

<p>1 Wednesday, 22 July 2020</p> <p>2 (10.30 am)</p> <p>3 THE CHAIR: Good morning, everyone, and welcome to Day 13 of</p> <p>4 this public inquiry. Ms Langdale?</p> <p>5 MS LANGDALE: Good morning, chair. May I call Detective</p> <p>6 Inspector Morley and ask that he be sworn.</p> <p>7 DETECTIVE INSPECTOR SIMON MORLEY (affirmed)</p> <p>8 Examination by MS LANGDALE</p> <p>9 MS LANGDALE: DI Morley, you have prepared eight statements</p> <p>10 for the inquiry, dated 4, 7 and 12 May 2020, and 2, 5,</p> <p>11 8, 17 and 19 June 2020. Can you confirm for us, please,</p> <p>12 that the contents are true and accurate, as far as</p> <p>13 you're concerned?</p> <p>14 A. Yes.</p> <p>15 Q. Do you have those statements before you and with you?</p> <p>16 A. Yes.</p> <p>17 Q. You have provided for the inquiry a corporate statement</p> <p>18 providing an overview of MPS operations and</p> <p>19 investigations, and you have also provided us with</p> <p>20 statements dealing with specific perpetrators and</p> <p>21 alleged perpetrators.</p> <p>22 A. Yes.</p> <p>23 Q. When you were preparing those statements, can you, as</p> <p>24 set out at paragraph 1.5, give us a brief overview of</p> <p>25 how you have collated material for the purposes of</p> <p style="text-align: center;">Page 1</p>	<p>1 preparing those statements?</p> <p>2 A. Largely, it's been through documents. It's getting</p> <p>3 original documents, examining original documents; also</p> <p>4 with the use of what we would call the Home Office Large</p> <p>5 and Major Enquiry Systems, it's called the HOLMES</p> <p>6 computer. It is a computer system with a database of</p> <p>7 all the material. So through examining that as well.</p> <p>8 So that's really the material. A lot of</p> <p>9 the material is documentary, really, and some from the</p> <p>10 computer.</p> <p>11 Q. Within those statements, you have referred to documents</p> <p>12 and cited from documents so all core participants and</p> <p>13 their advisors can see that, and I have questions</p> <p>14 arising from documents or contents, insofar as you have</p> <p>15 referred to them in some cases?</p> <p>16 A. Okay.</p> <p>17 Q. If you don't know the answer to any question of fact --</p> <p>18 this isn't a memory test, DI Morley -- say so, and you</p> <p>19 will have an opportunity to come back with a response</p> <p>20 when you have had an opportunity to consider the</p> <p>21 original material again, if that arises. It may be it</p> <p>22 doesn't, but I just want to say at the outset it is not</p> <p>23 a memory test, it is important that your evidence is</p> <p>24 accurate.</p> <p>25 A. Okay.</p> <p style="text-align: center;">Page 2</p>
<p>1 Q. You say at paragraph 1.11 that "The MPS welcomed</p> <p>2 scrutiny of past failings in policing approaches to</p> <p>3 allegations of sexual abuse made by children in care".</p> <p>4 Do you want to expand upon that? Because there are</p> <p>5 clearly lessons learned, or should be lessons learned,</p> <p>6 from this process and, going through the statements, you</p> <p>7 have done that yourself, to some extent, already.</p> <p>8 What do you want to say about the overview, if</p> <p>9 anything, at this stage about the lessons learned for</p> <p>10 the MPS and the humility you have to that, looking</p> <p>11 towards the future as well?</p> <p>12 A. I think, from my point of view, as an investigator, it's</p> <p>13 about listening to what people have to say and listening</p> <p>14 to their experiences and understanding how we have --</p> <p>15 mistakes that we have made in the past, the</p> <p>16 investigations that haven't been conducted to the</p> <p>17 standard that we'd expect them to be conducted in the</p> <p>18 past, and how we can learn from that and go forward, and</p> <p>19 to do it with humility. I understand, through going</p> <p>20 through these statements, that we have let victims of</p> <p>21 sexual abuse down in the past. It's very clear to me.</p> <p>22 I think it's right that we show some humility in</p> <p>23 understanding what those mistakes are and give some</p> <p>24 confidence and reassurance that we have listened and we</p> <p>25 are prepared to go forward with the lessons that we have</p> <p style="text-align: center;">Page 3</p>	<p>1 learned.</p> <p>2 Q. At paragraph 1.12, you set out your background</p> <p>3 experience. Can you just summarise for us how your</p> <p>4 background and training has enabled you to fulfil the</p> <p>5 role now, both in terms of dealing with this statement</p> <p>6 and the statements you have been asked to deal with, and</p> <p>7 also I'm going to ask you about Winterkey and the</p> <p>8 current role in a minute?</p> <p>9 A. I think my background has helped. I've worked in</p> <p>10 domestic violence units in the past and community safety</p> <p>11 units in the past. I think where my background has</p> <p>12 helped me in dealing with these questions is my time in</p> <p>13 the Directorate of Professional Standards. You can see</p> <p>14 I spent something like ten years in professional</p> <p>15 standards working both -- dealing with public</p> <p>16 complaints, working with internal investigations,</p> <p>17 identifying police failings, learning lessons from</p> <p>18 police failings and trying to apply them. I have also</p> <p>19 dealt with deaths following police contact and the</p> <p>20 lessons to be learned from those incidents and</p> <p>21 investigating them as well. So as an investigating DPS,</p> <p>22 I think that analysis is really my expertise, in helping</p> <p>23 with compiling these statements.</p> <p>24 Q. Without asking you about specific cases, from the public</p> <p>25 interest perspective now, and standing back from this</p> <p style="text-align: center;">Page 4</p>

1 inquiry which is going on and we are examining the past,
 2 what efforts are being made now within Winterkey and
 3 within the MPS to follow up on individual cases or
 4 alleged perpetrators of child sexual abuse? What's the
 5 MPS' commitment to that in real terms now?
 6 **A. Anyone who comes forward who has a criminal complaint to**
 7 **make, if that's what you're asking, that's going to be**
 8 **fully investigated, and we will thoroughly and**
 9 **impartially investigate all of the evidence and, where**
 10 **there's sufficient evidence to prosecute, then we will**
 11 **prosecute. We have done it. We are currently doing it.**
 12 **And we aim to do it in the future as well. There is no**
 13 **doubt about our determination to do that.**
 14 Q. Because we are going to, as we go through the evidence
 15 today, realise that the numbers and the amount of
 16 material that comes to you does not reflect, as the
 17 inquiry understands, the extent of allegations made
 18 against different individuals and also emanating from
 19 particular homes. So, as far as you're concerned,
 20 that's something the MPS continues to look at and
 21 examine?
 22 **A. We are currently doing it now. I mean, as a result of**
 23 **going through the files that I've had to go through, it**
 24 **is evident to me that there still are criminal enquiries**
 25 **that are live now as we speak, and we are pursuing them.**

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1 **A. That's the number. I absolutely do not rule out that**
 2 **victims came forward to report to police and that they**
 3 **weren't recorded properly.**
 4 Q. Because we know from the Lambeth statement that there
 5 are 529 people that have alleged sexual abuse at
 6 Shirley Oaks, and 177 adults employed or connected to
 7 Shirley Oaks against whom an allegation of child sexual
 8 abuse has been made. So with that figure in mind,
 9 there's a big contrast, isn't there, with the numbers
 10 that you have recorded telling the police about things?
 11 **A. Yes. I'm not sure from the Lambeth figures whether what**
 12 **they're quoting are ones that they're aware of, or are**
 13 **they people who have come forward to the police. I'm**
 14 **not entirely clear on that.**
 15 Q. Not necessarily the police. As I understand it, it's
 16 that Lambeth are aware of people who have alleged sexual
 17 abuse?
 18 **A. So it could well be that they're talking about people**
 19 **who, for whatever reason, haven't approached and**
 20 **attempted to make a complaint with the police.**
 21 Q. In relation to Southvale, the figure given for them is
 22 140 disclosing allegations of sexual abuse. So these
 23 are much more significant numbers, aren't they, than the
 24 ones that you have recorded, and we will be examining,
 25 as we go through, how that might have come about. But

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1 Q. If we go, then, please, to paragraph 2.3, your overview
 2 of MPS investigations, can you tell us, please, as set
 3 out there, the number of reported allegations of sexual
 4 abuse made by children in the care of Lambeth Council to
 5 the MPS by time periods, as you've set out there?
 6 **A. Okay. What I would say, before I quote these figures,**
 7 **these are from the records that we have, and the records**
 8 **clearly before we had electronic recording of crimes.**
 9 **We don't have access to those. So with that caveat in**
 10 **mind.**
 11 **Between 1963 and 1988, there were 18 allegations**
 12 **that are recorded as reported to the police.**
 13 **Between 1989 and 1999, there were 63 allegations**
 14 **that are recorded as being reported to the police.**
 15 **Between 2000 and 2010, there are 109 allegations**
 16 **that are recorded as having been reported to police.**
 17 **And from 2011 to the present, at the time that**
 18 **I made the statement, there were 93 allegations that are**
 19 **recorded and reported to police.**
 20 Q. Do you have an update on that figure?
 21 **A. Not to give you off the top of my head now. I wouldn't**
 22 **want to give you something that's inaccurate.**
 23 Q. When you say "recorded", you're not ruling out that
 24 things weren't recorded at the time or followed up, but
 25 that's the number you can see?

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1 standing back, do you think that's a reflection that the
 2 way statements were being taken by the police and
 3 victims were being supported by the police in those
 4 years needed -- well, what would you say about how that
 5 was being done then, as an overview?
 6 **A. I would say, clearly, what we failed to do -- if those**
 7 **numbers are accurate -- is properly engage with victims**
 8 **and give them the confidence to come forward and to**
 9 **engage with us. I listen to those figures and I have to**
 10 **accept that that would be the reason for it. And**
 11 **possibly, you know, quite likely, a lack in police as an**
 12 **authority to deal with it properly as well from victims.**
 13 Q. In terms of your recorded figures of the allegations
 14 reported to the police, would they -- at any stage in
 15 the periods of time that you have broken them into,
 16 would those figures have been broken down by ethnicity
 17 from the police perspective?
 18 **A. Maybe latterly they would have been, but to my**
 19 **knowledge, certainly not between 1963 and 1988. There**
 20 **may be, between 1988 and 1999, there should have been**
 21 **reference to ethnicity. It would have been fairly**
 22 **crude, I would imagine, to begin with, in 1989. It's**
 23 **quite sophisticated now.**
 24 Q. So has there been any race impact assessment to
 25 determine if there are inconsistencies in approach in

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<p>1 terms of taking statements from victims or complainants?</p> <p>2 A. No, not that I'm aware of. No, that hasn't happened.</p> <p>3 Q. Have you, at any trial, looking back, as you have, at</p> <p>4 all the records, looked at a final trial, for example,</p> <p>5 and reflected whether the complainants in that trial</p> <p>6 reflect all of the different complainants that have been</p> <p>7 brought to the MPS's attention?</p> <p>8 A. I have looked at the Middleton figures. I looked at</p> <p>9 them before the inquiry just to try to get an</p> <p>10 understanding. It would appear to me that 20 per cent,</p> <p>11 roughly, of the complainants who came forward were from</p> <p>12 a BAME background.</p> <p>13 Q. Do you have figures for how many of the complaints that</p> <p>14 came to your attention within Middleton were not</p> <p>15 proceeded with or set aside -- I suppose, from</p> <p>16 a victim's point of view, set aside is more</p> <p>17 appropriate -- that weren't dealt with and progressed?</p> <p>18 A. No, we haven't done an analysis of that. That is</p> <p>19 something that we can do, and if the inquiry would like</p> <p>20 us to carry out that analysis, then, after these</p> <p>21 hearings have finished, then that's something that we</p> <p>22 can do and we can provide those figures to the inquiry.</p> <p>23 Q. Because the inquiry, of course, in our proceedings, are</p> <p>24 protecting the identity of complainants that come</p> <p>25 forward, so we are not providing breakdown or</p> <p style="text-align: center;">Page 9</p>	<p>1 identifying details. But it would be interesting to see</p> <p>2 how the police, if you have that material, have</p> <p>3 progressed complaints in relation and, by definition,</p> <p>4 through ethnicity as well. So we can come back to you</p> <p>5 on that?</p> <p>6 A. Yes.</p> <p>7 Q. In terms of the general approach to victims at the time,</p> <p>8 and through the time periods we are talking about, do</p> <p>9 you agree, again, at the outset, that there was</p> <p>10 stigmatisation and stereotyping around children in care</p> <p>11 and, when they came forward, how they were assessed</p> <p>12 rather than the complaint being assessed?</p> <p>13 A. That's not a statement that I would disagree with. It's</p> <p>14 very difficult for me to kind of assess the way in which</p> <p>15 investigations were carried out in 1960s and the 1970s</p> <p>16 from that point of view. But listening and reading what</p> <p>17 victims have said, that's something that I accept</p> <p>18 unreservedly, yes.</p> <p>19 Q. Let's go into the details, then, now, please, of</p> <p>20 the various operations. First of all, all these</p> <p>21 operations have different names. What's in a name for</p> <p>22 the police? I mean, we are all learning them as we go</p> <p>23 through.</p> <p>24 A. They're really picked at random, really. We have</p> <p>25 a database -- there are so many hundreds and hundreds of</p> <p style="text-align: center;">Page 10</p>
<p>1 operations that take place. We actually now have a --</p> <p>2 there is a unit that will select a name. It will be</p> <p>3 passed on to us when we apply for it. If it is</p> <p>4 appropriate for what we're investigating, we will accept</p> <p>5 it; if not, we will say, "We can't call an operation</p> <p>6 that", and we will send it back and have a new one.</p> <p>7 Q. Let's deal with Operation Bell, then. You set it out at</p> <p>8 3.1. Tell us, what was Operation Bell investigating</p> <p>9 and, insofar as you have been able to get terms of</p> <p>10 reference from speaking to someone, what were they?</p> <p>11 A. For actual terms of reference for Operation Bell, none</p> <p>12 were set. I think, really, terms of reference become</p> <p>13 more commonplace in police investigations as you go</p> <p>14 forward in time. I think it's to do with closer</p> <p>15 scrutiny and closer accountability as to what an</p> <p>16 investigation is attempting to do, and I think, as</p> <p>17 that's increased, so terms of reference have been set</p> <p>18 more exactly and closing reports are more detailed to</p> <p>19 show that you have fulfilled your terms of reference.</p> <p>20 Operation Bell in 1992, there were no terms of</p> <p>21 reference. The only way I have really been able to find</p> <p>22 out what terms of reference were was to speak --</p> <p>23 unfortunately, the DI who conducted the investigation is</p> <p>24 no longer with us. I've been to the senior</p> <p>25 investigating officer, and he's given me an outline of</p> <p style="text-align: center;">Page 11</p>	<p>1 the investigation.</p> <p>2 It was basically -- it emanated from complaints that</p> <p>3 came forward of child sexual abuse against -- I think</p> <p>4 I can say -- sorry, I don't want to inadvertently</p> <p>5 mention a name.</p> <p>6 Q. Two complainants making allegations against a member of</p> <p>7 staff at that time?</p> <p>8 A. Correct.</p> <p>9 Q. As you said, there were no decision logs, terms of</p> <p>10 reference or meetings notes available now. Are you</p> <p>11 saying that would have been the case pretty generally</p> <p>12 around 1992 for the MPS? Because it does make it</p> <p>13 difficult to follow strategy or for you to examine what</p> <p>14 was happening, doesn't it, looking back?</p> <p>15 A. It does. It makes it incredibly difficult. What's made</p> <p>16 even more challenging is the history of the files which</p> <p>17 were separated. With hand on heart, when you have files</p> <p>18 that are missing, it's very, very difficult to say all</p> <p>19 the documentation that's generated from that enquiry is</p> <p>20 contained in all the files that I have seen. That's not</p> <p>21 an assurance that I can give.</p> <p>22 Q. Sorry to interject, but are you able to say where the</p> <p>23 files went when they were lost and who might have had</p> <p>24 access to them or what happens when they are lost and</p> <p>25 then appear?</p> <p style="text-align: center;">Page 12</p>

1 **A. The actual file in its entirety wasn't lost. I think**
 2 **the most useful way to describe it is, you have a folder**
 3 **that will contain pretty much the material that, at the**
 4 **time, was relied on for the prosecution to prosecute**
 5 **a matter, and that will go in a massive -- it is**
 6 **a massive big brown folder that's expandable and all of**
 7 **that material is contained in there. Any material that**
 8 **is what we would call now unused material and copies of**
 9 **things, they were just literally put in cardboard boxes**
 10 **separate from the file. They are both registered with**
 11 **a unique identity and then they go off to a general**
 12 **registry. The general registry is an absolute --**
 13 **absolutely massive building that contains all of them.**
 14 **Now, what's happened with Bell, to my understanding,**
 15 **is the unused material in the cardboard boxes has been**
 16 **separated from the file that used the material that was**
 17 **relied on for the prosecution. I don't know when they**
 18 **were separated. I don't know how they were separated.**
 19 **My understanding is that they were reunited sometime in**
 20 **2013, for sure.**
 21 **Q. Real problems were caused to prosecutions around those**
 22 **files, weren't they, the losing of those files?**
 23 **A. The losing will always cause a problem because you will**
 24 **have disclosure problems. Disclosure lies in the unused**
 25 **material. If there is documentation within that**

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1 **I think the Zephyrine Report became quite significant**
 2 **there in understanding the background to Southvale.**
 3 **I think there were contributions made by social workers**
 4 **who had knowledge of Southvale, and council members who**
 5 **had knowledge of Southvale. So there was clearly this**
 6 **gathering of information that started to see where the**
 7 **investigation went from there, as well as investigating**
 8 **the allegations that were made.**
 9 **From then on, what there are are a number of**
 10 **pro formas, and they're questionnaires that have been**
 11 **sent out to various former residents at Southvale, and**
 12 **possibly residents there as well at the time. And they**
 13 **were sent out inviting the former residents to talk**
 14 **about any concerns or to list any concerns that they**
 15 **had, and there's -- in terms of those pro formas, some,**
 16 **quite clearly, there were personal, quite detailed**
 17 **meetings where there's quite a lot of notes taken.**
 18 **Others seemed fairly perfunctory.**
 19 **Q. How many people were spoken to or how much information**
 20 **was obtained? What were the numbers involved, in terms**
 21 **of those pro formas and getting information?**
 22 **A. In terms of the actual numbers of pro formas, I can't**
 23 **tell you off the top of my head exactly how many there**
 24 **were. From my memory of taking a look, you're talking**
 25 **in the region of 40 to 50, certainly no more than that.**

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1 **material that could undermine a prosecution, that would**
 2 **be something that the defence quite rightly would want**
 3 **access to.**
 4 **Q. Would the officers investigating at the time be aware of**
 5 **that? I mean, there's lots of reference to abuse of**
 6 **process later on. I mean, keeping documents closely and**
 7 **at all times being available is crucial, isn't it? One**
 8 **would have known that in --**
 9 **A. Yes, it is. I think in 1992, the disclosure legislation**
 10 **hadn't really come in, so it wasn't a formalised**
 11 **legislation then. By the year 2000, it had come in, and**
 12 **disclosure was -- albeit in its infancy -- a significant**
 13 **part of investigation. So where you talk about abuse of**
 14 **process, where I've read that is in the Middleton**
 15 **documentation. In Middleton, it frequently comes up.**
 16 **There is a potential for an abuse of process. But not**
 17 **one that's insurmountable.**
 18 **Q. Let's have a look at 3.8. What was the approach from**
 19 **the officer in terms of Operation Bell? You set it out**
 20 **there?**
 21 **A. The approach really, from what I could see, was to**
 22 **follow the evidence and go where the evidence took them.**
 23 **It started off with two victims coming forward, and**
 24 **then, from what I can gather of Operation Bell, there**
 25 **were interviews with various people from Lambeth.**

