, turning a blind eye to it, actively shielding and protecting perpetrators, and covering up allegations of child sexual abuse.
3. Even though we did not find evidence of an organised Westminster paedophile network, the lasting effect on victims of sexual abuse by individual abusers linked to Westminster has been profound. And it has been compounded by institutional complacency about child sexual abuse and indifference to the plight of victims. We found, in particular, that institutions regularly put their own reputations or political interests before child protection.
4. Despite the Inquiry engaging in an extensive evidence-gathering process, we have seen no material indicating the existence of a Westminster 'paedophile ring'. Similarly, no evidence of any attempts to cover up or suppress information about the existence of such a ring was found at MI5, SIS, GCHQ or in Metropolitan Police Special Branch records now held by Metropolitan Police Counter Terrorism Command.
5. The allegations made by Anthony Daly in relation to his book *Playland: Secrets of a Forgotten Scandal*, published in 2018,⁹⁰⁴ that senior establishment figures were present at parties where underage 'rent boys' were sexually abused and exploited do not of themselves constitute evidence of the existence of an organised network.
6. No material emerged from the political parties to show that there existed any kind of organised network of persons engaged in child sexual abuse. Despite the suggestion by Tim Fortescue that whips were aware of and sought to gain advantage from "scandal involving small boys",⁹⁰⁵ we found no evidence that party whips deliberately suppressed any specific information about child sexual abuse. However, we also gained the distinct impression that

⁹⁰³ By 'Westminster', we mean the centre of the United Kingdom's government, government ministers and officials, as well as Parliament, its members and the political parties represented there.

⁹⁰⁴ INQ003915

⁹⁰⁵ INQ004083

the whips' offices were concerned above all to protect the image of their party. There was a consistent culture for years of playing down rumours and protecting politicians from gossip or scandal at all costs. Moreover, it was done without ever considering the interests of potential victims and whether action should be taken to investigate allegations further, or to pass them on to the proper authorities.

- 7.** The source of some of the most lurid claims about a sinister network of abusers in Westminster has now been discredited. In July 2019, several months after the conclusion of the hearings in this investigation, Carl Beech was convicted at Newcastle Crown Court of perverting the course of justice and fraud in connection with false allegations of child sexual abuse and murder made by him against a variety of prominent political figures, including Sir Edward Heath, Lord Brittan, Lord Bramall and the former heads of MI5 and MI6. He was sentenced to 18 years' imprisonment.
- 8.** We have considered various areas of concern raised by Peter McKelvie. Each of these was investigated by the police but could not be supported. His concerns, which appear to have been genuine, might have been allayed by better communication about the progress of the investigations by the Metropolitan Police Service.
- 9.** The Inquiry heard about the various claims made concerning Elm Guest House, which was a tawdry establishment where child sexual abuse took place.⁹⁰⁶ We heard evidence about the various investigations conducted by the Metropolitan Police Service, which is available in full on the Inquiry's website.⁹⁰⁷ This evidence goes some way to clarifying the allegations relating to child sexual abuse involving persons of public prominence and the extent to which there is any support for them.
- 10.** The Inquiry investigated Don Hale's account of a 'D-Notice' being misused to stop publication of an explosive story about child sexual abuse by Cyril Smith and other high-profile politicians. We are unable to place any weight on Mr Hale's evidence and we cannot make any positive finding regarding the account that he gives.

Deference

- 11.** We heard evidence of overt and direct deference by police towards powerful people, such as a conscious decision not to arrest or investigate someone because of their profile or position. One example of this kind of deference comes from Lord Taverne, who told us about Sir Joe Simpson's remark to the Home Secretary that police did not investigate certain Westminster lavatories to avoid the embarrassment of apprehending MPs and celebrities who frequented them. The best example of such deference is the case of Sir Peter Hayman, who was cautioned but avoided prosecution for sending obscene material in the post. This followed a meeting between his solicitor, Sir David Napley, and the Director of Public Prosecutions, after which Hayman himself considered he had been given immunity from prosecution. There is no question but that Hayman was the beneficiary of preferential, differential and unduly deferential treatment as a person of public prominence.

⁹⁰⁶ As set out in Part D, and Neil Jerome 7 March 2019 157/22-159/12

⁹⁰⁷ Neil Jerome 7 March 2019 141/8-216/15

12. A second form of deference we have heard about is a more internal kind within institutions themselves, such as where junior police officers did not challenge senior officers' questionable decisions during investigations of the powerful for fear of harming their own career prospects. We also heard evidence that changes to police culture over the past two or three decades have meant that this kind of deference has significantly reduced.

13. We have also seen some evidence of the dangers of deference to ideas, rather than people. The profound social changes of the 1960s and 1970s, particularly in relation to socially acceptable sexual behaviour, meant that people in positions of political and cultural influence at that time deliberately sought to challenge the boundaries of sexual activity. Language was often used in ambiguous ways. For example, the term 'boys' was used to describe 18 to 21-year-old young men. Although homosexual acts were decriminalised in 1967, the age of consent was still higher than for heterosexual relations until 2000 and being openly homosexual in Parliament was still unusual and the subject of disapproval. The effect of this was that in some circles there was an unwillingness to challenge efforts to make 'paedophilia' acceptable or to ask difficult questions about proposals to reduce the age of consent which seemed to be borne of inappropriate attitudes, for fear of being seen as old-fashioned, buttoned-up or out of touch with the times. Child welfare and protection yielded to self-serving ideas of sexual liberation.

