

<p>1 Monday, 12 October 2020</p> <p>2 (10.30 am)</p> <p>3 IN OPEN SESSION</p> <p>4 Welcome and opening remarks by THE CHAIR</p> <p>5 THE CHAIR: Good morning, everyone. I am Alexis Jay, and</p> <p>6 I'm the chair of the Independent Inquiry into Child</p> <p>7 Sexual Abuse. Sitting with me are the other panel</p> <p>8 members of the inquiry: Professor Sir Malcolm Evans,</p> <p>9 Ivor Frank and Drusilla Sharpling.</p> <p>10 On behalf of the inquiry, I welcome you all to the</p> <p>11 public hearing in the Investigation into Institutional</p> <p>12 Responses to Allegations of Child Sexual Abuse Involving</p> <p>13 the Late Lord Janner of Braunstone QC.</p> <p>14 This is the fifth public hearing to be held remotely</p> <p>15 by this inquiry. As with other recent virtual hearings,</p> <p>16 the solicitor to the inquiry sought the views of all</p> <p>17 core participants in this investigation about the</p> <p>18 possibility of conducting the hearing remotely. Having</p> <p>19 considered these responses, I ruled, on</p> <p>20 18 September 2020, that this hearing should take place</p> <p>21 virtually.</p> <p>22 As you all know, the task of the chair and panel of</p> <p>23 the inquiry is to examine the extent to which public and</p> <p>24 private institutions in England and Wales have failed to</p> <p>25 protect children from sexual abuse in the past and to</p> <p style="text-align: center;">Page 1</p>	<p>1 make meaningful recommendations to keep children safe</p> <p>2 today and in the future.</p> <p>3 Today marks, therefore, the first day of the final</p> <p>4 hearing in this investigation. Where the opening</p> <p>5 addresses and evidence is capable of being heard in open</p> <p>6 session, the proceedings will be broadcast through the</p> <p>7 live feed. For technical reasons, it will not be</p> <p>8 possible to broadcast this hearing with the usual</p> <p>9 three-minute delay. All witnesses and core participants</p> <p>10 have been reminded of the restriction orders I have made</p> <p>11 protecting the identity of complainant core participants</p> <p>12 and covering the redactions and ciphers applied in this</p> <p>13 investigation.</p> <p>14 They have been reminded of the need to take great</p> <p>15 care in giving evidence or addressing the inquiry, to</p> <p>16 avoid inadvertent breach of these orders. If this</p> <p>17 occurs, I will terminate the live feed and, once we are</p> <p>18 able to resume, I will make an immediate further order</p> <p>19 over the evidence incorrectly given.</p> <p>20 Members of the public and the press will be</p> <p>21 prohibited from publishing that evidence.</p> <p>22 The hearing transcript will be recorded</p> <p>23 simultaneously on screens and will be published at the</p> <p>24 end of each day on the inquiry website.</p> <p>25 For reasons that I have explained in earlier</p> <p style="text-align: center;">Page 2</p>
<p>1 determinations in this investigation, much of</p> <p>2 the hearing will be conducted in closed sessions. This</p> <p>3 means that the public will not be able to watch the live</p> <p>4 feed, and the transcript of those closed sessions will</p> <p>5 not be published on the inquiry's website.</p> <p>6 I want to stress to all who are following this</p> <p>7 investigation that hearing evidence in closed session</p> <p>8 does not mean that the inquiry will not be probing and</p> <p>9 testing the evidence, just as it would were the hearings</p> <p>10 being broadcast. The inquiry will be publishing daily</p> <p>11 summaries of the closed sessions to ensure that as much</p> <p>12 evidence as possible is within the public domain.</p> <p>13 I stress in particular that nothing must be said or</p> <p>14 reported publicly about proceedings in the closed</p> <p>15 sessions that breaches the Sexual Offences (Amendment)</p> <p>16 Act 1992 or the restriction order that I made</p> <p>17 in September 2019. "Publication" for these purposes</p> <p>18 includes publication on social media.</p> <p>19 I am conscious that in this investigation, unlike</p> <p>20 others, each and every complaint of sexual abuse is</p> <p>21 contested, but I remind all core participants and their</p> <p>22 legal representatives that they should conduct</p> <p>23 themselves in a respectful and dignified manner when</p> <p>24 making submissions.</p> <p>25 Before we hear from leading counsel to the inquiry,</p> <p style="text-align: center;">Page 3</p>	<p>1 Brian Altman QC, who will open this hearing and</p> <p>2 introduce the representatives present, some points on</p> <p>3 timing.</p> <p>4 We will sit each day from 10.30 am. Ordinarily, we</p> <p>5 will take a 15-minute break at around 11.30 am and we</p> <p>6 will break for lunch at 12.45 pm, returning at 1.45 pm.</p> <p>7 We intend to sit until between 4.00 pm and 4.15 pm with</p> <p>8 a 15-minute mid-afternoon break at around 2.45 pm.</p> <p>9 By way of an agenda, we rely on the hearing</p> <p>10 timetable which sets out the order in which witnesses</p> <p>11 will be called, save for where unforeseen circumstances</p> <p>12 require a change to be made.</p> <p>13 Ciphery and redactions have also been used in</p> <p>14 relation to the evidence, in accordance with the</p> <p>15 inquiry's redaction protocol and restriction order, both</p> <p>16 of which are available on the website, except for</p> <p>17 complainant witnesses who have waived their right to</p> <p>18 anonymity.</p> <p>19 Please now go ahead, Mr Altman.</p> <p>20 Opening statement by MR ALTMAN</p> <p>21 MR ALTMAN: Thank you, chair. On 29 June 2015, the then</p> <p>22 Director of Public Prosecutions, the DPP,</p> <p>23 Alison Saunders, announced that Greville Janner, the</p> <p>24 late Lord Janner of Braunstone QC, was to be prosecuted</p> <p>25 for offences involving allegations of historic child</p> <p style="text-align: center;">Page 4</p>

<p>1 sexual abuse. We intend referring to him as 2 "Lord Janner" for short throughout the hearing, save 3 where the context demands otherwise. 4 The case was sent to the Central Criminal Court. 5 There were 22 counts, or 22 charges, before the court in 6 total, relating to nine complainants. The dates of 7 the alleged abuse spanned the mid 1960s to the late 8 1980s, as you are going to see when I put up the 9 following document, and can I invite the evidence 10 handler, please, to put up on the screen page 1 of 11 INQ006311. 12 You can see from the heading, chair, that these were 13 the charges brought against Lord Janner in 2015. In the 14 first instance, there were 22 counts involving nine 15 complainants, and the schedule which we have open, four 16 pages of which relate to the 22 counts, covers a time 17 period of 1963 to 1988, a series of allegations of 18 indecent assault and buggery. Please take that down 19 from the screen, if you would. 20 It will be apparent from the dates of the alleged 21 abuse that some allegations were separated by years, if 22 not decades, and were made by complainants who did not 23 know each other. Some of the complainants were former 24 residents of children's homes, but some were not. 25 In addition to those nine complainants, the</p> <p style="text-align: center;">Page 5</p>	<p>1 prosecution also sought to add a further 12 counts 2 relating to three additional complainants. A High Court 3 judge had to decide whether the additional allegations, 4 the 12 allegations, could be added to the original 5 22 counts in order for there to be a trial of a total of 6 34 counts relating to a total of 12 complainants. The 7 High Court judge had not made his determination by the 8 time Lord Janner died. Those extra counts included 9 allegations of indecent assault, buggery and attempted 10 buggery, and if we put up on screen momentarily, please, 11 the same document but beginning at page 5, 12 INQ006311_005. These were the additional charges 13 proposed to be brought against Lord Janner before his 14 death in December 2015, and, as I say, a series of 15 allegations involving indecent assault, buggery, as well 16 as one attempted buggery. Thank you, that can be taken 17 down. 18 The commencement of criminal proceedings was the 19 culmination of a lengthy police investigation conducted 20 by Leicestershire Police. It was called 21 Operation Enamel. Operation Enamel began in late 2012 22 and its remit was to investigate the allegations of 23 sexual abuse made against Lord Janner. Some allegations 24 had been previously made against him, and they had been 25 investigated by the police. Those earlier police</p> <p style="text-align: center;">Page 6</p>
<p>1 investigations had resulted in no charges being brought 2 against him. How and why no charges were brought will 3 be the focus of much of the evidence you will hear over 4 the next three weeks. 5 Chair, by way of background, in order to bring 6 a criminal prosecution, the Crown Prosecution Service, 7 or the CPS, has to be satisfied that the test set out in 8 the Code for Crown Prosecutors is met. That test has 9 two stages to it. The test is, first, that there is 10 a realistic prospect of conviction -- the evidential 11 stage of the test; and, second, that it is in the public 12 interest to prosecute -- the public interest stage. 13 In April 2015, the DPP reviewed the evidence 14 gathered in Operation Enamel and she announced that, 15 although the evidential stage of the test was met, the 16 medical evidence in respect of Lord Janner's health -- 17 he was suffering from Alzheimer's disease -- was such 18 that it was not in the public interest to prosecute him. 19 This decision was subsequently reviewed as part of 20 the Victims' Right to Review scheme, and in June 2015, 21 it was overturned. 22 The medical evidence stated that Lord Janner was 23 unfit to stand his trial. In circumstances where 24 a defendant is unfit to stand trial, the criminal law 25 allows for there to be a so-called "trial of the facts"</p> <p style="text-align: center;">Page 7</p>	<p>1 to determine whether or not the defendant committed the 2 acts alleged against him -- in this case, whether the 3 indecent assaults and acts of buggery and attempted 4 buggery actually took place. 5 The evidence is considered by a jury, and lawyers 6 representing the defendant have the opportunity to test 7 the witnesses through cross-examination and adduce 8 evidence which might suggest that the acts either did 9 not or may not have occurred. As with most criminal 10 trials, it is for the prosecution to prove that the 11 abuse took place to the criminal standard, in other 12 words, so that the jury is sure about it. It is not for 13 the defendant to prove that he did not commit the acts 14 alleged. 15 On 19 December 2015, as the criminal case proceeded 16 through the court, Lord Janner died. He was 87 years of 17 age. His death brought an end to the criminal 18 proceedings, and, with it, the prospect of a jury 19 deciding whether the acts occurred. It follows, 20 therefore, that there have been no criminal findings 21 that Lord Janner committed any acts involving child 22 sexual abuse which have been alleged against him. You 23 should also know that there have been no civil findings 24 that he committed any such abuse. Every allegation made 25 against him has been consistently and repeatedly</p> <p style="text-align: center;">Page 8</p>

<p>1 disputed and denied, and it remains the position of</p> <p>2 the Janner family, including Lord Janner's daughters,</p> <p>3 who are core participants in this investigation, that</p> <p>4 their father was an innocent man.</p> <p>5 Chair, as you have previously made clear, this</p> <p>6 investigation focuses on the institutions and how they</p> <p>7 responded to the allegations made against Lord Janner.</p> <p>8 Among the questions the investigation will seek to</p> <p>9 answer is whether the decisions taken in those past</p> <p>10 police investigations were because Lord Janner was given</p> <p>11 preferable treatment. However, it is not your task to</p> <p>12 determine whether the alleged abuse took place. This is</p> <p>13 not, therefore, an investigation into Lord Janner's</p> <p>14 guilt or his innocence. It is not a proxy criminal</p> <p>15 trial or, for that matter, a civil trial.</p> <p>16 Before I continue, chair, let me make, please, some</p> <p>17 introductions of the representatives in this</p> <p>18 investigation. Chair, as you know, I am lead counsel to</p> <p>19 the inquiry and to this investigation. I am assisted by</p> <p>20 Ms Carey, Mr Hill, Mr Mertens and Ms Egan.</p> <p>21 May I introduce the representatives in attendance at</p> <p>22 the hearing.</p> <p>23 A number of core participants, complainant core</p> <p>24 participants, if they may forgive me for not identifying</p> <p>25 them by ciphers or names, are represented by</p> <p style="text-align: center;">Page 9</p>	<p>1 Nick Stanage on behalf of Slater & Gordon.</p> <p>2 Other complainant core participants are represented</p> <p>3 by Mr William Chapman on behalf of Simpson Millar.</p> <p>4 Mr Christopher Jacobs, on behalf of Howe & Co,</p> <p>5 represents two complainant core participants. He also</p> <p>6 represents, on behalf of Affinity Law, other complainant</p> <p>7 core participants.</p> <p>8 Edward Brown QC and Fraser Coxhill represent the</p> <p>9 Crown Prosecution Service.</p> <p>10 Mr Gerry Boyle QC represents the IOPC, the</p> <p>11 Independent Office for Police Complaints.</p> <p>12 Alex Verdan QC with Sam King QC and Michael Edwards</p> <p>13 represent Leicestershire County Council.</p> <p>14 Leicestershire Police are represented by Sam Leek QC</p> <p>15 and Alice Meredith, instructed by Matthew Greene.</p> <p>16 The Labour Party, by Eleanor Grey QC, on behalf of</p> <p>17 Edwards Duthie Shamash Solicitors.</p> <p>18 The Department for Education are represented by</p> <p>19 Ms Galina Ward and Emily Wilsdon on behalf of</p> <p>20 the Government Legal Department.</p> <p>21 Sian Reeves represents the Home Office, including</p> <p>22 the interests of the Cabinet Office, also on behalf of</p> <p>23 the Government Legal Department.</p> <p>24 Danny Friedman QC, on behalf of Leverets, represents</p> <p>25 Rabbi Laura Janner-Klausner and Marion Janner OBE as</p> <p style="text-align: center;">Page 10</p>
<p>1 well as the estate of Lord Janner of Braunstone QC.</p> <p>2 Christopher Daw QC and Austin Welch, on behalf of</p> <p>3 3D Solicitors, represent Mr Michael Creedon and</p> <p>4 Mr Christopher Thomas.</p> <p>5 Paul Hynes QC and Ben Smitten, on behalf of</p> <p>6 Edward Fail, Bradshaw & Waterson, represent</p> <p>7 Dr Tony Butler.</p> <p>8 James Gelsthorpe is in attendance today, but he is</p> <p>9 led by Paul Greaney QC, who can't be here, on behalf of</p> <p>10 MSB Solicitors for Peter Joyce QC.</p> <p>11 Finally, Mr Michael Perry is unrepresented and is</p> <p>12 viewing from the private viewing gallery.</p> <p>13 The focus of this hearing. This hearing is going to</p> <p>14 focus on the institutional responses to allegations</p> <p>15 involving Lord Janner, but it might assist you at the</p> <p>16 beginning to have a very brief synopsis of Lord Janner</p> <p>17 and his career. Born on 11 July 1928 in Cardiff, he</p> <p>18 studied law at Cambridge. In 1954, he became</p> <p>19 a barrister and he was appointed QC in 1971. In 1970,</p> <p>20 he was elected Member of Parliament for Leicester North</p> <p>21 West and from 1974 until 1997 he was the MP, the Member</p> <p>22 for Parliament, for the constituency of Leicester West.</p> <p>23 In 1997, he was created a life peer, styled as</p> <p>24 Baron Janner of Braunstone, and thereafter he sat in the</p> <p>25 House of Lords. Throughout his time in Parliament, he</p> <p style="text-align: center;">Page 11</p>	<p>1 was a member of the Labour Party.</p> <p>2 Chair, the purpose of this opening is to introduce</p> <p>3 you to some of the evidence you will hear over the next</p> <p>4 three weeks, which will include evidence about previous</p> <p>5 police investigations which concerned Lord Janner.</p> <p>6 This section of the opening is being heard in</p> <p>7 public. As you are aware, and as you have said, much of</p> <p>8 the evidence you will hear in this investigation will be</p> <p>9 given in "closed" session, which is to say that it will</p> <p>10 not be broadcast publicly, although core participants,</p> <p>11 their legal representatives and some members of</p> <p>12 the media will be in attendance, albeit "virtually".</p> <p>13 I will say more on this later, but it is important to</p> <p>14 state at the outset that what follows in public is not</p> <p>15 the totality of the evidence that you are going to hear.</p> <p>16 So, with that in mind, I begin with</p> <p>17 Operation Magnolia. In 1999, Leicestershire Police</p> <p>18 commenced an investigation into evidence of physical or</p> <p>19 sexual abuse of children at two children's homes in</p> <p>20 Leicester. Known as Operation Magnolia, the senior</p> <p>21 investigating officer, the SIO for short, was Detective</p> <p>22 Superintendent Graham Thomas, now deceased. During the</p> <p>23 course of Operation Magnolia, two complainants gave</p> <p>24 statements to the police alleging that, in addition to</p> <p>25 abuse suffered whilst resident at the children's homes,</p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

<p>1 Lord Janner had also sexually abused them.</p> <p>2 By 2002, when the CPS came to advise on what</p> <p>3 charges, if any, were to be brought against staff at the</p> <p>4 children's homes, the CPS, the Crown Prosecution</p> <p>5 Service, was not informed about the allegations against</p> <p>6 Lord Janner, nor was the reviewing lawyer given JA-A19</p> <p>7 and JA-A6's statements containing their accounts. The</p> <p>8 reason, or reasons, for this will be something you will</p> <p>9 wish to consider. In 2015, when the DPP announced that</p> <p>10 Lord Janner was to face charges, this included offences</p> <p>11 in respect of JA-A19's allegations.</p> <p>12 Operation Dauntless. Just three years later,</p> <p>13 in November 2005, Leicestershire Police became aware</p> <p>14 that a complainant, JA-A8, had alleged that he was</p> <p>15 abused whilst in care. The police commenced</p> <p>16 Operation Dauntless, during the course of which the</p> <p>17 complainant was interviewed and made allegations that he</p> <p>18 had been sexually abused by Lord Janner on two or three</p> <p>19 separate occasions. The SIO, the senior investigating</p> <p>20 officer, for this investigation was Detective</p> <p>21 Superintendent Christopher Thomas, not to be confused</p> <p>22 with Detective Superintendent Graham Thomas. Detective</p> <p>23 Superintendent Christopher Thomas is due to give</p> <p>24 evidence in the second week of these hearings.</p> <p>25 During the course of Operation Dauntless, the</p> <p style="text-align: center;">Page 13</p>	<p>1 decision was taken not to arrest or interview</p> <p>2 Lord Janner or to search his properties. You will want</p> <p>3 to consider why such steps were not taken. An advice</p> <p>4 file was sent to the CPS, the Crown Prosecution Service,</p> <p>5 which contained not only allegations made by JA-A8, but</p> <p>6 also those that had arisen in previous investigations.</p> <p>7 The CPS advised that there was no realistic prospect of</p> <p>8 conviction and so no charges were brought in respect of</p> <p>9 JA-A8's complaint. The 2015 decision to commence</p> <p>10 criminal proceedings against Lord Janner did include</p> <p>11 charges in respect of JA-A8.</p> <p>12 It follows from this brief overview that part of</p> <p>13 your examination of the institutional responses to</p> <p>14 allegations made against Lord Janner will focus on</p> <p>15 decision making by Leicestershire Police and the CPS in</p> <p>16 respect of those operations. In doing so, reference may</p> <p>17 be made to previous reviews undertaken by</p> <p>18 Sir Richard Henriques in respect of the conduct of</p> <p>19 the CPS and to an investigation by the Independent</p> <p>20 Office for Police Conduct, the IOPC, known as</p> <p>21 Operation Nori, which considered the manner in which</p> <p>22 some members of Leicestershire Police dealt with the</p> <p>23 allegations against Lord Janner.</p> <p>24 You will also hear evidence from former employees of</p> <p>25 Leicestershire County Council, the LCC, about the</p> <p style="text-align: center;">Page 14</p>
<p>1 broader response of the Social Services department which</p> <p>2 was responsible for the care of those within the</p> <p>3 children's homes. This includes evidence about the</p> <p>4 action or inaction taken when children and staff sought</p> <p>5 to bring allegations of both physical and sexual abuse</p> <p>6 to the attention of the county council.</p> <p>7 In the final week of the hearing, you will also hear</p> <p>8 evidence on behalf of the Labour Party and from the</p> <p>9 Cabinet Office about the nominations process for</p> <p>10 a political peerage.</p> <p>11 Now, common to a number of this inquiry's</p> <p>12 investigations, the inquiry has prepared a summary table</p> <p>13 setting out in chronological order the allegations</p> <p>14 concerning Lord Janner made by the complainant core</p> <p>15 participants in this investigation. I am just going to</p> <p>16 ask for that to go up on screen. It is INQ006312, and</p> <p>17 I am going to point out how it works and just use four</p> <p>18 examples in it.</p> <p>19 Ignore the title and ignore the caption below the</p> <p>20 title, but if we look across the column heads, we have</p> <p>21 "Complainant", "Date of alleged offending", "Summary of</p> <p>22 allegations", "Date of disclosure", "Response to the</p> <p>23 disclosure", and, perhaps more importantly, "Barrier to</p> <p>24 disclosure" in the individual cases. As I say, I am</p> <p>25 going to pluck two examples on this page and two others</p> <p style="text-align: center;">Page 15</p>	<p>1 further into the document.</p> <p>2 The table is split up into different periods of</p> <p>3 time. As you see immediately under the first row, we</p> <p>4 have the 1960s, and I am going to just run through the</p> <p>5 first two complainants on this page and into the next.</p> <p>6 JA-A11. Alleged period of offending: 1963 through</p> <p>7 to 1969. In the case of this complainant, two</p> <p>8 allegations of indecent assault -- one at school and one</p> <p>9 at a children's home. The complainant first contacted</p> <p>10 police in July 2014 and provided a video interview and</p> <p>11 statements. The response to the complainant's</p> <p>12 disclosure was, police sought advice from the CPS in</p> <p>13 2014, which resulted in Lord Janner being charged.</p> <p>14 What was the barrier, or what were the barriers, to</p> <p>15 disclosure in this complainant's case? A11 states that</p> <p>16 the incident at school made him feel "embarrassed and</p> <p>17 confused" and it was only "a few years later" he</p> <p>18 realised that what happened was wrong. A11 states he</p> <p>19 couldn't tell anyone about the incident at the</p> <p>20 children's home as he "was just a kid in a care home"</p> <p>21 and the person in charge of the home had put him in that</p> <p>22 situation.</p> <p>23 Moving now to the second entry in the 1960s, JA-A41.</p> <p>24 Date of alleged offending: 1969 to 1970. The summary of</p> <p>25 allegations -- and this runs between the first and the</p> <p style="text-align: center;">Page 16</p>