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1 **Q. You describe it as an intelligence-led approach. What**
 2 **do you mean by that?**
 3 **A. Well, intelligence -- it's going out, it's gathering**
 4 **information, and that information can come from any**
 5 **source -- that can come from -- as I've described, we've**
 6 **spoken to councillors from Lambeth Council, speaking to**
 7 **people who've worked within the homes. It's gathering**
 8 **that intelligence, listening to what people have had to**
 9 **say, analysing what they have had to say and identifying**
 10 **a line of enquiry that you can follow from that**
 11 **information.**
 12 **Q. One of the issues that was rumoured about was that**
 13 **John Carroll was a point of contact for Operation Bell.**
 14 **He'd left, then, hadn't he, by the time of**
 15 **Operation Bell?**
 16 **A. Yes.**
 17 **Q. So there is no question of him interacting with the**
 18 **officers at that point?**
 19 **A. No, absolutely not.**
 20 **Q. In terms of prosecutions, what prosecutions ensued?**
 21 **A. So the main prosecution -- again, what I don't want to**
 22 **do is mention a name that I shouldn't mention, and my**
 23 **cipher list is a little difficult to follow at times.**
 24 **Q. F5. You're thinking of F5?**
 25 **A. Yes. So there were four main suspects who were**

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1 identified. One of them was convicted -- I think I can
 2 say his name -- and that is Leslie Paul.
 3 Q. Anyone convicted, you can say their name.
 4 A. So Leslie Paul was convicted. Then there was -- just
 5 bear with me while I take a look at the cipher list.
 6 I think it is LA-F4 was charged but not convicted. He
 7 was charged with rape but not convicted.
 8 Q. Yes.
 9 A. LA-F5 was charged but not convicted.
 10 Q. Yes.
 11 A. And LA-F8 was investigated but not charged. They were
 12 the four main suspects who were identified.
 13 Q. Let me pick up on LA-F8, if I may. LA-A71, at that time
 14 of Bell, did not want to speak to the police, but he did
 15 come forward, didn't he, in 2013, just after Middleton
 16 had closed?
 17 A. Correct.
 18 Q. He described sexual abuse from when he was aged 8?
 19 A. Yes.
 20 Q. A file was submitted to the CPS, and the CPS and the
 21 police at that time, after the closure of Middleton,
 22 advised that there was no realistic prospect of
 23 conviction because the papers in Operation Bell had been
 24 lost, he'd been spoken to previously and hadn't made
 25 a complaint, and this reference to abuse of process and

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1 Q. But also, for the prosecution, it is to set out, isn't
 2 it, the context and why that may be the case, for the
 3 prosecution to address head-on why that is the case for
 4 victims, and not just accept that a very simplistic
 5 analysis will be made: "You didn't tell us, so it's not
 6 true"?
 7 A. I agree that is for the prosecution to make that case
 8 and then, as with all these things, it is for a court
 9 and a jury to decide where the truth is and whether
 10 there's sufficient evidence to convict. That's really
 11 the -- you know, if we are going to talk about that,
 12 that's -- and the actual success of the conviction,
 13 I think what you have to bear in mind is it's a high
 14 bar, it has to be beyond any reasonable doubt that you
 15 convict, and a lack of a conviction in no way means that
 16 a victim isn't believed.
 17 Q. Again, we will deal with it later, I'm sure.
 18 DCI Ranson, talking to you, commented that he felt the
 19 CPS advice could be overcautious around Middleton?
 20 A. Mmm.
 21 Q. You don't want to comment on CPS decision making --
 22 A. No.
 23 Q. -- (overspeaking), et cetera. In terms of overcautious,
 24 do you agree with the point, it is for the prosecution
 25 to argue its corner? Of course it is an adversarial

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1 the like was made; yes?
 2 A. Yes.
 3 Q. Eventually, in 2015, there was a trial, and LA-F8 was
 4 acquitted, the defence making much of the decision not
 5 to prosecute earlier. That's a fair summary, isn't it?
 6 A. Yes.
 7 Q. You've a whole (overspeaking) to that, but that
 8 summarises it. That would demonstrate that, in the
 9 criminal justice process, there was a complete failure
 10 to recognise why a young person would not come forward
 11 about abuse at the earlier stages, and was making it
 12 very clear later on what had happened to him. Failure
 13 to recognise the disclosure of abuse and allegations,
 14 how they can emerge?
 15 A. Yes, I think that's quite clearly linked to how victims
 16 of sexual abuse were approached in 1992, the support
 17 that was in place for them in 1992 and how that's
 18 different now, and I'm sure we will talk about that
 19 later on.
 20 Q. Well, we can pick up on it now. The reality was,
 21 because somebody hadn't wanted to say anything earlier,
 22 it was used as a tool to say, "You are not credible.
 23 You didn't tell us then, so it can't be true now". That
 24 was the way that was used?
 25 A. Yes. That's the defence -- the defence case, correct.

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1 process?
 2 A. Absolutely.
 3 Q. The defence will raise issues, but the jury decide. It
 4 is not for the defence or the prosecution barristers,
 5 it's the jury?
 6 A. I completely agree. I completely agree. It is for the
 7 prosecution to make the point and to explain exactly --
 8 especially in this case -- why a young, vulnerable
 9 child, who's been groomed, felt unable to come forward
 10 with a complaint when they had the first opportunity.
 11 It is in no way, absolutely no way, a reflection that it
 12 didn't happen, and that's something that really is
 13 straightforward for a prosecution now to explain. That
 14 should not be a -- first complaint will always be an
 15 issue that a defence will raise. It's something that
 16 can be argued by a prosecution.
 17 Q. Dealt with?
 18 A. Yes.
 19 Q. And dealt with?
 20 A. It's adversarial. You have to argue your point. You
 21 have to fight your corner with it. But I consider that
 22 a point that you can -- that a prosecution team can
 23 fight quite effectively.
 24 Q. Paragraph 3.31. You set out the letter that was sent by
 25 DSU Tomkins to David Pope. Can you read that into the

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<p>1 transcript for us? This is at the completion of 2 Operation Bell. 3 A. 3.31: 4 "The investigations into allegations of abuse within 5 Southwark children's homes which commenced on 6 28 September is now nearing completion. You will be 7 aware that three men stand charged with indecency 8 offences arising from the allegations and will stand 9 trial in due course. As agreed, I will bring to your 10 attention some areas of concern identified by those 11 interviewed during the inquiry. These are not intended 12 to, and nor do I presume to, criticise your department, 13 but offer them for consideration. The entry into 14 Southvale formed a central part of our investigation as 15 it was at this time that two of those charged were 16 employed at Southvale. The enquiry resulted in a change 17 of management and of practices within the home. The 18 regime that existed there was described as 'Pindown', 19 and with the rewards and sanctions policy encouraged 20 compliant behaviour. The system, together with the 21 loose control of external and internal activity, allowed 22 those staff members with the inclination to develop and 23 prepare children for abuse. The regime also had 24 a serious effect on genuine staff who felt unable to 25 complain or report on matters as they feared reprisal or</p> <p style="text-align: center;">Page 21</p>	<p>1 lack of support from above. The conduct of the inquiry 2 was seen as shallow, with little depth to the 3 interrogations of witnesses. The fact that no children 4 were interviewed outweighs the theory that it was never 5 intended to be more than a means to change the regime 6 rather than to establish the depth of malpractice within 7 the home." 8 Q. At the second paragraph there, the officer says: 9 "These are not intended to, nor do I presume to, 10 criticise your department, but offer them for 11 consideration." 12 Does that appear slightly deferential or overpolite, 13 looking behind that? 14 A. Reading that now, I think it's very diplomatic, I would 15 describe it. I'd say that's a senior officer trying not 16 to cause offence with a partner organisation, and 17 I think it should be a lot stronger than that. 18 Q. Not causing offence or being deferential in that way 19 doesn't really help, does it, making the point that what 20 was being described there was that Lambeth enquiry had 21 not spoken to children, didn't seem to have a grip of 22 the problem at all? 23 A. I think it is fair to say that it is a missed 24 opportunity. That's a letter from a high-ranking 25 Metropolitan Police officer. It is a missed opportunity</p> <p style="text-align: center;">Page 22</p>
<p>1 to be able to really say, "Look, you need to properly 2 address your systems and properly take a look at what's 3 going on within your children's homes". I would agree 4 with that. 5 Q. Of course, ironically, looking back now at that letter 6 from '92 and knowing what you know now, it was the same 7 for Operation Bell, wasn't it, the scale of the problems 8 at Southvale and certainly as flagging up wider issues 9 within Lambeth children's homes just wasn't picked up at 10 all in Operation Bell? 11 A. No. Look, I think that's a fair comment to make. 12 I think Operation Bell -- I think it did try to pursue 13 offenders and it did try to look further than just the 14 initial offender who came forward, as Leslie Paul. In 15 terms of getting -- when you describe the number of 16 people who have come forward and said that they suffered 17 abuse at Southvale, I have to say that Operation Bell 18 simply didn't go far enough or deep enough. From what 19 I can see of the investigation, it lasted in the region 20 of three months and, within that three months, it 21 clearly dealt with people who came forward. I think you 22 can argue the case that it could have been more 23 intrusive, yes. 24 Q. Can you look at paragraph 3.39 and tell us what you set 25 out there as well?</p> <p style="text-align: center;">Page 23</p>	<p>1 A. Yes. Do you want me to read the paragraph? 2 Q. Yes, please. 3 A. "Finally, I note that PS Torpey said in a more recent 4 statement taken in March as part of Operation Trinity 5 that there were difficulties during Operation Bell as 6 Lambeth Social Services were not cooperative and had the 7 attitude that they wanted some of the minor charges laid 8 as soon as possible and did not want the case to dig too 9 deeply. I have not seen this view of the relationship 10 between Operation Bell and Lambeth Social Services 11 reflected elsewhere. I don't know why PS Torpey reached 12 this particular view." 13 Q. Of course, DI Driscoll gave evidence to the inquiry. 14 His evidence was that he felt Lambeth was pushing him 15 away from investigations. That's echoed right back 16 then, isn't it, at the time of Operation Bell? 17 A. Look, that's a police sergeant who is involved in the 18 investigation, and that's his view. So he clearly -- 19 yes, he clearly thought that. 20 Q. Paragraph 3.35. You deal with how Les Paul emerged in 21 that inquiry and how Operation Bell dealt with wider 22 allegations concerning him. Can you just set that out 23 for us, please? 24 A. Yes. So the lines of enquiry -- are we talking about 25 the covert operation?</p> <p style="text-align: center;">Page 24</p>

<p>1 Q. Yes.</p> <p>2 A. One of the lines of enquiry -- clearly, because Les Paul</p> <p>3 had this interest in videos -- had videos within his</p> <p>4 flat, there was an investigation to find out exactly</p> <p>5 what was going on there. There was clearly information</p> <p>6 that they had that he was making pornographic movies</p> <p>7 within his flat, and so they set up covert tactics to</p> <p>8 try and establish what was going on there.</p> <p>9 Q. Can I just flag up at the outset for you, DI Morley, as</p> <p>10 we go through the various operations and certainly</p> <p>11 Pragada, there are references to pornographic videos.</p> <p>12 Can I just be very clear, asking questions on behalf of</p> <p>13 the chair and panel, indecent images of children are</p> <p>14 indecent images of children and not child pornography.</p> <p>15 There is reference to "pornography" and "child</p> <p>16 pornography" and it is very difficult for you and I,</p> <p>17 looking at those documents, to escape that terminology.</p> <p>18 But it is reflected consistently, isn't it, as</p> <p>19 "pornography potentially involving children"?</p> <p>20 A. Yes.</p> <p>21 Q. It is not accurate and it doesn't reflect the</p> <p>22 exploitation of children or what indecent images of</p> <p>23 children represent.</p> <p>24 At that stage, when you say they were concerned</p> <p>25 Les Paul was involved in pornography, actually, what</p> <p style="text-align: center;">Page 25</p>	<p>1 were they concerned about using the terminology I have</p> <p>2 suggested --</p> <p>3 A. That there were children involved in pornography and</p> <p>4 children were being exploited to produce pornography.</p> <p>5 Q. So there were questions about whether he was taking</p> <p>6 photographs or images of children and there was covert</p> <p>7 surveillance set up?</p> <p>8 A. Yes.</p> <p>9 Q. That was set up when he was on bail, wasn't it?</p> <p>10 A. Yes.</p> <p>11 Q. We will come to him later and follow through how he was</p> <p>12 dealt with and whether or not that issue was</p> <p>13 investigated thoroughly, but it was flagged up in Bell.</p> <p>14 It was documented in Bell, was it --</p> <p>15 A. Yes.</p> <p>16 Q. -- that they knew there was an issue about whether he</p> <p>17 was taking photographs of children?</p> <p>18 A. Yes.</p> <p>19 Q. They had gone to his premises and found evidence of</p> <p>20 that?</p> <p>21 A. Yes. They'd found videos, they'd found camera material,</p> <p>22 they'd found photographs as well, yes.</p> <p>23 Q. So moving on, then, to Operation Red Snow, page 22. Can</p> <p>24 you tell us what that review looked at? We know</p> <p>25 Bulic Forsythe was a Lambeth Council employee who was</p> <p style="text-align: center;">Page 26</p>
<p>1 murdered in late February 1993 and he worked at Mary</p> <p>2 Seacole House in charge of building maintenance and as</p> <p>3 an office manager. What did Operation Red Snow review</p> <p>4 and what was its conclusion, as you set out at paragraph</p> <p>5 4.6?</p> <p>6 A. It was a review specifically to make sure that all of</p> <p>7 the enquiries had been followed properly, so it was</p> <p>8 a review of the murder. But more specifically also</p> <p>9 brought about because of concerns that there was</p> <p>10 a connection between his employment at Lambeth Council</p> <p>11 and his murder.</p> <p>12 The conclusion of that -- and I've spoken to the DCI</p> <p>13 and he's written to me about it, he's produced a report</p> <p>14 as well -- was that he could find no such connection.</p> <p>15 Q. Was it a detailed and protracted investigation and</p> <p>16 review looking at the evidence that had been obtained</p> <p>17 before and with a particular eye to whether there was</p> <p>18 anything to support it because he was going to reveal</p> <p>19 anything about --</p> <p>20 A. Yes, it was particularly with that in mind, and it was</p> <p>21 detailed. They went through all of the evidence that</p> <p>22 had been generated by the initial investigation.</p> <p>23 Q. Moving on into Operation Pragada, one of the issues</p> <p>24 that's described within the Harris Report, and</p> <p>25 generally, is fear, witnesses speaking of fear of</p> <p style="text-align: center;">Page 27</p>	<p>1 speaking about things going on in Lambeth. Linking it</p> <p>2 at the moment to Mr Forsythe's murder, I suggest that</p> <p>3 that may well have caused further unease, irrespective</p> <p>4 of what you have just said about the conclusions of</p> <p>5 Red Snow, the murder of an employee and then we move</p> <p>6 into Pragada and people who speak within Pragada have</p> <p>7 fear around saying anything about what's going on. Did</p> <p>8 you pick that up when you reviewed the Pragada</p> <p>9 documentation, what fear was around? What were the</p> <p>10 issues that people were worried about in speaking?</p> <p>11 Could you see that?</p> <p>12 A. I recognised that there was fear and there was genuine</p> <p>13 fear there. What I don't pick up on is that that fear</p> <p>14 stopped individuals from speaking to police entirely.</p> <p>15 It's really hard for me to say, because you need to be</p> <p>16 part of the investigating team to really comment on</p> <p>17 whether that affected evidence that was put forward.</p> <p>18 Q. Let's move then to Pragada. The background to Pragada</p> <p>19 was a Lambeth Council employee made an allegation of</p> <p>20 rape against another Lambeth employee and an internal</p> <p>21 disciplinary investigation against the member of staff</p> <p>22 took place. During that disciplinary hearing,</p> <p>23 allegations of sharing pornographic material between</p> <p>24 council officials working in the directorate and</p> <p>25 elsewhere were made. That's the backdrop that you set</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 out?</p> <p>2 A. Yes.</p> <p>3 Q. The Harris Report, as it is now known, the panel of</p> <p>4 three women, were investigating -- and you set out at</p> <p>5 5.2 they were investigating the sharing of pornographic</p> <p>6 material between council officials. A supplementary</p> <p>7 report, which we have heard evidence about, is produced</p> <p>8 to the police, isn't it?</p> <p>9 A. Yes.</p> <p>10 Q. You set out at 5.5 the supplementary report. Can you</p> <p>11 just tell us how that came into the possession of</p> <p>12 the police and what the report described the allegations</p> <p>13 as, just dealing with that? You set that out at</p> <p>14 paragraph 5.5?</p> <p>15 A. Do you want me to read that into evidence?</p> <p>16 Q. It is probably easier.</p> <p>17 A. "Allegations have now been made to the panel that</p> <p>18 organised sexual activities were carried out and filmed</p> <p>19 in council premises involving senior and other council</p> <p>20 officers from housing, Social Services and elsewhere.</p> <p>21 Those alleged to have organised, been present at and/or</p> <p>22 taken part in these activities include current and</p> <p>23 former employees of the council and current and former</p> <p>24 elected members of the council, members of the police</p> <p>25 force and private contractors to the council. These</p> <p style="text-align: center;">Page 29</p>	<p>1 activities are alleged to have included sexual acts</p> <p>2 involving underage girls and boys in the care of Lambeth</p> <p>3 Social Services, acts of bestiality using dogs and</p> <p>4 sadistic and other sexual acts involving adults,</p> <p>5 possibly including the use of drugged victims. Sexual</p> <p>6 acts were also alleged to have been perpetrated on adult</p> <p>7 women without consent. These acts and their filming are</p> <p>8 alleged to have taken place in properties owned by the</p> <p>9 council and managed by housing and Social Services.</p> <p>10 They are alleged to have taken place between 1990 and</p> <p>11 1992 at several locations. The identification of these</p> <p>12 locations has been confirmed by reference to photos or</p> <p>13 directly visiting the sites themselves with witnesses.</p> <p>14 Individuals alleged to have been involved have been</p> <p>15 identified by name, by witnesses where known, or</p> <p>16 identified through photographic material obtained by the</p> <p>17 panel. A substantial number of individuals are alleged</p> <p>18 to be involved."</p> <p>19 Q. With the supplementary report, were a list of names,</p> <p>20 addresses or details handed over; do you know?</p> <p>21 A. I believe there were a list of names of the people who</p> <p>22 were supposed to be involved.</p> <p>23 Q. You set out at paragraph 5.7 that, whilst you note that</p> <p>24 Eithne Harris referred to witnesses having provided</p> <p>25 detail of the above allegations, the subsequent</p> <p style="text-align: center;">Page 30</p>
<p>1 investigations suggest all of these allegations were</p> <p>2 made by LAG1; is that right?</p> <p>3 A. Correct, yes.</p> <p>4 Q. In Pragada, the police spoke -- you don't need to list</p> <p>5 all the various names, but you spoke to the panel</p> <p>6 members, you spoke to any individuals who were supposed</p> <p>7 to have knowledge about the pornographic material; is</p> <p>8 that right?</p> <p>9 A. Yes, that's correct.</p> <p>10 Q. Also, what came to your attention -- I don't want you to</p> <p>11 use the names of the person who was working at the</p> <p>12 hostel or the person who provided the letter to her.</p> <p>13 What also came to your attention was a letter at</p> <p>14 paragraph 5.33, a letter, as I say, that was presented</p> <p>15 to the Harris Report. Can you tell us about the</p> <p>16 contents of that letter, as I say, without naming the</p> <p>17 two women?</p> <p>18 A. Yes. So basically, the letter -- first of all, nobody's</p> <p>19 seen the letter. Nobody's actually had possession of</p> <p>20 the letter, seen the letter or analysed it. So this is</p> <p>21 pretty much --</p> <p>22 Q. Breaking that down, you are saying it wasn't produced to</p> <p>23 the Harris Report or by Ms Harris to the police and the</p> <p>24 police haven't seen it since?</p> <p>25 A. Correct. That's absolutely what I'm saying. I have no</p> <p style="text-align: center;">Page 31</p>	<p>1 evidence, no documentation to see that that letter was</p> <p>2 ever provided to the police or that police attempted to</p> <p>3 seize that letter. The letter is basically saying, "If</p> <p>4 you don't like the pornographic material that you have</p> <p>5 been provided with, then we can make some more", and the</p> <p>6 author of the letter has said, "and I can use my</p> <p>7 daughter in it".</p> <p>8 Q. So the person who ran the hostel -- the hostel, just to</p> <p>9 be clear about it, you said has men. It didn't have</p> <p>10 children at the hostel?</p> <p>11 A. Correct.</p> <p>12 Q. So we are not talking about a care home?</p> <p>13 A. No, this is not a care home, no.</p> <p>14 Q. On the face of that letter, that is really concerning</p> <p>15 about harm to a child or potential children, isn't it?</p> <p>16 A. Absolutely. I mean, you know, when I take a look at all</p> <p>17 of the investigation that went on in Operation Pragada,</p> <p>18 and there was a very, very thorough investigation into</p> <p>19 allegations that were made by LAG1, that letter -- the</p> <p>20 age of the daughter isn't mentioned in the letter.</p> <p>21 There are no ages. So I don't know how old. But the</p> <p>22 implication is absolutely clear to any investigator, and</p> <p>23 that's something that should have been followed up on</p> <p>24 absolutely thoroughly.</p> <p>25 Q. Something else you refer to at 5.42, please, in your</p> <p style="text-align: center;">Page 32</p>

1 paragraph.