14. A good example of this was the way in which the Paedophile Information Exchange (PIE) was able to gain support from certain civil society organisations for a period of several years. This appears to have been possible partly because PIE was not quite as open about its aims to begin with as it was later to become, and so its members were to some extent initially able to infiltrate civil libertarian and gay rights groups 'under the radar'. It was also because, as both Jeremy Clarke,⁹⁰⁸ a trustee of the Albany Trust, and Corey Stoughton,⁹⁰⁹ Advocacy Director of Liberty (formerly the National Council for Civil Liberties, NCCL), admitted, the governance structures and awareness of safeguarding in both the Albany Trust and the NCCL at the time were significantly more lax and underdeveloped than they are now.

15. However, the desire on the part of organisations like the Albany Trust and the NCCL to be seen as open-minded, and their determination to challenge prevailing conventions in society and push at the boundaries of what was considered appropriate, blinded them to the danger and led to some seriously flawed thinking. The evidence we heard from Mr Clarke about "*understanding and acceptance*" being the key aim of the Albany Trust was a good example of this.⁹¹⁰ This ethos appears to have been stretched to breaking point so that there was consideration of how to accept even the wholly unacceptable. Both organisations demonstrated a fundamental failure to see the problem and a lack of moral courage to confront it. The Inquiry has explored this problem in more detail in its research publication *Deflection, denial and disbelief*.⁹¹¹ It identified the emergence of a discourse which argued that adult sexual attraction to children is a legitimate sexual orientation, and noted that PIE sought to make use of similar arguments.

⁹⁰⁸ Jeremy Clarke 26 March 2019 72/5-23

⁹⁰⁹ INQ003972_023

⁹¹⁰ Jeremy Clarke 26 March 2019 37/6-24

⁹¹¹ *Deflection, denial and disbelief: social and political discourses about child sexual abuse and their influence on institutional responses*, pp84–86

Differences in treatment due to socio-economic status

16. This investigation has provided striking evidence of how wealth and social status insulated perpetrators of child sexual abuse from being brought to justice to the detriment of the victims of their alleged abuse. Preferential treatment of this type could be characterised as a further type of deference. The case of Victor Montagu might be regarded as an especially egregious example of it; significant leeway was given to Montagu as a well-known aristocratic landowner, and a patronising attitude was shown by the police and the Director of Public Prosecutions' office towards a working-class victim.

17. While Sir Peter Hayman avoided prosecution, Robert Wardell, a bus inspector, was prosecuted for sending Hayman through the post "serious and extreme"⁹¹² material. This led the investigating officer to say there was "one law for Wardell and another for Hayman".⁹¹³ The prosecution lawyer similarly remarked:

*"The taller they are, the harder they fall, and Hayman was fairly tall in respect of the diplomatic side of it. Therefore ... he had a lot to lose. I'm not saying the others didn't but he had a lot to lose if he was prosecuted."*⁹¹⁴

Those comments imply that Hayman received special treatment due to his status, and the lawyer's remark suggests that special treatment was deserved for that reason.

18. The Montagu and Hayman cases provide instances of deference or a form of patronage due not only to power but also to social status and class. In her closing submissions on behalf of the Crown Prosecution Service, Zoe Johnson QC argued that it was an age of deference, when victims' rights were not paramount, and it is therefore impossible to disentangle those elements.⁹¹⁵ We acknowledge that in an age when deference was shown to power, authority and class, and victims' rights were not at the forefront of the decision-making process, identifying the rationale underlying the decisions made in such cases may not be easy. However, we are left with the distinct impression that deference to class and power was the overriding motive for the decisions in the Montagu and Hayman cases.

19. We heard in a particularly stark way in this investigation how the poverty and disadvantaged position of victims led to their allegations of child sexual abuse not being taken seriously. The evidence of Paul Holmes about the difficulties in getting help for boys being sexually exploited around Piccadilly Circus was a vivid account of this problem. These boys were often runaways from damaged backgrounds who were known as 'street rats' by many police officers.⁹¹⁶

Insufficient consideration of the needs of child victims and survivors

20. A consistent pattern that has emerged from the evidence we have heard is a failure by almost every institution to put the needs and safety of children who have survived sexual abuse first.

⁹¹² IPC000514_004

⁹¹³ Bryan Collins 27 March 2019 87/7-89/8

⁹¹⁴ Jeremy Naunton 27 March 2019 149/1-16

⁹¹⁵ Zoe Johnson QC 29 March 2019 101/16-22

⁹¹⁶ Howard Groves 6 March 2019 35/5-36/1

21. In 1979, Lord Steel (the leader of the Liberal Party) “*assumed*” Sir Cyril Smith had committed offences of child sexual abuse.⁹¹⁷ In our view, rather than give primacy to the protection of children, he yielded to considerations of political expediency and failed to launch a formal internal inquiry into Smith’s alleged activities. Likewise, the government’s and MI5’s handling of the case of Sir Peter Morrison in the mid-1980s demonstrated that considerations of political embarrassment and the security risk were of paramount importance while the risks to children allegedly abused by Morrison were not considered at all.

22. We also heard how the police were more concerned about prosecuting suspects than considering the welfare of sexually exploited children. Political parties in a variety of ways have shown themselves, even very recently, to be more concerned about political fallout than about safeguarding. Our investigation of the honours system found a process which in some instances prioritised reputation and discretion with little or no regard for victims.

The implementation of safeguarding policies in practice

23. Professor June Thoburn analysed the policies and procedures of the parties and numerous government departments, and commented on their quality. Many government departments have improved their approach in recent years to varying degrees, and put in place safeguarding mechanisms.

24. The situation with political parties is less impressive. To give one obvious example, at the time of the hearing in this investigation, the evidence was that certain political parties had no specific safeguarding and child protection policies at all, and that remains the case for some political parties.