<p>1 second page: allegation of buggery at a flat in London, 2 in particular Dolphin Square. The date of disclosure: 3 the matter was referred to the police by this inquiry 4 and the complainant was video interviewed in July 2018. 5 The response to his disclosure was, in effect, it came 6 to nothing because Lord Janner died in December 2015. 7 His barrier to disclosure was, he states that he 8 didn't tell anyone about this at the time as he was 9 homeless, having run away from a care home. A41 states 10 that he also suffered abuse at the care home and thus 11 had no-one he could turn to or trust. "So there was 12 just no opportunity or person I could have told". 13 Can we turn on, please, into the 1970s now, to 14 page 5, entry number 13. This is the case of JA-A7. 15 Alleged offending during the mid '70s. Summary of 16 allegations: alleged indecent assault at a children's 17 home and at the Houses of Parliament. First contacted 18 police in April 2015. Later provided statements and he 19 was video interviewed. 20 The response to his disclosure was a preliminary 21 file was submitted to the CPS in July 2015. The 22 allegations were under review at the time of 23 Lord Janner's, "GJ's", death. 24 The barrier to disclosure in his case was he states 25 he did not previously report the matter as he found it</p> <p style="text-align: center;">Page 17</p>	<p>1 "too hard to even admit to myself what happened to me". 2 He said, "I find it too overwhelming for me to deal 3 with. It's like, if I don't have to tell anyone, 4 I don't have to admit it to myself". He went on to 5 state that he didn't report the matter to the police for 6 fear of not being believed and he also felt embarrassed 7 by what had happened. 8 Finally, as I say, just by way of example, we go to 9 the 1980s, on page 10, entry 26. In this instance, 10 Timothy Betteridge, who has waived his right to 11 anonymity. The summary of allegations -- the alleged 12 offending took place between 1981 and 1982 -- is of 13 indecent assault, gross indecency, oral sex and buggery 14 in Lord Janner's car and at a school. He told a member 15 of staff, a social worker and a befriender that he was 16 being abused, and the police when he ran away from his 17 children's home. He first contacted the police 18 in August 2015 and was video interviewed. The response 19 to that was a limited investigation and the allegations 20 were under review, again, at the time of Lord Janner's 21 death. 22 The barrier to disclosure in his case, Mr Betteridge 23 states that he tried to tell his befriender but "his 24 response was that it was nothing to do with him". He 25 says he also told his social worker, who was "very</p> <p style="text-align: center;">Page 18</p>
<p>1 dismissive" of what he was saying. He said that when he 2 ran away from the home, police would ask why, but when 3 he told them, they did not believe him. 4 Thank you very much, evidence handler, if you would 5 kindly take that down. 6 The evidence contained in that summary table, or 7 gist table, as it may be referred to, is derived from 8 any witness statement made by the respective 9 complainants, and it's based on a summary provided by 10 the senior investigating officer of Operation Enamel 11 Matt Hewson. You will see that the 33 complainant core 12 participants in this investigation include some of those 13 complainants in respect of whom charges were brought in 14 2015. I repeat that this table does not indicate any 15 finding of fact that the alleged abuse happened. It is 16 designed to assist you as the evidence is called in 17 understanding the context, the chronology, and the 18 institutional response. 19 One important matter to note is the summary given of 20 why many of these allegations were not reported 21 contemporaneously. Delays in the reporting of 22 allegations of child sexual abuse is a theme that cuts 23 across the entirety of the inquiry's work. You will 24 see, as we have, from the column entitled "Barrier to 25 disclosure" that there are myriad reasons why the</p> <p style="text-align: center;">Page 19</p>	<p>1 complainants say that they didn't make their disclosures 2 at the time. The reasons include feelings of fear, 3 shame, embarrassment and confusion about what the 4 complainant says happened or concern by the child that 5 they would not be believed, particularly in 6 circumstances where they were resident in a children's 7 home, as we have seen from the "Barrier to disclosure" 8 column in the table I just took you to. This table 9 therefore feeds into the wider work of the inquiry. 10 Chair, as you have indicated, a large proportion of 11 the evidence in this investigation is going to be heard 12 during closed sessions, and it is important at the 13 outset to explain why it is necessary. 14 As a matter of law in this country, a complainant 15 who makes an allegation of sexual abuse is entitled to 16 lifelong anonymity. The right to anonymity is enshrined 17 in section 1(1) of the Sexual Offences (Amendment) Act 18 1992. This prevents any matter being published, which 19 includes, for these purposes, references in a speech or 20 in writing, about the complainant which might enable the 21 public to identify them as being someone against whom 22 a sexual offence has been said to have been committed. 23 The 1992 Act applies to the inquiry's work and it 24 applies irrespective of whether there has been previous 25 publication or reporting of the complainant's identity.</p> <p style="text-align: center;">Page 20</p>

<p>1 In this investigation, some complainants have waived 2 their right to anonymity; others have not. Where there 3 has been no waiver of anonymity, the inquiry must take 4 particular care to ensure that matters are not said 5 publicly that could allow for so-called jigsaw 6 identification of some complainants. Given the previous 7 police investigations and widespread media reporting, 8 there is a very real risk in this investigation that 9 hearing the evidence during open hearings, when combined 10 with material already in the public domain, would enable 11 jigsaw identification.</p> <p>12 As a consequence, much of the evidence will be heard 13 in closed session, but it should not be thought that, 14 when hearing the evidence in private, the witness's 15 evidence will not be probed and tested, just as it would 16 be if the evidence were to be given in public.</p> <p>17 Moreover, those representing the core participants will 18 be present and they have an opportunity under rule 10 of 19 the Inquiry Rules 2006 to make requests to invite 20 questions of witnesses. Also, a number of accredited 21 members of the press will be present to enable reporting 22 of those matters that can be made public. An open 23 investigation report will be published in due course. 24 There will also be a closed version of the report.</p> <p>25 Where a witness is called live, their evidence will</p> <p style="text-align: center;">Page 21</p>	<p>1 be focused on the most salient aspects of their 2 testimony. It won't be possible to ask each witness 3 about everything they have said in statements or about 4 all of the documentary evidence they produce or the 5 investigation has gathered. In open session, their 6 evidence will be live streamed on the internet. For the 7 closed sessions, access to the live stream will be 8 limited to the core participants, their legal 9 representatives and the accredited members of the press.</p> <p>10 Where a witness is not called live, the witness's 11 evidence will, at appropriate points, be read or 12 summarised by counsel and formally adduced into evidence 13 by such means. Chair, it will be for you and the panel 14 to base your report on the evidence that is adduced in 15 this investigation, and not on anything else that you 16 may have heard or read about the allegations against 17 Lord Janner.</p> <p>18 All core participants were sent the proposed witness 19 timetable. In line with the Inquiry Rules, which govern 20 the conduct of public inquiries, counsel to the inquiry 21 will conduct the questioning of the witnesses. As 22 I have mentioned, core participants have been, and will 23 be, given an opportunity to suggest questions or lines 24 of questioning. Counsel to the inquiry are grateful for 25 the suggestions already made and have adopted many of</p> <p style="text-align: center;">Page 22</p>
<p>1 them.</p> <p>2 Documents will be referred to by their unique 3 Relativity reference number, or their URN, and put up on 4 the screen, just as I have already, so that members of 5 the press and public can follow the proceedings in open 6 session. The pages of documents that are displayed on 7 screen in the public sessions will, subject to any 8 sensitivity, be published on the inquiry's website the 9 same day. Where it is possible to do so without 10 breaching the Sexual Offences (Amendment) Act 1992, the 11 transcript of the day's evidence, or parts of it, will 12 be published on the inquiry website as the hearing 13 progresses.</p> <p>14 Some of the evidence in this investigation is likely 15 to resonate with evidence that you have heard in other 16 parts of the inquiry's work. For example, delays in the 17 reporting of allegations of child sexual abuse and the 18 reasons for the delay, a common theme which arises in 19 the context of historic allegations of sexual abuse.</p> <p>20 In both the Westminster investigation and the 21 investigation into Cambridge House, Knowl View and 22 Rochdale, you heard evidence about the honours and the 23 peerage system and the deference shown to prominent 24 political figures.</p> <p>25 These are but two examples from a number of broader</p> <p style="text-align: center;">Page 23</p>	<p>1 topics, but it is likely that the evidence heard during 2 the course of this public hearing will help inform the 3 inquiry's overall work in helping to protect children 4 from sexual abuse both now and in the future.</p> <p>5 I have described those matters that will be 6 considered in these hearings. I now turn briefly to 7 some that will not be.</p> <p>8 Over the past four years, the inquiry has examined 9 numerous investigative leads to identify whether there 10 was evidence of institutional failures to respond to the 11 allegations made against Lord Janner. It has kept core 12 participants informed of this work through updating 13 notes as well as preliminary hearings. Among the 14 institutions the inquiry has considered are central 15 government departments and agencies, 16 Leicestershire Police in respect of Operation Enamel, 17 the CPS in respect of prosecutorial decisions taken in 18 and around 2014, and the Holiday Inn group of hotels. 19 It has examined articles and interviews published in the 20 media about allegations against Lord Janner. It has 21 taken evidence from journalists connected with the 22 Cook Report television programme, following a suggestion 23 that there was unbroadcast footage dealing with 24 allegations against Lord Janner. No evidence was found 25 to support that suggestion. It has researched the</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 archives of Andrew Faulds MP, who was said to have made 2 efforts to investigate the allegations against 3 Lord Janner. It has obtained evidence from many 4 witnesses who will not be called but whose accounts have 5 nonetheless been carefully considered. 6 The inquiry has also received unsolicited 7 disclosures of alleged sexual assaults of boys and men 8 by Lord Janner. Where these disclosures have been made 9 in a witness statement to the inquiry, the statement has 10 been disclosed to core participants. It is not the 11 inquiry's role to determine the truth or otherwise of 12 these allegations. However, it has carefully considered 13 whether or not they provide evidence of institutional 14 failures to respond to the allegations. In this 15 instance, and indeed in these instances, no evidence of 16 such has been found. 17 There are some witnesses whose evidence does give 18 rise to questions about institutional responses but 19 whose accounts we will not be examining over the next 20 three weeks. This is because, at this point in time, 21 and with the evidence that is now available, there is no 22 prospect of a fair determination of the allegations. In 23 some instances, complainants say that they informed 24 named social workers of abuse by Lord Janner. The 25 inquiry has obtained statements from those social</p> <p style="text-align: center;">Page 25</p>	<p>1 workers, who have denied the allegations. 2 Realistically, decades after the alleged conversation, 3 and in the absence of further evidence, it is unlikely 4 that you would be able to resolve which account is 5 accurate. Other complainants have been unable to recall 6 sufficient detail of who they told and when in order to 7 allow for further investigation. The accounts of these 8 witnesses are included in the gist table, but they will 9 not be the subject of oral evidence in these hearings. 10 So, chair, that is all I propose to say by way of 11 a public opening statement. You will now want to invite 12 core participants to make their opening statements in 13 this open session. 14 THE CHAIR: Thank you, Mr Altman. We begin with Mr Stanage. 15 Opening statement by MR STANAGE 16 MR STANAGE: Chair and panel members, I am instructed by 17 Kim Harrison and Richard Scorer of Slater & Gordon 18 Solicitors. We represent 13 complainants. Over many 19 years, all of our clients have given, or tried to give, 20 evidence to the police regarding the sexual abuse that 21 they say was committed against them by the late 22 Lord Janner. All of our clients then expected the 23 police and the Crown Prosecution Service to take 24 appropriate action against Lord Janner. When, at long 25 last, that action was taken, in 2015, Lord Janner was</p> <p style="text-align: center;">Page 26</p>
<p>1 prosecuted on an indictment alleging 22 sexual offences. 2 That prosecution came many years after the evidence 3 against Lord Janner had first surfaced, and it was 4 a prosecution that came too late. Lord Janner, as you 5 have just heard, then died, and so, for our clients, 6 justice delayed was justice denied. 7 Our clients recognise that after Lord Janner's death 8 it is more difficult for any court or inquiry to make 9 definitive findings of fact about their allegations, so 10 they have only this process and investigation into 11 institutional responses. But this examination, chair, 12 of institutional responses is crucial. No justice in 13 the form of a criminal prosecution of Lord Janner is 14 possible, but you can ask: who made mistakes in this 15 case? Why did they make them? You can try to ensure 16 that in future no-one will escape justice because of 17 their position. 18 Prominent people accused of child sex offences 19 should be prosecuted with the same determination and the 20 same vigour as would be the case with any ordinary 21 defendant. 22 We thank the inquiry for persisting with this 23 investigation and for proceeding to this hearing. But, 24 as you know, chair and panel members, not everyone is 25 thankful.</p> <p style="text-align: center;">Page 27</p>	<p>1 Since 2015, when the inquiry into the case of 2 Lord Janner began, his family has tried to prevent this 3 inquiry from happening. Daniel Janner QC has vilified 4 and insulted the inquiry day after day, and frequently 5 in terms which bear little or no relation to reality. 6 Friends of the Janner family in high places, including 7 in the House of Lords, have joined a campaign to stop 8 the objective and systematic examination of 9 the evidence. But you have resisted all these 10 extraordinary attempts to frustrate your work and to 11 close down your inquiry, and our clients are grateful to 12 you for that. 13 In the course of their campaign, the Janner family 14 has attacked the reputation of each and every one of our 15 clients. Many of them were in the care system, 16 a corporate parenting system that failed because, as you 17 have heard in other parts of this inquiry, it allowed 18 sexual abuse to occur. 19 Our clients can be attacked as imperfect victims or 20 imperfect complainants, and that slur is easily thrown 21 at them. It always is thrown at victims of abuse who 22 use drink or drugs to self-medicate or who have any sort 23 of criminal record. Victims of abuse are often broken 24 by their experiences and then punished for being lame. 25 But because that slur has been made against our clients,</p> <p style="text-align: center;">Page 28</p>

<p>1 we highlight that the inquiry has received evidence from 2 other witnesses whose professional reputation, character 3 and stature not even the Janner family could impugn. 4 One of those witnesses is from within the Jewish 5 community. He describes an attempt by Lord Janner to 6 abuse his young son. On another occasion, in similar 7 circumstances, this witness intervened to protect 8 another child from Lord Janner. We hope that, in due 9 course, that evidence will be published so that the 10 public can see the full extent of the evidence against 11 Lord Janner. 12 Chair, the questions of particular importance to our 13 clients are as follows. Number one: what more could 14 have been done to investigate and prosecute the abuse 15 Greville Janner is alleged to have perpetrated? 16 Question two: more precisely, who could have done 17 more? 18 Question three: when investigations took place, were 19 sufficient resources applied to them? 20 Question four: were those who investigated and made 21 decisions on prosecution alive to any actual or 22 potential conflicts of interest? 23 Question five: was improper pressure applied to 24 undermine or abandon any investigation or any line of 25 enquiry?</p> <p style="text-align: center;">Page 29</p>	<p>1 When you and your panel members answer those 2 questions, you will avoid making judgments with the 3 benefit of hindsight. But there is another error to 4 avoid. Many witnesses in these next three weeks will 5 want to defend their decisions over the decades. Please 6 keep in mind the natural and understandable desire of 7 those witnesses to justify their decisions, even where 8 justification is impossible. Please keep in mind the 9 reluctance of some witnesses to accept criticism of 10 their decision making, even where criticism is 11 justified. 12 We hope that witnesses will accept criticism if 13 there is evidence that a decision was wrong and was one 14 of several wrong decisions that enabled Lord Janner to 15 escape prosecution. 16 No-one is on trial here. We simply want to get to 17 the truth and to learn from mistakes. 18 When you consider decisions from the past, you must 19 understand the context of the time and the legal 20 constraints within which witnesses were working. But we 21 urge you to remember all aspects of that context. In 22 your report into allegations of child sexual abuse 23 linked to Westminster, you found, quite rightly, that, 24 in the past, there was deference by police, prosecutors 25 and political parties towards politicians and others</p> <p style="text-align: center;">Page 30</p>
<p>1 believed to have some importance in public life. You 2 heard, as you put in your report, "evidence of overt and 3 direct deference by police towards powerful people, such 4 as a conscious decision not to arrest or investigate 5 someone because of their profile or position". 6 You also heard, as you put it in your report, 7 "striking evidence of how wealth and social status 8 insulated perpetrators of child sexual abuse from being 9 brought to justice to the detriment of the victims of 10 their alleged abuse". 11 Did that same culture of deference prevent the 12 authorities in this case from seeing clearly and from 13 acting fairly on the allegations against Lord Janner? 14 That is a key question. If the dangerous culture of 15 deference was a factor here, then we ask you to say so 16 and to make recommendations on how institutions now can 17 work to eliminate that culture. Thank you. 18 THE CHAIR: Thank you, Mr Stanage. We will now take our 19 morning break and return at 11.45 am. 20 (11.30 am) 21 (A short break) 22 (11.45 am) 23 THE CHAIR: Mr Chapman? 24 Opening statement by MR CHAPMAN 25 MR CHAPMAN: Chair and panel, I act for 13 complainants of</p> <p style="text-align: center;">Page 31</p>	<p>1 abuse by the late Lord Greville Janner on instructions 2 from Nathalie Swanwick, Simpson Millar. As you know, 3 I am limited in what I can say openly because of 4 the restriction order in place, for the reasons 5 Mr Altman has given. 6 But I can say this: the story of Greville Janner is, 7 if it is nothing else, the story of prominence over 8 justice. Multiple police investigations, one 9 high-profile trial, a public inquiry, spanning a period 10 of decades and, at every stage, complaints of serious 11 sexual abuse by Greville Janner said to have taken place 12 from as early as the 1960s. Different generations of 13 children, many in care, allegations of indecent assault 14 and buggery, some with another convicted abuser, 15 accompanied with brutal violence; not by some sad, 16 superannuated, obvious sexual deviant, but by 17 a vigorous, highly successful politician, barrister and 18 member of the House of Lords. How did Greville Janner 19 avoid being arrested, charged and put on trial for 20 decades? 21 Throughout the time he was allegedly abusing 22 children, Greville Janner's career prospered. Barrister 23 1954, MP 1970, QC 1971, House of Lords 1997. He 24 ascended while the complainants descended into 25 alcoholism, drug abuse, criminality and mental illness.</p> <p style="text-align: center;">Page 32</p>

<p>1 This story is a tragedy for the complainants, 2 obviously, but we accept it is also a tragedy for 3 Lord Janner's family. To be taxed, finally, with 4 22 counts of indecent assault and buggery against nine 5 complainants dating back almost half a century in his 6 88th year, demented and close to death, was a macabre 7 spectacle. Lord Janner never accepted any wrongdoing, 8 nor do his family. They have, understandably, shown 9 unwavering loyalty to the memory and reputation of their 10 father, who was, to them, a good man. Perhaps we can 11 all agree he should have been taxed with these 12 allegations when he was in his prime, not at death's 13 door.</p> <p>14 As it is, there will never be any public certainty 15 whether the alleged abuse took place or not. The 16 complainants we act for have the maturity to accept and 17 understand that. But what the complainants do not 18 accept is that Lord Janner could have avoided 19 prosecution without the tacit, or perhaps explicit, 20 assistance from those with the power to decide. If 21 Lord Janner had simply been Mr Joe Bloggs, he would have 22 been prosecuted sooner. The energy and resources that 23 went into prosecuting other alleged abusers could, and 24 should, have been directed at him as well.</p> <p>25 A High Court judge, the retired Sir Richard</p> <p style="text-align: center;">Page 33</p>	<p>1 Henriques, has already concluded that Greville Janner 2 should have been prosecuted on the evidence available at 3 the time on a number of occasions going back decades. 4 He said, further, that on the cases he had considered, 5 there was no evidence of collusion and, indeed, there 6 was corroboration. He pointed to documentary evidence 7 of contact between Janner and a complainant, he pointed 8 to the undisputed fact that Janner took one boy into his 9 home overnight and stayed with him in hotels. He 10 pointed to the fact that Janner publicly lied about 11 knowing a convicted abuser.</p> <p>12 The complainants reject as false the idea that their 13 allegations were automatically unworthy of belief. On 14 any fair assessment, either by the standards of then or 15 now, neither the police nor the CPS followed where the 16 evidence properly led. Someone, somewhere, had their 17 thumb on the scales of justice.</p> <p>18 The burning questions for our complainants -- it is 19 not about egregious mistakes, however dumbfounding those 20 are -- within the scope of this inquiry are these: to 21 what extent did the Labour Party, Parliament, government 22 departments or even the security and intelligence 23 agencies, how were they aware of allegations against 24 Lord Janner? Secondly, whether any attempts were made 25 to exert improper influence to frustrate an effective</p> <p style="text-align: center;">Page 34</p>
<p>1 investigation into these allegations.</p> <p>2 Chair and panel, you may not hear direct evidence 3 about that. We doubt anyone will come to this inquiry 4 and say, "We took a decision to frustrate this 5 prosecution because Janner was an important man". You 6 will have to reach what conclusion you can on proper 7 inference from other facts. You will no doubt take into 8 account the extensive rumours about Janner that were in 9 the Leicestershire Police Force and predated by decades 10 the earliest investigation into him. You will have to 11 consider the avowed ignorance of senior 12 Leicestershire Police officers about those rumours. You 13 will have to consider whether it is true, for example, 14 that a secretary was told to remove references to Janner 15 in police statements and if there was a good explanation 16 for that. You will have to consider whether the limited 17 resources assigned to investigate the Janner allegations 18 were a genuine financial constraint, an administrative 19 failure or a deliberate attempt to hobble the 20 investigation. You will have to consider, in reference 21 to Operation Magnolia, whether the policy of separating 22 out all allegations by noncare-home staff, including 23 those relating to Janner, was a proper policy or one 24 designed to keep people in the dark. You will have to 25 consider whether the key Janner statements not uploaded</p> <p style="text-align: center;">Page 35</p>	<p>1 onto the HOLMES database was deliberate or a mistake. 2 Whether the Janner papers which were locked away in 3 a drawer and finally located in a completely different 4 location was to stop prying eyes as a matter of general 5 confidentiality or part of a coverup. Whether the 6 failure to send the Janner documents to the CPS for the 7 consideration of Janner allegations was an 8 administrative error or part of a coverup. Whether it 9 is credible that senior officers in Operation Magnolia 10 were completely ignorant of fresh Janner allegations.</p> <p>11 You will have to consider in Operation Dauntless 12 why, with an accumulation of independent accusers, 13 a prosecution was still, apparently, not warranted.</p> <p>14 In short, you will have to consider whether, if you 15 agree that Janner was protected because of his high 16 status, this resulted from explicit corruption by senior 17 police officers, as some have suggested, or whether, 18 perhaps no less benignly, he was protected by 19 a collective group think that undervalued complainants, 20 overvalued Janner's status and shirked the 21 responsibility of pursuing Janner because of the trouble 22 it would cause.</p> <p>23 We say you will not be able to avoid the suspicion 24 of corruption in Leicestershire Police Force at the 25 time. It is perceived not only by complainants I act</p> <p style="text-align: center;">Page 36</p>