2 **A. Yes.**

3 Q. You say, speaking here about possible links to

4 Les Paul -- there is a passing reference, isn't there,

5 to a "Les" in the Harris Report? Can you just set out

6 what that is at paragraph 5.42?

7 **A. I'm actually taking a look at the documentation that's**

8 **generated by the Harris Report, I'm looking at the**

9 **meetings that went on. I don't know who "DH" is.**

10 **I don't know who any of the initials are. But someone**

11 **claimed that -- what they do is they mention the initial**

12 **"LP". Clearly, that initial "LP", when I read that in**

13 **the context of reading it, I thought, "That's Les Paul".**

14 **And then they changed their mind on it. It's really**

15 **difficult to say if that's somebody who's misspoken and**

16 **misremembered something or whether somebody who's**

17 **blurted out a name that they don't wish to blurt out and**

18 **then -- sorry, I don't mean "blurt out"; said a name**

19 **that they unintentionally mentioned and have then**

20 **covered it by saying, "No, it's somebody else". To me,**

21 **it's one of those two things. Especially when you take**

22 **a look at the letter that we have just discussed and you**

23 **take a look at Les Paul's interest in producing**

24 **pornography, you know, that's not a difficult link to**

25 **make.**

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1 **A. I don't even need to look at my statement for that.**

2 **There isn't a result for it.**

3 Q. You mean it is not recorded?

4 **A. Yes. I have no record of what the conclusion -- you**

5 **know, it's quite frustrating when I'm reading the Bell**

6 **files and trying to understand that these covert**

7 **operations were set up. I don't know what became of**

8 **them. I don't know what the results were properly.**

9 Q. You know that children -- you have set out what evidence

10 was obtained --

11 **A. Yes.**

12 Q. -- a child (overspeaking). That's what I want you to

13 set out.

14 **A. Oh, right.**

15 Q. The analysis and the continuation of the investigation

16 isn't there, but what was shown by --

17 **A. Sorry, could you remind me of the page again so I can go**

18 **to it?**

19 Q. Pages 248 and 249 is where you deal with it.

20 **A. I'm there now. Could you direct me to the paragraphs?**

21 Q. Yes, 15.46.

22 **A. Yes. Okay. So what you have is information that's been**

23 **put forward that children who appear to be the age of --**

24 **a boy and a girl aged -- the girl apparently 12 years of**

25 **age and a boy in school uniform, approximately aged 16,**

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1 Q. If you look at paragraph 5.57 of your statement, you say

2 it's your view Operation Pragada should have followed up

3 on the decision to review the Operation Bell files or

4 made contact with the Operation Bell team in order to

5 understand the nature of their investigation. Why do

6 you think, given what we have just discussed, that

7 should have been done?

8 **A. I mean, for a number of reasons. Number one it's**

9 **a fairly recent investigation into child abuse. You're**

10 **taking -- at Southvale. You're investigating the**

11 **possibility that the offences are against, potentially,**

12 **children. That was part of what Pragada should have**

13 **been looking at. It seems an obvious thing to do, to**

14 **want to take a look at that file to properly understand**

15 **what that investigation was. I would also expect, if**

16 **you're being thorough and going through the**

17 **Harris Report, if they had access to the Harris Report,**

18 **and I'm not entirely clear that they did have access to**

19 **it, the investigating team, but that would be a lead**

20 **that you would want to follow up on, and you'd be very**

21 **interested, as an investigator, as to what happened to**

22 **those covert observations.**

23 Q. Let's just deal with that since you've mentioned it. It

24 means jumping forward in your statement to page 248,

25 what those covert surveillance operations showed?

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1 **going into Les Paul's flat.**

2 Q. And over the page you request, or Bell requests,

3 permission to establish an observation post to monitor

4 the arrival and departure of persons. This is all when

5 he's on bail, isn't it?

6 **A. Yes.**

7 Q. So that may have had an impact, that he was on bail

8 already?

9 **A. Absolutely. If I'm being entirely -- when I take a look**

10 **at it, you think the obvious time to do that would be in**

11 **an evidence-gathering phase before you made any arrests,**

12 **and to do it for a longer period of time. There is an**

13 **element, when I take a look at that, of thinking, well,**

14 **the horse has bolted there, rather.**

15 Q. Likewise, were there any search warrants considered for

16 either Southvale or other places he'd worked, to look at

17 premises within Lambeth? Nothing like that?

18 **A. I have no evidence -- what were considered and**

19 **discussed, I'm not in a position to say. What I can't**

20 **find is any documentation that indicates that.**

21 Q. At the end of the day, he was not, as you have said,

22 charged with any offences relating to the production or

23 distribution of indecent images of children, and that

24 investigation strand or theme was never picked up,

25 despite that letter and the reference in the

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1 Harris Report, the pieces weren't put together, were
 2 they?
 3 **A. It is extreme -- my feeling, when I take a look at it
 4 and I see that, is that there's documentation missing
 5 from it. I can't -- I find it very hard, as an
 6 investigator, to imagine that you would go to the
 7 trouble of setting up those observations, of gathering
 8 that material, and then not having a conclusion for it
 9 in some document somewhere that explains what you have
 10 done, why you have done it.**
 11 **I don't know whether they did more than that either.**
 12 **I simply -- I'm in a position where I can't answer that
 13 question for you. As somebody looking and reviewing,
 14 that is extremely frustrating, to find significant
 15 documentation like that not contained within a file.**
 16 **I find it very, very difficult to imagine that there
 17 wasn't some sort of document that concluded that work.**
 18 Q. Can we move to Operation Middleton, then, please, going
 19 back to page 40 of your statement. First of all, you
 20 refer to Operation Care. Do you know, as a matter of
 21 interest, how long Operation Care went on for? We know
 22 Merseyside and Cheshire Police had a joint
 23 investigation, didn't they, in the end? How many
 24 years --
 25 **A. My understanding, and I stand to be corrected on it, is**

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1 **understand, with Operation Care, in how to set up and go
 2 about -- from my memory, that was more with the Welsh
 3 police than it was with Operation Care, but I could
 4 stand to be corrected on that.**
 5 Q. We certainly have that, and we are going to come on to
 6 that in a moment in Trawler. But just going with Care
 7 at the moment. The position with Care was the Lambeth
 8 child protection team would form a small team to look at
 9 institutional abuse within Lambeth Children's Homes
 10 between 1978 and 1992. That was the remit, where Care
 11 would deal with Michael Carroll, but you would deal with
 12 anybody else within children's homes?
 13 **A. Yes. Are you talking about Operation Middleton's remit?**
 14 Q. Yes.
 15 **A. Correct.**
 16 Q. That was, as we now know, a huge undertaking, wasn't it?
 17 Was that realised at the time of the inception of that?
 18 **A. I think it was realised at the time of the inception of
 19 Middleton. I think they -- because they were an
 20 intelligence-led operation. I think Mr Gargini has set
 21 out quite clearly what his tactics were in terms of what
 22 his strategy was, so to start that investigation, to
 23 move it forward, is very much an intelligence-based
 24 strategy, working with CHILE to identify potential
 25 offenders and potential victims and, from that starting**

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1 **it started circa 1993 and ran through to the conviction
 2 of Paul sometime in 2001, I think. I think that's what
 3 it is. I can find that out for you.**
 4 Q. I was interested in the Operation Care period overall,
 5 not just in relation to Les Paul, how long that
 6 investigation ran for and how many convictions they got
 7 at the end of it and, leading on to that, whether
 8 there's shared learning between forces about working
 9 together and successful prosecutions of child sexual
 10 offenders and learning about how they can join and do
 11 that. Is that something the MPS has been involved in
 12 with other forces?
 13 **A. I think, now, very much so. I think there's much more
 14 dialogue. I have to say, I see evidence within the
 15 Middleton investigation of trying to learn from other
 16 forces and having communications with other forces. I'm
 17 not quite convinced that with Operation Care and
 18 Operation Middleton -- what I don't see is any
 19 documentation to see that that was -- that they really
 20 attempted to share information. My memory of Middleton
 21 is that they went to the Welsh investigators and
 22 investigations that were taking place in Wales, because
 23 I think Wales had Operation Goldfinch that was being
 24 undertaken at the time, and I think there was dialogue
 25 there. I think there was some dialogue and attempt to**

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1 **point, to move forward.**
 2 **So I think initially, when it was set up, if you
 3 were to call that a scoping of the task, then I would
 4 say it was probably adequately staffed and had the sort
 5 of team that you would expect to staff an operation of
 6 that size.**
 7 Q. I will come back to the details of that later, but can
 8 you just look for me, please, at 6.4 and
 9 Operation Trawler's initial decision to wait for victims
 10 to come forward from a letter drop carried out by
 11 Operation Care. You set that out.
 12 **A. Mmm-hmm.**
 13 Q. Then you set out, at paragraph 6.4(c), that throughout
 14 late September and early October 1998, the team spoke
 15 with other police forces, such as Merseyside and the
 16 North Wales Police. And that appears to have made
 17 DI Driscoll revise when they're going to consider, or
 18 when he is going to consider, how to approach potential
 19 victims. So there was clearly a discussion between
 20 DI Driscoll and North Wales about investigative
 21 techniques. Was there, not just in Trawler -- or not
 22 within Trawler, because that was only a month, but
 23 beyond that, was there consideration not of
 24 investigative techniques but individual children,
 25 follow-through of children, between Lambeth and Wales

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<p>1 and how the children's experience may have been going 2 between those areas, and if they were going between 3 those areas? Was that something that you have noted 4 being picked up on? 5 A. It's not something that I've noted. This is part of 6 the difficulty in trying to assess Middleton, when we're 7 talking about Middleton, is -- I've found, taking a look 8 at it, some of the decision logs and some of 9 the strategy meetings sometimes -- well, sometimes the 10 recording on it is -- certainly the rationale behind 11 things is not very well recorded at all. So it's really 12 very difficult for me as an investigator to be able to 13 say exactly how much effort went into that. 14 Q. Because what this looks like, at this time, as though 15 investigation techniques, how do we reach out to victims 16 within our own area, is what is being discussed, but 17 not, where might these children have moved around in 18 a bigger picture, or a bigger impression, and what might 19 it have been for them, the experiences they had? 20 A. Yes, I would agree with that. I have found no evidence 21 of that approach being taken. 22 Q. Indeed, we put to Lambeth a CHILE memo in 2000 where 23 there is reference to a number of children who may have 24 been placed in North Wales and payment in North Wales. 25 But that's nothing you have seen, going through all of</p> <p style="text-align: center;">Page 41</p>	<p>1 these investigations or paperwork, where there may be 2 links with placements with Wales and where children 3 ended up? 4 A. I did find from CHILE a request -- they're in two 5 documents. Literally, it was over the weekend that's 6 just passed that I became aware of them. And there 7 are -- and I can say no more than there were children 8 identified who had moved to homes in North Wales, and 9 those names, my understanding from the documentation 10 I've seen, were passed on to -- I think to Operation 11 CHILE -- sorry, to CHILE investigators, I assumed to be 12 passed on to other police forces. But I really haven't 13 had the opportunity to properly analyse those documents 14 and then to properly match them up with anything that's 15 contained within the Gold Group strategy meeting or 16 decision logs or Ranson's notebooks. So I don't know 17 what's happened with those. 18 Q. Thank you for finding those documents over the weekend. 19 We will follow up on that with you after -- 20 A. Yes, absolutely. 21 Q. -- with what those say. In terms of terms of reference 22 now, paragraph 6.11, you set out the terms of reference 23 for Operation Middleton? 24 A. Yes. 25 Q. You refer to credible evidence or intelligence existing,</p> <p style="text-align: center;">Page 42</p>
<p>1 is when matters are pursued. And you set out the terms 2 of reference at (a) to (e). We see at (d): 3 "The investigation would take account of 4 the following criteria in deciding individual 5 investigation strategies. The credibility of 6 the source, person, document of the information ..." 7 That's the first point. 8 A. Mmm-hmm. 9 Q. Do you agree that set out as it is, "the credibility of 10 the source or the person", again puts at the forefront 11 this question of, are children credible, rather than, is 12 the allegation cogent and credible? 13 A. It's hard to escape that conclusion. 14 Q. Again, as I put up for the CPS, the documentation in the 15 '80s talking about the weight of the evidence of 16 the child and almost nil, et cetera, this is very much 17 weighted against young people coming forward, as they 18 were, as children in care, with people readily able to 19 look at documentation surrounding them and say, "You've 20 not been truthful on this" or "You're not going to 21 school", et cetera, et cetera, all these minor issues 22 set against the gravity of the crimes that were being 23 alleged were used against young people in care, in 24 particular, who had so much more documented around them, 25 and were more likely to come into contact with the</p> <p style="text-align: center;">Page 43</p>	<p>1 police? 2 A. Yeah, I think -- when I go back to that, a lot of -- 3 bearing in mind that many of the homes had closed down 4 by the time that Middleton started, I think when you 5 talk about the -- I think it's quite a crude term to use 6 when you talk about the credibility of a witness there, 7 because it doesn't necessarily -- I wouldn't interpret 8 that as saying that you wouldn't believe what they -- 9 what somebody says, but it's whether the facts that they 10 give you when you interview them, whether they are 11 reliable enough, because what you have to bear in 12 mind -- and I'm sure you do, sorry, I don't mean to be 13 rude or patronising -- is that so many of the children 14 who had been abused in Shirley Oaks, that needs to -- 15 the most horrific consequences going on in their life 16 that you've seen, and very often it's led for 17 individuals to rely on drugs, to rely on alcohol, with 18 profound mental health problems, and that makes the 19 account that you get from that person -- it's not that 20 the account isn't believed, it's whether it matches up 21 then with the other information and the other evidence 22 that you have, and I can't help but think that when it 23 talks about credibility, it's whether they provide 24 evidence that's actionable in a criminal justice 25 investigation, bearing in mind that the whole object of</p> <p style="text-align: center;">Page 44</p>

1 this, when you investigate criminally -- and it does
 2 sound -- it sounds slightly heartless when you read it
 3 there -- is to get evidence that you can put before
 4 a court that is going to lead to a conviction. I can't
 5 help but think -- there are efforts, and I think there
 6 were efforts made within Middleton. There are many
 7 things that Middleton didn't do particularly well, but
 8 I think, in trying to work with CHILE and the evidence
 9 that I'm aware of, that the support was trying to be put
 10 in place for people.

11 I do think that there was a real effort made to
 12 acknowledge the difficult backgrounds that they were
 13 going to encounter, or the difficult life experiences
 14 that people had had there.

15 I noticed in one of Steve Ranson's decision log
 16 entries that there's actually a decision that's in
 17 relation to seeing victims who were in prison and
 18 support that can be put in place for them in prison. So
 19 it was clearly a consideration to try and support
 20 people. I think there were many, many drawbacks there.
 21 I don't -- if I'm absolutely -- it's very hard for me to
 22 say. For me to say that wasn't a factor would be wrong
 23 of me, because I can't say that, but to say that it was
 24 an overriding factor in the way that it's described in
 25 those terms of reference, I'm not sure I wholly agree

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1 act of violence does. When I say "minor assault", I'm
 2 sorry, I'm speaking in very, very police-y terms which
 3 I shouldn't do. I'm talking in terms of charging
 4 standards. I do apologise. I don't in any way mean
 5 to -- I completely understand any use of violence
 6 towards a child in any circumstances, especially a child
 7 in care, is utterly inappropriate, and has profound
 8 impacts on that person. So I do apologise if I misspoke
 9 there.

10 MS LANGDALE: It is time for a break, I think, now. We have
 11 had an hour. Chair, should we resume at 11.45 am?

12 THE CHAIR: Yes, we will do that. Thank you.
 13 (11.31 am)
 14 (A short break)
 15 (11.45 am)

16 MS LANGDALE: DI Morley, can we pick up on Middleton and the
 17 summary of results of Middleton starting at 6.49 of your
 18 statement. You say there:
 19 "Operation Middleton considered a total of 124
 20 allegations and referred 16 cases to the CPS for
 21 a charging decision. Five individuals were ultimately
 22 charged with offences of child sexual abuse:
 23 Leslie Paul, LA-F14, William Hook, Geoffrey Clarke and
 24 LA-F38."
 25 Can you summarise for us at 6.52 where the

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1 with that.

2 Q. Just briefly before we break, what was decided in
 3 Middleton, at 6.12, was that physical assaults were
 4 excluded, in effect, from the terms of reference and
 5 further investigation?

6 A. Yes. They were included in the terms of reference and
 7 then very quickly, I think, when the scale of
 8 the investigation, or the amount of work they had on, it
 9 just becomes very clear through a number of entries that
 10 that simply wasn't tenable. Physical matters -- by
 11 "physical", you're talking offences that would amount to
 12 one-off incidents that amounted to common assault --
 13 wouldn't be investigated. Quite often, at the time,
 14 there's a six-month statute of limitations for what we
 15 would call a minor assault, and those minor assaults --
 16 sorry.

17 Q. Physical assaults of children, particularly vulnerable
 18 children in care, are never minor, are they, in terms
 19 of --

20 A. No, no --

21 Q. -- (overspeaking) children and having an effect on the
 22 potential for child sexual abuse and their
 23 vulnerability. It is a bigger picture?

24 A. Absolutely. I don't want to misrepresent the impact
 25 that an act of violence of any -- or even threat of an

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1 convictions fell and where there were acquittals?

2 A. Leslie Paul and William Hook at (a) and (c) of my
 3 statement. There was a conviction at point (b). Could
 4 you remind me of the cipher for point (b)?

5 Q. LA-F14.

6 A. There was a conviction of LA-F14, but it wasn't for --

7 Q. I'm going to deal with that. The convictions for child
 8 sexual abuse, I'm just focusing on that. I'll come back
 9 to --

10 A. The rest were acquitted, except for (d), where -- sorry,
 11 you would have to remind me of the cipher for that as
 12 well. (d) --

13 Q. Are you talking about Geoffrey Clarke, who killed
 14 himself?

15 A. Sorry, I wasn't sure of his cipher. Geoffrey Clarke
 16 committed suicide on, I think, the second day of
 17 the trial.

18 Q. So there were convictions of Leslie Paul for five
 19 offences of indecent assault and he was sentenced to
 20 a total of 16 months' imprisonment?

21 A. Yes.

22 Q. William Hook was charged with 37 offences against
 23 7 victims and pleaded guilty to 26 offences at
 24 Kingston Crown Court?