25. We also heard evidence, notably from the Green Party and the Labour Party, to suggest that there are major gaps in the practical knowledge of even senior people about basic safeguarding principles. It is a matter of grave concern that, even after a significant public outcry about allegations of child sexual abuse linked to Westminster, elected politicians and officers of political parties do not understand how to respond to allegations properly, or consider themselves in a position to make judgements about whether abuse is sufficiently serious to warrant referral.

26. These examples show that there is still significant work to be done, including in relation to the detail of their policies and their rigorous implementation, particularly in terms of recognising and reporting allegations of child sexual abuse. This must extend to re-training and probationary periods for people in positions of authority in appropriate circumstances.

K.2: Recommendations

The Chair and Panel make the following recommendations, which arise directly from this investigation.

The Cabinet Office, the Forfeiture Committee, the government, political parties, other Westminster institutions and the Electoral Commission should publish their response to these recommendations, including the timetable involved, within six months of the publication of this report.

⁹¹⁷ Lord Steel 13 March 2019 127/3-5

Recommendation 1

The criteria for forfeiture of all honours must be formally extended to include convictions, cautions and cases decided by trial of the facts involving offences of child sexual abuse. This must be set out in a published policy and procedure, which must include a clear policy on how forfeiture decisions are made public. The Inquiry expects the Forfeiture Committee to take a lead on this matter.

Recommendation 2

The Cabinet Office should re-examine the policy on posthumous forfeiture, in order to consider the perspectives of victims and survivors of child sexual abuse.

Recommendation 3

Government, political parties and other Westminster institutions must have whistleblowing policies and procedures which cover child sexual abuse and exploitation. Every employee must be aware that they can raise any concerns using these policies and that the policies are not limited to concerns specific to a person's employment.

Recommendation 4

The Cabinet Office must ensure that each government department reviews its child safeguarding policy or policies in light of the expert witness report of Professor Thoburn.⁹¹⁸ There must also be published procedures to accompany their policies, in order that staff know how to enact their department's policy. All government departments must update their safeguarding policies and procedures regularly, and obtain expert safeguarding advice when doing this.

Recommendation 5

All political parties registered with the Electoral Commission in England and Wales must ensure that they have a comprehensive safeguarding policy.

All political parties must also ensure that they have procedures to accompany their policies, in order that politicians, prospective politicians, staff and volunteers know how to enact their party's policy, which must be published online. All political parties must update their policies and procedures regularly, and obtain expert safeguarding advice when doing this.

The Electoral Commission should monitor and oversee compliance with this recommendation.

⁹¹⁸ INQ004088_057-058 chapter 6, paras 24–30 and 34

Annexes

Annex 1

Overview of process and evidence obtained by the Inquiry

1. Definition of scope

The Westminster investigation is an overarching inquiry into allegations of child sexual abuse and exploitation involving people of public prominence associated with Westminster.

The scope of this investigation is as follows:

- “1. The Inquiry will investigate allegations of child sexual abuse involving current and/or former Members of Parliament, senior civil servants, government advisors, and/or members of the intelligence agencies (collectively ‘people of public prominence associated with Westminster’), including allegations:*
 - 1.1. that people of public prominence associated with Westminster were involved in the sexual abuse of children;*
 - 1.2. that Ministers, party whips, political parties, the intelligence and/or security services, law enforcement agencies, and/or prosecuting authorities were aware of the involvement of people of public prominence associated with Westminster in the sexual abuse of children, and failed to take adequate steps to prevent any such abuse from occurring and/or took steps to prevent such abuse from being revealed;*
 - 1.3. that there was, within the highest levels of government, a culture of tolerance towards those suspected of child sexual abuse; and/or*
 - 1.4. that people of public prominence associated with Westminster were involved in a conspiracy sexually to abuse children.*
- 2. In light of the above investigations, the Inquiry will consider:*
 - 2.1. the adequacy and propriety of law enforcement investigations into allegations falling within paragraph 1 above, including consideration of whether there is evidence of inappropriate interference in any such investigations by politicians, the intelligence agencies, and/or other individuals or bodies holding statutory power;*
 - 2.2. the media reporting of allegations falling within paragraph 1 above, including consideration of whether the current legislative framework strikes an appropriate balance between encouraging the reporting of child sexual abuse and protecting the rights of the accused; and*
 - 2.3. the adequacy of existing safeguarding and child protection policies in place within political parties, in government departments and agencies, and in the intelligence and security agencies.*

3. *In light of the investigations set out above, the Inquiry will publish a report setting out its findings, lessons learned, and recommendations to improve child protection and safeguarding in England and Wales.*⁹¹⁹

2. Core participants and legal representatives

Counsel to this investigation:

Brian Altman QC
Andrew O'Connor QC
Kate Beattie
Alasdair Henderson
Katie O'Byrne

Complainant core participants:

RO-A1, RO-A2, RO-A4, RO-A5, RO-A6, RO-A7, RO-A8	
Solicitor	Richard Scorer and Kim Harrison (Slater & Gordon)

Independent core participants:

Timothy Hulbert	
Counsel	Sam Stein QC
Solicitor	David Enright (Howe & Co)
Esther Baker	
Counsel	Jonathan Price
Solicitor	Peter Garsden (Simpson Millar)
Harvey Proctor	
Counsel	Geoffrey Robertson QC and Adam Wagner
Solicitor	Mark Stephens CBE (Howard Kennedy)

Institutional core participants:

Crown Prosecution Service	
Counsel	Zoe Johnson QC
Solicitor	Laura Tams (Crown Prosecution Service Inquiries Team)
Independent Office for Police Conduct	
Counsel	Lorna Skinner
Solicitor	Rachel Taylor (Senior Lawyer, Independent Office for Police Conduct)
Home Office	
Counsel	Nick Griffin QC and Amelia Walker
Solicitor	Daniel Rapport (Government Legal Department for the Treasury Solicitor)

⁹¹⁹ Definition of Scope

Labour Party	
Counsel	Eleanor Grey QC
Solicitor	Gerald Shamash (Steel and Shamash Solicitors, now Edwards Duthie Shamash)
Commissioner of Police of the Metropolis	
Counsel	Samantha Leek QC and Jonathan Dixey
Solicitor	Metropolitan Police Service's Directorate of Legal Services
Chief Constable of Wiltshire Police	
Counsel	Anne Studd QC
Solicitor	Susan Dauncey (Force Solicitor of Wiltshire Police)

3. Evidence received by the Inquiry

Number of witness statements obtained:
141
Organisations and individuals to which requests for documentation or witness statements were sent:
Adam Richardson, United Kingdom Independence Party
Reverend Alan Francis Davies, former Principal within the Home Office Voluntary Services Unit
Alan Mabbutt OBE, the Conservative Party
Detective Inspector Alastair Pocock, Metropolitan Police Service
Alice Hurrell, Department for Business, Energy & Industrial Strategy
Andrew Surplice, retired Inspector with the Metropolitan Police Service
Anthony Daly, complainant witness
Baron Foster of Bishop Auckland PC DL
Baron Renton of Mount Harry PC
Baron Young of Cookham CH PC
Baroness Brinton, Liberal Democrats
Baroness Manningham-Buller LG DCB, former Director General of the Security Services
Baroness Taylor of Bolton
Barry Strevens, retired Detective Chief Inspector and former Personal Protection Officer to Baroness Thatcher LG OM DStJ PC FRS HonFRSC
Bradley Finn, civil servant (secretariat to the Independent Review conducted by Messrs Wanless and Whittam QC)
Bryan Collins, retired officer with the Metropolitan Police Service
Carmel Vega, Attorney General's Office
Caroline Rowe, Home Office
Commander Catherine Roper, Metropolitan Police Service
Catherine Vaughan, Department for International Trade

Organisations and individuals to which requests for documentation or witness statements were sent (continued):

Charu Gorasia, Home Office
Christine Hewitt, Ministry of Housing, Communities and Local Government
Christine Russell, former Member of Parliament
Christopher Horne, former Conservative councillor
Christopher Mahaffey, Independent Office for Police Conduct
Claire McCarthy, General Secretary of the Co-operative Party
Clare Moriarty, Department for Environment, Food & Rural Affairs
Clive Blackford, former police officer
Corey Stoughton, Liberty
David Ford Campbell-Chalmers
Sir David Trippier, former Member of Parliament
David Williams, Department of Health & Social Care
David Wilson, former editor of the <i>Surrey Comet</i>
Detective Chief Superintendent Denise Worth, Cheshire Constabulary
Des Wilson, former politician
Dominic Carman, former politician
Don Hale, journalist
Edwina Currie Jones, former politician
Frances Mowatt, former agent to Peter Morrison MP
Gareth Clubb, Plaid Cymru
Detective Superintendent Gary Richardson, British Transport Police
GCHQ
Brigadier Geoffrey Dodds OBE, Secretary of the Defence and Security Advisory Committee (DSMA)
Geth Williams, Office of the Secretary of State for Wales
Gillian McGregor, Office of the Secretary of State for Scotland
Chief Inspector Glen Lloyd, Operation Winter Key, Metropolitan Police Service
Glyn Williams, Home Office
Grahame Nicholls, former Secretary of the Chester Trades Union Council
Gregor McGill, Director of Legal Services, Crown Prosecution Service
Gyles Brandreth, former politician
Helen MacNamara, Cabinet Office
Hilton Tims, former journalist
Howard Groves, former Detective Chief Inspector with the Metropolitan Police Service
Ian Hodgkinson, Royal Voluntary Service

Organisations and individuals to which requests for documentation or witness statements were sent (continued):

Ian Lucas, former Member of Parliament

Ian McNicol, Labour Party

Jane Lee, former Secretary of the Gresford and Rossett branch of the Labour Party

Jennie Formby, Labour Party

Jennifer Hutton, Ministry of Housing, Communities and Local Government

Jeremy Naunton, former senior lawyer in the office of the Director of Public Prosecutions (now the Crown Prosecution Service)

Jessica Bailey, former employee of the Liberal Democrat Party

John Beggs, Ulster Unionist Party

John Mann MP

John Moore, Ulster Unionist Party

Sir Jonathan Stephens KBE, Cabinet Office

Detective Sergeant Julie Gallagher, Northamptonshire Police

Katy Willison, Department for Education

Keith Mitchell and Jeremy Clarke CBE, Trustees of the Albany Trust

Kenneth Clarke CH QC MP

Kirsten Oswald, Scottish National Party

Leo Adamson, former member of PIE

Liz Reason, Green Party

London School of Economics and Political Sciences (Archives and Special Collections)

Lord Alton of Liverpool

Lord Arbuthnot of Erdom

Lord Armstrong of Iminster GCB CVO

Lord Beith

Lord Goodlad KCMG

Lord Hamilton of Epsom

Lord Jopling DL

Lord Newby OBE, Liberal Democrats

Lord Ryder of Wensum OBE

Lord Steel of Aikwood KT KBE PC

Lord Taverne QC

Lord Tebbit CH

Lord Wakeham DL

Malcolm Sinclair, former police officer with the Metropolitan Police Service

Mark Byers, Northern Ireland Office

Organisations and individuals to which requests for documentation or witness statements were sent (continued):