1 for, but by some of the very police officers tasked with
 2 investigating Lord Janner. Retired DC Swift-Rollinson
 3 from Operation Dauntless is at pains to emphasise in his
 4 statement "the perceived lack of trust and confidence"
 5 he had in the Leicestershire Police and its "inability
 6 then to properly investigate its own officers, coupled
 7 with the force's perceived apathy towards dealing with
 8 matters of potential misconduct".
 9 If what he says is true, it shows that senior police
 10 officers were prepared to engineer outcomes that suited,
 11 even in the most serious cases. When the simplest and
 12 most obvious course of action that presents itself, by
 13 arresting and prosecuting Lord Janner, is avoided
 14 repeatedly over decades, the inference that this follows
 15 from corrupt motives may be hard to resist. Thank you,
 16 chair.
 17 THE CHAIR: Thank you, Mr Chapman. Mr Enright?
 18 Opening statement by MR ENRIGHT
 19 MR ENRIGHT: Good morning, chair, Ms Sharpling, Mr Frank,
 20 Sir Malcolm. I appear for F54, who is with me, safely.
 21 He is also ciphred as JA-A41. F54 is an intelligent,
 22 dignified and compassionate man. By way of example, on
 23 31 January 2018, he appeared in your hearing room and
 24 his then counsel, Mr Sam Stein QC, made an application
 25 on his behalf. That application was made on his

Page 37

1 protect the reputation of their father."
 2 F54 does not respond to personal insults and attacks
 3 with anger, he does so with empathy and understanding.
 4 F54 is also an intelligent and thoughtful man. He has
 5 played an important part in the shaping of the course of
 6 this investigation. His submissions in February played
 7 a significant part in your decision to continue this
 8 investigation. On 2 July, you agreed, again in response
 9 to his submissions, that it is relevant to the inquiry
 10 to consider whether the background of complainants
 11 affected the way in which their allegations were
 12 considered and investigated and that this would form
 13 part of this investigation.
 14 Indeed, Mr Altman carefully took you through the
 15 barriers to disclosure that my clients and others
 16 experienced and the reasons why children delayed in
 17 coming forward to speak of their abuse. My client is
 18 less focused on the allegations that Lord Janner abused
 19 him and others but more on his contention that most of
 20 the alleged victims of Lord Janner and others appear to
 21 have been from poor and deprived backgrounds, subject to
 22 care orders, living in children's homes, with poor
 23 literacy or communication skills or were persons who had
 24 accrued criminal records after suffering abuse.
 25 F54 asks the inquiry to note that the victim profile

Page 39

1 specific instructions on a measured basis, offering no
 2 criticism of his alleged abuser.
 3 However, in response, Daniel Janner QC attacked my
 4 client, and others, in deeply personal terms, including
 5 describing them as "fantasists", "liars" and "fraudulent
 6 compensation seekers". F54 has never claimed
 7 compensation.
 8 Mr Stein addressed you on Mr Janner's outburst,
 9 advising you that F54 was present during the attack. He
 10 respectfully asked that, no matter what feelings were
 11 being expressed, that great care be given to making such
 12 accusations. What was F54's response to this attack?
 13 Well, it was twofold. It is set out in his witness
 14 statement at paragraphs 114 to 121. First, he was
 15 shocked, shaken and angry because, as he stated, "The
 16 resemblance between the man who had abused me at
 17 Dolphin Square and Daniel Janner QC was extraordinary".
 18 F54 said, "It was not Daniel Janner's offensive
 19 words that shocked me and made me shake, it was the face
 20 of Daniel Janner that did so", a face that was almost
 21 identical to that of the man who raped him as a child.
 22 Secondly, and despite this, my client was still able
 23 to empathise with the Janner family. He stated:
 24 "I hold no ill will towards him, Daniel Janner, and
 25 his family. I understand why they are trying so hard to

Page 38

1 he describes is strikingly similar to that revealed in
 2 your other 15 investigation strands. F54 has often said
 3 to me that it is like poor children are on a conveyor
 4 belt to abuse and that nobody seems to believe them.
 5 F54 points to the statement of Nigel Hewson of
 6 the CPS as a prime example. That statement details
 7 investigation after investigation and opportunity after
 8 opportunity when Lord Janner should, and could, have
 9 been prosecuted long before 2015.
 10 F54 maintains that the evidence shows that the
 11 prominence of Lord Janner created barriers to interview,
 12 arrest and prosecution and that the CPS seemed unwilling
 13 to charge Lord Janner, no matter what. In F54's own
 14 words, "hurdles were erected that no horse could jump".
 15 The Henriques Report finally drew back the veil on
 16 the appalling institutional failings and institutional
 17 barriers that failed to respond to repeated allegations
 18 of child abuse by Lord Janner. F54 maintains that your
 19 inquiry must draw on all of the evidence in this
 20 investigation and your other investigations in order to
 21 make recommendations to end the practice of poor
 22 charging decisions in cases such as these, where the
 23 complainant is often a poor and disadvantaged child and
 24 where the alleged perpetrator is a person of influence,
 25 such as a teacher, care home manager, a cleric, a member

Page 40

<p>1 of parliament or other influential person, such as 2 a Lord. Thank you, madam. 3 THE CHAIR: Thank you, Mr Enright. Mr Jacobs? 4 Opening statement by MR JACOBS 5 MR JACOBS: Chair and panel, I am instructed by Howe & Co 6 for JA-A24 and F54 from whom you heard from Mr Enright, 7 and Affinity Law for E1, Tim Betteridge, Tracey Taylor 8 and E4. The relevant gisting table numbers are 2, 6, 9 19, 26, 29 and 33. 10 Those core participants on whose behalf I address 11 you today all allege they were abused by Lord Janner in 12 the Leicestershire area. They maintain that Lord Janner 13 was able to act with impunity and that they were not 14 believed when they disclosed the abuse as children or 15 felt unable to make disclosures at the time. Four of my 16 clients have brought civil claims against Leicestershire 17 County Council for its failure to protect them from the 18 sexual abuse that they suffered in The Beeches Care 19 Home. 20 Those cases are ongoing in the High Court and the 21 court, in those cases, will be asked to make civil 22 findings in relation to the abuses alleged. 23 Chair, no complainant core participant will give 24 evidence before you in this investigation. My clients 25 have asked that I summarise the salient parts of their</p> <p style="text-align: center;">Page 41</p>	<p>1 evidence in the time permitted, and I acknowledge, of 2 course, from the outset, that the inquiry is not able to 3 make any findings of liability for abuse and my clients 4 understand that. 5 E1 was placed into care in the mid 1980s and arrived 6 at The Beeches Children's Home aged 15. Frank Beck, the 7 manager of the home, told him that The Beeches was the 8 only home in the country that would take him because of 9 his ethnic background. Shortly afterwards Beck started 10 to sexually abuse E1. 11 E1 became familiar with the perpetrator Janner as 12 a regular visitor to The Beeches. He was abused by 13 Janner on two occasions, both at Beck's house in 14 Braunstone. E1 says that Lord Janner told him that 15 nobody would believe him, were he ever to report the 16 abuse. E1 did, however, disclose the abuse to his 17 social worker on two or three occasions, but was told by 18 her that he was making the allegations up and he just 19 wanted to go home to his family and would say anything 20 to leave the children's home. E1 says that he tried to 21 report the abuse to the police after he ran away, but he 22 was told that he was unwanted by society and he should 23 go back to The Beeches. 24 E1 approached the police as an adult in 2015 at 25 a time when he felt emboldened by the numbers of people</p> <p style="text-align: center;">Page 42</p>
<p>1 who were coming forward. His file was passed to the 2 CPS, who advised him there were reasonable prospects for 3 bringing a prosecution, and his name was added to the 4 draft voluntary bill of indictment. However, 5 Lord Janner died before matters could be advanced. E1 6 feels angry that his complaints were dismissed out of 7 hand. He maintains that police, Social Services and 8 staff at The Beeches turned their heads away from the 9 predators who had tormented him as a child. He 10 continues to suffer from the effects of the abuse and 11 very much hopes that this inquiry process will provide 12 him with some closure. 13 Tracey Taylor has suffered depression from a young 14 age. She was sent to The Beeches for a short time at 15 the end of the 1970s when she was 14 years old. She 16 alleges she was raped there by a man who told her his 17 name was Greville Janner. He said he was an MP and that 18 he could make her the next Prime Minister's wife. 19 Ms Taylor's mother took her away from the home upon 20 visiting The Beeches and upon seeing how traumatised 21 Ms Taylor had become. Ms Taylor has repressed the abuse 22 that she suffered, but she simply cannot do so. She 23 can't hold back when she has manic episodes. She's told 24 the police about her abuse at The Beeches on numerous 25 occasions but she's never been believed due to her</p> <p style="text-align: center;">Page 43</p>	<p>1 mental health problems. On some occasions, police 2 mocked her statements, calling her "Crazy Tracey". 3 Perversely, chair, it is Ms Taylor's increased 4 vulnerability due to her mental health problems which 5 prevented any investigation of her disclosures until 6 2015, by which time Lord Janner's health had 7 deteriorated. More than anything, Ms Taylor would like 8 the police to apologise to her. She says in her 9 statement that she understands the position of 10 the Janner family. However, she views the inquiry as 11 "incredibly important", in her own words, because it 12 will provide some form of closure for all the victims 13 and survivors who have come forward. 14 Tim Betteridge went to The Beeches when he was 15 13 years of age. He was sexually abused there by 16 Frank Beck on more occasions than he is able to count. 17 He quite regularly saw Janner at the home with Beck and 18 claims that Janner abused him on two occasions. The 19 first occasion was when Lord Janner drove him to an 20 allotment, having promised to take him to a cricket 21 match. Mr Betteridge says that Lord Janner asked him to 22 demonstrate what Beck had done to him. The second 23 occasion took place at The Beeches in a mobile hut which 24 was used as a school classroom. Tim Betteridge said he 25 was taken there to Janner by a staff member.</p> <p style="text-align: center;">Page 44</p>

1 Mr Betteridge spoke of the abuse, albeit in vague terms,
 2 to two staff members. He recalls that one of them told
 3 him that children at The Beeches were not permitted to
 4 tell anybody about what was happening there.
 5 Mr Betteridge had the same response from his
 6 befriender who used to take him out to play snooker. He
 7 recalls being told that nobody would believe him because
 8 he was "just a brat in care". He disclosed the abuse to
 9 his social worker but was met with a dismissive
 10 response. He ran away from the police and told them on
 11 more than one occasion but wasn't believed.
 12 Mr Betteridge simply cannot believe that staff at the
 13 home, The Beeches, were unaware of the actions of Beck
 14 and Lord Janner.
 15 There is much evidence that the two men were
 16 colluding with one another. Mr Betteridge had a far
 17 better response from the police when he reported the
 18 abuse in 2015 and he says that Nick Bryan is an absolute
 19 credit to the police force. However, his greatest
 20 regret is that the police failed to listen to him back
 21 when they could have made a difference. Mr Betteridge
 22 would like an apology from Leicestershire County
 23 Council.
 24 E4 was admitted to The Beeches in the mid 1980s
 25 aged 13 and recalls Greville Janner frequently visiting

Page 45

1 would not have acquired an extensive criminal record had
 2 he not been abused as a child. He regrets that the
 3 police and Social Services did not listen to the victims
 4 of Beck and Lord Janner, as this would have stemmed the
 5 abuse. He has always felt, had Lord Janner not had
 6 prominent status in Leicestershire, the authorities
 7 would have been less dismissive of the complaints.
 8 JA-A24 was not a child in care but he was highly
 9 vulnerable due to having suffered physical and mental
 10 abuse from a member of his household. Lord Janner knew
 11 the family and JA-A24 alleges that he became a target of
 12 grooming from the age of 8 or 9. Lord Janner befriended
 13 JA-A24 and invited him to the Leicestershire Holiday Inn
 14 where he would stay from time to time. A sexual
 15 relationship developed and my client became genuinely
 16 fond of Lord Janner, whom he saw as a brilliant and
 17 influential man. The relationship came to an end after
 18 four years. However, during its course, JA-A24
 19 disclosed the abuse to a professor from whom he was
 20 receiving counselling. That counsellor dismissed the
 21 disclosure as lies. The matter was also raised at
 22 JA-A24's school but no action was taken. JA-A24 has
 23 been highly traumatised throughout his life by the abuse
 24 that he suffered as a child. Although he assisted
 25 Operation Enamel in 2015 and was also included as

Page 47

1 the home and almost always in the company of Frank Beck.
 2 Janner was smartly dressed, conducted himself with an
 3 air of authority and would bring presents for the
 4 children. E4 was taken with four other children to
 5 Beck's house to do some cleaning. The children were all
 6 afraid of Beck and were reassured when told that Janner
 7 would be present. However, E4 was separated from the
 8 other children by Lord Janner and forced to commit
 9 a sexually explicit act, after which Janner gave him two
 10 50p pieces. E4 was too ashamed to speak about the
 11 sexual abuse that he experienced but disclosed physical
 12 abuse to his social worker. He confided more fully with
 13 other staff members and with a cook and no action was
 14 taken.
 15 On another occasion, E4 was arrested with other
 16 children on suspicion of stealing a car, having run
 17 away. The children became upset when told that they
 18 would be returned to The Beeches and E4 and others
 19 disclosed to the police that they had been abused by
 20 Lord Janner. E4 says that the officers looked at each
 21 other awkwardly and that no action was taken.
 22 E4 is now a serving prisoner. He was visited by an
 23 officer from Leicestershire Police in December 2013 and
 24 received an apology from that officer for the police not
 25 having believed him historically. E4 believes that he

Page 46

1 a complainant on the draft voluntary bill of indictment,
 2 JA-A24 still feels sorry for the humiliation that
 3 Lord Janner suffered in later life when multiple
 4 allegations of child sexual abuse came to light.
 5 Importantly, chair, he feels no ill will towards the
 6 Janner family.
 7 Chair, the inquiry will be aware from the evidence
 8 in other investigations that those who groom children
 9 are often highly-sophisticated and manipulative
 10 individuals. JA-A24 may have disclosed what happened to
 11 him as a child well in advance of 2015 had he not
 12 retained feelings of misplaced loyalty towards his
 13 groomer and abuser.
 14 Tying the accounts together, chair, time after time
 15 the inquiry has seen that children in care and
 16 vulnerable children have not disclosed abuse because of
 17 such displaced emotions, such as JA-A24, because their
 18 abusers have told them they would not be believed, as in
 19 the case of E1, and on the occasions when the children
 20 were brave enough to disclose, the advice of their
 21 abusers has been borne out, such as Tim Betteridge and
 22 E4 who were comprehensively disbelieved. Other children
 23 who have existing mental health problems, such as
 24 Tracey Taylor, would choose to repress sexual acts
 25 committed against them as children.

Page 48

<p>1 The evidence of these Leicestershire victims is 2 similar to the accounts, chair, that you heard from the 3 victims and survivors in the Nottinghamshire Councils 4 investigation. There are parallels, we say, between the 5 Beechwood Home and The Beeches Children's Home in the 6 two areas. In your report, dated 31 July 2019, from the 7 Nottinghamshire investigation, you dealt with barriers 8 to disclosure and amongst other things -- I will 9 paraphrase -- stated that only around 25 per cent of 10 those who are abused disclose when they reach adulthood. 11 For those who do disclose, it takes, on average, around 12 24 years from the time of the abuse. The inquiry 13 established that barriers to disclosure fall in a number 14 of broad categories, which include the following: fear 15 of not being believed or being told by the perpetrator 16 they wouldn't be believed; being scared or threatened by 17 the perpetrator or told by them not to tell anybody; 18 having no-one to whom they felt able to disclose, which 19 may be due to a lack of trust or a feeling of isolation; 20 feeling embarrassed, ashamed or guilty because of 21 grooming; not understanding what was happening at the 22 time or seeing the abuse as normal due to grooming or 23 past abuse; and previous negative responses to 24 disclosure. Also shock, trauma, mental health problems 25 caused by the abuse.</p> <p style="text-align: center;">Page 49</p>	<p>1 Nottinghamshire Councils' report deals with the 2 following actions and procedures through reducing 3 barriers to disclosure and, again, I paraphrase: 4 listening and responding to the concerns of children; 5 training staff and foster carers to be alert to 6 vulnerabilities; giving children regular access, ready 7 access, to a trusted adult outside their placement; 8 making them aware of independent visiting and advocacy 9 services; having complaints procedures -- clear and 10 effective and accessible complaints procedures -- for 11 children; and also ensuring that, if a child goes 12 missing, steps are taken to understand the reasons. 13 Importantly, social workers, residential care staff 14 and foster carers must be able to think the unthinkable. 15 Children must be provided with age-appropriate 16 information about child sex abuse. And, most 17 importantly, residential staff, foster carer, social 18 workers, children's care managers and police officers 19 must all be aware of barriers to disclosure. My clients 20 say there should be an independent CSA helpline system 21 put into place which can be accessed by a mobile phone 22 or an app. That way, if there is a number of complaints 23 in relation to a particular abuser, even if there can't 24 be a conviction, those complaints would be noted. 25 Potential abusers would, therefore, be on the radar.</p> <p style="text-align: center;">Page 50</p>
<p>1 Chair, I must conclude in the time that I have. My 2 clients' biggest regret is that they were not able to 3 disclose the abuse at the time it occurred because of 4 the particular difficulties faced by children in those 5 circumstances. Neither were the disclosures that they 6 did make treated seriously. Those who are 7 responsible -- those who were responsible for the care 8 of my clients when they were children were simply not 9 prepared to think the unthinkable. Had my clients been 10 able to disclose their abuse or had they been taken 11 seriously when they tried to do so, it is likely that 12 Lord Janner would have been charged in relation to 13 a number of allegations decades before he became too 14 unwell to stand trial.</p> <p>15 Findings of the Henriques Report show conclusively 16 that there were grave institutional failures by police 17 and the CPS in failing to charge Lord Janner. The 18 position might have been different had procedures been 19 in place to facilitate disclosure by vulnerable children 20 and, if those procedures had been in place, there would 21 have been a raft of complaints in the 1980s and 1990s. 22 Unfortunately, the institutional failures which concern 23 this investigation brought about a state of enduring 24 limbo.</p> <p>25 My clients, therefore, urge that the inquiry reopens</p> <p style="text-align: center;">Page 51</p>	<p>1 the barriers to disclosure issue, as it said it would do 2 in the Nottinghamshire Councils Inquiry report. My 3 clients ask that this inquiry makes firm recommendations 4 in this report at this investigation for the urgent 5 implementation of a code of conduct in respect of 6 barriers to abuse. Such a code of conduct would ensure 7 that alleged perpetrators of child sexual abuse are 8 detected and brought to trial quickly. It will reduce 9 the trauma of children who carry the wounds of their 10 abuse throughout their lives and it will guard against 11 a scenario in which sophisticated and manipulative 12 paedophiles are left free to continue to abuse children 13 over decades, undetected and unabated.</p> <p>14 Chair, finally, this investigation is unique because 15 the family of the alleged perpetrator also appear before 16 you as core participants. It is right to say that the 17 introduction of the code of conduct in relation to 18 barriers to abuse will ensure that, through the criminal 19 justice process, the families of those accused of crimes 20 against children in the future will achieve a form of 21 closure as well. Chair, thank you.</p> <p>22 THE CHAIR: Thank you, Mr Jacobs. Mr Brown? 23 Opening statement by MR BROWN 24 MR BROWN: Chair and panel members, on behalf of the Crown 25 Prosecution Service, I wish to just go, in respect of</p> <p style="text-align: center;">Page 52</p>