25 A. Yes.

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<p>1 Q. He was sentenced to 10 years' imprisonment?</p> <p>2 A. Yes.</p> <p>3 Q. LA-F38 was charged with six counts of rape and four</p> <p>4 counts of indecent assault, but the CPS ultimately</p> <p>5 decided to discontinue the case against him, citing</p> <p>6 a lack of supporting evidence and a substantial amount</p> <p>7 of material, they said, that undermined the credibility</p> <p>8 of the victim; is that right?</p> <p>9 A. Correct, yes.</p> <p>10 Q. LA-F14, if I can deal with that swiftly. We heard about</p> <p>11 LA-F14 yesterday in evidence from Ms Hudson. He faced</p> <p>12 a trial in 2000 for offences of indecent assault against</p> <p>13 a child and firearms offences and the decision was taken</p> <p>14 to not proceed on the child sexual abuse offences and</p> <p>15 the firearms -- he gave pleas on the firearms offences,</p> <p>16 I think; is that right?</p> <p>17 A. Correct, yes.</p> <p>18 Q. He was an example of where he had also not disclosed</p> <p>19 convictions, had been working at Southvale and went on</p> <p>20 to be accused of child sexual assault?</p> <p>21 A. Correct.</p> <p>22 Q. In terms of Operation Middleton overall, you say at</p> <p>23 6.53 -- you have already discussed this morning --</p> <p>24 Operation Middleton missed numerous opportunities to</p> <p>25 comprehensively address the scale of historic sexual</p> <p style="text-align: center;">Page 49</p>	<p>1 offending against children in the care of</p> <p>2 Lambeth Council. I want to pick up on one statement,</p> <p>3 DI Morley, that the inquiry received on Monday of this</p> <p>4 week from LA-A213. She says in this short statement:</p> <p>5 "Operation Middleton failed me. I approached them,</p> <p>6 naive with confidence that I would finally get justice.</p> <p>7 Operation Middleton failed in their remit and terms of</p> <p>8 reference. I made it my mission to achieve justice and,</p> <p>9 27 years later, I finally got this by challenging the</p> <p>10 evidence produced by Operation Middleton and the MPS.</p> <p>11 In spite of successful convictions in 2016, I am still</p> <p>12 unable to move forwards due to an IOPC investigation</p> <p>13 which started in August 2016. Four years on, and after</p> <p>14 eventually involving my MP as a last resort, I received</p> <p>15 a draft copy on 25 June 2020, four days before the start</p> <p>16 of this inquiry."</p> <p>17 LA-A213 says:</p> <p>18 "The attitude to children in care during the period</p> <p>19 being investigated by the inquiry is summed up by the</p> <p>20 following extract from a draft statement within the</p> <p>21 draft IOPC report made by a CPS solicitor."</p> <p>22 This is the statement:</p> <p>23 "He described the victims as challenging because</p> <p>24 many had a history of mental illness, drug abuse or</p> <p>25 dishonesty. He also considered many of them were</p> <p style="text-align: center;">Page 50</p>
<p>1 suffering from a form of Stockholm Syndrome."</p> <p>2 That kind of review or analysis of how people gave</p> <p>3 evidence coming forwards to Middleton, where that</p> <p>4 applied, does not reflect, does it, what can be expected</p> <p>5 of understanding where victims making allegations are</p> <p>6 coming from?</p> <p>7 A. Absolutely not, no.</p> <p>8 Q. Can we move, because it deals with that particular</p> <p>9 investigation, to Operations Overview and Trinity,</p> <p>10 please. If you look at your statement, at 7.8, you set</p> <p>11 out what Operations Trinity and Overview dealt with.</p> <p>12 You set out at 7.8(b):</p> <p>13 "Information had been received to the effect that</p> <p>14 a well-known figure had knowledge of child sexual abuse</p> <p>15 allegations arising in Lambeth Children's Homes ..."</p> <p>16 To make it clear, not that there had been an</p> <p>17 allegation, but had knowledge around it:</p> <p>18 "... and this investigation sought to look at this."</p> <p>19 We know a statement wasn't taken from that</p> <p>20 well-known figure until 2019, even though this was 2013.</p> <p>21 Do you know why there was a period of time before that</p> <p>22 statement was taken?</p> <p>23 A. I think the reason for it is, I think when you're</p> <p>24 reviewing something like that, you want to see if the</p> <p>25 review and the work that you carry out leads to any</p> <p style="text-align: center;">Page 51</p>	<p>1 lines of enquiry. Then if they do lead to lines of</p> <p>2 enquiry, you possibly then have to address how you speak</p> <p>3 to a suspect. In this case, I think he could have given</p> <p>4 a witness statement earlier. I think that's a fair</p> <p>5 comment to make. But I think, whilst other</p> <p>6 investigations were going on that possibly may have</p> <p>7 provided lines of enquiry, I can understand why there</p> <p>8 was -- why the decision was made not to do it straight</p> <p>9 away. So I think that partly explains the delay. I do</p> <p>10 think there was a time when he -- we could have got --</p> <p>11 approached him earlier, yeah.</p> <p>12 Q. LA-A213 was the other aspect of Trinity and Overview,</p> <p>13 and this was the complaint that she had been raped by</p> <p>14 her foster parent, a former police officer, named</p> <p>15 John Hudson. That was also reviewed in this</p> <p>16 investigation, and if you go to 7.28(c), can you set</p> <p>17 out -- of course it links to what I have just read to</p> <p>18 you and will make more sense to those who are aware of</p> <p>19 the case -- what actually happened in Trinity and the</p> <p>20 timing of that prosecution happening then, in terms of</p> <p>21 the main --</p> <p>22 A. Okay. So by the time Trinity went to take another look,</p> <p>23 to review that investigation and to see if it was</p> <p>24 possible to further investigate and prosecute, Hudson</p> <p>25 had died by then. My understanding of that</p> <p style="text-align: center;">Page 52</p>

1 investigation is that documentation came to light that
 2 Hudson's former wife and another person had misled the
 3 police investigations and given false evidence, which
 4 led to the trial not being successful. It was on that
 5 basis that those two people were prosecuted for
 6 perverting the course of justice and convicted of it.
 7 Q. Pausing there, those two people were prosecuted and
 8 imprisoned, weren't they, for perverting the course of
 9 justice?
 10 A. Yes.
 11 Q. John Hudson had died by then?
 12 A. Yes.
 13 Q. So he was never prosecuted, was he?
 14 A. No, not successfully, no.
 15 Q. Well, you say "not successfully", he wasn't
 16 prosecuted --
 17 A. No, he wasn't prosecuted. He didn't go to trial, yes.
 18 Q. So complaints having been made from when she was
 19 aged 13, this man was never prosecuted, and he was
 20 a former police officer?
 21 A. Correct.
 22 Q. That's bound to raise concerns, isn't it, that a former
 23 police officer isn't investigated and prosecuted during
 24 his life for these serious allegations?
 25 A. I think he was investigated. I think the matter was

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1 before now to look at that particular investigation in
 2 the detail that you would now be going into. As I said,
 3 it is more important that evidence is accurate and not
 4 off the hoof of something of this process. But you can
 5 see, and we agree, that Middleton failed a number of
 6 people and didn't get to the heart or scale of
 7 the problems and, for individuals, there would have been
 8 an abiding sense of failure and being let down and
 9 feeling that they don't matter?
 10 A. Absolutely, yes, I accept that.
 11 Q. Indeed, that's the very phrase that LA-A23 says, "Why
 12 did I not matter enough?". That is the abiding sense,
 13 bringing complaints and then there isn't a prosecution?
 14 A. And I absolutely understand where that feeling comes
 15 from and why they have -- and, you know, it speaks for
 16 itself, the comment was made, and I totally understand
 17 it, yes.
 18 Q. Can we move now to page 77, and this is where you deal
 19 in your statement with Philip Temple. I want to take
 20 this quite neatly, if I can, but also referring you to
 21 paragraphs, because it is important -- what I say isn't
 22 evidence, DI Morley, you give the evidence. I need you
 23 to confirm, say clearly if I'm right or wrong and
 24 correct me if you think I'm not.
 25 So at paragraph 9.7, we see from your statement that

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1 investigated and the matter referred to the CPS.
 2 I can't -- I don't know the absolute ins and outs of
 3 the Hudson case. It isn't one of the matters that I've
 4 been asked to review. I am aware of it and know about
 5 it, but my understanding of Hudson is that, during
 6 Middleton, there was an investigation conducted into
 7 Hudson, matters -- and I think that's possibly where
 8 I got a little confused in it. There was a file that
 9 was sent to the CPS to consider charges. So to say it
 10 wasn't investigated I don't think is accurate. To say
 11 he wasn't successfully prosecuted during Middleton is
 12 entirely accurate.
 13 Q. That's the sense of failure. For the victim, that's
 14 a failure, isn't it? An investigation, but there is no
 15 prosecution, and years later there is a prosecution, but
 16 he's not alive by then.
 17 Do you happen to know, out of interest, whether any
 18 of the Middleton officers would have known John Hudson
 19 through the vice squad or wherever he worked elsewhere?
 20 A. I have absolutely no evidence that any of the Middleton
 21 officers knew Hudson. From what I've seen of
 22 the investigation into Hudson by Middleton, it was
 23 a thorough investigation. My understanding is that
 24 officers flew to -- well --
 25 Q. I don't want you to comment when you haven't been asked

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1 two children who lived in a home in Wandsworth made
 2 allegations of sexual abuse against Philip Temple which
 3 were referred to the MPS, and he wasn't charged and he
 4 resigned from Wandsworth. Is that right?
 5 A. Correct.
 6 Q. We see at 9.19, and the inquiry has heard, three
 7 children from Shirley Oaks made allegations against him
 8 in 1977?
 9 A. Yes.
 10 Q. In 9.41, the third allegation was reported to the
 11 police, and it is unclear, you say, what happened to
 12 that investigation?
 13 A. Yes.
 14 Q. In 1977, as was heard from Lambeth, he was permitted to
 15 resign, having confessed?
 16 A. Correct.
 17 Q. 9.74. Numerous allegations came to light during
 18 Operation Middleton, you say?
 19 A. Yes.
 20 Q. 9.109, clear that Temple was identified as a suspect
 21 during Operation Middleton, but was never spoken to, and
 22 it was decided not to pursue the allegation made against
 23 him, as he'd been investigated in a previous
 24 investigation?
 25 A. Correct.

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<p>1 Q. A pretty astounding series of events?</p> <p>2 A. Yes. Sorry --</p> <p>3 Q. Sorry, go on.</p> <p>4 A. No, it is serious investigative failures there,</p> <p>5 undoubtedly.</p> <p>6 Q. And children at serious risk continually?</p> <p>7 A. Yes.</p> <p>8 Q. We then move, if we can, to Donald Hosegood, page 125 of</p> <p>9 your statement.</p> <p>10 A. Yes.</p> <p>11 Q. Mr Hosegood is the man whom you had a statement, or read</p> <p>12 a statement, referring to him, when he was arrested,</p> <p>13 waving a Masonic handbook?</p> <p>14 A. Yes.</p> <p>15 Q. He's also the match that Dr Staples referred to in</p> <p>16 answering questions from me. So there's no doubt</p> <p>17 Mr Hosegood was a Mason and perceived, waving that book,</p> <p>18 that that might have an impact, presumably. Now, the</p> <p>19 police officer makes the point, "I'm not a Mason and we</p> <p>20 weren't", but it is an interesting perception that</p> <p>21 someone who is a Mason thinks that that might make</p> <p>22 a difference, isn't it?</p> <p>23 A. It is, yes. Clearly, it held no truck when he did it</p> <p>24 back in 1975 and the comments of the investigating</p> <p>25 officer clearly tells that I think he found it</p> <p style="text-align: center;">Page 57</p>	<p>1 contemptuous.</p> <p>2 Q. Are you a Freemason, DI Morley?</p> <p>3 A. No, I'm not.</p> <p>4 Q. Obviously that's an issue that's arisen. Are many</p> <p>5 people in the police and those who are investigating</p> <p>6 Freemasons? You're not a Freemason. You can't comment</p> <p>7 for the whole of the MPS, but what's your sense of that</p> <p>8 organisation or whether that impacts in any way on</p> <p>9 investigations?</p> <p>10 A. I've been investigating for 28 years at various things.</p> <p>11 In fact, I spent ten years in the Directorate of</p> <p>12 Professional Standards where I was investigating other</p> <p>13 police officers. I can honestly say I've never been</p> <p>14 approached by or had anybody from the Freemasons attempt</p> <p>15 to influence any of the investigations that I've been</p> <p>16 involved in with -- during that time.</p> <p>17 Q. Going back to Mr Hosegood, we have heard evidence about</p> <p>18 the unsuccessful prosecution of him in 1975 and how that</p> <p>19 was for victims --</p> <p>20 A. Yes.</p> <p>21 Q. -- and how giving evidence was at that time.</p> <p>22 A. Yes.</p> <p>23 Q. You also, in your statement -- and I would like to take</p> <p>24 you to it, please, at paragraph 10.105 -- refer to</p> <p>25 whether Hosegood at the time was investigated during</p> <p style="text-align: center;">Page 58</p>
<p>1 Middleton for links with other offenders. I want to</p> <p>2 pick this up as we go through perpetrators and alleged</p> <p>3 perpetrators' links. When do the police have knowledge</p> <p>4 that there's more than one person in the room and that</p> <p>5 two people must have known about something? Those links</p> <p>6 are really important, aren't they, to try and establish?</p> <p>7 A. Absolutely, yes.</p> <p>8 Q. What was the evidence, and you set it out -- it is</p> <p>9 probably easier if you summarise it than I do -- the</p> <p>10 complaints in relation to Mr Hosegood that meant there</p> <p>11 should have been further investigation, I'm going to</p> <p>12 suggest, about whether he knew, and how well he knew,</p> <p>13 others?</p> <p>14 A. I think there are clear links in statements that were</p> <p>15 taken where Hook in particular and Hosegood are linked</p> <p>16 together, and there are definite links there, and I see</p> <p>17 no evidence that they were properly investigated during</p> <p>18 Operation Middleton.</p> <p>19 In relation to Hosegood, I think Middleton was an</p> <p>20 absolute missed opportunity to investigate somebody</p> <p>21 against whom there were very serious allegations that</p> <p>22 were made.</p> <p>23 Q. When you say there was evidence, let's just have a look</p> <p>24 at it at (a), (b) and (c). So LA-A228 has said when she</p> <p>25 makes a complaint against -- she refers to the person</p> <p style="text-align: center;">Page 59</p>	<p>1 she makes the complaint against being friends with</p> <p>2 Donald Hosegood, doesn't she?</p> <p>3 A. Yes.</p> <p>4 Q. You also have somebody else referring to "a regular</p> <p>5 visitor who used to take us out on a Saturday. I think</p> <p>6 his name was Mark". She describes (inaudible) that</p> <p>7 letter.</p> <p>8 A. Yes.</p> <p>9 Q. You have, at one time, another complainant saying, "Mark</p> <p>10 knew a lot about sailing and chart maps. I remember at</p> <p>11 one time he was teaching Don Hosegood about it. They</p> <p>12 knew each other. Not good friends, as far as I knew".</p> <p>13 But complainants clearly telling you they knew each</p> <p>14 other?</p> <p>15 A. Yes.</p> <p>16 Q. Then the last example you provide there, can you tell us</p> <p>17 what the child said in relation to the allegation at</p> <p>18 (d), where both men were there at the same time? What</p> <p>19 was that about?</p> <p>20 A. That she saw Hosegood with the swimming instructor</p> <p>21 called Mark -- that, in my view, is undoubtedly Hook --</p> <p>22 on several occasions:</p> <p>23 "I'd seen him at the Shirley pool, which is how</p> <p>24 I knew he was a swimming instructor. The reason</p> <p>25 I remember it is because there was an incident in the</p> <p style="text-align: center;">Page 60</p>

1 **workshop at the rear of Fir House. I was about ten**
 2 **years old. Don Hosegood called me into the workshop.**
 3 **I think I was ..."**
 4 **I won't mention the name:**
 5 **"... with [another child resident] at the time. The**
 6 **workshop was full of tools. There was a bench of things**
 7 **hanging from the roof. There was a section towards the**
 8 **back that was screened off with something black. It was**
 9 **the only time I ever remember being in there. It was**
 10 **normally locked and the children were not allowed in.**
 11 **Hosegood was holding a large hessian-type sack that was**
 12 **full and Hosegood showed me pornographic pictures of**
 13 **adult men. He was saying 'Look at these'. And then**
 14 **I remember [the name] was standing next to me and we**
 15 **both giggled. I think mainly nervous and embarrassed.**
 16 **I saw that Mark, the swimming instructor, was standing**
 17 **at the back of the workshop. I only noticed Mark**
 18 **because Mark moved. I was only there a short time but**
 19 **I got really frightened and ran out. I just kept**
 20 **running, I was so scared."**
 21 Q. There is a child describing pornographic material, adult
 22 men, being shown two men from the care home at the same
 23 time in the same space --
 24 A. Yes.
 25 Q. -- undoubtedly triggering knowledge that they were aware

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1 **circumstances, were wholly inadequate.**
 2 Q. Being misleading in that way isn't simply being
 3 misleading, it is depriving that child in particular,
 4 and all the other children that were still at
 5 Shirley Oaks, from having any protection at all from
 6 those outside the system looking in, and they would have
 7 been (interference) what was happening there?
 8 A. **It is a complete missed opportunity, isn't it? You have**
 9 **those circumstances to completely focus, if nothing**
 10 **else, on that institution, and on that individual as**
 11 **well, to take a closer look at him, and it is a missed**
 12 **opportunity, yes.**
 13 Q. Can we move on to Patrick Grant now, and in particular
 14 page 182 of your statement. Patrick Grant was also
 15 unsuccessfully prosecuted in 1978, and you say:
 16 "In many ways, echoes the problems seen in the fair
 17 prosecution of Donald Hosegood."
 18 Do you mean there in particular in relation to
 19 special measures or matters --
 20 A. **Yes. I think in particular it's the way in which you**
 21 **adduce evidence from victims, and I took a look at --**
 22 **you take a look at the victims' statements that are**
 23 **made, and it was just -- it comes -- I think I say it in**
 24 **my statement, it comes as absolutely no surprise that**
 25 **any subsequent prosecution is doomed to failure. What**

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1 of each other's interests and how the interaction with
 2 the children?
 3 A. **Yes. No dispute of it.**
 4 Q. That was not followed up?
 5 A. **No, it wasn't.**
 6 Q. Can we just go to LA-A2, 10.113. This is the death of
 7 a child at Shirley Oaks that we asked Ms Hudson about.
 8 You say that when the police were called out, there was
 9 a failure to recognise that the CID should have been
 10 called to the scene to investigate and conduct a proper
 11 investigation.
 12 We also, in dealing with that evidence, referred
 13 Ms Hudson -- and you have seen it, we know -- to the
 14 material that was provided to the coroner surrounding
 15 LA-A2's death and which did not refer at the time to him
 16 having made allegations of child sexual abuse and having
 17 to give evidence in a criminal trial.
 18 That was depriving the coroner, wasn't it, from
 19 examining the circumstances of that child and from
 20 potentially being sufficiently concerned to suggest
 21 there should have been wider examination of
 22 the circumstances at the time?
 23 A. **Absolutely. Absolutely. I think the initial police**
 24 **investigation -- I've seen the coronial file that was**
 25 **sent up. I think the content of it, in both**

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1 **on earth chance did a child back in the 1970s have of**
 2 **making a complaint and that complaint properly going**
 3 **through to a Crown Court, which is where it would end**
 4 **up, and a successful prosecution? There is**
 5 **absolutely -- yeah, no chance, for the systems that were**
 6 **in place there.**
 7 Q. You also say at 11.109:
 8 "It is of real concern Patrick Grant was able to
 9 continue working with children, apparently completely
 10 unchecked and unrestricted after his acquittal."
 11 You note that Lambeth Council acknowledged that they
 12 offered Grant a secondment to start training to become
 13 a qualified social worker in October 1978, while he was
 14 still awaiting trial, and he completed the course before
 15 joining Southvale Assessment Centre. Do you agree,
 16 deeply disturbing?
 17 A. **It beggars belief.**
 18 Q. You also, on the subject of perpetrators acting in
 19 concert with each other, refer to the fact that, when
 20 he's convicted, one of his convictions relates to him
 21 and another man, doesn't it?
 22 A. **Yes.**
 23 Q. A man within Lambeth, but a man called Collins?
 24 A. **Yes.**
 25 Q. The allegation was that Grant had touched the