Martyn Smith, Ulster Unionist Party

Matt Browne, Green Party

Mervyn Thomas, Cabinet Office

MI5

Michael Box, former Head of the Secretariat to the Independent Review conducted by Messrs Wanless and Whittam QC

Michael Meadowcroft, former Member of Parliament

Michelle Crotty, Attorney General's Office

Mike Nesbitt, Ulster Unionist Party

Sir Murdo Maclean, former Private Secretary to the government chief whip

Naomi Ryan, Attorney General's Office

Commander Neil Jerome, Metropolitan Police Service

Neil Taylor, Office of the Advocate for Scotland

Neil Wooding, Ministry of Justice

Nicholas Brown MP

Nick Joyce, Department for Transport

Operation Hydrant: All police branches

Operation Hydrant: Special Branch police units

Patricia Green, former Liberal Party activist

Paul Connew, former police officer with the Metropolitan Police Service

Paul Foulston, former police officer with the Metropolitan Police Service

Paul Holmes, former police officer with the Metropolitan Police Service

Paul Settle, retired Detective Chief Inspector with the Metropolitan Police Service

Peter Batey, former Private Secretary to Sir Edward Heath

Peter Jones, Foreign & Commonwealth Office

Peter McKelvie, retired social worker

Peter Schofield, Department for Work & Pensions

Peter Taylor, Department for International Development

Peter Wanless and Richard Whittam QC, independent reviewers of two Home Office commissioned reviews held in connection with child abuse from 1979 to 1999

Philip Rycroft, Department for Exiting the European Union

Lieutenant General Richard Edward Nugee, Ministry of Defence

Detective Superintendent Richard Fewkes, National Coordinator, Operation Hydrant

Richard Mallender, Green Party

Robert Glen, retired Superintendent with the Metropolitan Police Service

Organisations and individuals to which requests for documentation or witness statements were sent (continued):

Robert Montagu, complainant witness
Roger Smethurst, Cabinet Office
Ruth Appleton, Her Majesty's Treasury
Secret Intelligence Service
Sheridan Whalley, Department for Education
Simon Danczuk, former Member of Parliament
Social Democratic and Labour Party
Stephen Aiken OBE, Ulster Unionist Party
Detective Superintendent Stephen Kirby, Wiltshire Police
Dame Sue Owen, Department for Digital, Culture, Media & Sport
Susan Hogg, former diary secretary to Peter Morrison MP
Susan Simpson, retired Inspector with the Metropolitan Police Service
Lady Sylvia Hermon MP
Timothy Hulbert, core participant
Timothy Johnston, Chief Executive of the Democratic Unionist Party
Tom O'Carroll, former Chairman of PIE
Detective Chief Inspector Tony Hopkins, Northamptonshire Police
William Ross, Ulster Unionist Party
WM-A120, complainant witness

4. Disclosure of documents

Total number of pages disclosed: 19,399

5. Public hearings including preliminary hearings

Preliminary hearings

1	31 January 2018
2	20 October 2018

Public hearings

Days 1-5	4 March to 8 March 2019
Days 6-10	11 March to 15 March 2019
Days 11-15	25 March to 29 March 2019

6. List of witnesses

Surname	Forename	Title	Called, read, adduced or published	Hearing day
Mahaffey	Christopher	Mr	Called	1, 2, 4, 5, 12
Roper	Catherine	Commander	Called	1, 2, 5, 12
Taverne	Dick	Lord	Called	2
Tebbit	Norman	Lord	Adduced	2
Daly	Anthony	Mr	Adduced	2
Groves	Howard	Mr	Called	3
Surplice	Andrew	Mr	Called	3
Glen	Robert	Mr	Called	3
Foulston	Paul	Mr	Called	3
Simpson	Susan	Ms	Adduced	3
Kirby	Steve	Detective Superintendent	Called	4
Sinclair	Malcolm	Mr	Called	4
Holmes	Paul	Mr	Called	4
Jerome	Neil	Commander	Called	4
Settle	Paul	Mr	Adduced	4, 12
Hale	Don	Mr	Called	5
Dodds	Geoffrey	Brigadier	Called	5
O'Carroll	Thomas	Mr	Adduced	5
Lucas	Ian	Mr	Adduced	5, 15
Green	Patricia	Ms	Adduced	5
Richardson	Gary	Detective Superintendent	Adduced	5
Mowatt	Frances	Ms	Called	6
Nicholls	Grahame	Mr	Called	6
Lee	Jane	Ms	Called	6
Russell	Christine	Ms	Called	6
MI5 Witness			Called	6
Worth	Denise	Deputy Chief Superintendent	Adduced	6
Pocock	Alastair	Detective Inspector	Adduced	6
Currie Jones	Edwina	Ms	Adduced	6
Hogg	Susan	Ms	Called	7
Manningham-Buller	Eliza	Baroness	Called	7
Armstrong	Robert	Lord	Called	7