<p>1 three areas, to the scope of this particular strand of 2 your inquiry as relevant to the CPS. The first is this, 3 I quote: 4 "The adequacy and propriety of prosecutorial 5 decisions." 6 We do not believe that there is any evidence or 7 issue as to whether the CPS, or any individual in the 8 CPS, acted improperly. We respect the evidence from the 9 lawyers themselves on occasions who will show that they 10 acted honestly, and made the judgment calls honestly, to 11 the best of their ability. We submit that any notion 12 that a CPS lawyer acted improperly or somehow did not 13 want to prosecute, if the evidence allowed him or her to 14 do so, is misplaced and, indeed, unfair on that lawyer 15 and the CPS as an institution, we believe. 16 Secondly, scope, again. Whether the Labour 17 politician's public prominence led to deferential 18 treatment from the CPS. I should remind everybody that 19 the role of the CPS is to make decisions in respect of 20 charging. Otherwise, its role is an advisory one only. 21 We do not believe there is any evidence of any undue 22 influence upon the decision makers, either directly or 23 indirectly, or subconsciously, as a result of the public 24 prominence or profile of Lord Janner. 25 Thirdly, we believe the issue as relevant to the CPS</p> <p style="text-align: center;">Page 53</p>	<p>1 will be whether, at the time, any prosecutorial decision 2 at the time it was made was adequate or not in all the 3 complex circumstances present at the time, and, 4 ultimately, that will be for you and your panel wherever 5 your and the public sympathies may lie. 6 In this respect, there may be two routes to your 7 approach. Firstly, were the decisions arguably adequate 8 by the standards and policies at the time, applying the 9 law as it was at the time and with the evidence that 10 they had at that time? And a second route to your 11 approach available to you, it will be a matter for you 12 which you take: were they arguably adequate by today's 13 standards and applying today's policies and law with the 14 evidence that existed in 2015? 15 I remind you of the chronological context, 16 therefore. There was a different period under 17 investigation and a CPS decision. 2002, the file, 18 I remind you, was not sent to the CPS. 2007, the 19 investigation and the CPS decision. 2015, then, 20 Operation Enamel. The CPS public pronouncement, wrong, 21 and the DPP then, as she confirmed on the BBC, that the 22 CPS position was that there were mistakes in the 23 investigation in a different period under investigation 24 and in 2007, and, as she said, the CPS decisions were 25 wrong. That was a pronouncement made in April 2015.</p> <p style="text-align: center;">Page 54</p>
<p>1 Thereafter, Sir Richard Henriques' review was 2 commissioned by the CPS, and, thus, the order in 2015 is 3 this: the CPS pronouncement, the Director of Public 4 Prosecutions on the BBC and then Sir Richard's review 5 commissioned. It follows that the CPS had made its 6 decision, therefore, before Sir Richard had made his 7 findings. 8 Sir Richard Henriques' conclusions were accepted by 9 the CPS, but, perhaps more importantly for your 10 purposes, we respectfully submit, is that his 11 recommendations were implemented. It was by that 12 implementation that change and improvement was achieved, 13 and we submit that an examination of that may be the 14 more productive exercise, as we respectfully submit, not 15 least because you may be confronted, we understand, by 16 evidence from some witnesses who do not agree with all 17 of Sir Richard Henriques' findings in 2016. 18 This approach is also consistent with your 19 determination on the topic of Operation Enamel in 2015 20 and the reasons for it. The fact of Operation Enamel 21 and its position in the chronology may be the likely 22 extent of the need to delve. But the reality is that 23 2015 had the advantage of seeing the whole picture as at 24 2015. This was impossible in the investigations during 25 different periods under examination and in 2007 too.</p> <p style="text-align: center;">Page 55</p>	<p>1 We also, therefore, with respect, caution against 2 coming to definitive views on an ex post facto 3 examination of what the contentious evidence was at any 4 one time. It is a very difficult task on an inevitably 5 incomplete picture. For example, the codes and guidance 6 at the time of the investigations during the different 7 periods under examination where, for example, the 8 credibility of a complainant was then an issue properly 9 to be considered. You have heard evidence in this 10 respect in other earlier strands. 11 In 2015, the reviewing lawyer who concluded that 12 there was a realistic prospect judged all of 13 the evidence on an overall approach with guidance then 14 in place from the 2013 CPS guidance and, therefore, in 15 a different light, as you will hear. 16 However, and importantly, you and the panel and all 17 those listening should know that the CPS does not, and 18 will not, go behind the announcements of 2015. But what 19 is plain and flows from what I have said is that these 20 are all individual judgment calls honestly made by 21 dedicated lawyers on the material before that lawyer. 22 They were then judgment calls and they are today. 23 As we understand it, those who made some of 24 the judgment calls stand by them, honestly, we submit, 25 of course. It illustrates the point, we submit, that</p> <p style="text-align: center;">Page 56</p>

1 two different and able lawyers can come to different
 2 individual conclusions.
 3 The CPS have today strengthened the foundations of
 4 those judgments by, for example, the dedicated Rape and
 5 Serious Sexual Offences Units, the guidance, the
 6 policies, the training, our learning, et cetera,
 7 et cetera, et cetera, as you have heard, and as you will
 8 hear again.
 9 And the CPS is also different today, just as society
 10 is. In addition, again, as you have heard already, the
 11 criminal justice system is able to assist and
 12 accommodate vulnerable witnesses and victims just in
 13 a much more satisfactory and sympathetically laid way.
 14 Further, the legal landscape, as you know, that each
 15 lawyer has to navigate has moved on significantly. You
 16 may recall that judges' warnings on acting on the
 17 uncorroborated evidence of certain witnesses in sexual
 18 cases were still in place for many years, however
 19 extraordinary it may seem today, in 2020.
 20 There may well be questions raised as to the
 21 adequacy, for example, of the Crown Prosecution Service
 22 procedures then in place. For example, for referring
 23 such cases as that of Lord Janner to the CPS HQ or the
 24 relevant department today. Those shortcomings, if you
 25 find that they were, just as the nature and content of

Page 57

1 regret for the abuse suffered by any children in its
 2 care, particularly its children's homes.
 3 The LCC recognises that each child has a name and
 4 a background and will have endured suffering, individual
 5 suffering, as a result of the abuse they went through.
 6 Much of this abuse has been public knowledge since the
 7 trial of Frank Beck and his associates in 1991. The
 8 long-term consequences of the abuse by Beck and others
 9 are now painfully clear from the evidence which the
 10 complainants have given in writing to the panel. The
 11 accounts they provide are devastating.
 12 The LCC is realistic about the limited value to
 13 complainants of an institutional apology, but it
 14 nevertheless offered it unreservedly and with sincere
 15 regret.
 16 On 30 September 2020, the leader of the council made
 17 a formal public apology in which he said this:
 18 "It is timely and important that we acknowledge the
 19 experience of those who have suffered abuse and that we
 20 recognise the courage it takes to step forward and
 21 recount historic events. It is also important that
 22 their voices are heard. From the outset, we pledged our
 23 full support to the inquiry and, since 2016, we have
 24 provided wide-ranging information to ensure that we have
 25 met the inquiry's expectations at every stage of

Page 59

1 the guidance documents, has been improved immeasurably,
 2 as you will hear, and so have such procedures been
 3 remedied and you will hear how such a case is dealt with
 4 today.
 5 Indeed, when you are looking at the dates involved
 6 in this strand, you may also wish to recall that the CPS
 7 was only created in 1986.
 8 Chair, those are our opening submissions, but, as
 9 Mr Altman and others have said, your findings will be
 10 subject to the whole of the evidence. Thank you for
 11 your attention.
 12 THE CHAIR: Thank you, Mr Brown. Mr Verdán?
 13 Opening statement by MR VERDAN
 14 MR VERDAN: Chair and panel, I, together with Ms King QC and
 15 Mr Edwards, represent Leicestershire County Council, the
 16 LCC. This strand of the inquiry has been a long time
 17 coming. The LCC welcomes this inquiry and, indeed, has
 18 been working closely with the inquiry team for over four
 19 years. The LCC has carried out extensive searches for
 20 documents and provided disclosure of tens of thousands
 21 of pages of evidence covering a 50-year period.
 22 The LCC recognises that the long wait for this
 23 strand to take place will have been agonising for the
 24 complainants. At the outset, it is important for me to
 25 acknowledge on behalf of the LCC the council's profound

Page 58

1 the process. We know that children and young people
 2 rely on us to keep them safe and this is a priority for
 3 us. We know that there have been failures in the past,
 4 and where the county council should have taken more
 5 action more quickly to prevent abuse, I am sorry this
 6 did not always happen."
 7 On behalf of the LCC I reiterate and endorse that
 8 apology in full. Children were let down and lives were
 9 ruined.
 10 The chronology of events makes clear that LCC took
 11 immediate steps following Beck's arrest to ensure that
 12 the kind of abuse which he perpetrated could never
 13 happen again. That was given further impetus by the
 14 Beck trial in 1991 and then the Kirkwood Inquiry in
 15 1992. The LCC has sought continually since that time to
 16 improve child protection practice in Leicestershire.
 17 This inquiry has given the LCC a further opportunity to
 18 reflect and improve. I will expand on this briefly in
 19 a moment, but it is important to note at the outset that
 20 children's social care in Leicestershire is now
 21 unrecognisable from the Frank Beck era. Children are
 22 now listened to in a way that would previously have been
 23 unthinkable and their voices are placed at the centre of
 24 everything we do.
 25 In respect of the evidence which the LCC has

Page 60

<p>1 provided to this inquiry, the LCC has disclosed to it 2 all documentation in its possession relevant to the 3 terms of reference and scope. We are confident that 4 IICSA has all the relevant documentation held by the 5 LCC. The LCC has also provided two witness statements 6 to this inquiry. The first is from Mr John Sinnott, the 7 current chief executive of the LCC. He is listed to 8 give evidence in week 2. He was appointed to his 9 current position in 1994 and so has limited personal 10 knowledge of the matters under investigation. He has, 11 however, given an overview of what the LCC, as an 12 organisation, knew at the time about the allegations 13 against Lord Janner and will be able to expand on this 14 in evidence. 15 The second statement is from Ms Jane Moore, the 16 current director of children's services. She gives an 17 overview of the current provision of children's services 18 in Leicestershire, how the voice of the child is now at 19 the forefront of the LCC's approach across the board, 20 but particularly in respect of allegations of child 21 sexual exploitation. We hope that this statement 22 assists in setting out the huge strides taken by 23 Leicestershire to protect its most vulnerable children. 24 The LCC understands that the panel will not be 25 making any findings of guilt or culpability against</p> <p style="text-align: center;">Page 61</p>	<p>1 Lord Janner. Instead, the focus of this strand is on 2 how allegations of abuse were dealt with at the time 3 they were made and thereafter by the LCC, the police, 4 the CPS, the Labour party and others. The LCC accepts, 5 and this has already been accepted by Mr Sinnott in his 6 statement, that the procedures for detecting and 7 responding to abuse in its residential care homes in the 8 1960s to the 1980s were inadequate. That much is also 9 clear from the Kirkwood Inquiry. 10 It was also accepted by the LCC at the time of that 11 inquiry and continues to be accepted. Beck was not 12 challenged. Reports of abuse were not followed up and 13 children were not heard. 14 The LCC also accepts with specific reference to this 15 strand that it did have knowledge at the time about 16 Lord Janner's association with a child who was 17 a resident in one of its care homes. A number of LCC 18 employees were concerned about the association and there 19 is evidence that they raised these concerns with senior 20 management. The LCC accepts that it failed to take 21 adequate steps in response to those concerns. 22 The LCC also provided documentation to the Kirkwood 23 Inquiry and cooperated fully with it. Though it appears 24 that Brian Waller and Elizabeth McCalla, the LCC lead 25 solicitor, discussed the shape of the intended inquiry,</p> <p style="text-align: center;">Page 62</p>
<p>1 ultimately the LCC played no role in setting its terms 2 of reference, in deciding which witnesses to call or in 3 drafting the final report. This would not have been 4 appropriate in any case, given that the LCC was the 5 principal institution under investigation. 6 The LCC was also not involved in any of the Kirkwood 7 Inquiry's decision making in respect of Lord Janner's 8 evidence, the documents he had access to, the questions 9 he was asked or his briefing to the press after his 10 evidence. These are matters for others to explain and 11 for this inquiry to investigate. 12 As already set out, the wholesale reform process 13 began prior to the Kirkwood Inquiry under the 14 stewardship of Brian Waller but was given new impetus by 15 the damning criticism contained in the Kirkwood Inquiry 16 Report. The LCC has always accepted the Kirkwood 17 Inquiry's findings and recommendations and took 18 immediate steps to implement them. 19 This inquiry will hear evidence in week 2 from 20 Brian Waller and Robert Parker, both of whom were 21 driving forces behind the reform process. They 22 established and participated in a working group which 23 met regularly to deal with immediate safeguarding issues 24 and address other issues arising from the abuse 25 perpetrated by Beck and those convicted alongside him.</p> <p style="text-align: center;">Page 63</p>	<p>1 The process of reform within children's services has 2 continued since that period and, as I said at the 3 outset, child protection in Leicestershire is now 4 unrecognisable from the period under investigation in 5 this strand. 6 The key points to note are these: there are no 7 longer any LCC-run care homes in Leicestershire. The 8 last home closed in April 2018. The small number of 9 residential placements are sourced through external 10 providers after a rigorous commissioning process. The 11 child's voice is at the centre of children's services 12 via the Children's Rights Service, one of the first in 13 the country when it was established by Robert Parker in 14 the 1990s, and now a fully formed service. Secondly, 15 a voice and influence strategy. And, thirdly, a youth 16 council which brings young people and decision makers 17 together to discuss local and national issues and 18 day-to-day social work practice. There is also an 19 independent visitor's scheme for children in care 20 through which all participants who may have access to 21 children are strictly assessed and vetted in accordance 22 with statutory requirements. 23 The LCC are now rated "good" by Ofsted for the 24 experiences of children in care and the LCC continue to 25 seek to make improvements across the board in line with</p> <p style="text-align: center;">Page 64</p>

<p>1 Ofsted's recommendations. The detail of these and other 2 reforms is set out in Ms Moore's statement. 3 Drawing all of this together, the level of access 4 which Lord Janner had to care homes in Leicestershire 5 would simply not be possible now. The LCC has made 6 significant changes in response to growing national 7 awareness of child sexual abuse, exploitation and 8 grooming. These changes are now embedded in social work 9 practice. The way in which the concerns about 10 Lord Janner would be dealt with today would be wholly 11 different. The LCC nevertheless welcomes the 12 opportunity which this strand provides to better 13 understand institutional responses to allegations of 14 abuse. 15 The LCC continues to strive to improve child 16 protection in the county and to protect the most 17 vulnerable children in our community. Chair, panel, 18 thank you. 19 THE CHAIR: Thank you, Mr Verdan. Ms Leek? 20 Opening statement by MS LEEK 21 MS LEEK: Chair and panel, in this investigation I appear on 22 behalf of the Chief Constable of Leicestershire, 23 together with Alice Meredith. Chair, the chief 24 constable's position is that Leicestershire Police's 25 role as a force in this part of your investigation is</p> <p style="text-align: center;">Page 65</p>	<p>1 primarily to assist the inquiry. 2 Many thousands of documents have been provided 3 together with a comprehensive and meticulously detailed 4 chronological account of the previous 5 Leicestershire Police investigations into Lord Janner. 6 You have also been provided with various reports, 7 including those of Sir Richard Henriques and the IOPC, 8 into aspects of the previous investigations. The 9 further examination of this period will not only enable 10 further lessons to be learned by the various 11 institutions directly involved, including 12 Leicestershire Police, the Crown Prosecution Service, 13 Leicestershire County Council and the Labour Party, but 14 the hearing will also be shared more widely and so will 15 the learning. 16 The chief constable's hope is that these hearings 17 will have a positive and long-lasting impact on child 18 protection and the protection and prosecution of child 19 sexual abuse nationally. Leicestershire Police does not 20 propose to comment upon the guilt or otherwise of 21 Lord Janner, nor upon whether there were failings by any 22 specific officers who were in post at the material 23 times. 24 Operation Enamel. Chair, in late 2012, 25 Leicestershire Police received a letter from a member of</p> <p style="text-align: center;">Page 66</p>
<p>1 the public about allegations of child sexual abuse 2 against Lord Janner. A Gold Group meeting was convened 3 and it was determined that an initial review should be 4 conducted of the investigations and evidence to date. 5 Following that initial review, Leicestershire Police 6 determined that a fuller investigation was required into 7 allegations against Lord Janner and Operation Enamel was 8 launched. 9 Operation Enamel was a comprehensive and thorough 10 investigation into all allegations made against 11 Lord Janner. The investigation was treated as a high 12 priority for the force. It was overseen at Gold Group 13 level with Assistant Chief Constable Roger Bannister, 14 who later became deputy chief constable, as Gold 15 Commander. Detailed terms of reference were set and the 16 Leicestershire Police team worked in close conjunction 17 with the Crown Prosecution Service from an early stage, 18 seeking advice on an ongoing basis. 19 The chief constable ensured that Operation Enamel 20 was well resourced from the outset. Detective 21 Superintendent Matt Hewson, a highly experienced 22 detective, was appointed as senior investigating 23 officer. Expert officers and staff were dedicated to 24 the investigation. The operation was case managed using 25 the HOLMES system, an information technology system for</p> <p style="text-align: center;">Page 67</p>	<p>1 major crime enquiries, with which you and the panel are 2 now more than familiar. 3 As well as progressing the criminal investigation, 4 officers and staff, trained in sensitive work with 5 victims, undertook safeguarding assessments and provided 6 complainants with support through trained victim liaison 7 officers and together with external agencies. 8 To give an idea of the scale and scope of 9 the investigation, during Operation Enamel, 8,277 10 documents were registered on the HOLMES system and over 11 1,000 exhibits were examined. More than 3,600 actions 12 for investigation were raised and a total of 795 witness 13 statements were taken. Forty complainants made 14 allegations of abuse against Lord Janner, said to have 15 taken place at a number of different locations, 16 including four children's homes, over a number of years. 17 In late 2014/early 2015, CPS counsel provided 18 pre-charge advice, recommending that charges be brought 19 in relation to nine complainants. In early 2015, 20 Leicestershire Police provided material to the DPP for 21 charging decisions in relation to those nine 22 complainants and, in April 2015, the DPP determined that 23 no charges would be authorised. 24 She concluded that, although the evidential 25 threshold for charge had been met, it was not in the</p> <p style="text-align: center;">Page 68</p>

<p>1 public interest to prosecute Lord Janner, since he would 2 be unfit to stand trial. Six complainants made 3 representations through the Victims' Right to Review 4 process. Leicestershire Police publicly expressed 5 disappointment with the decision and supported the 6 complainants' challenges and prepared a pre-action 7 protocol letter in anticipation of challenging the DPP's 8 decision by way of judicial review. This was ultimately 9 unnecessary as the Victims' Right to Review challenge 10 was successful and the decision of the DPP was reversed.</p> <p>11 Operation Enamel resulted in 22 charges being 12 brought against Lord Janner in relation to allegations 13 made by these nine complainants. In addition, 14 a voluntary bill of indictment was submitted 15 in October 2015 concerning 12 further allegations from 16 three separate complainants. The trial was due to start 17 on 22 February 2016. However, following Lord Janner's 18 death in December 2015, the charges against him were 19 formally discontinued by the CPS.</p> <p>20 Chair, at the time of Lord Janner's death, a number 21 of allegations made during the preparation for the 22 prosecution in relation to the first 12 complainants 23 remained under investigation. Following his death, 24 further allegations of historic abuse were reported to 25 Leicestershire Police, who have continued to speak to</p> <p style="text-align: center;">Page 69</p>	<p>1 complainants and establish the details surrounding their 2 allegations. It should be emphasised that none of these 3 complaints has been adjudicated upon in any forum.</p> <p>4 As you have already heard from counsel to the 5 inquiry, prior to Operation Enamel, 6 Leicestershire Police had undertaken previous 7 investigations relevant to this inquiry and its terms of 8 reference. These included Operation Magnolia in 2000 to 9 2002 and Operation Dauntless in 2006 to 2007. As you 10 have heard, none of the allegations made during the 11 previous investigations resulted in the Crown 12 Prosecution Service bringing criminal proceedings 13 against Lord Janner.</p> <p>14 Referrals to the IOPC. During the course of 15 Operation Enamel, the investigation team reviewed a vast 16 quantity of material from the previous investigations. 17 Although the Operation Enamel team was not specifically 18 tasked with assessing the quality or effectiveness of 19 the earlier investigations, it kept under review the 20 possibility of breaches of the police standards of 21 professional behaviour. Where Operation Enamel 22 identified conduct which they considered may have fallen 23 below the standards of professional behaviour, they took 24 appropriate action pursuant to schedule 2 of the Police 25 Conduct Regulations 2012. The team referred such</p> <p style="text-align: center;">Page 70</p>
<p>1 conduct to the IPCC, as it was then known, in order to 2 ensure that any issues arising from the previous 3 investigations were independently examined in order to 4 maintain public confidence in the system. Operation 5 Enamel did not itself make findings or reach conclusions 6 on these issues.</p> <p>7 The IOPC undertook its own extensive investigation 8 into these matters, known as Operation Nori, which 9 concluded with the publication of a report on 10 9 August 2019 and about which you will hear over the 11 next three weeks.</p> <p>12 Chair, the chief constable deeply regrets that 13 allegations made to Leicestershire Police during 14 previous investigations were not investigated or 15 progressed as fully as they could, and should, have 16 been. Regrettably, due to the fact that Lord Janner 17 died before the trial, the complainants, some of whom 18 are core participants here, have not had the opportunity 19 to have their allegations heard at a criminal trial, and 20 because of the sensitivity of these matters, much of 21 the evidence at these inquiry hearings will now be 22 considered in private. The chief constable recognises 23 how disappointed many complainants are that they have 24 not been able to give their evidence publicly at any 25 point. Many complainants were children in the care of</p> <p style="text-align: center;">Page 71</p>	<p>1 state institutions when the incidents they disclosed 2 occurred. They would already have felt deeply let down 3 by the failure of those to protect them and keep them 4 safe at a time when they were at their most vulnerable. 5 Undoubtedly, they have also had to surmount significant 6 emotional hurdles in disclosing the abuse. The chief 7 constable commends the courage of the complainants who 8 have disclosed and spoken about their experiences. The 9 panel is only too aware that the consequences of child 10 sexual abuse are complex and long lasting.</p> <p>11 The chief constable would like to reiterate his 12 wholehearted apology on behalf of Leicestershire Police 13 to any complainant whose allegations during earlier 14 police investigations were not responded to as they 15 should have been by police and other institutions. He 16 recognises that failings in institutional responses may 17 have prolonged or added to their suffering and is truly 18 sorry for this.</p> <p>19 Chair, the chief constable hopes that this inquiry 20 will enable the inquiry and institutions to identify 21 changes required, not only to ensure that children are 22 better protected in the first instance, but also to 23 ensure that allegations are taken seriously and 24 progressed appropriately when made.</p> <p>25 As will be apparent from the evidence of</p> <p style="text-align: center;">Page 72</p>