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<p>1 complainant's genitals while masturbating in the 2 presence of Collins in a bathroom in a care home when he 3 was 11 or 12 years old. For those at the time who were 4 suggesting opportunities didn't exist for a single 5 perpetrator, let alone two, to work in concert together, 6 that wasn't the case, clearly, was it? 7 A. No, clearly not. 8 Q. Does it surprise you, looking back, when we are looking, 9 even in the '80s, around the Ivy House/Monkton Street, 10 suggestions from staff that staff wouldn't have the 11 opportunity to sexually abuse a child, does it surprise 12 you that those statements were still being made even in 13 the '80s? 14 A. Well, you can never control what somebody is putting in 15 a statement, but to preclude it as a possibility is 16 clearly wrong, and -- yeah. 17 Q. Moving on to Monkton Street, page 227, and I want to ask 18 you about medical examinations contemporaneously. You 19 pick up on the Monkton Street case, and I'm not going to 20 ask you about whether there were grounds for having the 21 medical examinations, because, of course, that depends 22 on what's known about the children at the time and what 23 they had said or not said. But I can ask you about the 24 examinations and how they were conducted, and whether, 25 first of all, do you agree, as a starting point, there's</p> <p style="text-align: center;">Page 65</p>	<p>1 got to be consideration of the trauma an invasive 2 examination might cause, unless it is done, and even 3 when it is done, with the surrounding circumstances 4 recognising the individual needs of the child? 5 A. Absolutely. The welfare of the child in that 6 circumstance is what matters. And, you know, as an 7 investigator, especially now, if it is that it is not 8 appropriate to obtain that, then you have to accept that 9 that medical examination possibly won't be able to take 10 place. If it outweighs the impact it's going to have on 11 the child, then there is absolutely no point in it, 12 and -- yeah. 13 Q. You set out at 13.67, so I'd like you to set out in your 14 oral evidence, when any such medical examination would 15 likely be conducted today. Can you just set out the 16 full (a) to (d), read those out for us, please, 17 DI Morley? 18 A. First of all, you'd have to have a (inaudible) report 19 sexual abuse relating to the relevant child 20 specifically, and you would have to do -- you would have 21 to balance the value of the evidence that could be 22 obtained from such an examination. Then, after an 23 initial interview with the child in question being 24 taking place, it would take place at a specialist 25 facility. Sexual abuse referral clinics within the</p> <p style="text-align: center;">Page 66</p>
<p>1 MPS -- The Haven is the one -- the referral where it's 2 made to. 3 Those examinations, they would never take place in 4 a police station at all. That's totally inappropriate 5 for it to take place there. And you would have to have 6 the consent of the parent and the child inasmuch as it 7 can be determined. 8 Q. When you say you use The Haven, so that's the specialist 9 resource facility now where -- the inquiry has received 10 evidence from The Haven and The Lighthouse and we will 11 hear from The Lighthouse. 12 In terms of ABE interviews, just on that point, have 13 you had experience, either through The Lighthouse or 14 anywhere else, of psychologists being involved with 15 a police officer doing ABE interviews? 16 A. I've never had personal experience of it. I have 17 spoken -- you know, in preparing my answer to that, I've 18 described my background in professional standards, 19 I have spoken to experienced case officers, and 20 I believe now the use of intermediaries -- the 21 preparation basically for the interview is absolutely 22 paramount to it. So -- sorry. 23 Q. I was going to say, the preparation is something 24 different. Again, if you don't have the answer, don't 25 guess. It is whether, when the interview is actually</p> <p style="text-align: center;">Page 67</p>	<p>1 conducted, rather than a police officer on his or her 2 own asking questions of the child, a psychologist is 3 with the police officer too, armed with all that 4 information around the child's communication, to assist 5 in the process of obtaining the best evidence from the 6 child in that interview. Are you aware of whether 7 that's been happening or not? 8 A. I'm aware of the use of intermediaries. Whether the 9 intermediaries would be child psychologists, then I'm 10 afraid I don't have the expertise to be able to answer 11 that question, but I can find out the answer for you and 12 pass it on to the inquiry. 13 Q. Because it is important, isn't it, how children are best 14 able to give their evidence and account of what's 15 happening to them? 16 A. Absolutely. It is utterly integral to the whole 17 process. You have to take your time and you have to -- 18 just the police officer by themselves, it's never going 19 to be able to appropriately get that. You have to work 20 in partnership with other experts to enable the very, 21 very best evidence possible to come forward. 22 Q. The police officer conducting an interview needs to have 23 that communication material, don't they, about each 24 child? Every child is different. To know from their 25 teachers, from parents, if that's applicable --</p> <p style="text-align: center;">Page 68</p>

1 **A. Absolutely. The research that would go into it is**
 2 **absolute, and you would have to -- especially with young**
 3 **children. You have to understand everything that there**
 4 **is about them within their background to understand how**
 5 **you can best enable them to provide the account that you**
 6 **need from them.**
 7 Q. From your perspective, and, again, don't guess if you
 8 don't know, do you think there is still some work to be
 9 done there? We know there's the toolkits, we know
 10 there's the use of intermediaries. On the ground, is
 11 this working? Is the right officer getting to the
 12 strategy meeting to hear from all of the other agencies
 13 about a child's needs and taking that to the interview
 14 with an intermediary who has already assessed the
 15 communication needs? These are good plans and ideas but
 16 are they actually happening?
 17 **A. Look, I'm not in a position to answer that generically**
 18 **across the MPS, but I can for Operation Winterkey and**
 19 **I have been in charge of the enquiries teams there.**
 20 **Yes, those things -- certainly within my unit, do go on,**
 21 **yes.**
 22 Q. You're using it. So you have been using intermediaries?
 23 **A. Yes, absolutely, yes.**
 24 Q. Can I follow up with that? I would be interested in the
 25 numbers of where you have used intermediaries -- not the

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1 **made by [redacted] in '93 --**
 2 MS LANGDALE: There's been a breach of a protection order.
 3 Can I ask that the feed is cut, please? Thank you.
 4 **A. I do beg your pardon.**
 5 Q. It's because you haven't got the redacted version.
 6 **A. I'm so sorry.**
 7 MS LANGDALE: Chair, may I please ask for a restriction
 8 order over the name that's just been given and we will
 9 continue?
 10 THE CHAIR: Yes, I will do that.
 11 **A. I'm so sorry. I will put my original statements to one**
 12 **side. I'm so sorry.**
 13 MS LANGDALE: Can the live stream be restarted, please,
 14 chair?
 15 THE CHAIR: Of course.
 16 **A. Sorry, I beg your pardon.**
 17 MS LANGDALE: Don't worry. We were just saying what was
 18 reported there was:
 19 "I am now in a position to say the matter was not
 20 referred to the Crown Prosecution Service. The matter
 21 was the subject of a joint investigation, police and
 22 Kent services, but the crime report was eventually
 23 recorded as no crime on the basis there was no
 24 corroborative evidence and the complainant was perceived
 25 to be a deeply disturbed and mixed-up boy."

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1 cases but we can follow that up afterwards.
 2 **A. Follow that up with me and, yes, we will be able to give**
 3 **you examples of where that has happened, yes.**
 4 Q. Thank you. That would be helpful. Let's move, please,
 5 to Mr Clarke, Geoff Clarke, in your second statement.
 6 **A. Bear with me one moment, please.**
 7 Q. There are lots of documents, I appreciate that. It is
 8 7 May 2020. I will give you some background while
 9 you're finding it. I'm sure the chair and panel are
 10 finding it too. We have been through statements to draw
 11 things together where we can, DI Morley.
 12 **A. Yes, I understand.**
 13 Q. Geoff Clarke, 1969 to 1991, worked for the council as
 14 a computer programmer and he left Lambeth in 1991.
 15 A social uncle, introduced to Shirley Oaks in the early
 16 1970s. You set out how there was a Kent Police
 17 investigation into Clarke in 1993. You set that out at
 18 paragraphs 13 and 14. You say at paragraph 13:
 19 "A child had reported the abuse to a teacher. The
 20 allegation was referred to Kent Police. They
 21 investigated the allegations and arrested and
 22 interviewed him and he denied the offences."
 23 Can you read, please, for us what paragraph 14 says
 24 in terms of that complaint?
 25 **A. Yes. In relation to the enquiry into the allegations**

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1 That was what was recorded?
 2 **A. Yes, correct.**
 3 Q. In 1997, he was investigated by Kent Police and, in
 4 1998, convicted of seven offences?
 5 **A. Correct.**
 6 Q. In 2000, he first appeared within Operation Middleton
 7 you say, in DCI Ranson's daybook, I think it is
 8 paragraph 28?
 9 **A. Yes. Yes, correct.**
 10 Q. And enquiries were made of judo clubs that he'd had an
 11 interest in and care homes and cottages he'd attended at
 12 Shirley Oaks; is that right?
 13 **A. Correct, yes.**
 14 Q. There was, at that time, one complainant prepared to
 15 support a prosecution, which took place in 2003, for
 16 offences committed in the 1980s; yes?
 17 **A. Yes.**
 18 Q. In his case as well, we see that there were photographs
 19 and images, if we go to paragraph 96 and paragraph 98.
 20 **A. Yes.**
 21 Q. Do you want to say there what was found within his
 22 computer equipment? There are no names there, so you
 23 can read paragraph 98.
 24 **A. "There were 2,100 images of children between 8 and**
 25 **15 years of age. The images were mostly of young boys.**

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<p>1 Some of them were innocent and some of them were 2 indecent. Some of the more explicit images showed anal 3 penetration of pre-pubescent boys. Clarke's computer 4 equipment also showed that he visited various sites with 5 the names 'Naked underage children', 'Very young 6 Lolitas' and 'Boys@onlyforyou'. Violent scenes of teen 7 rape and young teenagers fucking." 8 Q. In short, if we take that in brief, an allegation in 9 1993, and here he was allowed to continue, and that's 10 what was found when he was arrested? 11 A. Yes, correct. 12 Q. Can we go now to your next statement, your third 13 statement, which deals with LA-F93. 14 A. Yes. 15 Q. This is of 12 May. 16 A. Yes. 17 Q. Again, summarising this, if I may, in 2016, LA-A337 18 reported to police that she'd been indecently assaulted 19 by LA-F93 and that William Hook had helped LA-F93 in 20 carrying out this assault. 21 A. Correct. 22 Q. She described, didn't she, that Hook held her shoulders 23 so she could not leave? 24 A. Yes. 25 Q. And told her that she'd be locked away if she tried to</p> <p style="text-align: center;">Page 73</p>	<p>1 leave, in effect? 2 A. Yes. 3 Q. So Hook is there with LA-F93? 4 A. Yes. 5 Q. In March 2016, a police officer made contact with 6 LA-A337, and explained, if they were both dead, it may 7 not be necessary to provide an account. Of course, 8 putting that in context, at that time the complainant 9 thought they might both be dead, didn't she? 10 A. Yes. 11 Q. By August 2016, the officer had established Hook was 12 alive, and yet there was no indication that LA-A337 was 13 ever informed of that fact, was there? 14 A. Correct. 15 Q. And the case was closed? 16 A. Yes. 17 Q. I'm going to suggest as well that there was real 18 minimisation about the role that Hook played in that 19 sexual assault. 20 A. Yes. 21 Q. It says, by the time it was closed -- if we go to, and 22 I'll read it, DI Morley, paragraph 51: 23 "Officer closing a crime report says he has 24 discussed it with another officer. Given the victim 25 will not pursue, the suspect is deceased ..."</p> <p style="text-align: center;">Page 74</p>
<p>1 I don't know where "not pursue" comes from because, 2 of course, I don't understand the complainant to know 3 he's alive at that point. But "not pursue": 4 "No sexual assault allegations are made as such 5 against suspect 2, Hook. Facilitating is alluded to." 6 The suggestion seems to be he is not the one 7 committing the assault, he's facilitating by holding on 8 the shoulders and saying, "Don't leave". That is 9 a gross minimisation about participation in a sexual 10 assault, do you think? 11 A. Absolutely. It is an appalling piece of investigating. 12 It is completely wrong. It is a matter that, at its 13 outset, should have been referred up to our team to deal 14 with. When I read the report and saw it, I was 15 horrified by it. 16 Q. It's the links again, isn't it, it's acting in concert, 17 two people, the pressure of not getting out of a room, 18 "You're going to be locked in"? 19 A. Yes. 20 Q. The abhorrence of that. Describe it as in some way just 21 facilitating someone else's gratification, the clear 22 implication is both men gratified by the exploitation of 23 the child in that situation? 24 A. Yes. 25 Q. Statement 4 we have already dealt with. So can we go,</p> <p style="text-align: center;">Page 75</p>	<p>1 please, to 5, which is Mr Hook. 2 A. Yes. 3 Q. He, of course, used many names in his life, and during 4 his period of offending at Shirley Oaks. But, again, 5 the fact that that made it difficult for the police, you 6 would be familiar with trying to deal with people who 7 use different names for their own convenience in 8 a number of different types of criminal investigation? 9 A. Absolutely. Not uncommon. 10 Q. He was convicted, as we said earlier, in 2001, at 11 Kingston Crown Court, for a number of offences? 12 A. Correct. 13 Q. Again, we see in his case two allegations made by boys 14 in the early 1970s and these should have been referred 15 to the MPS, shouldn't they? 16 A. Yes. 17 Q. You deal with them at paragraphs 11 and 12. I'm not 18 going to ask you to read them, but, basically, one 19 child, after a skin diving lesson with Hook, reported, 20 very promptly reported, he'd had to do certain exercises 21 and was tested in certain places, that the man had 22 undressed him and said to him, "All over", after the 23 lesson was finished. He was a bit uneasy and felt he 24 was old enough to wash himself. 25 Clearly bringing back to the adults around him</p> <p style="text-align: center;">Page 76</p>

<p>1 concerns, and any adult should have appreciated what 2 that represented. Do you agree? 3 A. Yes, that should have been reported to the police for 4 criminal investigation of the staff. 5 Q. It wasn't reported to the police. We know there was 6 discussion between various people -- social workers, 7 house mothers, et cetera -- about that episode, and 8 there was no question of that being seen for what it was 9 and prompting broader investigation either within the 10 council and certainly by reference to the police? 11 A. Correct. 12 Q. There was another episode for Mr Hook, wasn't there, 13 LA-A66. He was observed to be in a hotel with a child, 14 not in Lambeth, it was in a different area, but so 15 suspicious were staff they called the police, didn't 16 they? They were concerned about why this adult man was 17 with a child in a twin bedroom. That's right, isn't it? 18 A. Yes, absolutely. 19 Q. When the police came out, that didn't result in a report 20 or further action, did it? In fact, what the comments 21 were made about that at the time, that the police -- 22 this is paragraph 23 of your statement -- found no 23 impropriety actually taking place, but their enquiries 24 into him revealed what they guardedly called "lots of 25 information" about him. It was a bit odd, surprised he</p> <p style="text-align: center;">Page 77</p>	<p>1 was ever employed with children? 2 A. Yes. 3 Q. That goes nowhere either, does it? 4 A. No, didn't go anywhere, no. 5 Q. Yet, members of the hotel staff were sufficiently 6 concerned, so people not involved in supposedly child 7 protection in a professional context, sufficiently 8 concerned to trigger referral? 9 A. Yes. I think, in terms of that, I'm not sure what 10 action was carried out by the force in question. So 11 I don't know what they did. What I can say in relation 12 to that is that the care home that he returned to were 13 aware of it and that they never informed police of it. 14 Q. That wasn't Lambeth at that point, was it? It was 15 a different care -- 16 A. It was a different care home. 17 Q. Then we see, when he is arrested, at paragraph 53 of 18 your statement, what's found at his house. Can you tell 19 us there what's found at his house? 20 A. Yes, sorry. 21 Q. Paragraph 53 of your fifth statement, page 27? 22 A. So they found "non-pornographic photographs of children, 23 correspondence with children and children's videos, 24 which suggested paedophilic tendencies on the part 25 of ... photocopies of 17 photographs that were seized</p> <p style="text-align: center;">Page 78</p>
<p>1 during the search were attached to a briefing report. 2 None of these images was pornographic in nature. The 3 briefing report was then disseminated to the" -- 4 Q. Leaving that there. It doesn't matter where that's gone 5 to, but, basically, the photographs, where they were 6 deemed to be of local children, were sent to the police? 7 A. Yes. 8 Q. But that also showed somebody who was in possession of 9 indecent images of children? 10 A. Yes. 11 Q. I don't really understand for myself non-pornographic 12 photos of children. I don't know what that suggests. 13 Were there issues around what was found in his house 14 that were concerning about the production or possession 15 of indecent images? 16 A. There was about the indecent images -- in terms -- 17 I have seen the photographs -- photocopies of 18 the photographs that were there. I would describe them 19 as almost portrait photographs of children. There was 20 nothing indecent in their nature that I saw, in the 21 photographs I saw. 22 Q. Paragraph 84. You said you were concerned about 23 William Hook's possible association with 24 Donald Hosegood. 25 A. Yes.</p> <p style="text-align: center;">Page 79</p>	<p>1 Q. You crystallise there the points we have dealt with 2 earlier. 3 A. Yes. 4 Q. How do you think that should have been addressed at the 5 time? 6 A. I -- 7 Q. (Overspeaking) recognise the link, but what should the 8 police have done at the time? 9 A. They should have launched an absolute investigation into 10 Hosegood. I think Hosegood is -- there's such clear 11 evidence that he's linked with Hook. That connection 12 should have been made and Hosegood should have been 13 brought into the investigation and he should have been 14 investigated, just on that alone. I think there are 15 other elements on which he could have been investigated 16 as well. 17 Q. Now can we go to your statement 7, please. That 18 statement deals with Carroll, Forrest and LA-F4? 19 A. Sorry, which paragraph would you like me to go to? 20 Q. I'm going to summarise again, so you have it near to you 21 if you want to check anything before confirming with me. 22 Carroll, in 1993, an opportunity was missed, wasn't it, 23 when two girls complained about sexual assault and there 24 was a best interests decision not to interview the two 25 girls?</p> <p style="text-align: center;">Page 80</p>

1 **A. Yes. Correct.**
 2 Q. In 1998, Trawler sent letters to children from
 3 Angell Road. That could have been done before, couldn't
 4 it?
 5 **A. Sorry, which paragraph are you referring to?**
 6 Q. I can't identify the paragraph for myself. But do you
 7 agree that Trawler sent -- it was early on in your
 8 statement -- letters to children from Angell Road. That
 9 was the letter drop that DI Driscoll spoke about, that
 10 children should be contacted as a consequence of
 11 Operation Care and letters sent to try and connect with
 12 them?
 13 **A. Yes. My understanding of that letter, and maybe I'm**
 14 **misremembering here, is that the letter was generated by**
 15 **Operation Care officers in relation to their**
 16 **investigation of Carroll and Trawler facilitated that**
 17 **letter drop.**
 18 Q. Right. So Trawler itself didn't go wider than the
 19 Operation Care letters that were --
 20 **A. Not to my knowledge. Look, I could be wrong in that,**
 21 **but if I've put that in my statement somewhere, if you**
 22 **could direct me to it.**
 23 Q. No, you're giving evidence. That's why I say it is
 24 important you're speaking more than me here.
 25 **A. My understanding of those letters is that they were**

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1 **and Middleton in 1998. So I'm not sure where, as an**
 2 **investigative policy or an investigative tactic, that**
 3 **would have been used in the intervening time. It is**
 4 **a consideration that Middleton might have had**
 5 **afterwards, but with Care having already done that in**
 6 **relation to their investigation into Carroll, I can**
 7 **understand why they didn't do that in relation to**
 8 **Carroll and Angell Road and Highland Road.**
 9 Q. As far as Steven Forrest was concerned, in 1991, there
 10 was an allegation in relation to him, wasn't there --
 11 **A. Yes.**
 12 Q. Was that investigated or not?
 13 **A. In 1991?**
 14 Q. Yes.
 15 **A. No. No.**
 16 Q. It was 1991 the allegation, but 1993 not investigated by
 17 the police; is that --
 18 **A. Yes.**
 19 Q. It is the same allegation. There was an earlier
 20 allegation, wasn't there, that wasn't properly
 21 investigated in relation to Mr Forrest?
 22 **A. There were opportunities to engage in Forrest.**
 23 **Personally, I think possibly earlier than -- sorry,**
 24 **I would have to go back to my statement. Certainly --**
 25 **could you refer -- sorry, can you refer me to the**

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1 **enquiries generated by Operation Care, and I think this**
 2 **is how initially Clive Driscoll and Trawler became**
 3 **involved in them because they're clearly based up in**
 4 **Merseyside, they needed information from Social Services**
 5 **files as to what addresses they could send them to. So**
 6 **my understanding of those letters is that they came from**
 7 **Operation Care. If I'm wrong in that understanding,**
 8 **then ...**
 9 Q. So did Middleton, at any stage, send letters for
 10 themselves to widen the pool from Angell Road?
 11 **A. They had a specific policy not to do that.**
 12 Q. Do you think now, looking back, those allegations could
 13 have been received earlier than they did, than they were
 14 eventually received, in relation to Carroll?
 15 **A. What, by -- do you mean by Middleton sending letters**
 16 **out?**
 17 Q. Yes.
 18 **A. Well, Middleton took place after Care.**
 19 Q. Yes.
 20 **A. The Middleton investigation took place after that. In**
 21 **terms of there being a letter sent to residents of**
 22 **Angell Road specifically, in terms of police**
 23 **investigations into Angell Road specifically, I'm not**
 24 **aware of one that took place or had the opportunity to**
 25 **do that between Bell in 1992 and Middleton in -- Trawler**