Surname	Forename	Title	Called, read, adduced or published	Hearing day
Brandreth	Gyles	Mr	Called	7
Connew	Paul	Mr	Adduced	7
Stevens	Barry	Mr	Adduced	7
Hamilton	Archibald	Lord	Adduced	7
Brinton	Sarah	Baroness	Called	8
Wilson	Des	Mr	Called	8
Steel	David	Lord	Called	8
Carman	Dominic	Mr	Adduced	8
Alton	David	Lord	Adduced	8
Reason	Liz	Ms	Called	9
MacNamara	Helen	Ms	Called	9
Browne	Matt	Mr	Adduced	9
Clarke	Kenneth	Mr	Called	10
Jopling	Thomas	Lord	Called	10
Arbuthnot	James	Lord	Called	10
Brown	Nicholas	Mr	Called	10
Maclean	Murdo	Sir	Called	10
Young	George	Lord	Adduced	10
Beith	Alan	Lord	Adduced	10
Foster	Derek	Lord	Adduced	10
Goodlad	Alastair	Lord	Adduced	10
Ryder	Richard	Lord	Adduced	10
Taylor	Ann	Baroness	Adduced	10
Wakeham	John	Lord	Adduced	10
Box	Michael	Mr	Called	11
Hulbert	Timothy	Mr	Called	11
Davies	Alan	Reverend	Adduced	11
Stoughton	Corey	Ms	Adduced	11
Vega	Carmel	Ms	Adduced	11
Fewkes	Richard	Detective Superintendent	Adduced	11
Hodgkinson	Ian	Mr	Adduced	11
Wanless	Peter	Mr	Adduced	11
Whittam	Richard	Mr	Adduced	11
Clarke	Jeremy	Mr	Called	12

Surname	Forename	Title	Called, read, adduced or published	Hearing day
Thoburn	June	Professor	Called	12
SIS Witness			Called	12
Montagu	Robert	Mr	Called	13
Collins	Bryan	Mr	Called	13
Naunton	Jeremy	Mr	Called	13
McGill	Gregor	Mr	Called	13
Danczuk	Simon	Mr	Adduced	13
McKelvie	Peter	Mr	Adduced	13
Gallagher	Julie	Detective Sergeant	Adduced	13
Hopkins	Tony	Detective Chief Inspector	Adduced	13
Horne	Christopher	Mr	Adduced	15
Trippier	David	Sir	Adduced	15
Batey	Peter	Mr	Adduced	15
GCHQ			Published	N/A
Stephens	Jonathan	Sir	Published	N/A
WM-A120			Published	N/A

7. Restriction orders

On 23 March 2018, the Chair issued an updated restriction order under section 19(2)(b) of the Inquiries Act 2005, granting general anonymity to all core participants who allege they are the victim and survivor of sexual offences (referred to as ‘complainant core participants’). The order prohibited:

- (i) the disclosure or publication of any information that identifies, names or gives the address of a complainant who is a core participant; and
- (ii) the disclosure or publication of any still or moving image of a complainant core participant.

This order meant that any complainant core participant within this investigation was granted anonymity, unless they did not wish to remain anonymous. That order was amended on 23 March 2018, but only to vary the circumstances in which a complainant core participant may themselves disclose their own core participant status.⁹²⁰

On 4 February 2019, the Chair issued a restriction order under section 19 of the Inquiries Act 2005 to prohibit the disclosure or publication of certain information contained within MI5’s Child and Vulnerable Adult Protection Policy, which is exhibited to the statement of the MI5 witness.⁹²¹

⁹²⁰ Restriction Order 23 March 2018

⁹²¹ Restriction Order 4 February 2019

On 8 February 2019, the Chair issued a restriction order under section 19 of the Inquiries Act 2005 to prohibit the disclosure or publication of the identity of the MI5, SIS and GCHQ officers who had provided written evidence to the Inquiry and gave evidence at the public hearings in connection with this investigation and who were referred to during the course of evidence adduced during the Inquiry's proceedings.⁹²²

On 4 March 2019, the Chair issued a restriction order under section 19 of the Inquiries Act 2005 to prohibit the disclosure or publication of information which is capable of identifying WM-A9 as specified at paragraph 2(a) of the Order.⁹²³

On 5 March 2019, the Chair issued a restriction order under section 19 of the Inquiries Act 2005 to prohibit the disclosure or publication of the name of any individual whose identity has been redacted or ciphered by the Inquiry, and any information redacted as irrelevant and sensitive, in connection with this investigation and referred to during the course of evidence adduced during the Inquiry's proceedings.⁹²⁴

8. Broadcasting

The Chair directed that the proceedings would be broadcast, as has occurred in respect of public hearings in other investigations.

9. Redactions and ciphering

The material obtained for this phase of the investigation was redacted and, where appropriate, ciphers were applied, in accordance with the Inquiry's Protocol on the Redaction of Documents (the Protocol).⁹²⁵ This meant that (in accordance with Annex A of the Protocol), for example, absent specific consent to the contrary, the identities of complainants and victims and survivors of child sexual abuse and other children were redacted; and if the Inquiry considered that their identity appeared to be sufficiently relevant to the investigation, a cipher was applied.

Pursuant to the Protocol, the identities of individuals convicted of child sexual abuse (including those who have accepted a police caution for offences related to child sexual abuse) were not generally redacted unless the naming of the individual would risk the identification of their victim, in which case a cipher would be applied.

The Protocol also addresses the position in respect of individuals accused, but not convicted, of child sexual or other physical abuse against a child, and provides that their identities should be redacted and a cipher applied. However, where the allegations against an individual are so widely known that redaction would serve no meaningful purpose (for example where the individual's name has been published in the regulated media in connection with allegations of abuse), the Protocol provides that the Inquiry may decide not to redact their identity.

Finally, the Protocol recognises that, while the Inquiry will not distinguish as a matter of course between individuals who are known or believed to be deceased and those who are or are believed to be alive, the Inquiry may take the fact that an individual is deceased into account when considering whether or not to apply redactions in a particular instance.