<p>1 Matt Hewson, by the time Operation Enamel commenced, 2 there had already been significant changes in the 3 approach to the investigation and prosecution of 4 allegations of child sexual abuse. The chief constable 5 is determined to engage with any further learning not 6 only from this hearing, but from all of the hearings 7 conducted by the inquiry. He will share this learning 8 with his officers and incorporate it into 9 Leicestershire Police's practices moving forward. 10 Leicestershire Police continually work towards the 11 improvement of child protection systems to ensure 12 provision of a better service to every child, victim, 13 survivor or complainant in the future.</p> <p>14 Chair, the chief constable has asked me to address 15 directly those core participants who have come forward 16 in this case as complainants. He regrets that, due to 17 the current circumstances, his officers are not able to 18 be physically present at the hearing and are therefore 19 not available for complainants to speak to in person. 20 He wishes you to be aware that you should not hesitate 21 to contact Leicestershire Police directly if there is 22 any support or assistance that his officers may be able 23 to provide. Thank you, chair.</p> <p>24 MR ALTMAN: Chair, before we break for the lunch 25 adjournment, which I know will be any moment, can I just</p> <p style="text-align: center;">Page 73</p>	<p>1 ask two things to happen? First of all, please, can 2 I invite you to publish in full the two documents I put 3 up earlier during the open part of my opening 4 statement -- INQ00631 and INQ006312? Secondly, can 5 I simply correct for the record, and it was in error, 6 Mr Enright referred to Mr Hewson as being a CPS witness; 7 in fact, he is a police witness and was the SIO in 8 Operation Enamel. Thank you very much.</p> <p>9 THE CHAIR: Thank you, Mr Altman. I will do that. We will 10 hear the remaining opening statements after lunch and 11 return at 1.45 pm. 12 (12.50 pm) 13 (The short adjournment) 14 (1.45 pm)</p> <p>15 THE CHAIR: Good afternoon, everyone. We will now continue 16 with Ms Grey.</p> <p>17 Opening statement by MS GREY</p> <p>18 MS GREY: Good afternoon, chair. Good afternoon, members of 19 the panel. I am instructed by Edwards Duthie and 20 Shamash on behalf of the Labour Party. As we have said 21 to the panel on previous occasions, the Labour Party 22 very much welcomes the work of this inquiry in examining 23 the approach taken by various institutions, including 24 the political parties, to guard against the risk of 25 child sexual abuse.</p> <p style="text-align: center;">Page 74</p>
<p>1 Now, the Labour Party has developed clear 2 safeguarding policies and procedures that are now 3 implemented by a dedicated safeguarding unit, and in the 4 inquiry's recent investigation into Westminster 5 institutions, in which you, madam, will remember that 6 the Labour Party contributed as a core participant, 7 Professor June Thoburn provided the inquiry with expert 8 evidence in relation to specific institutions' 9 safeguarding policies. She noted that the 10 Labour Party's policies were a comprehensive set of 11 documents, providing overarching policies and detailed 12 guidance and procedures for national and local party 13 members and volunteers.</p> <p>14 She noted that it was clearly stated that work was 15 continuing and that policies will be regularly reviewed 16 and updated.</p> <p>17 Now, consistently with this understanding, her 18 understanding, madam, these policies are indeed subject 19 to annual review and the Labour Party has provided the 20 inquiry, for the purposes of this investigation, with 21 its current safeguarding policy, as approved by the 22 party's national executive committee earlier this year.</p> <p>23 In the case of the inquiry's current investigation 24 into the responses to allegations involving Lord Janner, 25 the Labour Party would expect its current policies and</p> <p style="text-align: center;">Page 75</p>	<p>1 procedures to provide a clear, robust and fair approach 2 for its members and officers to follow in any similar 3 circumstances today.</p> <p>4 But, madam, we will be listening very carefully to 5 see if there are any further lessons to be learnt from 6 your investigation over the next few weeks. Madam, 7 thank you.</p> <p>8 THE CHAIR: Thank you, Ms Grey. Mr Friedman?</p> <p>9 Opening statement by MR FRIEDMAN</p> <p>10 MR FRIEDMAN: Good afternoon, madam and panel. What I say 11 first are words prepared by Laura Janner-Klausner, 12 Greville Janner's youngest daughter.</p> <p>13 "We have listened carefully to all the serious 14 accusations. We believe as totally in our father's 15 innocence today as we always have, because we knew him 16 and we watched him living his life with total openness. 17 We believe that dad became a target because of his 18 determination to defend the suffering, his particular 19 public profile and being financially comfortable in his 20 later years.</p> <p>21 "Dad was unconventional. In his enthusiasm to help 22 people, he challenged the status quo. He saw helping 23 others in difficulty as his duty and was perhaps naive 24 as to how such kindness could be exploited. Radical 25 kindness and heartfelt compassion aren't weird or</p> <p style="text-align: center;">Page 76</p>

<p>1 sinister; they are just in short supply. His belief in 2 fighting injustice meant dad aligned himself with 3 victims. He prioritised his constituents in dealing 4 with their housing, immigration and disability issues. 5 He made legislation that protected lives, such as back 6 seat belts in cars and child safety tops on medicines. 7 Our parents made generosity the foundation stone of 8 their lives, guided by the Jewish commandment to feed 9 others and give hospitality. Often, those whom they 10 helped were in extreme difficulties and many of them 11 wanted to give evidence here. 12 "Most important is Lynn Manning, whose family were 13 our neighbours. In 1967, when Lynn was 12, her mother 14 died by suicide, followed, three years later, by her 15 father dying from a heart attack. At 15, Lynn arrived 16 at our home. Without telling mum and dad, Lynn's father 17 had named them as her guardians. Immediately, Lynn 18 moved in and she is now our sister. She asked for her 19 story to be told you now. Lynn texted me recently. 20 'it's so unfair, when all they did was be nice and kind. 21 Maybe the trouble is that these days people just don't 22 believe anyone could be so altruistic. Why do they look 23 at such acts of kindness with suspicion? They can't 24 believe that anyone could be that kind'. 25 "Dad was informal. He brought many different people</p> <p style="text-align: center;">Page 77</p>	<p>1 to constituency events. Endearingly, he signed his 2 letters 'Love, Greville' to nearly everyone: 3 politicians, archbishops, work associates and 4 constituents of all ages and stages. This 5 unconventional behaviour is partly rooted in his 6 experiences of the war. First, the trauma of being 7 evacuated across the Atlantic, split from his parents 8 for five years, and then witnessing the inhuman 9 aftermath of the Holocaust. He decided to make 10 a difference, a better world, particularly for young 11 people. 12 "His contact with survivors at the Bergen-Belsen 13 refugee camp inspired his commitment to those whose 14 lives had been ruined. 15 "Child abuse is despicable, hateful, sadistic and 16 coercive. Dad got annoyed with us sometimes, like any 17 parent, but he never, ever hit us, was never violent, 18 threatening or coercive. We do not recognise any of our 19 father's character in the depiction of these 20 complaints." 21 Panel, can I add, after five years of institutional 22 investigations, we have seen no evidence that any police 23 officer, prosecutor or public servant acted in bad faith 24 or set out to interfere with the administration of 25 justice. There is equally no evidence at all that</p> <p style="text-align: center;">Page 78</p>
<p>1 Lord Janner played any part in influencing any decisions 2 made about him and there is concession by these 3 complainants that they could not prove their case in 4 court, even to the lesser standard of proof, by virtue 5 of having withdrawn their civil claims. 6 We now know that, in 2015, those who criticised 7 earlier decisions not to prosecute did so in ignorance 8 of grave evidential problems that meant that these cases 9 would almost certainly have led to not guilty verdicts. 10 We also know that every decision that IICSA has 11 taken about this investigation, until very recently, has 12 been without the benefit of that crucial evidence. 13 Firstly, the inquiry knows that the specific period 14 and context in which Lord Janner is alleged to have 15 committed these offences was extensively investigated 16 over many years by police and independent inquiries and 17 through civil litigation against the LCC, all of which 18 did not remotely produce the nature of the allegations 19 that was levelled against him in the much later date. 20 We appreciate why you would be cautious before 21 disbelieving victims simply because they delay in making 22 complaints. But there was a particular context and 23 chronology that made the delay, in this instance, 24 suspicious. 25 Those earlier inquiries involved vulnerable adult</p> <p style="text-align: center;">Page 79</p>	<p>1 men being supported to make many complaints of sexual 2 abuse for the first time, which were listened to with 3 ground-breaking sensitivity and care, and many of them 4 took the opportunity to be heard about others, including 5 powerful others. They just did not speak against 6 Greville Janner, and that is why this is an exception to 7 what you have otherwise had identified to you as the 8 common theme of your work. 9 Our second point is that, as police and prosecutors 10 had suspected, Lord Janner was framed. At least one key 11 player in framing him was accused by police of improper 12 practices which led to judicial review proceedings. For 13 reasons that I cannot detail in the open hearing, the 14 court held the accusations about this man to be 15 reasonable. Another witness to that framing was a tried 16 and tested police informant. Both that judicial review 17 and the informant file were disregarded by those who 18 later made criticisms of the earlier decision makers. 19 Our final point for opening: there has been 20 a misrepresentation of evidence about Lord Janner's 21 association with a number of children's homes and with 22 a particular person associated with them. Those who 23 have more recently criticised previous operations were 24 misdirected that there was ample evidence to link 25 Lord Janner to people and places, when, in fact, such</p> <p style="text-align: center;">Page 80</p>

<p>1 evidence was weak and much of it has been withdrawn. 2 Panel, the objective account of why these complaints 3 were likely to fail in court has never been told. It is 4 not in the legal opinions that caused the criminal 5 proceedings to begin, nor the report of Sir Richard 6 Henriques, because those decision makers did not have 7 access to the evidence which undermined the credibility 8 of the allegations that you now have. This was never 9 the lost opportunity for justice it was misleadingly 10 proclaimed to be, and this inquiry can only be true to 11 its service of ensuring true justice for child abuse 12 victims in the future if it is prepared to bravely and 13 fairly now set the record straight.</p> <p>14 THE CHAIR: Thank you, Mr Friedman. Mr Daw? 15 Opening statement by MR DAW 16 MR DAW: Good afternoon, chair. Can I just indicate that 17 I will be making an opening statement on behalf of 18 Mr Creedon. Junior counsel, Mr Welch, will open on 19 behalf of Mr Thomas, our other client in these 20 proceedings. 21 On 29 November 1991, Frank Beck was sentenced to 22 five terms of life imprisonment for sexual and physical 23 assaults against more than 100 children who had been in 24 his care. Beck's conviction was achieved because of 25 the courage that so many of his victims showed in</p> <p style="text-align: center;">Page 81</p>	<p>1 providing evidence of the terrible abuse that they had 2 suffered at his hands over many years. 3 Beck's conviction was also the culmination of years 4 of investigative work by the police, a ground-breaking 5 investigation, much of which was, in effect, led by 6 Mr Creedon, who was then a detective sergeant in the 7 Leicestershire Constabulary. The Beck Enquiry covered 8 four children's homes over a 13-year period, involved 9 multiple defendants and hundreds of victims. Today, 10 such an investigation would be led by a dedicated senior 11 investigating officer with a major incident room and 12 a significant level of senior officer support. That was 13 not the case in 1990 and 1991. 14 Mr Creedon managed this investigation whilst still 15 employed on local CID supervisory duties and supporting 16 other force major investigations. 17 Beck's conviction should have been a watershed 18 moment. The trial and the Kirkwood Inquiry that 19 followed it revealed not just the scale of abuse that 20 had taken place in Leicestershire children's homes in 21 the 1970s, but a series of missed opportunities by both 22 the police and Social Services to have stopped Beck far 23 sooner than was the case. Beck's conviction should have 24 been the trigger by which society and the criminal 25 justice system said, "Enough is enough". It should have</p> <p style="text-align: center;">Page 82</p>
<p>1 led to a wholesale change in the way we view sexual 2 offences against children, the victims of such abuse and 3 those who offend against them, and also the systems in 4 place for the care of the most vulnerable members of 5 society. 6 The fact that, in 2014, 23 years after Beck was 7 convicted, it was considered necessary for this inquiry 8 to be established is testament to the fact that lessons 9 were not learnt a generation earlier. However, the 10 length of time between those two events only reinforces 11 the importance of the work that the inquiry has been 12 undertaking. 13 In recognition of this, Mr Creedon has done 14 everything he can to assist you and the IOPC 15 Operation Nori team to find answers in relation to the 16 Leicestershire Constabulary investigations into alleged 17 abuse by Greville Janner, and to learn meaningful 18 lessons for the future. 19 [Redacted], 20 Mr Creedon will continue to help the inquiry in its 21 important work to the best of his abilities. 22 By way of background, over the course of his career, 23 Mr Creedon investigated some of the most serious crimes 24 and served in some of the highest positions within UK 25 policing, including a decade as a chief constable. He</p> <p style="text-align: center;">Page 83</p>	<p>1 achieved such positions through hard work and conducting 2 himself with professionalism and integrity and gained 3 a national reputation as a skilled and fearless 4 investigator. Over the course of the inquiry, the panel 5 will hear testimony from those who worked with 6 Mr Creedon over a number of years. He commanded the 7 respect of his peers and colleagues because of his 8 dedication to protecting the vulnerable and bringing the 9 guilty to justice. He has spent his career taking on 10 difficult challenges and never shirking from pursuing 11 the truth in investigations regardless of where such 12 enquiries may have led him, without fear or favour to 13 those he was investigating. 14 Following the Beck trial, Mr Creedon continued to 15 work on a number of other high-profile and serious 16 investigations into child abuse. In his career as 17 a chief officer, he has led many national initiatives 18 and policy changes in policing regarding the 19 investigation of child sexual abuse. His career has 20 been dedicated to preventing the very type of 21 criminality that the inquiry has spent so many years 22 investigating. 23 Chair, I will be dealing [redacted] in closed 24 session after comments from counsel to the inquiry. So 25 I'm moving, for those following my written submissions,</p> <p style="text-align: center;">Page 84</p>

1 to paragraph 11, to continue in open session.
 2 Operations Magnolia and Dauntless. Mr Creedon's
 3 position in relation to his involvement in the Janner
 4 element of Operation Magnolia and his involvement in
 5 Operation Dauntless can be set out clearly and
 6 succinctly: he had no involvement in either. He was
 7 never told of allegations made against Janner and had no
 8 involvement in any of the associated decision making.
 9 Mr Creedon's alleged involvement in these investigations
 10 is based on pure speculation and guesswork. The inquiry
 11 will be aware of the dangers of placing any weight on
 12 speculation by individuals provided when they are asked
 13 to comment on matters many years after the event and
 14 providing opinions on what they consider others "must
 15 have known" or "must have done".
 16 Such conjecture is not the basis from which any
 17 sound or reasonable conclusion can be drawn. It is
 18 flimsy at best, unreliable, and, in this case, just
 19 plain wrong. Mr Creedon is confident that the inquiry
 20 will exercise considerably more judgment and skill when
 21 assessing such evidence than has been applied in the
 22 past, sadly, by Leicester Constabulary and the
 23 Independent Office for Police Conduct.
 24 Whilst not directly within the scope of the inquiry,
 25 the actions of those organisations to refer alleged

Page 85

1 MR ALTMAN: Chair, before we move on to Mr Welch, there is
 2 a legal issue which doesn't require you to stop the live
 3 stream, but it will require a restriction order over
 4 something Mr Daw said a little earlier. I'm not going
 5 to draw particular attention to it now but I can do so
 6 in closed session later.
 7 THE CHAIR: Thank you, Mr Altman. We will now proceed to
 8 Mr Welch.
 9 Opening statement by MR WELCH
 10 MR WELCH: Thank you, chair. This statement is made on
 11 behalf of retired Superintendent Christopher Thomas.
 12 Mr Thomas wishes to express his recognition for the
 13 importance of the work that has been undertaken by the
 14 Independent Inquiry into Child Sexual Abuse over the
 15 past six years. The sexual abuse of children, often
 16 committed by those charged with protecting them, is
 17 a stain on our society, of which we should all be
 18 ashamed.
 19 If the work undertaken by this inquiry means that
 20 even one child will be spared going through the trauma
 21 of sexual abuse, then the time and resources dedicated
 22 to the various strands of the inquiry's work will have
 23 been well spent.
 24 Mr Thomas also wants to pay tribute to the victims
 25 of child sexual abuse. As a former detective and an

Page 87

1 criminal behaviour and professional gross misconduct,
 2 severity assessments, lines of enquiry and delay have
 3 been quite extraordinary. They have caused untold harm
 4 to Mr Creedon over many years and jeopardised the
 5 evidence-gathering process feeding into the inquiry
 6 itself, in particular by raising allegations of
 7 criminality and misconduct with absolutely no proper
 8 basis, rather than treating Mr Creedon as a witness,
 9 which is exactly what he is. We trust that the inquiry
 10 will place particular emphasis on Mr Creedon's high
 11 level of co-operation from start to finish, despite,
 12 rather than because of, the actions of
 13 Leicestershire Police and the IOPC.
 14 Mr Creedon will assist this inquiry to the best of
 15 his ability. He is scheduled to provide evidence for
 16 more than a day. He expects that he will be questioned
 17 on a number of matters. Some of the answers he provides
 18 will not be to everyone's liking. He will be critical
 19 and damning of the actions of some individuals and
 20 certain institutions. Throughout his evidence, and in
 21 order to assist the inquiry, he will apply the same
 22 level of honesty, diligence and professionalism that
 23 have been the hallmarks of his career.
 24 Chair, those are the submissions I can make in open
 25 session.

Page 86

1 investigator, Mr Thomas knows that, in the vast majority
 2 of cases, the process of bringing an offender to justice
 3 begins with an individual having the courage to come
 4 forward and tell his or her story. Without this
 5 courage, offenders can continue to act with impunity and
 6 the number of victims grows ever larger.
 7 Mr Thomas dedicated his professional life in the
 8 police to protecting the innocent and the vulnerable.
 9 In recognition of the importance of the work that the
 10 inquiry is undertaking, and in order to make sure that
 11 the conclusions of the panel will assist in preventing
 12 child sexual abuse in the future and assist institutions
 13 in developing the best way to respond to allegations of
 14 child sexual abuse, Mr Thomas will do his utmost to
 15 assist the inquiry. He will approach his evidence in
 16 the spirit of honesty, openness and co-operation.
 17 Mr Thomas was the senior investigating officer in
 18 Operation Dauntless. At the time, he had achieved the
 19 rank of detective superintendent and had, until 2005,
 20 been the head of professional standards. He was an
 21 officer who was respected as a thorough and diligent
 22 investigator and a man of integrity and professionalism.
 23 This opening statement is not intended to provide
 24 a detailed analysis of the facts of Operation Dauntless.
 25 The panel will consider all of the evidence. However,

Page 88

<p>1 there are certain facts in relation to what 2 Operation Dauntless was and what Operation Dauntless was 3 not that it is pertinent to set out now. 4 Firstly, Operation Dauntless was a historical 5 investigation into allegations of abuse allegedly 6 committed at least 25 years earlier. Such historical 7 investigations are, by their very nature, difficult for 8 everyone involved and pose particular challenges to 9 investigators when it comes to obtaining supporting or 10 corroborative evidence of the allegations. They were 11 difficult investigations in 2006, and they remain 12 difficult now. 13 Secondly, Operation Dauntless was an investigation 14 into the allegations by JA-A8. Operation Dauntless was 15 not a review of the previous investigations. 16 Thirdly, Mr Thomas was, throughout 17 Operation Dauntless, seeking evidence to corroborate 18 JA-A8's complaint, and there were a number of efforts 19 made in this regard, from medical evidence, 20 Social Services records, and the details of other 21 complaints made against Lord Janner. 22 Whilst the requirement for a judge to provide 23 a corroboration warning to a jury might have been 24 abolished by the time of Operation Dauntless, evidence 25 to corroborate an allegation of a serious sexual offence</p> <p style="text-align: center;">Page 89</p>	<p>1 remained an important matter in the considerations of 2 investigators and prosecutors in 2006, particularly in 3 considering whether there might be a realistic prospect 4 of conviction in a case. 5 Fourthly, specific advice was sought from the Crown 6 Prosecution Service on whether there was sufficient 7 evidence to charge Lord Janner, whether there were any 8 further lines of investigation that might strengthen the 9 case, and whether the allegations from previous 10 investigations would support a prosecution. 11 In any investigation into an alleged criminal 12 offence, a degree of judgment will need to be applied by 13 the investigators. It would be wrong to think that 14 every line of investigation should be carried out. Even 15 if potential lines of investigation are identified, it 16 would be wrong to think that they should all be carried 17 out straight away. 18 Cases are built. Evidence is obtained. And the 19 strength of the case is continually assessed and 20 reassessed. Whether certain lines of investigation 21 should or should not be pursued is re-evaluated as the 22 investigation progresses. 23 During Operation Dauntless, Mr Thomas made judgments 24 in the investigation as to what lines of enquiry it was 25 reasonable to pursue. Some of those involved in</p> <p style="text-align: center;">Page 90</p>
<p>1 Operation Dauntless have expressed different views as to 2 the lines of investigation that should have been 3 pursued, both at the time and more recently. Others 4 involved in Operation Dauntless have expressed support 5 for those investigative decisions that were taken. 6 Whatever the merits of the differing views as to the 7 conduct of the investigation, as to one thing Mr Thomas 8 wishes to be clear: his decisions were based on his 9 professional judgment as a senior detective without fear 10 or favour. 11 We expect that principal amongst the investigative 12 decisions to be scrutinised will be the decision not to 13 arrest and interview Lord Janner in 2006 and 2007, nor 14 to search his property. The panel will hear evidence in 15 relation to that decision from a number of individuals. 16 We wish to make clear that, for Christopher Thomas, the 17 key question was not who the subject of the potential 18 arrest and search was, or their position in society, but 19 whether the arrest and search was justified and whether 20 it was likely to provide any positive result. 21 I would like to address you very briefly on the 22 question of hindsight. You will be hearing evidence on 23 events that occurred many years ago, and you now have 24 the benefit of hindsight. Any consideration of 25 the decisions made in Operation Dauntless has the</p> <p style="text-align: center;">Page 91</p>	<p>1 potential to be affected by what's happened in Operation 2 Enamel, around seven years later. We would urge you, 3 the panel, to exercise a degree of caution in this 4 regard. 5 Hindsight can cause the panel's judgment and 6 assessment to become skewed, to the extent that it leads 7 to hindsight bias or confirmation bias. It would be 8 wrong to consider that, simply because a line of 9 investigation led to a certain result in 2013, had the 10 investigation been undertaken in 2006 and 2007, it 11 would, or even probably would, have led to the same 12 result. 13 Christopher Thomas stands by his actions and 14 decisions made during Operation Dauntless. He sought to 15 carry out a thorough and fair investigation into the 16 allegations made by JA-A8. He did not rush to any 17 judgment in respect of the allegations, but treated them 18 as a professional investigator should: fairly and 19 objectively, seeking out only the truth, and acting in 20 a professional way, seeking advice and guidance 21 throughout. 22 Mr Thomas will try to assist the panel and other 23 core participants by explaining why he made certain 24 decisions and judgments as the SIO in Operation 25 Dauntless. He realises that some people will disagree</p> <p style="text-align: center;">Page 92</p>