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1 **paragraph that you're talking about?**
 2 Q. Page 35 is where you deal with Steven Forrest.
 3 **A. Yes.**
 4 Q. You set out at 3.3 -- I don't want to use any names
 5 here.
 6 **A. No, I won't use any names.**
 7 Q. Can you just look, and take your time, there is no rush,
 8 when you say allegations in relation to Mr Forrest and
 9 implications for him could have been picked up earlier.
 10 That's really at the heart of this: when could things
 11 have been detected earlier?
 12 **A. Could you refer me to the paragraph number again?**
 13 Q. Page 35, and you begin from 3.2. You say in relation to
 14 Mr Forrest you're unaware during Operation Bell his name
 15 was mentioned by anyone in connection with suspected
 16 child abuse and, therefore, enquiries weren't made of
 17 him. But he was spoken to at that time, wasn't he?
 18 **A. Yes.**
 19 Q. Then you set out, if you move on to 1994 -- have a look
 20 at that.
 21 **A. Yes. Correct, yes.**
 22 Q. Operation Trawler/Middleton investigations and your
 23 conclusions about it?
 24 **A. Sorry, I couldn't hear what you said then.**
 25 Q. You set out the allegations that were made in

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1 Operations Trawler and Middleton into Steven Forrest, do
 2 you see?
 3 **A. Yes.**
 4 Q. When do you say there was an opportunity that could
 5 have -- that revealed itself earlier to investigate
 6 Mr Forrest?
 7 **A. Yes, there was, yes.**
 8 Q. What date?
 9 **A. That was in 1993, was the actual opportunity to do it.**
 10 Q. So it related to a 1991 allegation in 1993. Why do you
 11 think that opportunity was missed?
 12 **A. According to -- they said it was the period of time**
 13 **between the actual offence taking place and becoming**
 14 **aware of it.**
 15 Q. Does that emphasise the need for gaining the confidence
 16 of complainants and victims to speak to --
 17 **A. Absolutely. Yes.**
 18 Q. Them feeling reassured that the police know how to
 19 support and manage their concerns around complaints?
 20 **A. Absolutely. I agree with that completely.**
 21 MS LANGDALE: We are going to move, after the break,
 22 DI Morley, to questions that don't involve you going to
 23 your statement, which may be a relief to you. Again,
 24 I'm going to repeat when we come back after the break,
 25 it is not a memory test. If you need to go away and

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1 **murder teams. Also, some of the investigators from**
 2 **Trawler with the child protection experience remained on**
 3 **Middleton. So a couple of those who worked on Trawler**
 4 **were there. And then the rest were recruited as the**
 5 **investigation progressed. My understanding is that, as**
 6 **the investigation continued, so more officers with**
 7 **a child protection background were recruited onto it.**
 8 Q. Do you think there were a sufficient number of officers
 9 with a real understanding around child protection on it?
 10 **A. No.**
 11 Q. It's been suggested that Operation Middleton shifted its
 12 focus from Highland Road and Angell Road. Have you seen
 13 any evidence to suggest that the focus was shifted away
 14 from those homes?
 15 **A. Yes, it was shifted away from those. I think the reason**
 16 **for it is, from the documentation that I've seen,**
 17 **Operation Care, where -- from Liverpool, from**
 18 **Merseyside, were doing the investigation into**
 19 **John Carroll, which was in -- clearly based in**
 20 **Angell Road at the time. So the investigation --**
 21 **I think there was probably something of primacy given to**
 22 **Liverpool so that they could investigate.**
 23 **Then the way in which Middleton was set up was**
 24 **actually to take a lot wider remit than just Angell Road**
 25 **and Highland Road. So that was to take a look at the**

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1 check some of the answers or material, you can do.
 2 Chair, may I invite you to take a break at this
 3 point, if that is a convenient moment, and to start
 4 again in the hour?
 5 THE CHAIR: Yes, we will do that, returning at 1.30 pm.
 6 (12.34 pm)
 7 (The short adjournment)
 8 (1.30 pm)
 9 THE CHAIR: Good afternoon, everyone. Ms Langdale?
 10 MS LANGDALE: Thank you, chair. DI Morley, can you hear me
 11 and see me?
 12 **A. Yes, I can.**
 13 Q. Some remaining questions, please, if I may. Middleton.
 14 How were officers selected to work in Middleton? I ask
 15 this in the context of, we see reference to child
 16 protection officers being dumped into the role rather
 17 than proactive selection. How did people arrive in that
 18 position?
 19 **A. Well, primarily, because Middleton was being run on**
 20 **homes, there were recruitment -- my understanding is**
 21 **from a mixture of some of the murder team officers, so**
 22 **the detectives from the murder team that ran HOLMES.**
 23 **Because HOLMES is quite a complex piece of computer**
 24 **software, even at the time, and it needs people with**
 25 **specialist training to do it. They were recruited from**

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1 **whole of the Lambeth -- children in the care of Lambeth.**
 2 **That included not just the houses that were in places**
 3 **like Shirley Oaks as well, but everything that Lambeth**
 4 **had control over, including foster parents as well.**
 5 **So I think once they set out their strategy, which**
 6 **was to be this intelligence-led investigation, which**
 7 **really relied on working together with CHILE**
 8 **investigators, to get raw material, to understand what**
 9 **investigations had been made that hadn't been properly**
 10 **investigated, so I think that did naturally take them**
 11 **away from -- I wouldn't say take them away from**
 12 **Highland Road, I just think that other homes and other**
 13 **venues became involved in it.**
 14 Q. Was it broadening it, broadening the scope of --
 15 **A. Absolutely broadening it, yes. It was completely**
 16 **widening the whole investigation out. I mean, when you**
 17 **put something onto HOLMES, that's because the**
 18 **investigation is so big it's in anticipation of vast**
 19 **quantities of statements, of documents, being obtained,**
 20 **exhibits being obtained, and it's a way of managing that**
 21 **information.**
 22 Q. You say some of the officers had experience in HOLMES.
 23 Was that generally the case within Middleton and was it
 24 used effectively, or was it still a tool that was to be
 25 learned about for a number of people?

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1 **A. No, I think HOLMES was effective -- as a tool, it was**
2 **the right tool to be used for Middleton. I think, from**
3 **what I have seen, and all the documentation I have read,**
4 **you need staff to be able to operate it properly, and**
5 **absolutely integral to that are the indexes, and there**
6 **are various roles in there. So you have to have each of**
7 **them properly staffed so that the whole system works**
8 **harmoniously. If you don't have anybody -- if you are**
9 **missing certain staff within there, the system simply**
10 **won't work as effectively as it should. It's not that**
11 **it doesn't work at all, but just not as effectively as**
12 **it should do.**

13 Q. We see at various points there's an issue with indexes,
14 getting indexes into the investigation, aren't there?
15 Are they the people who enter the material onto HOLMES?

16 **A. Yeah, they get their material onto HOLMES. I have to**
17 **say at the outset, although I work in a team that works**
18 **with HOLMES, I have an office manager who is dedicated**
19 **to that role. So I wouldn't class myself an absolute**
20 **expert in HOLMES, but I do have a good working knowledge**
21 **of HOLMES. And, yes, that's what indexes will do.**

22 Q. Do they upload more than suspects? Do they upload a lot
23 of information or is it essentially around suspects?

24 **A. No, it's all the information. Every single thing, every**
25 **single document, every single statement, every single**

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1 **it down, and that is Steve Ranson. He's the**
2 **investigator. He's there. And then the management team**
3 **who agreed that.**

4 **Now, whether it comes from -- my view of it is that**
5 **DI Ranson at the time -- and he almost accepts it in his**
6 **closing report -- understands that they haven't got**
7 **everybody there. I'm not sure that the scale of**
8 **the risk was properly raised by Steve Ranson to the then**
9 **Gold Commander at the time that I understand was**
10 **DAC Carole Howlett. But there's another side to that as**
11 **well, and to just lay the blame solely on one individual**
12 **I don't think is a reasonable thing to be able to do,**
13 **because there is the downward intrusive supervision as**
14 **well that you have to consider.**

15 Q. Find out what's going on as well, and you also --

16 **A. It's the questions that you ask, and the how you -- so**
17 **I think there's a joint responsibility from everyone who**
18 **is on that senior leadership team and I would be very**
19 **reluctant to point the finger and put that onto one**
20 **individual.**

21 Q. At any stage, has the London Borough of Lambeth asked
22 for information to be disclosed to them by the police in
23 relation to the criminal convictions of former children
24 in care and/or former children in circumstances where
25 they're making applications for compensation?

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1 **piece of research, certainly -- yeah, goes onto the**
2 **system so that you can understand and make links between**
3 **all of the documentation. So, no, it's not just for**
4 **dealing with suspects, it deals with everyone.**

5 Q. So you ought to be able to make links between alleged
6 perpetrators?

7 **A. Yes.**

8 Q. Was the MPS's independence compromised by Lambeth or any
9 other organisation or individual undertaking Middleton?

10 **A. I have absolutely no evidence of that, no.**

11 Q. Was Middleton closed prematurely in order to avoid an
12 investigation that might embarrass the government in any
13 way?

14 **A. I have absolutely no evidence of that at all, no. Not**
15 **for that reason.**

16 Q. Clearly, many reasons for the lack of success of
17 Middleton are detailed in your statement and also
18 DI Ranson's statement, such as funding, shortages of
19 staff, expertise, managing the HOLMES system, policing
20 methodology, overall strategic leadership. Where do you
21 believe primary responsibility rests for its lack of
22 success?

23 **A. I think the primary responsibility for it -- I mean,**
24 **that's really hard to say. It lies between the SIO who**
25 **was running it at the time decisions were made to close**

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1 **A. That, I'm not aware of any direct documentation for**
2 **that. That's not something that I particularly looked**
3 **for when I've gone through the system. I'm definitely**
4 **not aware of it, but I can have a look to clarify --**

5 Q. (Overspeaking) if former children in care -- if you have
6 been asked by Lambeth about any previous criminal
7 convictions at any time by them?

8 **A. I will come back to that with an answer for you.**

9 Q. The lack of success to make contact with victims and
10 survivors in contrast to the numbers who have engaged
11 with the Shirley Oaks Survivors Association, what are
12 your views around how a victim/complainant engagement
13 can be improved from a police perspective?

14 **A. I think, in terms of engaging, first of all, it's**
15 **identifying who the potential victims are when they**
16 **come, and I think a lot of that comes from showing**
17 **competence in your investigations, following lines of**
18 **enquiry, identifying people, and essentially how you**
19 **make contact with that person -- that initial contact is**
20 **absolutely vital in terms of getting a -- the confidence**
21 **of a victim.**

22 Q. Trawler now and the reasons for the removal of
23 DI Driscoll. Do you agree the removal of DI Driscoll
24 resulted in an experienced detective being removed from
25 Operation Middleton?

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<p>1 A. I don't know enough about Mr Driscoll's background up to 2 the point at which he was removed for me to be able to 3 comment on exactly how experienced he was as 4 a detective. I know he had experience certainly in the 5 uniform side of things. In terms of major 6 investigations and major enquiries, I'm pretty certain 7 that Mr Driscoll had never worked on any of those major 8 enquiry teams. So in terms of removing an experienced 9 detective who was capable of running major enquiries, 10 no, I'm not sure that that's the case. In terms of an 11 individual with policing experience and policing 12 knowledge, I wouldn't doubt that at all, that he's an 13 experienced officer with good policing knowledge. But 14 investigative knowledge to run a major investigation 15 team, I'm not sure that that's the case. 16 I mean, I do notice in some of what Mr Driscoll 17 said, and I say it with the utmost respect at the 18 beginning, he wanted to conduct an enquiry, I think, 19 with two DCs, if I remember the evidence that he gave 20 properly. Clearly, the scale of the investigation 21 that's going to take place required somebody with -- who 22 would recognise at the outset that you had to have 23 a bigger investigation. I'm not saying it in terms of 24 being rude to Mr Driscoll, I don't mean that in the 25 slightest, or to undermine his knowledge or anything</p> <p style="text-align: center;">Page 93</p>	<p>1 like that, but experience of running a major 2 investigation, my understanding is he didn't have that 3 sort of knowledge, if that answers the question. 4 Q. Have you seen any evidence that DI Driscoll ever 5 received a direct allegation of child sexual abuse 6 against LA-F41 or any other person of public prominence? 7 A. What do you mean by "direct allegation"? 8 Q. A direct allegation of child sexual abuse? 9 A. Directly from a victim or directly from a third party? 10 Q. Yes. 11 A. Not directly from a victim, no. 12 Q. Do you think Middleton did not investigate LA-F41 or any 13 other prominent person because of their status and/or 14 because of the role they had? 15 A. No, I don't see that at all, no. 16 Q. Do you think there was a culture of deference towards 17 politicians inhibiting the investigation in any way? 18 A. No, not at the level of investigation that was going on. 19 Absolutely not. No. 20 Q. In respect of Operation Alka, which examined whether 21 a police operation had been shut down in order to 22 suppress evidence or prevent investigation of prominent 23 politicians, are you satisfied you have had access to 24 all relevant information and data? 25 A. Yes, I am, yes.</p> <p style="text-align: center;">Page 94</p>
<p>1 Q. So you have seen for yourself the information relied 2 upon in respect of that? 3 A. Yes. 4 Q. Regardless of the weight attached to the evidence taken 5 by Alka, do you consider there was some evidence to 6 support the terms of reference for Operation Alka? 7 A. Sorry, I'm not sure I understand. 8 Q. Do you think the terms of reference, ie, that there had 9 been a police operation shut down in order to suppress 10 evidence or prevent investigation of prominent 11 politicians, do you think there was at least some 12 evidence to support those terms of reference for Alka? 13 A. Yes, to support that being the terms of reference, yeah, 14 they're contained in the allegations being made. 15 I think once that comes out into the public, you've 16 got -- you really have little choice but to follow 17 through. They're very serious, very serious, 18 allegations. 19 Q. So the terms of reference were justified and you're 20 satisfied on the conclusions you've made around the 21 investigation? 22 A. Yes. 23 Q. How many former residents and staff from Angell Road 24 were spoken to by Operations Bell, Middleton and 25 subsequent operations? You may not have the data to</p> <p style="text-align: center;">Page 95</p>	<p>1 hand, you may have it. And how many for Winterkey? 2 A. In relation to all of those, I take a look at the 3 opportunities that people had to come forward. So that 4 could be that they have been contacted by letter, it 5 could be that they have come forward and given 6 statements and been approached to give statements, it 7 could be that they're spoken to. The numbers that 8 I have from the research that I've done is 187. 9 Q. Break that down for me again. Is that in total, all 10 together? 11 A. That's in total, completely. 12 Q. So you don't know from which operation, but it's 170 13 former residents and staff? 14 A. I couldn't break it down operation by operation. No, 15 I'm talking purely about former residents. So the 16 numbers that I have, there were -- so up to the point of 17 Middleton -- so that would include Middleton, it would 18 include Care, and it would include Bell, then -- that's 19 the -- where the 177. The extra ones are ones that were 20 seen during the course of Overview, during the course of 21 Alka, and during the course of other Winterkey 22 investigations that have looked into allegations that 23 emanate in relation to Carroll. 24 Q. And staff. Have you got a figure for staff? So that's 25 residents.</p> <p style="text-align: center;">Page 96</p>

<p>1 A. They were specifically looked at during Middleton. 2 There were 44 staff identified and 41 were approached 3 that either gave statements or were contacted. 4 Q. Any figures since Middleton? 5 A. What, in terms of -- 6 Q. The numbers. 7 A. No. 8 Q. Yeah, numbers of staff spoken to. 9 A. No, not in terms of since Middleton. No, I couldn't 10 give you a number for that. I'm aware of some staff, 11 but not -- I couldn't be definitive on that. 12 Q. Did Operation Overview consider the question of whether 13 Operation Trawler was shut down because of political 14 sensitivities surrounding LA-F41? 15 A. No, I think Overview looked at -- was more an exercise 16 to see if there was evidence available in relation to 17 LA-F41, and whether there were lines of enquiry that 18 could be developed and pursued. I don't think it looked 19 at the -- Overview didn't look at the circumstance 20 specifically of Trawler being closed down. Clearly, it 21 considered it because it was background information for 22 it, so all of those issues were considered, but the 23 purpose of Overview was to see if there were lines of 24 enquiry not just against LA-F41, but against any 25 politicians.</p> <p style="text-align: center;">Page 97</p>	<p>1 Q. Did Operation Overview speak with Frank Dobson, do you 2 know? 3 A. No, I don't think it did, no. 4 Q. Did Theresa Johnson refer to F41 as a person in 5 Operation Care who visited Angell Road when she gave 6 a statement to Operation Care? 7 A. Yes, I believe so, yes -- no, in the statement to 8 Operation Care, do you mean? 9 Q. Yes. 10 A. No. No. 11 Q. Was the first documented reference to him visiting 12 Angell Road in 2013? 13 A. Yes, that's the first documentation that I have seen 14 where his name is mentioned. Now, I'm not saying that 15 it wasn't mentioned before, and I want to make that 16 point clearly, because there is evidence that the name 17 was mentioned before, but in a document that I've seen, 18 and I'm talking about statements and intelligence 19 reports, that's the first time that I've seen. Clearly, 20 from other accounts that I've heard, that name was 21 mentioned earlier and there's evidence, I think, that 22 the inquiry has already heard, that it was mentioned in 23 1998. 24 Q. 1998. 25 A. Mmm.</p> <p style="text-align: center;">Page 98</p>
<p>1 Q. DI Randall expressed a firm belief that Les Paul was 2 concerned in a commercial enterprise involving male 3 paedophilia. I have taken you to that in your statement 4 today and how you feel that was or was not investigated. 5 A. Yes. 6 Q. LA-F46, that's a council member of staff -- you may not 7 know who I'm referring to, but LA-F46 was found with 8 a filing cabinet of material in 1989 to 1990. Arising 9 from your evidence this morning, I assume no potential 10 link was ever investigated there with a member of staff 11 at Lambeth who may have had a filing cabinet of 12 material? 13 A. Could I refresh my memory on who that person is? 14 Q. I don't know where you will find it in your statements, 15 DI Morley. If you have a cipher list, you will be able 16 to see that. It is LA-F46. Again, you can answer that 17 one for us later, if you want. 18 A. I will come back to it. 19 Q. Come back to it. From your answers this morning, we may 20 have the answer, but can you look and clarify for us 21 whether there was any investigation or thought given to 22 a potential link there? 23 A. Yes, surely. 24 Q. One of the Harris panel members, when you interviewed 25 them, had referred to there being, and I quote,</p> <p style="text-align: center;">Page 99</p>	<p>1 "exchange of porn", an exchange of pornography. Was 2 that investigated to see if it included indecent images 3 of children within Pragada? We have dealt with that 4 morning. Was that considered with each of the witnesses 5 that spoke to Pragada? 6 A. In terms of Pragada and that, it was -- it wasn't -- it 7 was part of the investigation but not followed through 8 properly. 9 Q. The question, really, was, was there any indecent images 10 of children found or discovered from -- 11 A. No. 12 Q. -- people who were spoken to? 13 A. No, absolutely none, no. 14 Q. So when there had been references at that time within 15 the Harris Report to exchange of pornography, whether 16 that included -- was even the issue of whether that 17 exchange, whatever that exchange was at that time, was 18 there an investigation about whether that exchange 19 included indecent images of children? 20 A. I understand the question better now. There was an 21 investigation, but none was presented and none was 22 obtained by Operation Pragada. So there was no evidence 23 for it. It was part of the investigation, yes. 24 Q. Because you were looking to see what offences may have 25 been committed for children, were you --</p> <p style="text-align: center;">Page 100</p>

1 **A. Yes.**
 2 Q. -- when you were reviewing what was there?
 3 **A. Yes.**
 4 Q. When Ms Tapsell gave evidence, she made reference to
 5 concerns that boys in particular at Southvale were being
 6 exploited, and, indeed, described it as a waiting room.
 7 Are you aware of boys -- or evidence to support that
 8 boys at Southvale were especially targeted for
 9 exploitation?
 10 **A. No, I don't -- I haven't, no. I don't have specific**
 11 **evidence of that at all.**
 12 Q. Can I ask you now about removal of papers from files,
 13 from children's files, and what that means.
 14 **A. Okay.**
 15 Q. This inquiry has heard, and heard from complainants
 16 saying now, when they have had their files, there is no
 17 reference to when they made allegations of child sexual
 18 abuse when they were children. So starting with this,
 19 if I may, if comments have been removed surrounding
 20 disclosures of allegations of sexual abuse, it's really
 21 serious, isn't it, because it suggests preventing the
 22 disclosures coming to light and being analysed?
 23 **A. Yes, it's very serious.**
 24 Q. Would you describe that as corrupt? Removing material
 25 with a view to stopping people reading it where it