⁹²² Restriction Order 8 February 2019

⁹²³ Restriction Order 4 March 2019

⁹²⁴ Restriction Order 5 March 2019

⁹²⁵ Redaction Protocol version 3

The Protocol anticipates that it may be necessary for core participants to be aware of the identity of individuals whose identity has been redacted and in respect of whom a cipher has been applied, if the same is relevant to their interest in the investigation.

10. Warning letters

Rule 13 of the Inquiry Rules 2006 provides:

- “(1) The chairman may send a warning letter to any person –*
- a. he considers may be, or who has been, subject to criticism in the inquiry proceedings; or*
 - b. about whom criticism may be inferred from evidence that has been given during the inquiry proceedings; or*
 - c. who may be subject to criticism in the report, or any interim report.*
- (2) The recipient of a warning letter may disclose it to his recognised legal representative.*
- (3) The inquiry panel must not include any explicit or significant criticism of a person in the report, or in any interim report, unless –*
- a. the chairman has sent that person a warning letter; and*
 - b. the person has been given a reasonable opportunity to respond to the warning letter.”*

In accordance with rule 13, warning letters were sent as appropriate to those who were covered by the provisions of rule 13, and the Chair and Panel considered the responses to those letters before finalising the report.

Annex 2

Glossary

Black book	Notes kept by party whips recording things that might be of interest to other whips or the chief whip. Also known as the 'dirt book'.
By-election	A UK parliamentary by-election happens when a seat in the House of Commons becomes vacant between general elections.
Chief agent (in a political context)	A person who is legally responsible for the conduct of a candidate's political campaign and to whom election material is sent by those running the election.
Chief whip or whip	<p>The chief whip is a political office held by an individual whose task is to administer the whipping system in Parliament. They try to ensure that members of the party attend and vote as the party leadership desires.</p> <p>A whip works with the chief whip for their party. Whips are also largely responsible (together with the Leader of the House in the Commons) for arranging the business of Parliament.</p>
Child	A person under the age of 18.
Child protection (see 'Safeguarding')	<p>Activity to protect children who are suffering or are likely to suffer significant harm.</p> <p>Used interchangeably with safeguarding.</p>
Child sexual abuse	Forcing or enticing a child or young person to take part in sexual activities. May involve physical contact and non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse including via the internet. Includes child sexual exploitation.
Child sexual exploitation	A form of child sexual abuse. It involves exploitative situations, contexts and relationships where a child receives something, for example as a result of them performing, or another or others performing on them, sexual activities. It can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain.
Clubs Office	A specialist unit within the Metropolitan Police Service. Formally known as the Clubs and Vice Unit.
Cottages and cottaging	A slang term referring to anonymous sex between men in a public lavatory (a 'cottage') or cruising for sexual partners with the intention of having sex elsewhere.
CVO	Commander of the Royal Victorian Order, a grade within the order of knighthood established by Queen Victoria. It recognises distinguished personal service to the monarch of the Commonwealth realms, members of the monarch's family, or to any viceroy or senior representative of the monarch.

Glossary

D-Notice	A Defence Notice: an official request to news editors not to publish certain details of a story for reasons of national security (known as a Defence Advisory Notice or DA-Notice from 1993 to 2015, and as a Defence and Security Media Advisory Notice or DSMA-Notice since 2015).
DBS checks (formerly CRB checks)	A check carried out by the Disclosure and Barring Service of an individual's criminal record. Employers can then ask to see the certificate issued by the DBS to ensure that they are recruiting suitable people into their organisation. The Disclosure and Barring Service is an organisation that replaced the Criminal Records Bureau and the Independent Safeguarding Authority.
Dickens dossier	Information provided by Geoffrey Dickens MP to the then Home Secretary Leon Brittan in 1983 and 1984, which purported to identify high-profile child sexual abusers in government and the Royal Household. The information he provided has come to be known as the Dickens dossier. The contents of the Dickens dossier and how many dossiers there were is unclear.
Diplomatic bag	Container used to carry correspondence and other items between a diplomatic mission and its home government or other diplomatic missions, protected from any interference by international law.
Director of Public Prosecutions (DPP)	The third most senior public prosecutor in England and Wales. The DPP is the head of the Crown Prosecution Service.
Dirt book	See 'Black book'.
Dolphin Square	Location in London where it was alleged that parties were held involving sexual and violent abuse of young boys.
Elm Guest House	A hotel in Rocks Lane near Barnes Common in south-west London. In the early 1980s it was run by husband and wife Haroon and Carole Kasir, and was advertised as a gay guest house.
Garter Principal King of Arms	The senior King of Arms, and the senior Officer of Arms of the College of Arms, the heraldic authority with jurisdiction over England, Wales and Northern Ireland.
Honours system (Honours)	A means of rewarding individuals' personal bravery, achievement or service to the United Kingdom and the British Overseas Territories.
Independent Office for Police Conduct	Formerly the Independent Police Complaints Commission (IPCC). Oversees the police complaints system in England and Wales.
Keeper of the Privy Purse	The individual responsible for the financial management of the Royal Household of the Sovereign of the United Kingdom.
Knight Bachelor	An individual who has been knighted by the monarch but not as a member of one of the organised Orders of Chivalry; the lowest rank of knight in the British honours system.
Law Officers	A term used to refer collectively to the Attorney General and Solicitor General in England and Wales.
Local Authority Designated Officer	An officer in each local authority's children's social care service to whom allegations or concerns about the protection of children are reported. Responsible under statute for investigating such complaints.
Meat rack	A notorious congregation spot for teenagers and young men in the 1970s and early 1980s near the Playland Amusement Arcade at Picadilly Circus in the West End of London.