1 with certain of his decisions, and he accepts that they
 2 are entitled to express those views. But in providing
 3 his explanation as to his own conduct, Mr Thomas will
 4 maintain that his judgments were made in good faith,
 5 with honesty and integrity, with the sole intention of
 6 conducting a professional, thorough and fair
 7 investigation into the serious allegations that had been
 8 made in accordance with his duty as a police officer.
 9 Thank you, chair.
 10 THE CHAIR: Thank you, Mr Welch.
 11 MR ALTMAN: Chair, before we go into closed session, I am
 12 going to invite those who are not making any opening
 13 statements, either in the open session or, indeed, as
 14 I understand it, during the closed session, so that they
 15 can introduce themselves to you, I am going to invite
 16 each in turn simply to say something such as "Good
 17 afternoon" and then their faces will appear on screen.
 18 The first of those, on behalf of the IOPC, is
 19 Mr Gerry Boyle.
 20 MR BOYLE: Good afternoon, chair and panel.
 21 THE CHAIR: Mr Boyle.
 22 MR ALTMAN: On behalf of the Home Office, Sian Reeves.
 23 MS REEVES: Good afternoon, chair and panel.
 24 THE CHAIR: Ms Reeves.
 25 MR ALTMAN: On behalf of the Department for Education,

Page 93

1 Galina Ward. I don't know if she is still with us or if
 2 she is on mute. But I am going to pass on for the
 3 moment.
 4 Mr Hynes, on behalf of Dr Butler.
 5 MR HYNES: Good afternoon, chair and panel.
 6 THE CHAIR: Mr Hynes.
 7 MR ALTMAN: Finally, on behalf of Mr Joyce, for today's
 8 purposes, Mr Gelsthorpe.
 9 MR GELSTHORPE: Good afternoon, chair and panel.
 10 THE CHAIR: Good afternoon, Mr Gelsthorpe.
 11 MR ALTMAN: If Ms Ward is with us, I will give it one more
 12 go, and if she isn't, I will move on. It doesn't appear
 13 so.
 14 Can I say, of course, Mr Perry is, himself,
 15 unrepresented, and, as I told you earlier, he is
 16 watching the proceedings through the viewing gallery.
 17 I didn't want to leave him out, but you can't see him
 18 because of where he is placed within the virtual
 19 hearing.
 20 Chair, that is all that's going to be said in open
 21 hearings for now. What I am going to invite you to do
 22 is to move from the open part of the hearing today into
 23 the closed session, when I shall commence my closed
 24 statement, followed by others who have chosen to do so.
 25 The hearing manager will move the session from the

Page 94

1 open hearing into the closed session. It could take
 2 a little time, so there may be a short wait, because he
 3 needs to confirm that the live feed has ended. So thank
 4 you very much, and that's what I would ask the hearing
 5 manager to do now. (Pause)
 6 (2.19 pm)
 7 (The hearing went into closed session)
 8
 9
 10
 11 Welcome and opening remarks by THE1
 12 CHAIR
 13 Opening statement by MR ALTMAN4
 14 Opening statement by MR STANAGE26
 15 Opening statement by MR CHAPMAN31
 16 Opening statement by MR ENRIGHT37
 17 Opening statement by MR JACOBS41
 18 Opening statement by MR BROWN52
 19 Opening statement by MR VERDAN58
 20 Opening statement by MS LEEK65
 21 Opening statement by MS GREY74
 22 Opening statement by MR FRIEDMAN76
 23 Opening statement by MR DAW81
 24 Opening statement by MR WELCH87
 25

Page 95

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A				
A11 16:15,18	18:16 38:16	23:10 31:25	advance 48:11	13:11,17 14:5,14
A41 17:9	39:18 41:11	33:16 36:25	advanced 43:5	14:23 15:5,13,22
abandon 29:24	42:12 44:15,18	41:13 46:9 88:5	advantage 55:23	16:8,25 17:16,22
abilities 83:21	46:19 47:2 49:10	acted 53:8,10,12	advice 14:3 16:12	18:11,19 19:20
ability 53:11 86:15	abuser 32:14	78:23	48:20 67:18	19:22 22:16
able 2:18 3:3 26:4	34:11 38:2 48:13	acting 31:13 57:16	68:18 90:5 92:20	23:17,19 24:11
36:23 38:22	50:23	92:19	advise 13:2	24:20,24 25:2,12
41:13 42:2 44:16	abusers 33:23	action 15:4 26:24	advised 14:7 43:2	25:14,22 26:1
49:18 50:14 51:2	48:18,21 50:25	26:25 37:12	advising 38:9	27:9 30:22 31:13
51:10 57:1,11	abuses 41:22	46:13,21 47:22	advisory 53:20	32:13 33:12
61:13 71:24	abusing 32:21	60:5 70:24	advocacy 50:8	34:13,23 35:1,17
73:17,22	accept 30:9,12	actions 45:13 50:2	Affinity 10:6 41:7	35:22 36:7,10
abolished 89:24	33:2,16,18	68:11 85:25	afraid 46:6	39:11,18 40:17
absence 26:3	accepted 33:7 55:8	86:12,19 92:13	aftermath 78:9	42:18 48:4 51:13
absolute 45:18	62:5,10,11 63:16	acts 8:2,3,8,13,19	afternoon 74:15	61:12,20 62:2
absolutely 86:7	accepts 62:4,14,20	8:21 48:24 77:23	74:18,18 76:10	65:13 67:1,7,10
abuse 1:7,12,25	93:1	actual 29:21	81:16 93:17,20	68:14 69:12,15
3:20 5:1,7,21	access 22:7 50:6,7	add 6:1 78:21	93:23 94:5,9,10	69:21,24 70:2,10
6:23 8:11,22,24	63:8 64:20 65:3	added 6:4 43:3	age 8:17 43:14	71:13,19 72:13
9:12 12:19,25	81:7	72:17	44:15 47:12	72:23 73:4 75:24
15:5 17:10 19:15	accessed 50:21	addition 5:25	age-appropriate	79:18 81:8 85:7
19:22 20:15	accessible 50:10	12:24 57:10	50:15	86:6 88:13 89:5
23:17,19 24:4	accommodate	69:13	aged 42:6 45:25	89:10,14 90:9
25:24 26:20	57:12	additional 6:2,3,12	agencies 24:15	92:16,17 93:7
28:18,21,23 29:6	accompanied	address 41:10	34:23 68:7	allege 41:11
29:14 30:22 31:8	32:15	63:24 73:14	agenda 4:9	alleged 5:7,20 8:2
31:10 32:1,11,25	account 26:4 35:8	91:21	ages 78:4	8:14,22 9:12
33:15 39:17,24	66:4 81:2	addressed 38:8	ago 91:23	13:14 15:21 16:6
40:4,18 41:14,18	accounts 13:7 25:4	addresses 2:5	agonising 58:23	16:24 17:15,16
42:3,10,16,16,21	25:19 26:7 48:14	addressing 2:15	agree 33:11 36:15	18:11 19:15 25:7
43:10,21,24 45:1	49:2 59:11	adduce 8:7	55:16	26:2 29:15 31:10
45:8,18 46:11,12	accredited 21:20	adduced 22:12,14	agreed 39:8	33:15,23 38:2
47:5,10,19,23	22:9	adequacy 53:4	ahead 4:19	39:20 40:24
48:4,16 49:12,22	accrued 39:24	57:21	air 46:3	41:22 52:7,15
49:23,25 50:16	accumulation	adequate 54:2,7	albeit 12:12 45:1	79:14 83:16 85:9
51:3,10 52:6,7,10	36:12	54:12 62:21	alcoholism 32:25	85:25 90:11
52:12,18 59:1,5,6	accurate 26:5	adjournment	alert 50:5	allegedly 32:21
59:8,19 60:5,12	accusations 38:12	73:25 74:13	Alex 10:12	89:5
62:2,7,12 63:24	76:14 80:14	adjudicated 70:3	Alexis 1:5	alleges 43:16
65:7,14 66:19	accused 27:18	administration	Alice 10:15 65:23	47:11
67:1 68:14 69:24	52:19 80:11	78:24	aligned 77:2	alleging 12:24
72:6,10 73:4	accusers 36:12	administrative	Alison 4:23	27:1
74:25 78:15 80:2	achieve 52:20	35:18 36:8	alive 29:21	allotment 44:20
81:11 82:1,19	achieved 55:12	admit 18:1,4	allegation 8:24	allow 21:5 26:7
83:2,17 84:16,19	81:24 84:1 88:18	admitted 45:24	17:1 20:15 89:25	allowed 28:17
87:14,15,21,25	acknowledge 42:1	adopted 22:25	allegations 1:12	53:13
88:12,14 89:5	58:25 59:18	adult 42:24 50:7	4:25 5:17,21 6:3	allows 7:25
abused 13:1,15,18	acquired 47:1	79:25	6:4,9,15,22,23	alongside 63:25
	act 3:16 20:17,23	adulthood 49:10	9:7 11:14 13:5	Altman 4:1,19,20

4:21 26:14 32:5 39:14 58:9 73:24 74:9 87:1,7 93:11,22,25 94:7 94:11 95:12 altruistic 77:22 Alzheimer's 7:17 Amendment 3:15 20:17 23:10 ample 80:24 analysis 88:24 Andrew 25:1 anger 39:3 angry 38:15 43:6 announced 4:23 7:14 13:9 announcements 56:18 annoyed 78:16 annual 75:19 anonymity 4:18 18:11 20:16,16 21:2,3 answer 9:9 30:1 answers 83:15 86:17 anticipation 69:7 anybody 45:4 49:17 apathy 37:7 apologise 44:8 apology 45:22 46:24 59:13,17 60:8 72:12 app 50:22 appalling 40:16 apparent 5:20 72:25 apparently 36:13 appear 37:20 39:20 52:15 65:21 93:17 94:12 appeared 37:23 appears 62:23 application 37:24 37:25 applied 2:12 29:19 29:23 85:21	90:12 applies 20:23,24 apply 86:21 applying 54:8,13 appointed 11:19 61:8 67:22 appreciate 79:20 approach 54:7,11 55:18 56:13 61:19 73:3 74:23 76:1 88:15 approached 42:24 appropriate 22:11 26:24 63:4 70:24 appropriately 72:24 approved 75:21 April 7:13 17:18 54:25 64:8 68:22 archbishops 78:3 archives 25:1 area 41:12 areas 49:6 53:1 arguably 54:7,12 arisen 14:6 arises 23:18 arising 63:24 71:2 arrest 14:1 31:4 40:12 60:11 91:13,18,19 arrested 32:19 46:15 arresting 37:13 arrived 42:5 77:15 articles 24:19 ascended 32:24 ashamed 46:10 49:20 87:18 asked 38:10 41:21 41:25 44:21 63:9 73:14 77:18 85:12 asks 39:25 aspects 22:1 30:21 66:8 assault 5:18 6:9,15 16:8 17:16 18:13 32:13 33:4 assaults 8:3 25:7	81:23 assessed 64:21 90:19 assessing 70:18 85:21 assessment 34:14 92:6 assessments 68:5 86:2 assigned 35:17 assist 11:15 19:16 57:11 66:1 83:14 86:14,21 88:11 88:12,15 92:22 assistance 33:20 73:22 Assistant 67:13 assisted 9:19 47:24 assists 61:22 associated 80:22 85:8 associates 59:7 78:3 association 62:16 62:18 80:21 Atlantic 78:7 attack 38:9,12 77:15 attacked 28:14,19 38:3 attacks 39:2 attempt 29:5 35:19 attempted 6:9,16 8:3 attempts 28:10 34:24 attendance 9:21 11:8 12:12 attention 15:6 58:11 87:5 August 18:18 71:10 Austin 11:2 authorised 68:23 authorities 31:12 47:6 authority 46:3 automatically	34:13 available 4:16 25:21 34:2 54:11 73:19 average 49:11 avoid 2:16 30:2,4 32:19 36:23 avoided 33:18 37:13 avowed 35:11 aware 12:7 13:13 34:23 48:7 50:8 50:19 72:9 73:20 85:11 awareness 65:7 awkwardly 46:21	81:21 82:7,22 83:6 84:14 Beck's 42:13 46:5 60:11 81:24 82:3 82:17,23 Beeches 41:18 42:6,7,12,23 43:8 43:14,20,24 44:14,23 45:3,13 45:24 46:18 49:5 Beechwood 49:5 befriended 47:12 befriender 18:15 18:23 45:6 began 6:21 28:2 63:13 beginning 6:11 11:16 begins 88:3 behalf 1:10 10:1,3 10:4,6,16,19,22 10:24 11:2,5,9 15:8 37:25 41:10 52:24 58:25 60:7 65:22 72:12 74:20 81:17,19 87:11 93:18,22 93:25 94:4,7 behaviour 70:21 70:23 78:5 86:1 belief 34:13 77:1 believe 19:3 40:4 42:15 45:7,12 53:6,15,21,25 76:14,17 77:22 77:24 believed 18:6 20:5 31:1 41:14 43:25 45:11 46:25 48:18 49:15,16 believes 46:25 belt 40:4 belts 77:6 Ben 11:5 benefit 30:3 79:12 91:24 benignly 36:18 Bergen-Belsen 78:12
B				
			back 33:5 34:3 40:15 42:23 43:23 45:20 77:5 background 7:5 39:10 42:9 59:4 83:22 backgrounds 39:21 bad 78:23 Bannister 67:13 Baron 11:24 barrier 15:23 16:14 17:7,24 18:22 19:24 20:7 barriers 16:14 39:15 40:11,17 49:7,13 50:3,19 52:1,6,18 barrister 11:19 32:17,22 base 22:14 based 19:9 85:10 91:8 basis 38:1 67:18 85:16 86:8 BBC 54:21 55:4 bear 28:5 Beck 42:6,9 44:16 44:17,22 45:13 46:1,6 47:4 59:7 59:8 60:14,21 62:11 63:25	

<p>best 53:11 83:21 85:18 86:14 88:13 better 45:17 65:12 72:22 73:12 78:10 Betteridge 18:10 18:22 41:7 44:14 44:21,24 45:1,5 45:12,16,21 48:21 bias 92:7,7 biggest 51:2 bill 43:4 48:1 69:14 Bloggs 33:21 board 61:19 64:25 Born 11:17 borne 48:21 boy 34:8 Boyle 10:10 93:19 93:20,21 boys 25:7 Bradshaw 11:6 brat 45:8 Braunstone 1:13 4:24 11:1,24 42:14 brave 48:20 bravely 81:12 breach 2:16 breaches 3:15 70:20 breaching 23:10 break 4:5,6,8 31:19,21 73:24 Brian 4:1 62:24 63:14,20 brief 11:16 14:12 briefing 63:9 briefly 24:6 60:18 91:21 brilliant 47:16 bring 7:5 15:5 46:3 bringing 43:3 70:12 84:8 88:2 brings 64:16 broad 49:14</p>	<p>broadcast 2:6,8 3:10 12:10 broader 15:1 23:25 broken 28:23 brought 5:13 6:13 7:1,2 8:17 13:3 14:8 19:13 31:9 41:16 51:23 52:8 68:18 69:12 77:25 Brown 10:8 52:22 52:23,24 58:12 95:17 brutal 32:15 Bryan 45:18 buggery 5:18 6:9 6:10,15,16 8:3,4 17:1 18:13 32:14 33:4 built 90:18 burning 34:18 Butler 11:7 94:4</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>Cabinet 10:22 15:9 call 63:2 called 4:11 6:20 19:16 21:25 22:10 25:4 calling 44:2 calls 53:10 56:20 56:22,24 Cambridge 11:18 23:21 camp 78:13 campaign 28:7,13 capable 2:5 caption 15:19 car 18:14 46:16 Cardiff 11:17 care 2:15 13:15 15:2 16:20 17:9 17:10 21:4 28:15 32:13 38:11 39:22 40:25 41:18 42:5 45:8 47:8 48:15 50:13 50:18 51:7 59:2</p>	<p>60:20 62:7,17 64:7,19,24 65:4 71:25 80:3 81:24 83:4 career 11:17 32:22 83:22 84:9,16,19 86:23 carefully 25:5,12 39:14 76:4,13 carer 50:17 carers 50:5,14 Carey 9:20 carried 58:19 90:14,16 carry 52:9 92:15 cars 77:6 case 5:4 8:2,15 16:7,15 17:14,24 18:22 27:15,20 28:1 31:12 48:19 58:3 63:4 67:24 73:16 75:23 79:3 82:13,23 85:18 90:4,9,19 cases 15:24 34:4 37:11 40:22 41:20,21 57:18 57:23 79:8 88:2 90:18 categories 49:14 cause 36:22 92:5 caused 49:25 81:4 86:3 caution 56:1 92:3 cautious 79:20 cent 49:9 central 5:4 24:14 centre 60:23 64:11 century 33:5 certain 57:17 86:20 89:1 90:20 92:9,23 93:1 certainly 79:9 certainty 33:14 cetera 57:6,7,7 chair 1:4,5,6,22 4:21 5:12 7:5 9:5 9:16,18 12:2 20:10 22:13</p>	<p>26:10,14,16 27:11,24 29:12 31:18,23,25 35:2 37:16,17,19 41:3 41:5,23 44:3 48:5,7,14 49:2 51:1 52:14,21,22 52:24 58:8,12,14 65:17,19,21,23 66:24 69:20 71:12 72:19 73:14,23,24 74:9 74:15,18 76:8 81:14,16 84:23 86:24 87:1,7,10 93:9,10,11,20,21 93:23,24 94:5,6,9 94:10,20 95:11 challenge 69:9 challenged 62:12 76:22 challenges 69:6 84:10 89:8 challenging 69:7 change 4:12 55:12 83:1 changes 65:6,8 72:21 73:2 84:18 Chapman 10:3 31:23,24,25 37:17 95:14 character 29:2 78:19 charge 16:21 40:13 51:17 68:25 90:7 charged 16:13 32:19 51:12 87:16 charges 5:5,13 6:12 7:1,2 13:3 13:10 14:8,11 19:13 68:18,23 69:11,18 charging 40:22 53:20 68:21 chief 61:7 65:22,23 66:16 67:13,14 67:19 71:12,22</p>	<p>72:6,11,19 73:4 73:14 83:25 84:17 child 1:6,12 4:25 8:21 19:22 20:4 23:17 27:18 29:8 30:22 31:8 38:21 40:18,23 43:9 47:2,8,24 48:4,11 50:11,16 52:7 59:3 60:16 61:18 61:20 62:16 64:3 65:7,15 66:17,18 67:1 72:9 73:4 73:11,12 74:25 77:6 78:15 81:11 84:16,19 87:14 87:20,25 88:12 88:14 child's 64:11 children 1:25 2:1 12:19 15:4 24:3 32:13,22 39:16 40:3 41:14 45:3 46:4,4,5,8,16,17 48:8,15,16,19,22 48:25 50:4,6,11 50:15 51:4,8,19 52:9,12,20 59:1 60:1,8,21 61:23 62:13 64:19,21 64:24 65:17 71:25 72:21 81:23 83:2 87:15 children's 5:24 12:19,25 13:4 15:3 16:9,20 17:16 18:17 20:6 39:22 42:6,20 49:5 50:18 59:2 60:20 61:16,17 64:1,11,12 68:16 80:21 82:8,20 choose 48:24 chosen 94:24 Christopher 10:4 11:2,4 13:21,23 87:11 91:16 92:13</p>
--	--	--	--	---

chronological 15:13 54:15 66:4	code 7:8 52:5,6,17	company 46:1	concern 20:4 51:22	72:9
chronology 19:17 55:21 60:10 79:23	codes 56:5	compassion 76:25	concerned 12:5 62:18	consider 13:9 14:3 30:18 35:11,13 35:16,20,25 36:11,14 39:10 85:14 88:25 92:8
CID 82:15	coercive 78:16,18	compassionate 37:22	concerning 15:14 69:15	considerably 85:20
ciphered 37:21	colleagues 84:7	compensation 38:6,7	concerns 50:4 62:19,21 65:9	consideration 36:7 91:24
Ciphering 4:13	collective 36:19	complainant 2:11 4:17 9:23 10:2,5 10:6 13:14,17 15:14,21 16:7,9 17:4 19:11 20:4 20:14,20 34:7 40:23 41:23 48:1 56:8 72:13 73:13	concession 79:2	considerations 90:1
ciphers 2:12 9:25	colluding 45:16	complainant's 16:11,15 20:25	conclude 51:1	considered 1:19 8:5 14:21 24:6 24:14 25:5,12 34:4 39:12 56:9 70:22 71:22 83:7
circumstances 4:11 7:23 20:6 29:7 51:5 54:3 73:17 76:3	collusion 34:5	complainants 5:6 5:15,22,23,25 6:2 6:6 12:23 16:5 19:9,13 20:1 21:1,6 25:23 26:5,18 28:20 31:25 32:24 33:1 33:5,16,17 34:12 34:18 36:19,25 39:10 58:24 59:10,13 68:6,13 68:19,22 69:2,13 69:16,22 70:1 71:17,23,25 72:7 73:16,19 79:3	concluded 34:1 56:11 68:24 71:9	constable 65:22 67:13,14,19 71:12,22 72:7,11 72:19 73:4,14 83:25
civil 8:23 9:15 41:16,21 79:5,17	column 15:20 19:24 20:8	complaint 3:20 14:9 89:18	conclusion 35:6 85:17	constable's 65:24 66:16
claimed 38:6	combined 21:9	complaints 10:11 32:10 43:6 47:7 50:9,10,22,24 51:21 70:3 78:20 79:22 80:1 81:2 89:21	conclusively 51:15	constabulary 82:7 83:16 85:22
claims 41:16 44:18 79:5	come 35:3 44:13 57:1 73:15 88:3	complainant's 69:6	conduct 3:22 14:18,20 22:20 22:21 52:5,6,17 70:22,25 71:1 85:23 91:7 93:3	constituency 11:22 78:1
classroom 44:24	comes 89:9	complaints' 69:6	conducted 3:2 6:19 46:2 67:4 73:7	constituents 77:3 78:4
cleaning 46:5	comfortable 76:19	complaints' 69:6	conducting 1:18 84:1 93:6	constraint 35:18
clear 9:5 50:9 59:9 60:10 62:9 75:1 76:1 91:8,16	coming 39:17 43:1 56:2 58:17	complaints' 69:6	confided 46:12	constraints 30:20
clearly 31:12 75:14 85:5	commanded 84:6 67:15	complaints' 69:6	confidence 37:4 71:4	contact 34:7 73:21 78:12
cleric 40:25	Commander 67:15	complaints' 69:6	confident 61:3 85:19	contacted 16:9 17:17 18:17
client 38:4,22 39:17 47:15 81:19	commandment 77:8	complaints' 69:6	confidentiality 36:5	contained 14:5 19:6 63:15
clients 26:19,22 27:5,7 28:11,15 28:19,25 29:13 39:15 41:16,24 42:3 50:19 51:8 51:9,25 52:3	commence 14:9 94:23	complaints' 69:6	confirm 95:3	containing 13:7
clients' 51:2	commenced 12:18 13:15 73:1	complaints' 69:6	confirmation 92:7	contemporaneo... 19:21
close 28:11 33:6 67:16	commencement 6:18	complaints' 69:6	confirmed 54:21	content 57:25
closed 3:2,4,7,11 3:14 12:9 20:12 21:13,24 22:7 64:8 84:23 87:6 93:11,14 94:23 94:23 95:1,7	commends 72:7	complaints' 69:6	conflicts 29:22	contention 39:19
closely 58:18	comment 66:20 85:13	complaints' 69:6	confronted 55:15	contentious 56:3
closure 43:12 44:12 52:21	comments 84:24	complaints' 69:6	confused 13:21 16:17	contested 3:21
co-operation 86:11 88:16	commissioned 55:2,5	complaints' 69:6	confusion 20:3	
	commissioning 64:10	complaints' 69:6	conjecture 85:16	
	commit 8:13 46:8	complaints' 69:6	conjunction 67:16	
	commitment 78:13	complaints' 69:6	connected 24:21	
	committed 8:1,21 8:24 20:22 26:21 48:25 79:15 87:16 89:6	complaints' 69:6	conscious 3:19 31:4	
	committee 75:22	complaints' 69:6	consequence 21:12	
	common 15:11 23:18 80:8	complaints' 69:6	consequences 59:8	
	communication 39:23	complaints' 69:6		
	community 29:5 65:17	complaints' 69:6		