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1 itself that it doesn't seem to have been picked up, does
 2 it?
 3 **A. It would depend, really, on the circumstances of**
 4 **the removal. If it was particularly done to pervert the**
 5 **course of justice, yes, it's very, very serious. So**
 6 **it's absolutely dependent on why it was removed.**
 7 Q. If it is material that relates to allegations being made
 8 of sexual abuse, what would you infer from that? Why
 9 would you think that was being removed, where it was
 10 removed?
 11 **A. It would require explanation as to why, and you'd want**
 12 **to know absolutely what the reasons for it were,**
 13 **especially if you're doing it -- I take it you're**
 14 **talking about in the context of it being joint meetings**
 15 **between Lambeth Social Services and police officers, so**
 16 **to understand the welfare of children, whether**
 17 **allegations have been made. In that context, if**
 18 **something is removed, then, yes, that's a very serious**
 19 **thing to do.**
 20 Q. And just when complainants come forward even later, and
 21 we know that CHILE, part of that was Working Together,
 22 having access to children's files. Did the officers in
 23 Middleton see for themselves and look at what was in
 24 files and ask questions? Sometimes there's gaps in
 25 chronologies. That can be a focus point anyway, can't

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1 occurs is corrupt?
 2 **A. If that's what the purpose of removing it is, then yes.**
 3 Q. Well, we know as well from the Barratt Report and
 4 Inquiry, within that report, Mr Barratt was looking at
 5 records and was being told allegations -- or given
 6 allegations that lies were being told that there'd been
 7 deliberate removal and falsification of documents,
 8 et cetera.
 9 **A. Yes.**
 10 Q. There is reference to having had to consider allegations
 11 of lies being told by others and deliberate removal and
 12 falsification of documents. At any stage in your
 13 looking at the various investigations, was this
 14 question, from a police perspective, of tampering of
 15 files -- it is something DI Driscoll referred to earlier
 16 on in relation to the Barratt inquiry -- considered
 17 worthy of an investigation from a police perspective,
 18 you know, "What's going on there? Why is this material
 19 being removed?"
 20 **A. No, no evidence. There is no evidence that that was**
 21 **considered or investigated.**
 22 Q. So it doesn't look as though the seriousness of that --
 23 and it is serious, isn't it, to remove material? If
 24 it's been removed, and I'm saying for the moment let's
 25 state it neutrally, that is such a serious issue of

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1 it, for discussion?
 2 **A. Yes. There's clear evidence from CHILE, and with other**
 3 **Social Services, that officers went down -- I think it**
 4 **was a decision made within Middleton not to seize actual**
 5 **copies of files because they were seen as Lambeth's**
 6 **property. But where they were required and relevant**
 7 **parts were required for prosecutions, then there was**
 8 **access to them and photocopies of them were made, so**
 9 **there were working copies of them for the Middleton**
 10 **team.**
 11 Q. Looking back now at the investigation, it would have
 12 been a good idea, wouldn't it, for the police to have
 13 copies of those files sooner than later and all of
 14 the material --
 15 **A. To have complete copies of all of the files?**
 16 Q. Yes, for themselves, to look for themselves through
 17 those children's files?
 18 **A. I think when you're working -- I'm not sure I wholly**
 19 **agree with that, actually. I think when you're working**
 20 **in partnership with somebody -- and, remember, in terms**
 21 **of Middleton, CHILE were an independent -- they were**
 22 **independent to Lambeth, is my understanding. I think if**
 23 **you're going to work together with people, you have to**
 24 **trust the people who you're working with to do the work**
 25 **efficiently. I think that's got to be the starting**

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1 **point of Working Together. So I don't necessarily --**
 2 **I don't particularly criticise that, even though we**
 3 **wouldn't take a whole copy of a Social Services file,**
 4 **you take what you require and what's necessary to**
 5 **have -- the investigation that you're carrying out. So**
 6 **to take complete copies of them, I wouldn't necessarily**
 7 **be critical of not doing that. It's not something that**
 8 **we do now.**
 9 Q. Finally from me, DI Morley, I want to ask you about
 10 a baby, LA-B2. We asked Ms Hudson about LA-B2, and to
 11 refresh your memory about her, this was a baby at
 12 Chevington House. We know that the identities of
 13 the staff at the time on duty were known, and we know
 14 that the baby was placed in a top bunk bed with
 15 a harness with a pyjama cord attached to the harness and
 16 she was found the next day asphyxiated.
 17 We also know that there was no, or no adequate,
 18 supervision at night in the home and that the jury
 19 returned an open verdict in relation to her death and
 20 expressing concern about supervision within the home.
 21 We know the Social Services Committee accepted first
 22 that the bunk bed and harness should not have been used.
 23 Second, neither the lower nor upper bunk of a bunk bed
 24 should ever be used on a child of LA-B2's age. Third,
 25 a harness of this type should not be used on a child of

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1 **I think that would be more benefit to the inquiry than**
 2 **me attempting to be helpful with my personal opinion and**
 3 **with my experience and my background.**
 4 MS LANGDALE: Thank you, DI Morley. You have very helpfully
 5 sent your feedback to us and we will be following up
 6 with you on the answers that you haven't been able to
 7 give today and I understand why you can't give them when
 8 you haven't had an opportunity to look at material.
 9 There are no further questions from me, but there may be
 10 from our chair and panel.
 11 Questions from THE PANEL
 12 THE CHAIR: Thank you. I have one question, DI Morley, and
 13 I'm not sure if you can answer it, but it's whether you
 14 have any observations to make about the culture of
 15 the Met during the period under discussion. I'm
 16 thinking particularly about attitudes to children in
 17 care in general and, of course, also particularly about
 18 allegations of abuse made by them. Were there judgments
 19 made, perhaps, for example, about children in care being
 20 there because they must have done something wrong or
 21 that they were unworthy of police attention or were
 22 wasting police time? These are just some examples.
 23 **A. I think there's an absence of the safeguarding culture**
 24 **that we have now back in the 1970s. Do you know what,**
 25 **I think part of me coming here and part of me doing this**

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1 this age, on a cot or on a bed.
 2 Can you agree, DI Morley, listening to that, that
 3 there was clear evidence that a crime may have been
 4 committed and it should have been investigated as
 5 a crime by the police at the time in the '70s?
 6 **A. Yes, I can.**
 7 Q. And that, if this happened today, as well as an
 8 investigation into the acts and omissions of
 9 individuals, do you agree it would be appropriate, in
 10 such appalling circumstances, to investigate whether
 11 Lambeth, as a corporation, had committed corporate
 12 manslaughter?
 13 **A. Yes, I think that would be a reasonable starting point.**
 14 **You've got to take a look at all of the details and all**
 15 **of the circumstances around it. I say yes. That's my**
 16 **personal opinion at it. You'd possibly need to ask that**
 17 **question of a more senior and more experienced**
 18 **detective, possibly from one of our murder teams, to**
 19 **give you a better and more accurate answer to that.**
 20 **That's something that I can certainly arrange, if you**
 21 **set out -- I have to say, I don't think that I've seen**
 22 **any of the files in relation to LA-B2. The first I've**
 23 **heard of it is what you've mentioned here. If they were**
 24 **to be sent on to me, then I can definitely get an**
 25 **opinion from one of our murder investigation teams, and**

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1 **is about listening to what victims have said in this,**
 2 **and I would accept that, and I would accept the culture**
 3 **back then simply wasn't -- I don't think it was**
 4 **particularly victim-centric in the way that it should be**
 5 **now, and I don't think it was particularly looking**
 6 **towards the safeguarding of children in the way that we**
 7 **do now.**
 8 THE CHAIR: Do you think a consequence of that might have
 9 been, in some instances, that any allegations were not
 10 properly investigated?
 11 **A. I think that's inevitable, yes. I would agree with**
 12 **that.**
 13 THE CHAIR: Thank you. Ms Sharpling?
 14 MS SHARPLING: Thank you, chair. Just one, if I may. If
 15 you were a career detective in the Metropolitan Police
 16 Service, would joining the child protection unit, or
 17 whatever name it was called in the '80s or '90s, be
 18 considered a good career move, something that an
 19 ambitious person might want to do to get on in his or
 20 her career?
 21 **A. No, I wouldn't say it was, particularly. I wouldn't say**
 22 **it was a career-advancing move back then. I think it is**
 23 **very different now. I think it is a very difficult**
 24 **post, I think it is very challenging. I think the**
 25 **officers who work in it, I think it's given the respect**

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<p>1 that it deserves now. Back then, no, I don't -- if 2 we're looking back to the time of around Middleton and 3 before then, no, I don't think it had the status it 4 ought to have had. 5 MS SHARPLING: Thank you very much. That's all I ask. 6 A. Thank you. 7 THE CHAIR: Mr Frank? 8 MR FRANK: No, thank you, chair. 9 THE CHAIR: And Sir Malcolm? 10 PROF SIR MALCOLM EVANS: No, thank you, chair. 11 THE CHAIR: Thank you very much, DI Morley. 12 A. Thank you. 13 (The witness withdrew) 14 MS LANGDALE: Chair, that concludes DI Morley's oral 15 evidence. I am going to ask Ms Kennedy to read in 16 a statement, if I may, and then suggest that we take our 17 15-minute break at the conclusion of that and start our 18 last witness a bit earlier, if that suits you. 19 THE CHAIR: Yes, go ahead. 20 MS LANGDALE: Thank you, chair. 21 Statement of MS MARY EITHNE HARRIS (read) 22 MS KENNEDY: Thank you, chair. I am going to be reading 23 from the witness statement of Mary Eithne Harris. For 24 the transcript, the URN is INQ004926. The statement 25 says as follows:</p> <p style="text-align: center;">Page 109</p>	<p>1 "I am a qualified accountant with a career in London 2 local government employed by the London Borough of 3 Lambeth as Senior Assistant Director of Financial 4 Services from 1991 to 1994 in the finance department. 5 The council, in the 1994 budget, deleted the post. 6 "I was employed in the finance department and I did 7 not have any direct contact with the Directorate of 8 Social Services. That directorate had a member of staff 9 responsible for the finance function and strategy 10 finance information was submitted from that individual 11 into the corporate finance reports. 12 "Almost 26 years ago, I was part of a three-person 13 panel who produced an internal report which was passed 14 to the chief executive regarding alleged breaches of 15 the council's equal opportunities policies in the 16 Housing Department. The panel was established by the 17 Director of Housing to investigate allegations which had 18 arisen in the course of a disciplinary hearing in the 19 Housing Directorate. The three-person panel first met 20 formally on 4 October 1993. 21 "To the best of my knowledge, the chief executive 22 was responsible for the setting up of the investigation. 23 I do not recall being provided with a clear remit and no 24 training was provided to undertake the investigation. 25 The panel of three consisted of myself, a member of</p> <p style="text-align: center;">Page 110</p>
<p>1 staff from the Social Services Directorate, and a member 2 of staff from the Directorate of Environmental Services. 3 We met in the latter's office to hear evidence from 4 staff on a voluntary basis. No secretary support was 5 provided and handwritten notes were made. 6 "The Director of Housing Services indicated that 7 allegations had been made which concerned the issue that 8 pornographic material had been exchanged amongst 9 officers in housing and elsewhere. I do not recall any 10 person disclosing allegations of child sexual abuse 11 during the time the panel was investigating, preparing 12 or writing the report. 13 "The panel was of the view that, based on verbal 14 information given by witnesses, a network of individuals 15 could have existed. The reference to use of 16 pornographic materials could have been to the alleged 17 videos. I do not recall any documents being made 18 available to the panel and the allegations would have 19 been made by persons the panel interviewed. 20 "The chief executive was accompanied by the three 21 members of the panel to a meeting arranged by the 22 chief executive with the police at a police station. 23 The three panel members attended the chambers of 24 Ms Appleby QC for a meeting arranged by the 25 chief executive during the investigation.</p> <p style="text-align: center;">Page 111</p>	<p>1 "The panel produced a short supplementary report for 2 the Director of Housing Services with a copy to the 3 chief executive setting out the allegations and 4 recommendations. There were no accompanying documents, 5 as I can recall. 6 "The panel, in interviewing an employee from the 7 Housing Department, were informed of the issues stated 8 in the witness statement dated 29 November 1993. This 9 employee had alleged a case of sexual harassment in the 10 Housing Directorate. To the best of my recollection, 11 she was the main source of the allegations. 12 "Once the panel passed the internal report to the 13 chief executive, that was the task completed." 14 That concludes the reading of the witness statement. 15 Chair, I note the time. Could I suggest that we resume 16 at 2.25 pm? 17 THE CHAIR: Thank you, Ms Kennedy. We will do that. 18 (2.04 pm) 19 (A short break) 20 MS LANGDALE: May I call Ms Davis, please, from the IOPC? 21 MS SARA-LOUISE DAVIS (AFFIRMED) 22 Examination by MS LANGDALE 23 MS LANGDALE: Can you give us your name, please, and your 24 role? 25 A. Yes, of course. My name is Sara-Louise Davis and I am</p> <p style="text-align: center;">Page 112</p>

1 **an operations manager within the IOPC.**
 2 Q. You have provided us with a statement dated 1 July 2020
 3 for the inquiry. Could you confirm the contents are
 4 true and accurate, as far as you're concerned?
 5 **A. I can, yes.**
 6 Q. What is your position within the IOPC?
 7 **A. So, I'm an operations manager and within that role I am**
 8 **also a decision maker for our investigative casework.**
 9 Q. (Overspeaking). Go on.
 10 **A. I supervise and manage teams that comprise our**
 11 **operations team leaders, lead investigators and**
 12 **investigators, and I work to the Director of Major**
 13 **Investigations.**
 14 Q. You were first employed by the IOPC I think in 2015 and
 15 took on your current role in July 2018?
 16 **A. I did, yes.**
 17 Q. Did you have experience before that that assisted you in
 18 this role, or not?
 19 **A. I had experience certainly as an operations team leader**
 20 **within the IOPC, and prior to that -- so my career**
 21 **background is all investigative based, really. So,**
 22 **yeah, I would say that both of those would have assisted**
 23 **me in the decision-making role that I currently am.**
 24 Q. So you have had experience as an investigator as well,
 25 yourself?

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1 **A. Yes, of course. So prior to February this year, we did**
 2 **have those four types of investigation. The types of**
 3 **investigation have changed, as I say, post February, but**
 4 **I think the most relevant, I suppose, legislation**
 5 **process for me to explain would be those four types,**
 6 **because that is relevant to the inquiry.**
 7 **So they are where -- we have a choice method,**
 8 **investigation-wise, of a local investigation, and I will**
 9 **go into further detail on each of the four; a supervised**
 10 **investigation; a managed investigation; or an**
 11 **independent investigation. So when a referral comes to**
 12 **us, we would have decided whether it was suitable for,**
 13 **as I say, the first type of investigation, a local**
 14 **investigation. What that means in practical terms is**
 15 **that it would be deemed suitable to be sent back to the**
 16 **appropriate authority which, as I say, for us tends to**
 17 **be a police force, and would be investigated by their**
 18 **professional standards department or equivalent.**
 19 **We then have an option to conduct what we would have**
 20 **called a supervised investigation, and with that we have**
 21 **some input throughout the investigation, but certainly**
 22 **not as much as a managed investigation. So we would be**
 23 **kept up to date with significant developments, but we**
 24 **don't, for example, have the submission of the final**
 25 **report for decision making at the end of the process,**

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1 **A. I have, yes.**
 2 Q. Can you -- and when you're answering, please, don't
 3 assume everybody is as familiar who is listening to this
 4 with the work of the IOPC as the chair and panel and you
 5 are. But can you tell us what the role of the IOPC is
 6 and what complaints and conduct matters are generally
 7 referred to the IOPC?
 8 **A. Yes, of course. So we oversee the police complaints**
 9 **system in England and Wales, and we have a statutory**
 10 **duty to maintain public confidence in that system. The**
 11 **decisions we take in relation to the matters that we**
 12 **deal with are independent. They are independent of**
 13 **police forces, which tends to be the bulk of our work,**
 14 **comes from police forces, and they are independent of**
 15 **the government. When I say the bulk of our work comes**
 16 **from police forces, that is just because we do have**
 17 **jurisdiction over other agencies as well, which I don't**
 18 **think would be relevant to your inquiry, but I can, of**
 19 **course, give you further detail on if you need it.**
 20 Q. When a referral is made to the IOPC, the IOPC has to
 21 determine whether the matter should be investigated,
 22 and, if so, the mode of investigation, doesn't it?
 23 **A. It does, yes.**
 24 Q. Can you tell us the three types or four types of
 25 investigations that you have?

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1 **and we don't have any direction and control over the**
 2 **decision making at the end of the process, which is**
 3 **probably the most significant difference to a managed**
 4 **and/or independent investigation.**
 5 **That then leads me on to a managed investigation,**
 6 **which is, I think, most relevant to the matters you will**
 7 **be discussing today. The managed investigation allows**
 8 **us to have much more direction and control, so we would**
 9 **look at setting the terms of reference for the**
 10 **investigation, we would be regularly updated, we would**
 11 **allocate the lead investigators and/or case supervisors**
 12 **and a decision maker from the IOPC to that**
 13 **investigation, and the decision-making process and**
 14 **quality assurance process in the latter stages would be**
 15 **very similar to that of an independent investigation.**
 16 **The difference between that and our independent**
 17 **investigations generally are the resourcing. So the**
 18 **resourcing for the day-to-day investigative work would**
 19 **come from the appropriate authority, and there's**
 20 **a number of reasons why we may feel that that is**
 21 **appropriate for an investigation, an appropriate method**
 22 **of investigation.**
 23 **And then obviously that leaves our independent**
 24 **investigations where we have complete direction and**
 25 **control, and the inquiries and all other aspects of**

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1 the investigation are left to us.

2 Q. In a managed investigation, do you have any

3 direction/control over conclusions?

4 A. So we would make the determinations at the end of

5 the investigation insofar as we would decide whether any

6 officer involved in the investigation may have breached

7 the standards of professional behaviour and, if so,

8 whether that needed to then be referred to a panel, to

9 a misconduct panel, or hearing. We would also make

10 a decision as to whether there was evidence to suggest

11 that any officer linked to the investigation may have

12 committed a criminal offence and, if that is the case,

13 whether that then needs to be referred to the DPP, the

14 Crown Prosecution Service, for advice.

15 Q. Where issues surround allegations of failure to

16 investigate or suppression of evidence, do you think an

17 independent investigation is more appropriate than

18 a managed investigation by way of principle?

19 A. It really does depend on the circumstances, and I think

20 it's important to highlight that every case is

21 different. We have cases, such as the ones discussed

22 within this inquiry, that are linked to many other cases

23 that may have parallel investigations that sit with the

24 police running alongside them. So I would say it really

25 does depend on the circumstances of the case.

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1 difficult. Also, with these particular investigations,

2 over the course of the investigation, they did change

3 investigators and change hands, both within the MPS and

4 the IOPC, for unavoidable reasons, but of course that

5 does then add to the delays.

6 Q. You say at paragraph 19 that a decision was made that it

7 should be a managed investigation?

8 A. Yes.

9 Q. How was that decision arrived at at the outset?

10 A. So the decision that was taken by our, at the time, head

11 of assessment unit -- at the time it was called our

12 contact and assessment unit, I believe -- was taken in

13 consultation with the relevant commissioner and the

14 deputy chair. I should highlight that our structure was

15 quite different prior to January 2018. We now, as

16 of January 2018, have one line, one reporting line, if

17 you like, one line of accountability, going straight up

18 to our director-general, whereas prior to this we had

19 two reporting lines. So we had our line management

20 reporting line which ran up to our chief executive and

21 we then had a reporting line which went straight up to

22 our commissioners who had decision-making responsibility

23 in our casework.

24 I suppose the most important point from that

25 explanation was that it was taken at a very senior

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1 What I would highlight is that it certainly needs to

2 be in our considerations, because we need to satisfy

3 ourselves that we have an appropriate level of

4 independent oversight.