Glossary

Monday Club	A group of MPs on the right wing of the Conservative Party.
Obscene Publications Team	A Metropolitan Police unit in the 1970s.
Operation Athabasca	A Metropolitan Police investigation into allegations that prominent members of society had attended Elm Guest House and taken part in child sexual abuse.
Operation Circus	A Metropolitan Police investigation into the activities of a number of individuals at Piccadilly Circus involving 'rent boys' and allegations of indecency with young boys.
Operation Clarence	A Metropolitan Police investigation into allegations against a number of individuals, including teachers, doctors and clergymen, that ran from 1988 to 1998.
Operation Conifer	A Metropolitan Police investigation into allegations of child sexual abuse made against Sir Edward Heath.
Operation Fairbank	A Metropolitan Police investigation set up in response to questions raised at Prime Minister's Questions by Tom Watson MP in relation to the existence of a 'Westminster paedophile ring'. Later became part of Operation Winter Key (see below).
Operation Helena	An IOPC-managed investigation in relation to Elm Guest House and whether there was any evidence to suggest that WM-A9's statement had been altered to remove any reference to prominent public figures in general and Lord Leon Brittan specifically.
Operation Hesper	An IOPC-managed investigation in relation to an allegation that there was a cover-up concerning Sir Peter Hayman and a briefcase that was found in a park that contained black-and-white photographs of boys aged eight to 11 years, dressed only in their 'Y fronts'.
Operation Jordana	An IOPC-managed investigation into allegations that a confidential police operation in 1984, targeting rent boys in and around Piccadilly Circus, had been closed down early and evidence was suppressed to protect persons of prominence.
Operation Meryta	An IOPC-managed investigation into an allegation that in November 1989 Chris Fay was approached by two men outside the NAYPIC offices who warned him to stay away from Elm Guest House.
Operation Osier	An IOPC-managed investigation into allegations made by retired Detective Chief Inspector Howard Groves.
Operation Redrail 2	An IOPC-managed investigation in relation to concerns raised by Peter McKelvie regarding a Metropolitan Police Service investigation called Operation Clarence.
Operation Sycamore	An IOPC-managed investigation in relation to an allegation that, in May 1976, Metropolitan Police Special Branch officers tried to stop Sergeant Vallis and Mr Foulston from interviewing an individual (WM-A12) at Feltham Borstal Institution.
Operation Winter Key	The overarching Metropolitan Police response to IICSA. It provides specialist capacity and capability to investigate high-profile or complex criminal investigations into non-recent child sexual abuse.
Operation Yewtree	A Metropolitan Police investigation into sexual abuse allegations, predominantly the abuse of children, against the British media personality Jimmy Savile and others.

Glossary

Operation Yvonne	An IOPC-managed investigation into allegations made by WM-A8 regarding the raid that took place at Elm Guest House in 1982. At the time he was a 17-year-old masseur at the guest house.
Paedophile Information Exchange (PIE)	An organisation formed in 1974. Its aim was to campaign for changes to the law on the age of consent in order to allow adults to have sex with children.
Parliamentary privilege	Grants certain legal immunities for Members of both Houses to allow them to perform their duties without interference from outside of the House. Parliamentary privilege includes freedom of speech and the right of both Houses to regulate their own affairs.
Rent boy(s)	A young male prostitute under 18 years old (whom the Inquiry would regard as a child) or up to his early 20s.
Safeguarding (see also 'Child protection')	Protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best life chances.
Safeguarding policy	A set of rules or procedures put in place by an organisation in order to safeguard children (see 'Safeguarding').
South African Bureau of State Security (BOSS)	South African Bureau whose job it was to monitor national security in South Africa. It operated between 1969 and 1980 when it was replaced by the National Intelligence Service (NIS).
Statutory agencies	Public agencies involved in safeguarding, including social services, the local authority more broadly, and police and healthcare organisations.
Tories	The Conservative Party or members of the Conservative Party
Vetting clearance (positive)	Protective security measures put in place by the government in relation to access to information. A positive vetting clearance meant that an individual had been checked and cleared by government to access certain information. This has now been replaced by a security policy framework (https://www.gov.uk/government/publications/security-policy-framework).

Annex 3

Acronyms

BBC	British Broadcasting Corporation
C1	Main Criminal Investigation Department in the Metropolitan Police in the 1970s
CHE	Campaign for Homosexual Equality
CSEA	child sexual exploitation and abuse
CVO	Commander of the Royal Victorian Order
DPP	Director of Public Prosecutions
GCHQ	Government Communications Headquarters
GRC	Gay Rights Committee
HMRC	Her Majesty's Revenue & Customs
HO	Home Office
IOPC	Independent Office for Police Conduct
LADO	Local Authority designated officer
MEP	Member of European Parliament
MI5	Security Service
MP	Member of Parliament
MPSB	Metropolitan Police Special Branch
MSP	Member of Scottish Parliament
NAYPIC	National Association of Young People in Care
NCCL	National Council for Civil Liberties (now known as Liberty)
NUPE	National Union of Public Employees (a trade union)
OBE	Order of the British Empire
PC	Police Constable
PHSC	Political Honours Scrutiny Committee
PIE	Paedophile Information Exchange
PMQ	Prime Minister's Question
PPC	Prospective Parliamentary Candidate
PS	Police Sergeant
QC	Queen's Counsel
RVO	Royal Victorian Order
SDP	Social Democratic Party

Acronyms

SIS	Secret Intelligence Service, otherwise known as MI6
UEA	University of East Anglia
VSU	Home Office Voluntary Service Unit
WRVS	Women's Royal Voluntary Service