<p>context 5:3 19:17 23:19 30:19,21 54:15 79:14,22 continually 60:15 73:10 90:19 continue 9:16 39:7 52:12 64:24 74:15 83:20 85:1 88:5 continued 64:2 69:25 84:14 continues 43:10 62:11 65:15 continuing 75:15 contributed 75:6 convened 67:2 conversation 26:2 conveyor 40:3 convicted 32:14 34:11 63:25 83:7 conviction 7:10 14:8 50:24 81:24 82:3,17,23 90:4 cook 24:22 46:13 cooperated 62:23 core 1:17 2:9,11 3:21 9:3,23,23 10:2,5,7 12:10 15:14 19:11 21:17 22:8,18,22 24:11 25:10 26:12 41:10,23 52:16 71:18 73:15 75:6 92:23 corporate 28:16 correct 74:5 corroborate 89:17 89:25 corroboration 34:6 89:23 corroborative 89:10 corrupt 37:15 corruption 36:16 36:24 council 10:13 14:25 15:6 41:17 45:23 58:15 59:16 60:4 64:16</p>	<p>66:13 council's 58:25 Councils 49:3 52:2 Councils' 50:1 counsel 3:25 9:18 22:12,20,24 37:24 68:17 70:4 81:18 84:24 counselling 47:20 counsellor 47:20 count 44:16 country 20:14 42:8 64:13 counts 5:5,14,16 6:1,5,6,8 33:4 county 10:13 14:25 15:6 41:17 45:22 58:15 60:4 65:16 66:13 coupled 37:6 courage 59:20 72:7 81:25 88:3 88:5 course 12:23 13:16 13:25 21:23 24:2 28:13 29:9 37:12 39:5 42:2 47:18 56:25 70:14 83:22 84:4 94:14 court 5:4,5 6:2,7 8:16 27:8 33:25 41:20,21 79:4 80:14 81:3 covered 82:7 covering 2:12 58:21 covers 5:16 coverup 36:5,8 Coxhill 10:8 CPS 7:7 13:2,4 14:4,7,15,19 16:12 17:21 24:17 34:15 36:6 40:6,12 43:2 51:17 53:2,7,8,12 53:15,18,19,25 54:17,18,19,20 54:22,24 55:2,3,5 55:9 56:14,17</p>	<p>57:3,9,23 58:6 62:4 68:17 69:19 74:6 Crazy 44:2 created 11:23 40:11 58:7 credibility 56:8 81:7 credible 36:9 credit 45:19 Creedon 11:3 81:18 82:6,14 83:13,20,23 84:6 84:14 85:19 86:4 86:8,14 Creedon's 85:2,9 86:10 cricket 44:20 crime 68:1 crimes 52:19 83:23 criminal 5:4 6:18 7:6,24 8:9,11,15 8:17,20 9:14 14:10 27:13 28:23 39:24 47:1 52:18 57:11 68:3 70:12 71:19 81:4 82:24 86:1 90:11 criminality 32:25 84:21 86:7 critical 86:18 criticised 79:6 80:23 criticism 30:9,10 30:12 38:2 63:15 criticisms 80:18 cross-examination 8:7 Crown 7:6,8 10:9 13:4 14:4 26:23 52:24 57:21 66:12 67:17 70:11 90:5 crucial 27:12 79:12 CSA 50:20 culmination 6:19 82:3</p>	<p>culpability 61:25 culture 31:11,14 31:17 current 61:7,9,16 61:17 73:17 75:21,23,25 cuts 19:22</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>dad 76:17,21 77:2 77:16,25 78:16 daily 3:10 damning 63:15 86:19 dangerous 31:14 dangers 85:11 Daniel 28:3 38:3 38:17,18,20,24 Danny 10:24 dark 35:24 database 36:1 date 15:21,22 16:24 17:2 67:4 79:19 dated 49:6 dates 5:6,20 58:5 dating 33:5 daughter 76:12 daughters 9:2 Dauntless 13:12 13:16,25 36:11 37:3 70:9 85:2,5 88:18,24 89:2,2,4 89:13,14,17,24 90:23 91:1,4,25 92:14,25 Daw 11:2 81:14,15 81:16 87:4 95:22 day 2:3,24 4:4 23:9 28:4,4 86:16 day's 23:11 day-to-day 64:18 days 77:21 DC 37:2 deal 18:2 63:23 dealing 24:23 37:7 77:3 84:23 deals 50:1 dealt 14:22 49:7</p>	<p>58:3 62:2 65:10 death 6:14 8:17 17:23 18:21 27:7 33:6 69:18,20,23 death's 33:12 decade 83:25 decades 5:22 26:2 30:5 32:10,20 34:3 35:9 37:14 51:13 52:13 deceased 12:22 December 6:14 8:15 17:6 46:23 69:18 decide 6:3 33:20 decided 78:9 deciding 8:19 63:2 decision 7:19 14:1 14:9,15 30:10,13 31:4 35:4 39:7 53:22 54:1,17,19 55:6 63:7 64:16 69:5,8,10 79:10 80:18 81:6 85:8 91:12,15 decisions 9:9 24:17 29:21 30:5 30:7,14,18 40:22 53:5,19 54:7,24 68:21 79:1,7 91:5,8,12,25 92:14,24 93:1 dedicated 56:21 57:4 67:23 75:3 82:10 84:20 87:21 88:7 dedication 84:8 deeply 38:4 71:12 72:2 defend 30:5 76:18 defendant 7:24 8:1 8:6,13 27:21 defendants 82:9 deference 23:23 30:24 31:3,11,15 deferential 53:17 definitive 27:9 56:2 degree 90:12 92:3</p>
--	--	---	--	---

delay 2:9 23:18 79:21,23 86:2	55:19 76:18	disbelieved 48:22	door 33:13	easily 28:20
delayed 27:6 39:16	determinations 3:1	disbelieving 79:21	doubt 35:3,7	Education 10:18 93:25
delays 19:21 23:16	determine 8:1 9:12 25:11	disclose 42:16 48:20 49:10,11 49:18 51:3,10	DPP 4:22 7:13 13:9 54:21 68:20 68:22 69:10	Edward 10:8 11:6
deliberate 35:19 36:1	determined 67:3,6 68:22 73:5	disclosed 25:10 41:14 45:8 46:11 46:19 47:19 48:10,16 61:1 72:1,8	DPP's 69:7	Edwards 10:12,17 58:15 74:19
delve 55:22	detriment 31:9	disclosing 72:6	Dr 11:7 94:4	effect 17:5 82:5
demands 5:3	devastating 59:11	disclosure 15:22 15:23,24 16:12 16:15 17:2,5,7,20 17:24 18:22 19:25 20:7 39:15 47:21 49:8,13,24 50:3,19 51:19 52:1 58:20	draft 43:4 48:1	effective 34:25 50:10
demented 33:6	developed 47:15 75:1	disclosures 20:1 25:7,8 41:15 44:5 51:5	drafting 63:3	effectiveness 70:18
demonstrate 44:22	developing 88:13	discontinued 69:19	draw 40:19 87:5	effects 43:10
denied 9:1 26:1 27:6	deviant 32:16	discuss 64:17	drawer 36:3	efforts 25:2 89:18
department 10:18 10:20,23 15:1 57:24 93:25	died 6:8 8:16 17:6 27:5 43:5 71:17 77:14	discussed 62:25	Drawing 65:3	Egan 9:20
departments 24:15 34:22	difference 45:21 78:10	disease 7:17	drawn 85:17	egregious 34:19
depiction 78:19	different 16:2 32:12 36:3 51:18 54:16,23 55:25 56:6,15 57:1,1,9 65:11 68:15 77:25 91:1	dismissed 43:6 47:20	dressed 46:2	either 8:8 34:14 53:22 85:6 93:13
depression 43:13	differing 91:6	dismissive 19:1 45:9 47:7	drew 40:15	Eleanor 10:16
deprived 39:21	difficult 27:8 56:4 84:10 89:7,11,12	displaced 48:17	drink 28:22	elected 11:20
deputy 67:14	difficulties 51:4 77:10	displayed 23:6	driving 63:21	element 85:4
derived 19:7	difficulty 76:23	disputed 9:1	drove 44:19	eliminate 31:17
descended 32:24	dignified 3:23 37:22	disregarded 80:17	drug 32:25	Elizabeth 62:24
described 24:5	diligence 86:22	document 5:9 6:11 16:1	drugs 28:22	embarrassed 16:16 18:6 49:20
describes 29:5 40:1	diligent 88:21	documentary 22:4 34:6	Drusilla 1:9	embarrassment 20:3
describing 38:5	direct 31:3 35:2	documentation 61:2,4 62:22	due 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	embedded 65:8
designed 19:16 35:24	directed 33:24	documents 23:2,6 36:6 58:1,20 63:8 66:2 68:10 74:2 75:11	due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	emboldened 42:25
desire 30:6	directly 53:22 66:11 73:15,21 85:24	doing 14:16	due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	Emily 10:19
despicable 78:15	director 4:22 55:3 61:16	Dolphin 17:2 38:17	due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	emotional 72:6
despite 38:22 86:11	disability 77:4	domain 3:12 21:10	due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	emotions 48:17
detail 26:6 65:1 80:13	disadvantaged 40:23		due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	empathise 38:23
detailed 66:3 67:15 75:11 88:24	disagree 92:25		due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	empathy 39:3
details 40:6 70:1 89:20	disappointed 71:23		due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	emphasis 86:10
detected 52:8	disappointment 69:5		due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	emphasise 37:3
detecting 62:6			due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	emphasised 70:2
detective 12:21 13:20,22,22 67:20,22 82:6 87:25 88:19 91:9			due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	employed 82:15
deteriorated 44:7			due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	employees 14:24 62:18
determination 6:7 25:22 27:19			due to 13:23 21:23 29:8 43:25 44:4 47:9 49:19,22 69:16 71:16 73:16	enable 20:20 21:10 21:21 66:9 72:20

Endearingly 78:1	everyone's 86:18	example 18:8	28:10 38:17	47:11 48:6 52:15
ended 95:3	evidence 2:5,15,19	23:16 35:13	57:19 86:3	77:12
endorse 60:7	2:21 3:7,9,12	37:22 40:6 56:5	extreme 77:10	fantasists 38:5
endured 59:4	4:14 5:9 7:3,13	56:7 57:4,21,22	eyes 36:4	far 45:16 82:22
enduring 51:23	7:16,22 8:5,8	examples 15:18,25		father 9:4 33:10
energy 33:22	12:3,4,8,15,18	23:25	F	39:1 77:15,16
engage 73:5	13:24 14:24 15:3	exception 80:6	F54 37:20,21 38:6	father's 76:14
engineer 37:10	15:8 19:4,6,16	executive 61:7	38:9,18 39:2,4,25	78:19
England 1:24	20:11 21:9,12,14	75:22	40:2,5,10,18 41:6	Faults 25:1
enquiries 68:1	21:15,16,25 22:4	exercise 55:14	F54's 38:12 40:13	favour 84:12
84:12	22:6,11,12,14	85:20 92:3	face 13:10 38:19	91:10
enquiry 29:25	23:11,14,15,22	exert 34:25	38:20	fear 18:6 20:2
82:7 86:2 90:24	24:1,10,21,24	exhibits 68:11	faced 51:4	49:14 84:12 91:9
Enright 37:17,18	25:3,13,15,17,21	existed 54:14	faces 93:17	fearless 84:3
37:19 41:3,6	26:3,9,20 27:2	existing 48:23	facilitate 51:19	February 39:6
74:6 95:15	28:9 29:1,9,10	expand 60:18	fact 19:15 27:9	69:17
enshrined 20:16	30:13 31:2,7	61:13	34:8,10 55:20	feed 2:7,17 3:4
ensure 3:11 21:4	34:2,5,6,16 35:2	expect 75:25 91:11	71:16 74:7 80:25	77:8 95:3
27:15 52:6,18	40:10,19 41:24	expectations 59:25	83:6,8	feeding 86:5
59:24 60:11 71:2	42:1 45:15 48:7	expected 26:22	facto 56:2	feeds 20:9
72:21,23 73:11	49:1 53:6,8,13,21	expects 86:16	factor 31:15	feel 16:16
ensured 67:19	54:9,14 55:16	experience 59:19	facts 7:25 35:7	feeling 49:19,20
ensuring 50:11	56:3,9,13 57:17	experienced 39:16	88:24 89:1	feelings 20:2 38:10
81:11	58:10,21 59:9	46:11 67:21	fail 11:6 81:3	48:12
enthusiasm 76:21	60:25 61:8,14	experiences 28:24	failed 1:24 28:16	feels 43:6 48:2,5
entirety 19:23	62:19 63:8,10,19	64:24 72:8 78:6	40:17 45:20	felt 18:6 41:15
entitled 19:24	67:4 71:21,24	expert 67:23 75:7	62:20	42:25 47:5 49:18
20:15 93:2	72:25 75:8 77:11	explain 20:13	failing 51:17	72:2
entry 16:23 17:14	78:22,25 79:12	63:10	failings 40:16	fifth 1:14
18:9	80:20,24 81:1,7	explained 2:25	66:21 72:16	fighting 77:2
episodes 43:23	82:1 85:21 86:15	explaining 92:23	failure 35:19 36:6	figures 23:24
equally 78:25	86:20 88:15,25	explanation 35:15	41:17 72:3	file 14:4 17:21
era 60:21	89:10,17,19,24	93:3	failures 24:10	43:1 54:17 80:17
erected 40:14	90:7,18 91:14,22	explicit 33:19	25:14 51:16,22	final 2:3 15:7 63:3
error 30:3 36:8	evidence-gatheri...	36:16 46:9	60:3	80:19
74:5	86:5	exploitation 61:21	fair 25:22 34:14	finally 11:11 18:8
escape 27:16 30:15	evidential 7:10,15	65:7	76:1 92:15 93:6	33:3 36:3 40:15
establish 70:1	68:24 79:8	exploited 76:24	fairly 31:13 81:13	52:14 94:7
established 49:13	ex 56:2	express 87:12 93:2	92:18	financial 35:18
63:22 64:13 83:8	exactly 86:9	expressed 38:11	faith 78:23 93:4	financially 76:19
estate 11:1	examination 14:13	69:4 91:1,4	fall 49:13	find 18:2 57:25
et 57:6,7,7	27:11 28:8 55:13	extensive 35:8	fallen 70:22	83:15
ethnic 42:9	55:25 56:3,7	47:1 58:19 71:7	false 34:12	finding 19:15
evacuated 78:7	66:9	extensively 79:15	familiar 42:11	findings 8:20,23
Evans 1:8	examine 1:23	extent 1:23 29:10	68:2	27:9 41:22 42:3
event 85:13	examined 24:8,19	34:21 55:22 92:6	families 52:19	51:15 55:7,17
events 59:21 60:10	68:11 71:3	external 64:9 68:7	family 9:2 28:2,6	58:9 61:25 63:17
78:1 83:10 91:23	examining 25:19	extra 6:8	28:13 29:3 33:3	71:5
everybody 53:18	74:22	extraordinary	33:8 38:23,25	finish 86:11
			42:19 44:10	

firm 52:3	forum 70:3	94:16	34:21	happened 16:18
first 2:3 5:14 7:9	forward 39:17	gathered 7:14 22:5	Graham 12:22	18:1,7 19:15
16:3,5,9,25 17:17	43:1 44:13 59:20	Gelsthorpe 11:8	13:22	20:4 48:10 92:1
18:17 27:3 38:14	73:9,15 88:4	94:8,9,10	grateful 22:24	happening 28:3
44:19 53:2 61:6	foster 50:5,14,17	general 36:4	28:11	45:4 49:21
64:12 69:22	found 17:25 24:24	generation 83:9	grave 51:16 79:8	hard 18:1 37:15
72:22 74:1 76:11	25:16 30:23	generations 32:12	Greaney 11:9	38:25 84:1
78:6 80:2 93:18	foundation 77:7	generosity 77:7	great 2:14 38:11	harm 86:3
Firstly 54:7 79:13	foundations 57:3	genuine 35:18	greatest 45:19	Harrison 26:17
89:4	four 5:15 15:17	genuinely 47:15	Greene 10:15	hateful 78:15
five 29:23 78:8,21	24:8 29:20 41:15	Gerry 10:10 93:19	Greville 4:23	head 88:20
81:22	46:4 47:18 58:18	gist 19:7 26:8	29:15 32:1,6,11	heading 5:12
flat 17:1	68:16 82:8	gisting 41:8	32:18,22 34:1	heads 15:20 43:8
flimsy 85:18	Fourthly 90:5	give 13:23 25:17	43:17 45:25	health 7:16 44:1,4
flows 56:19	framed 80:10	26:19 41:23 61:8	76:12 80:6 83:17	44:6 48:23 49:24
focus 7:3 11:13,14	framing 80:11,15	68:8 71:24 77:9	Greville' 78:2	hear 3:25 7:3 12:3
14:14 62:1	Frank 1:9 37:19	77:11 94:11	Grey 10:16 74:16	12:8,15 14:24
focused 22:1 39:18	42:6 44:16 46:1	given 2:19 9:10	74:17,18 76:8	15:7 35:2 56:15
focuses 9:6	59:7 60:21 81:21	12:9 13:6 19:19	95:20	57:8 58:2,3
follow 23:5 76:2	Fraser 10:8	21:6,16 22:23	groom 48:8	63:19 71:10
followed 34:15	fraudulent 38:5	26:19 32:5 38:11	groomer 48:13	74:10 84:5 91:14
62:12 77:14	free 52:12	59:10 60:13,17	grooming 47:12	heard 2:5 12:6
82:19 94:24	frequently 28:4	61:11 63:4,14	49:21,22 65:8	20:11 21:12
following 3:6 5:9	45:25	gives 61:16	gross 18:13 86:1	22:16 23:15,22
24:22 49:14 50:2	fresh 36:10	giving 2:15 50:6	ground-breaking	24:1 27:5 28:17
60:11 67:5 69:17	Friedman 10:24	GJ's 17:23	80:3 82:4	31:2,6 41:6 49:2
69:23 84:14,25	76:8,9,10 81:14	go 4:19 15:16 18:8	group 24:18 36:19	56:9 57:7,10
follows 8:19 12:14	95:21	42:19,23 52:25	63:22 67:2,12	59:22 62:13 70:4
14:12 29:13	Friends 28:6	56:18 93:11	growing 65:6	70:10 71:19 80:4
37:14 55:5	frustrate 28:10	94:12	grows 88:6	hearing 1:11,14,18
fond 47:16	34:25 35:4	goes 50:11	guard 52:10 74:24	1:20 2:4,8,22 3:2
footage 24:23	full 29:10 59:23	going 5:8 11:13	guardians 77:17	3:7 4:1,9 5:2
force 35:9 36:24	60:8 74:2	12:15 15:15,17	guesswork 85:10	9:22 11:13,13
45:19 65:25	fuller 67:6	15:25 16:4 20:11	guidance 56:5,13	15:7 21:9,14
67:12 82:16	fully 46:12 62:23	34:3 87:4,20	56:14 57:5 58:1	23:12 24:2 27:23
force's 37:7	64:14 71:15	93:12,15 94:2,20	75:12 92:20	37:23 66:14 73:6
forced 46:8	further 2:18 6:1	94:21	guided 77:8	73:18 80:13
forces 63:21	16:1 26:3,7 34:4	Gold 67:2,12,14	guilt 9:14 61:25	91:22 94:19,22
forefront 61:19	57:14 60:13,17	good 1:5 33:10	66:20	94:25 95:1,4,7
forgive 9:24	66:9,10 69:15,24	35:15 37:19	guilty 49:20 79:9	hearings 1:15 3:9
form 27:13 39:12	73:5 76:5 90:8	64:23 74:15,18	84:9	13:24 21:9 24:6
44:12 52:20	future 2:2 24:4	74:18 76:10		24:13 26:9 66:16
formal 59:17	27:16 52:20	81:16 93:4,16,20	H	71:21 73:6 94:21
formally 22:12	73:13 81:12	93:23 94:5,9,10	half 33:5	heart 77:15
69:19	83:18 88:12	Gordon 10:1	hallmarks 86:23	heartfelt 76:25
formed 64:14	G	26:17	hand 43:7	held 1:14 61:4
former 5:23 14:24	gained 84:2	govern 22:19	handler 5:10 19:4	80:14
87:25	Galina 10:19 94:1	government 10:20	hands 82:2	help 24:2 76:21
Forty 68:13	gallery 11:12	10:23 24:15	happen 60:6,13	83:20
			74:1	