5 Q. So let's go to your statement, then, Operation Alka,

6 from paragraph 16 onwards. We know the terms of

7 reference for Operation Alka were approved

8 I think November 2015, and report June 2020?

9 A. Yes.

10 Q. Before we go into that, how did it take that long?

11 A. There's a number of reasons why there have been delays

12 in Operation Alka and the investigations linked to

13 Operation Alka. If I sort of take you back to when it

14 was referred to us, it was referred to us as part of

15 approximately 45 to 50 CSA -- child sexual abuse --

16 linked cases in total, and they were, for the most part,

17 also linked or potentially linked to parallel

18 investigations being investigated by the police. So the

19 that added to the delays and the complexity.

20 It's also, as you know, historic in nature, which

21 adds to the complexity and the delays and, practically,

22 for things like trying to get hold of evidence, can be

23 extremely difficult, if we can get it at all. Trying to

24 speak with witnesses who may now be very elderly, some

25 of whom may have even passed away, again can be really

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1 level, in consultation with senior staff and the head of

2 our assessment unit, who is the person who signed off

3 the final decision.

4 Q. You set out, and can you read in for us, please, at

5 paragraph 20 the terms of reference for Operation Alka,

6 and as agreed?

7 A. Yes, of course. So paragraph 20:

8 "The terms of reference for Operation Alka were

9 agreed and are set out at page 3 of the Operation Alka

10 closing report as:

11 "1(a) to take initial investigative steps in order

12 to identify and assess further avenues of enquiry;

13 "1(b) investigate and obtain evidence, if available,

14 regarding the allegation that Mr Driscoll was removed

15 from Operation Trawler because he named persons of

16 public prominence in a case conference;

17 "1(c) investigate and obtain evidence, if available,

18 regarding the allegations that Operation Trawler and

19 Operation Middleton were suppressed;

20 "1(d) if appropriate, following (a), (b) and (c),

21 investigate the reasons for any decisions to suppress

22 the listed investigations, including whether this may

23 have been motivated by a concern that lines of enquiry

24 may have led to the identification of offences committed

25 by persons of public prominence; and

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1 **"1(e) identify any persons involved in this matter**
2 **and, where appropriate, designate individuals as**
3 **subjects and treat them accordingly."**
4 **The second part of the terms of reference reads:**
5 **"2. To identify whether any subject of**
6 **the investigation may have committed a criminal offence**
7 **and, if appropriate, make early contact with the**
8 **Director of Public Prosecutions (DPP). On receipt of**
9 **the final report, the Commission delegate shall**
10 **determine whether the report should be sent to the DPP.**
11 **"3. To identify whether any subject of**
12 **the investigation, in the investigator's opinion, has**
13 **a case to answer for misconduct, or gross misconduct or**
14 **no case to answer.**
15 **"4. To consider and report on whether there is**
16 **organisational learning."**
17 **I'm happy to clarify a couple of points throughout**
18 **those terms of reference, more in the latter stages,**
19 **that it would now be different because of**
20 **the legislative changes, if that would assist.**
21 Q. Do, if you want to. How would it be different? This,
22 as you say, was referred before the changes
23 in February 2020. But by all means say?
24 A. Absolutely. It is just things like where we have
25 referenced the Commission delegate shall determine

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1 **at the end.**
2 **Again, for this particular investigation, and those**
3 **of a similar theme that my team have taken on, I have**
4 **been quite heavily involved in that process, as we have**
5 **gone through, in particular in the latter stages.**
6 Q. Dealing with the operations team leader before I ask
7 you, does that person in this investigation see the
8 statements, material obtained, for themselves?
9 A. Yes, he has. So he has reviewed all of the underlying
10 material.
11 Q. So he's reviewed all of the underlying material. Now
12 you, as the decision maker, do you review the underlying
13 material or read what they have all said about it?
14 A. So I review some of it, and this -- I think I've
15 referenced within my statement that I have reviewed the
16 report and the associated evidence, and I should clarify
17 that that differs from case to case and, in this
18 particular case, I reviewed only some of the underlying
19 material. I had regular briefings with my operations
20 team leader who, as I say, had reviewed all of
21 the material, and it really does differ case to case as
22 to how much underlying material I see it necessary to
23 review alongside the final report, this final report.
24 It ended in a position where it was quite detailed and
25 a lot of the questions I had were answered, and those

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1 **obviously, as I alluded to earlier on, when we don't**
2 **have a Commission anymore because our governance and our**
3 **structure has changed, and the opinion over whether**
4 **there is a case to answer now sits with the decision**
5 **maker following review of the report.**
6 Q. Thank you. At paragraph 21, you say:
7 "Through the course of the investigation, the
8 appointed MPS/DPS investigator carries out the actual
9 day-to-day investigative steps under the direction and
10 control of the IOPC."
11 What does that look like? Are they all MPS officers
12 investigating or is anyone independently from the IOPC,
13 the person doing the direction and control like
14 yourself? Who is it? What does it look like?
15 A. We have an appointed investigator and a case officer
16 within the MPS. The case officer tends to do the
17 day-to-day investigative work with assistance from their
18 team within the MPS if required. By that, I mean the
19 taking of the statements, the interviewing of
20 the witnesses, et cetera. The direction and control on
21 our side has been managed in this particular
22 investigation for the most part by a lead investigator,
23 an operations team leader in the IOPC, and in the latter
24 stages the operations team leader took on the majority
25 of the work. I then take on the decision-making process

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1 **that I did have extra questions could be answered by my**
2 **operations team leader.**
3 Q. Did you have extra questions that were answered? I'm
4 not asking you what they were. I'm saying did you go
5 back -- I'm looking at the process. Did you go back --
6 A. Yes, I do, quite regularly. My -- as I say, my
7 operations team leader for this investigation had
8 reviewed everything quite thoroughly, so I did have
9 a lot of questions in the latter part of the process,
10 and it's really just to make sure that I have all of
11 the information available to me to make my
12 determinations.
13 Q. Paragraph 24. Tell us what you set out there, the
14 closing report?
15 A. So paragraph 24 reads:
16 "It follows that neither at the beginning of
17 the investigation nor at any stage during the course of
18 the investigation did it appear to the investigating
19 officer appointed by the appropriate authority that any
20 person may have committed a criminal offence or behaved
21 in a manner which would justify the bringing of
22 disciplinary proceedings."
23 I'm very happy --
24 Q. I am just trying to understand "at the beginning of
25 the investigation"; how would you know that at the

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1 beginning? I see why you say at the end, maybe, but why
 2 do you say "at the beginning of the investigation" in
 3 that paragraph?
 4 **A. Sometimes we would have an indication that an officer
 5 may have breached the standards of professional
 6 behaviour or a suspicion that an officer may have
 7 breached the standards of professional behaviour or
 8 a suspicion that an officer may have committed
 9 a criminal offence. It really depends upon the
 10 information available to us at the time.**
 11 Q. I see. So the referring material itself didn't give you
 12 cause for concern about a particular officer?
 13 **A. Not in this particular case, no, it didn't.**
 14 Q. You say:
 15 "At the end of the investigation, a report should
 16 provide an accurate summary of the evidence and attach
 17 or refer relevant documents."
 18 You say at 26.2:
 19 "I am satisfied that the matters have been
 20 proportionately investigated."
 21 Can you just expand upon "proportionately
 22 investigated" for us, please?
 23 **A. Really, so it's just to highlight that we have, in my
 24 view, explored all relevant lines of enquiry. So the
 25 operation has looked into everything that they could**

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1 police, wasn't it? It was up to them what they chose to
 2 do?
 3 **A. Yes, quite.**
 4 MS LANGDALE: I have no further questions. Thank you.
 5 Chair? I don't know if the chair and panel have.
 6 THE CHAIR: I have no questions, but I will ask my
 7 colleagues. Ms Sharpling?
 8 MS SHARPLING: No, thank you, chair.
 9 THE CHAIR: Mr Frank?
 10 MR FRANK: No, thank you.
 11 THE CHAIR: And Sir Malcolm?
 12 PROF SIR MALCOLM EVANS: No, thank you, chair.
 13 THE CHAIR: Thank you very much. We have no questions for
 14 the witness.
 15 (The witness withdrew)
 16 MS LANGDALE: Chair, that concludes the oral evidence for
 17 today. I am going to ask Ms Kennedy, if I may and if it
 18 suits you, to read one final statement in before we
 19 conclude proceedings today.
 20 THE CHAIR: Yes, please go ahead.
 21 Statement of MR SPENCER PICKETT (read)
 22 MS KENNEDY: Thank you, chair. I am going to read two
 23 statements from Spencer Pickett. The first statement
 24 is, for the transcript, INQ004893. The statement reads:
 25 "My career has centred on internal auditing in the

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1 **look into to try and get to the bottom of what's
 2 happened.**
 3 Q. If you look at paragraph 30, you say the Alka
 4 conclusion:
 5 "Clive Driscoll was removed from his post through
 6 management action connected with a complaint made by
 7 Lambeth Council and not through suppression."
 8 Can you expand on that for us, please? It was
 9 a police decision, presumably, to remove him from the
 10 operation?
 11 **A. Yes, I believe so, yes.**
 12 Q. It is a police decision. What is suggested by
 13 "management action"? Is it suggested that it was
 14 a Lambeth management action or a Lambeth complaint about
 15 him? What do you understand that to mean?
 16 **A. I understood that to be police management action.**
 17 Q. So it was through police management action; nothing to
 18 do with Lambeth, as far as you read that report?
 19 **A. Well, I understood it, as per the detail in the report,
 20 to be linked to the disclosures made by Mr Driscoll.**
 21 Q. So disclosures made in a meeting, confidential meeting,
 22 where he'd named people, and that resulted in the police
 23 management decision to remove him?
 24 **A. This is what I understood to be the link, yes.**
 25 Q. Ultimately, the decision to remove him was one for the

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1 government sector, including managing audit teams,
 2 training internal auditors and writing books on this
 3 specialist topic.
 4 "I currently prepare online training resources that
 5 focus on fraud awareness, internal auditing and internal
 6 investigations.
 7 "I left the National Audit Office and joined the
 8 London Borough of Lambeth in 1987 as an audit manager.
 9 I then left Lambeth in 1996 to join the Civil Service
 10 College as a senior lecturer to help manage the
 11 government internal audit training programme.
 12 "At Lambeth Council, I reported to the chief
 13 internal auditor and was responsible for a small team of
 14 internal auditors, having responsibility for auditing
 15 various directorates, including the Directorate of
 16 Social Services.
 17 "In those days, the DSS audit work involved visiting
 18 DSS headquarters, local offices and various adult and
 19 children's homes to undertake probity checks and
 20 standard audits that focused on the finances, inventory
 21 and office management.
 22 "We also carried out internal investigations into
 23 breach of financial management and other procedures
 24 which meant we undertook many investigations into fraud
 25 and irregularity in Lambeth Council.

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<p>1 "Audit did not have a remit to review the actual 2 care services provided at these DSS homes or form an 3 opinion on the quality of these care services. My 4 auditors would visit DSS establishments on a cyclical 5 basis while I would plan their work, check progress and 6 review their audit findings before issuing draft, then 7 final reports. I would often attend the opening 8 meetings with the care home manager where the terms of 9 reference for the audit and key dates would be 10 discussed. 11 "I would also be available to intervene if there 12 were problems with the audit or where the findings were 13 of an unusual nature. 14 "My memory of any involvement in the affairs of 15 John Carroll is vague, due to the passage of time. I do 16 recall that there was an issue regarding his conduct 17 relating to irregular financial transactions and that 18 audit was involved in investigating this matter. 19 "Because of our terms of reference mentioned above, 20 I was not involved in investigating allegations of 21 sexual misconduct by Mr Carroll. I also have no memory 22 of any concerns being relayed by my staff regarding the 23 way the home was being managed or the treatment of 24 children in the home. 25 "During the early days of my tenure at Lambeth,</p> <p style="text-align: center;">Page 129</p>	<p>1 I developed an impression regarding the culture in place 2 in many parts of the local authority. My audit team, 3 alongside the other audit teams, carried out regular 4 investigations into fraud and irregularity. 5 "My overriding impression of Lambeth in the late 6 1980s and early '90s was that the management culture was 7 chaotic, whereby a large number of employees had little 8 or no regard for ethical behaviour or sticking to the 9 rules. 10 "The numerous investigations we conducted suggested 11 an abundance of poor controls or occasions where 12 managers and staff would simply ignore official 13 procedures to suit their own personal interests. 14 "The organisation spent a great deal of time 15 organising internal disciplinary panels to consider 16 breach of procedures against employees on a regular 17 basis. 18 "Staff were asked to resign when allegations of 19 misconduct surfaced, while others were dismissed when 20 there was enough proof of unacceptable conduct or 21 criminal activity. 22 "Much of my audit work was focused on investigations 23 where monies had gone missing or frauds had been 24 carefully planned and executed by staff. Some offences 25 were carried out by external parties who sought access</p> <p style="text-align: center;">Page 130</p>
<p>1 to Lambeth payments, income or cheques. Other cases 2 involved collusions between staff and outsiders. 3 "One care home manager would divert food donated to 4 his children's home by a local supermarket to his wife, 5 who ran a catering company. My auditors investigated 6 this matter, which concluded with an internal 7 disciplinary hearing, along with the criminal 8 prosecution of the manager in question. 9 "In terms of Michael John Carroll, I would suggest 10 that he was able to undertake his activities by taking 11 advantage of an organisation which allowed poor 12 management, poor controls and a culture where searching 13 questions were not always asked. 14 "Having said that, many audit investigations into 15 matters of financial probity resulted from information 16 from whistleblowers who were brave enough to raise their 17 concerns. 18 "Having regard to the terms of reference and scope 19 of the Independent Inquiry into Child Sexual Abuse, I do 20 not possess any specific information that would assist 21 the inquiry. My work at Lambeth related to the way 22 finances and assets were managed. 23 "As a footnote, modern internal auditing is now much 24 more dynamic and adopts a wider, risk-based approach 25 where all key risks to the organisation are considered</p> <p style="text-align: center;">Page 131</p>	<p>1 during audit work." 2 That completes the first statement. 3 Second statement of MR SPENCER PICKETT (read 4 MS KENNEDY: The second statement, which, for the 5 transcript, is INQ004894, forms some additional comments 6 provided by Mr Pickett after he was shown the Clough 7 Report, and, in particular, the passage beginning at 8 paragraph 126, relating to two complaints about 9 John Carroll, namely, the use of a vehicle and the spend 10 on food, and also being shown the Appleby Report. 11 First, in respect of the Clough Report, he says: 12 "Internal audit will generally get involved in 13 examining allegations of fraud and corruption where this 14 is brought to their attention. We dealt with many 15 similar cases of abuse and outright theft across the 16 council. 17 "Where misconduct relates to mismanagement, poor 18 relationships or an internal dispute, it may be deemed 19 inappropriate for it to be referred to the auditors. 20 "The question of whistleblowing can be quite 21 complex. Where an anonymous allegation is given to 22 audit, there would have to be enough detail provided to 23 justify an investigation. An initial assessment would 24 have to be made to judge whether the source is credible. 25 Where the matter involves vague or misunderstood office</p> <p style="text-align: center;">Page 132</p>

<p>1 procedures, audit may suggest clarification or reminders 2 sent out to staff to make sure that past mistakes are 3 not repeated. 4 "Some allegations may be tainted by the personal 5 likes and dislikes of the informant, which means an 6 apparent lack of activity by internal audit may be due 7 to a lack of sound evidence or remarks that cannot be 8 substantiated. 9 "Where the disciplinary code of conduct has been 10 breached, audit may be asked to investigate and the 11 audit report may become part of the case against the 12 employee. 13 "Where internal audit is asked to investigate 14 a matter involving staff propriety, we would tend to 15 take the following general approach: 16 "1. Speak to the person making the allegation and 17 assess their competence and motives; 18 "2. Organise a signed witness statement from the 19 informant, cross-referenced to any evidence they are 20 able to produce; 21 "3. Prepare an investigation plan to identify the 22 main issues and evidence-gathering process. The plan 23 should be discussed with the director for the area in 24 question; 25 "4. It is also a good idea to partner with a senior</p> <p style="text-align: center;">Page 133</p>	<p>1 line manager who is not associated with the problem in 2 question and is deemed independent; 3 "5. At this stage, the person the subject of 4 the allegations (the suspect) may be questioned or it 5 may be necessary to do more background work before 6 alerting the suspect; 7 6. In more serious cases, we would consider 8 suspending the suspect where there is a danger of losing 9 evidence or interfering with the investigation or 10 putting any person or assets at risk. 11 "Audit would then seek to obtain and assess any 12 additional evidence produced by the informant and will 13 issue regular reports to senior management. Audit will 14 also hold regular meetings with line management and may 15 ask to talk to legal and HR staff to make sure the 16 investigation takes on board all relevant corporate 17 policy considerations. 18 "At the time, Lambeth staff would often misinterpret 19 policies and procedures, and it is a matter of 20 professional judgment as to the best course of action. 21 Minor infringements can result in reminders ranging from 22 friendly to more severe staff notices. Where there is 23 no personal gain for the initiator, this is often the 24 best course of action. 25 "For more senior staff, we would be concerned about</p> <p style="text-align: center;">Page 134</p>
<p>1 the question of competence, although this was a constant 2 problem at Lambeth on the dates in question. I'm not 3 able to comment on decisions made regarding the way 4 specific cases were handled, as there is insufficient 5 information. 6 "Internal audit would plan a programme of visits to 7 children and other Social Services homes that would be 8 contained in annual and quarterly audit plans. One 9 technique that was sometimes used was to carry out 10 additional spot checks where there were concerns 11 regarding financial mismanagement or fraud, in which 12 case the audit would focus on the specifics as well as 13 more general considerations. 14 "Internal audit will also investigate matters of 15 propriety across the entire council, including children 16 and adults homes. Where we suspected the misuse of 17 council funds or property, an investigation would be 18 launched. In a few cases, vague procedures and local 19 practices meant it was hard to substantiate claims of 20 abuse and it was unclear how the procedure should have 21 been applied. 22 "For example, audit investigated a case of theft of 23 equipment from a council depot, only for the case to be 24 dropped by the CPS because there was no clear policy in 25 place on temporarily storing equipment at home, which</p> <p style="text-align: center;">Page 135</p>	<p>1 was the claim used by the defendant." 2 Turning then to the comments Mr Pickett had on the 3 Appleby Report, he records: 4 "I have no recollection of giving evidence to this 5 forum." 6 He also states that the overarching problems 7 described in the Appleby report accord with his memory 8 at the time. He further states that: 9 "There was a profound problem with fraud at 10 Lambeth Council. Internal audit was unable to complete 11 planned audit work because our attention was diverted to 12 the many fraud cases we were involved in investigating. 13 In fact, audit developed a wide range of expertise in 14 examining fraud, including surveillance techniques, data 15 analysis, preparing reports for disciplinary charges and 16 liaising with local police. Many managers seemed to 17 feel their responsibility was discharged by referring 18 suspected frauds to internal audit, and in most cases 19 these irregularities were the result of failings in 20 controls and supervision routines that management should 21 have had in place. 22 "This link between poor controls and resultant 23 frauds was not always fully grasped by senior 24 management. During my time at Lambeth, I organised 25 fraud awareness training for managers and staff teams."</p> <p style="text-align: center;">Page 136</p>

<p>1 He also goes on to state: 2 "I concur with the conclusions in the Appleby report 3 that the defects identified by her in that report had 4 been raised many times before." 5 Chair, this concludes the reading and the evidence 6 for today. 7 THE CHAIR: Thank you very much, Ms Kennedy. We have now 8 concluded and will reconvene tomorrow. Thank you. 9 (2.58 pm) 10 (The hearing was adjourned to 11 Thursday, 23 July 2020 at 10.30 am) 12 13 14 I N D E X 15 16 DETECTIVE INSPECTOR SIMON MORLEY1 17 (affirmed) 18 Examination by MS LANGDALE1 19 Questions from THE PANEL107 20 21 Statement of MS MARY EITHNE HARRIS109 22 (read) 23 MS SARA-LOUISE DAVIS (AFFIRMED)112 24 Examination by MS LANGDALE112 25 Statement of MR SPENCER PICKETT127 (read) Second statement of MR SPENCER132 PICKETT (read)</p> <p style="text-align: center;">Page 137</p>	

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