helped 77:10	homeless 17:9	ill 38:24 48:5	inability 37:5	37:14
helping 24:3 76:22	homes 5:24 12:19	illness 32:25	inaction 15:4	influence 34:25
helpline 50:20	12:25 13:4 15:3	illustrates 56:25	inadequate 62:8	40:24 53:22
Henriques 14:18	39:22 59:2 62:7	immeasurably	inadvertent 2:16	64:15
34:1 40:15 51:15	62:17 64:7 65:4	58:1	incident 16:16,19	influencing 79:1
66:7 81:6	68:16 80:21 82:8	immediate 2:18	82:11	influential 41:1
Henriques' 55:1,8	82:20	60:11 63:18,23	incidents 72:1	47:17
55:17	honestly 53:10,10	immediately 16:3	include 12:4 14:10	inform 24:2
hesitate 73:20	56:20,24	77:17	19:12 20:2 49:14	informal 77:25
Hewson 19:11	honesty 86:22	immigration 77:4	included 6:8 13:10	informant 80:16
40:5 67:21 73:1	88:16 93:5	impact 66:17	26:8 47:25 70:8	80:17
74:6	honours 23:22	imperfect 28:19	includes 3:18 15:3	information 50:16
high 6:2,7 28:6	hope 29:8 30:12	28:20	20:19	59:24 67:25
33:25 36:15	61:21 66:16	impetus 60:13	including 9:2	informed 13:5
41:20 67:11	hopes 43:11 72:19	63:14	10:21 28:6 35:22	24:12 25:23
86:10	horse 40:14	implement 63:18	38:4 66:7,11	inhuman 78:8
high-profile 32:9	hospitality 77:9	implementation	68:16 74:23 80:4	initial 67:3,5
84:15	hotels 24:18 34:9	52:5 55:12	83:25	initiatives 84:17
highest 83:24	house 11:25 23:21	implemented	incomplete 56:5	injustice 77:2
highlight 29:1	28:7 32:18,23	55:11 75:3	incorporate 73:8	Inn 24:18 47:13
highly 32:17 47:8	42:13 46:5	importance 29:12	incorrectly 2:19	innocence 9:14
47:23 67:21	household 47:10	31:1 83:11 87:13	increased 44:3	76:15
highly-sophistic...	Houses 17:17	88:9	increasingly 44:11	innocent 9:4 88:8
48:9	housing 77:4	important 12:13	indecenty 18:13	INQ00631 74:4
Hill 9:20	Howe 10:4 41:5	19:19 20:12 35:5	indecent 5:18 6:9	INQ006311 5:11
hindsight 30:3	HQ 57:23	39:5 44:11 58:24	6:15 8:3 16:8	INQ006311_005
91:22,24 92:5,7	huge 61:22	59:18,21 60:19	17:16 18:13	6:12
historic 4:25 23:19	humiliation 48:2	77:12 83:21 90:1	32:13 33:4	INQ006312 15:16
59:21 69:24	hundreds 82:9	importantly 15:23	independent 1:6	74:4
historical 89:4,6	hurdles 40:14 72:6	48:5 50:13,17	10:11 14:19	inquiries 22:20
historically 46:25	hut 44:23	55:9 56:16	36:12 50:8,20	79:16,25
hit 78:17	Hynes 11:5 94:4,5	impossible 30:8	64:19 79:16	inquiry 1:6,8,10
hobble 35:19	94:6	55:24	85:23 87:14	1:15,16,23 2:15
hold 38:24 43:23		imprisonment	independently	2:24 3:8,10,25
Holiday 24:18	I	81:22	71:3	9:19 15:12 17:3
47:13	idea 34:12 68:8	improper 29:23	indicate 19:14	20:9 21:3,19
HOLMES 36:1	identical 38:21	34:25 80:11	81:16	22:19,20,24
67:25 68:10	identification 21:6	improperly 53:8	indicated 20:10	23:12 24:8,14
Holocaust 78:9	21:11	53:12	indictment 27:1	25:6,9,25 27:8,22
home 10:21 16:9	identified 70:22	improve 60:16,18	43:4 48:1 69:14	28:1,3,4,11,17
16:20,20,21 17:9	80:7 90:15	65:15	indirectly 53:23	29:1 32:9 34:20
17:10,17 18:17	identify 20:21 24:9	improved 58:1	individual 15:24	35:3 39:9,25
19:2 20:7 34:9	72:20	improvement	53:7 56:20 57:2	40:19 42:2 43:11
40:25 41:19 42:6	identifying 9:24	55:12 73:11	59:4 88:3	44:10 48:7,15
42:7,8,19,20	identity 2:11 20:25	improvements	individuals 48:10	49:12 51:25 52:2
43:19 44:17	ignorance 35:11	64:25	85:12 86:19	52:3 53:2 58:16
45:13 46:1 49:5	79:7	impugn 29:3	91:15	58:17,18 59:23
49:5 64:8 77:16	ignorant 36:10	impunity 41:13	inevitably 56:4	60:14,17 61:1,6
93:22	ignore 15:19,19	88:5	inference 35:7	62:9,11,23,25
	IICSA 61:4 79:10			

63:11,13,15,19 66:1 70:5,7 71:21 72:19,20 73:7 74:22 75:7 75:20 79:13 81:10 82:18 83:7 83:11,20 84:4,21 84:24 85:10,19 85:24 86:5,9,14 86:21 87:14,19 88:10,15 inquiry's 3:5 4:15 15:11 19:23 20:23 23:8,16 24:3 25:11 59:25 63:7,17 75:4,23 87:22 inspired 78:13 instance 5:14 18:9 25:15 72:22 79:23 instances 25:15,23 institution 53:15 63:5 institutional 1:11 11:14 14:13 19:18 24:10 25:13,18 27:11 27:12 40:16,16 51:16,22 59:13 65:13 72:16 78:21 institutions 1:24 9:6 24:14 31:16 66:11 72:1,15,20 74:23 75:5 86:20 88:12 institutions' 75:8 instructed 10:15 26:16 41:5 74:19 instructions 32:1 38:1 insulated 31:8 insulted 28:4 insults 39:2 integrity 84:2 88:22 93:5 intelligence 34:22 intelligent 37:21	39:4 intend 4:7 5:1 intended 62:25 88:23 intention 93:5 interest 7:12,12,18 29:22 69:1 interests 10:22 interfere 78:24 internet 22:6 intervened 29:7 interview 14:1 16:10 40:11 91:13 interviewed 13:17 17:4,19 18:18 interviews 24:19 introduce 4:2 9:21 12:2 93:15 introduction 52:17 introductions 9:17 investigate 6:22 25:2 29:14 31:4 35:17 37:6 63:11 investigated 6:25 29:20 39:12 71:14 79:15 83:23 investigating 12:21 13:19 19:10 37:2 67:22 82:11 84:13,22 88:17 investigation 1:11 1:17 2:4,13 3:1,7 3:19 6:19 9:3,6,8 9:13,18,19 12:8 12:18 13:20 14:19 15:15 18:19 19:12 20:11 21:1,8,23 22:5,15 23:14,20 23:21 26:7 27:10 27:23 29:24 35:1 35:10,20 39:6,8 39:13 40:2,7,7,20 41:24 44:5 49:4 49:7 51:23 52:4 52:14 54:17,19	54:23,23 61:10 63:5 64:4 65:21 65:25 67:6,10,11 67:24 68:3,9,12 69:23 70:15 71:7 73:3 75:4,20,23 76:6 79:11 82:5 82:10,14 84:19 89:5,13 90:8,11 90:14,15,20,22 90:24 91:2,7 92:9,10,15 93:7 investigations 7:1 9:10 12:5 14:6 15:12 21:7 29:18 32:8 40:20 48:8 55:24 56:6 66:5 66:8 67:4 70:7 70:11,16,19 71:3 71:14 72:14 78:22 82:16 83:16 84:11,16 85:9 89:7,11,15 90:10 investigative 24:9 82:4 91:5,11 investigator 84:4 88:1,22 92:18 investigators 89:9 90:2,13 invite 5:9 21:19 26:11 74:2 93:12 93:15 94:21 invited 47:13 involved 58:5 63:6 66:11 79:25 82:8 89:8 90:25 91:4 involvement 85:3 85:4,6,8,9 involving 1:12 4:25 5:14 6:15 8:21 11:15 75:24 IOPC 10:10 14:20 66:7 70:14 71:7 83:14 86:13 93:18 IPCC 71:1 irrespective 20:24 isolation 49:19	issue 52:1 53:7,25 56:8 87:2 issues 63:23,24 64:17 71:2,6 77:4 Ivor 1:9 <hr/> J <hr/> JA-A11 16:6 JA-A19 13:6 JA-A19's 13:11 JA-A24 41:6 47:8 47:11,13,18,22 48:2,10,17 JA-A24's 47:22 JA-A41 16:23 37:21 JA-A6's 13:7 JA-A7 17:14 JA-A8 13:14 14:5 14:11 89:14 92:16 JA-A8's 14:9 89:18 Jacobs 10:4 41:3,4 41:5 52:22 95:16 James 11:8 Jane 61:15 Janner 1:13 4:23 4:24 5:2,13 6:8 6:13,23 7:22 8:16,21 9:2,7,10 10:25 11:1,15,16 11:24 12:5 13:1 13:6,10,18 14:2 14:10,14,23 15:14 16:13 17:6 22:17 24:11,20 24:24 25:3,8,24 26:22,24,25 27:3 27:4,13 28:2,3,6 28:13 29:3,5,8,11 29:15 30:14 31:13 32:1,6,11 32:18 33:7,18,21 34:1,7,8,10,24 35:5,8,14,17,23 35:25 36:2,6,7,10 36:15,21 37:2,13 38:3,17,20,23,24	39:18,20 40:8,11 40:13,18 41:11 41:12 42:11,13 42:14 43:5,17 44:10,17,18,19 44:21,25 45:14 45:25 46:2,6,8,9 46:20 47:4,5,10 47:12,16 48:3,6 51:12,17 53:24 57:23 61:13 62:1 65:4,10 66:5,21 67:2,7,11 68:14 69:1,12 70:13 71:16 75:24 79:1 79:14 80:6,10,25 83:17 85:3,7 89:21 90:7 91:13 Janner's 7:16 9:2 9:13 17:23 18:14 18:20 27:7 32:22 33:3 36:20 38:8 38:18 44:6 62:16 63:7 69:17,20 76:12 80:20 Janner-Klausner 10:25 76:11 January 37:23 Jay 1:5 jeopardised 86:4 Jewish 29:4 77:8 jigsaw 21:5,11 Joe 33:21 John 61:6 joined 28:7 journalists 24:21 Joyce 11:10 94:7 judge 6:3,7 33:25 89:22 judged 56:12 judges' 57:16 judgment 53:10 56:20,22,24 85:20 90:12 91:9 92:5,17 judgments 30:2 57:4 90:23 92:24 93:4 judicial 69:8 80:12
---	---	--	---	--

80:16	14:20 71:1,8	learnt 76:5 83:9	life 11:23 31:1	5:13 6:8,13,23
July 11:17 16:10	85:15	leave 42:20 94:17	47:23 48:3 76:16	7:16,22 8:16,21
17:4,21 39:8	knows 79:13 88:1	led 11:9 34:16	81:22 88:7	9:2,7,10,13 11:1
49:6		53:17 79:9 80:12	lifelong 20:16	11:15,16 12:5
jump 40:14	L	82:5,10 83:1	light 48:4 56:15	13:1,6,10,18 14:2
June 4:21 7:20	Labour 10:16 12:1	84:12,17 92:9,11	liking 86:18	14:10,14,23
75:7	15:8 34:21 53:16	Leek 10:14 65:19	limbo 51:24	15:14 16:13 17:6
Junior 81:18	62:4 66:13 74:20	65:20,21 95:19	limited 18:19 22:8	17:23 18:14,20
jury 8:5,12,18	74:21 75:1,6,10	left 52:12	32:3 35:16 59:12	22:17 24:11,20
89:23	75:19,25	legal 3:22 10:20,23	61:9	24:24 25:3,8,24
justice 27:6,6,12	lack 37:4 49:19	12:11 22:8 30:19	line 22:19 29:24	26:22,24,25 27:3
27:16 31:9 32:8	laid 57:13	57:14 81:4 87:2	64:25 90:14 92:8	27:4,7,13 28:2
34:17 52:19	lame 28:24	legislation 77:5	lines 22:23 86:2	29:5,8,11 30:14
57:11 78:25 81:9	landscape 57:14	Leicester 11:20,22	90:8,15,20,24	31:13 32:1 33:3
81:11 82:25 84:9	large 20:10	12:20 85:22	91:2	33:7,18,21 34:24
88:2	larger 88:6	Leicestershire	link 80:24	37:2,13 39:18,20
justification 30:8	lasting 72:10	6:20 10:13,14	linked 30:23	40:8,11,13,18
justified 30:11	late 1:13 4:24 5:7	12:17 13:13	listed 61:7	41:2,11,12 42:14
91:19	6:21 26:21 27:4	14:15,22,25	listen 45:20 47:3	43:5 44:6,19,21
justify 30:7	32:1 66:24 68:17	24:16 35:9,12	listened 60:22	45:14 46:8,20
	launched 67:8	36:24 37:5 41:12	76:13 80:2	47:4,5,10,12,16
K	Laura 10:25 76:11	41:16 45:22	listening 50:4	48:3 51:12,17
keep 2:1 30:6,8	law 7:24 10:6	46:23 47:6,13	56:17 76:4	53:24 57:23
35:24 60:2 72:3	11:18 20:14 41:7	49:1 58:15 60:16	literacy 39:23	61:13 62:1,16
kept 24:11 70:19	54:9,13	60:20 61:18,23	litigation 79:17	63:7 65:4,10
key 31:14 35:25	lawyer 13:6 53:12	64:3,7 65:4,22,24	little 28:5 87:4	66:5,21 67:2,7,11
64:6 80:10 91:17	53:14 56:11,21	66:5,12,13,19,25	95:2	68:14 69:1,12,17
kid 16:20	57:15	67:5,16 68:20	live 2:7,17 3:3	69:20 70:13
Kim 26:17	lawyers 8:5 53:9	69:4,25 70:6	21:25 22:6,7,10	71:16 75:24 79:1
kind 60:12 77:20	56:21 57:1	71:13 72:12 73:9	87:2 95:3	79:14 80:10,20
kind' 77:24	LCC 14:25 58:16	73:10,21 82:7,20	lives 52:10 60:8	80:25 89:21 90:7
kindly 19:5	58:17,19,22,25	83:16 86:13	77:5,8 78:14	91:13
kindness 76:24,25	59:3,12 60:7,10	length 83:10	living 39:22 76:16	Lords 11:25 28:7
77:23	60:15,17,25 61:1	lengthy 6:19	local 64:17 75:12	32:18,23
King 10:12 58:14	61:5,5,7,11,24	lesser 79:4	82:15	lost 81:9
Kirkwood 60:14	62:3,4,10,14,17	lessons 66:10 76:5	located 36:3	Love 78:2
62:9,22 63:6,13	62:20,22,24 63:1	83:8,18	location 36:4	loyalty 33:9 48:12
63:15,16 82:18	63:4,6,16 64:23	letter 66:25 69:7	locations 68:15	lunch 4:6 73:24
knew 47:10 61:12	64:24 65:5,11,15	letters 78:2	locked 36:2	74:10
76:15	79:17	level 65:3 67:13	London 17:1	Lynn 77:12,13,15
know 1:22 5:23	LCC's 61:19	82:12 86:11,22	long 26:24 40:9	77:17,19
8:23 9:18 27:24	LCC-run 64:7	levelled 79:19	58:16,22 72:10	Lynn's 77:16
32:2 56:17 57:14	lead 9:18 62:24	Leverets 10:24	long-lasting 66:17	
60:1,3 73:25	leader 59:16	liability 42:3	long-term 59:8	M
79:6,10 94:1	leading 3:25	liaison 68:6	longer 64:7	macabre 33:6
knowing 34:11	leads 24:9 92:6	liars 38:5	look 15:20 77:22	madam 41:2 75:5
Knowl 23:21	learn 30:17 83:17	lie 54:5	looked 46:20	75:18 76:4,6,10
knowledge 59:6	learned 66:10	lied 34:10	looking 58:5	Magnolia 12:17,20
61:10 62:15	learning 57:6	lies 47:21	Lord 1:13 4:24 5:2	12:23 35:21 36:9
known 12:20	66:15 73:5,7			70:8 85:2,4

maintain 41:12 71:4 93:4	71:20 85:13 86:17	Millar 10:3 32:2	77:17	Nottinghamshire 49:3,7 50:1 52:2
maintains 40:10 40:18 43:7	Matthew 10:15	mind 12:16 30:6,8	names 9:25	November 13:13 81:21
major 68:1 82:11 82:16	maturity 33:16	Minister's 43:18	Nathalie 32:2	number 9:23 15:11 17:14 21:20 23:3,25 29:13 34:3 49:13 50:22 51:13 62:17 64:8 68:15 68:16 69:20 80:21 84:6,15 86:17 88:6 89:18 91:15
majority 88:1	McCalla 62:24	misconduct 37:8 86:1,7	national 64:17 65:6 75:12,22 84:3,17	numbers 41:8 42:25
makers 53:22 64:16 80:18 81:6	mean 3:8	misdirected 80:24	nationally 66:19	numerous 24:9 43:24
making 3:24 14:15 30:2,10 38:11 42:18 50:8 61:25 63:7 79:21 81:17 85:8 93:12	meaningful 2:1 83:17	misleadingly 81:9	natural 30:6	<hr/> O <hr/>
Malcolm 1:8 37:20	means 3:3 22:13 87:19	misplaced 48:12 53:14	nature 57:25 79:18 89:7	OBE 10:25
man 9:4 33:10 35:5 37:22 38:16 38:21 39:4 43:16 47:17 80:14 88:22	meant 77:2 79:8	misrepresentation 80:20	navigate 57:15	objective 28:8 81:2
managed 67:24 82:14	measured 38:1	missed 82:21	nearly 78:2	objectively 92:19
management 62:20	media 3:18 12:12 21:7 24:20	missing 50:12	necessary 20:13 83:7	obtained 25:3,25 90:18
manager 40:25 42:7 94:25 95:5	medical 7:16,22 89:19	mistake 36:1	need 2:14 55:22 90:12	obtaining 89:9
managers 50:18	medicines 77:6	mistakes 27:14 30:17 34:19 54:22	needs 95:3	obvious 32:16 37:12
manic 43:23	meeting 67:2	mobile 44:23 50:21	negative 49:23	obviously 33:2
manipulative 48:9 52:11	member 11:20,21 12:1 18:14 32:18 40:25 44:25 47:10 66:25	mocked 44:2	neighbours 77:13	occasion 29:6 44:19,23 45:11 46:15
manner 3:23 14:21	members 1:8 2:20 12:11 14:22 21:21 22:9 23:4 26:16 27:24 30:1 45:2 46:13 52:24 74:18 75:13 76:2 83:4	moment 60:19 73:25 82:18 94:3	neither 34:15 51:5	occasions 13:19 34:3 42:13,17 43:25 44:1,16,18 48:19 53:9 74:21
Manning 77:12	memory 33:9	momentarily 6:10	never 33:7,14 38:6 43:25 60:12 78:17,17 81:3,8 84:10 85:7	occur 28:18
Marion 10:25	men 25:7 45:15 80:1	Monday 1:1	nevertheless 59:14 65:11	occurred 8:9,19 51:3 72:2 91:23
marks 2:3	mental 32:25 44:1 44:4 47:9 48:23 49:24	Moore 61:15	new 63:14	occurs 2:17
match 44:21	mentioned 22:22	Moore's 65:2	nice 77:20	October 1:1 69:15
material 21:10 56:21 66:22 68:20 70:16	Meredith 10:15 65:23	morning 1:5 31:19 37:19	Nick 10:1 45:18	offence 20:22 89:25 90:12
Matt 19:11 67:21 73:1	merits 91:6	mother 43:19 77:13	Nigel 40:5	offences 3:15 4:25 13:10 20:17 23:10 27:1,18 57:5 79:15 83:2
matter 9:15 17:3 17:25 18:5 19:19 20:14,18 36:4 38:10 40:13 47:21 54:11 90:1	Mertens 9:20	motives 37:15	nine 5:6,14,25 33:4 68:19,21 69:13	offend 83:3
matters 21:4,22 24:5 37:8 43:5 61:10 63:10 71:8	met 7:8,15 45:9 59:25 63:23 68:25	move 87:1 94:12 94:22,25	no-one 17:11 27:16 30:16 49:18	offender 88:2
	meticulously 66:3	moved 57:15 77:18	nominations 15:9	
	Michael 10:12 11:3,11	moving 16:23 73:9 84:25	noncare-home 35:22	
	mid 5:7 17:15 42:5 45:24	MP 11:21 25:1 32:23 43:17	Nori 14:21 71:8 83:15	
	mid-afternoon 4:8	MSB 11:10	normal 49:22	
		multiple 32:8 48:3 82:9	North 11:20	
		mum 77:16	note 19:19 39:25 60:19 64:6	
		mute 94:2	noted 50:24 75:9 75:14	
		myriad 19:25	notes 24:13	
		<hr/> N <hr/>	notion 53:11	
		naive 76:23		
		name 43:3,17 59:3		
		named 25:24		

offenders 88:5	7:14 12:17,20,23	overnight 34:9	participant 41:23	32:9 54:16,23
offending 15:21	13:12,16,25	overseen 67:12	75:6	58:21 64:2,4
16:6,24 17:15	14:21 19:10	overt 31:2	participants 1:17	66:9 79:13 82:8
18:12	24:16 35:21 36:9	overturned 7:21	2:9,11 3:21 9:3	periods 16:2 55:25
offensive 38:18	36:11 37:3 47:25	overvalued 36:20	9:23,24 10:2,5,7	56:7
offered 59:14	54:20 55:19,20	overview 14:12	12:10 15:15	permitted 42:1
offering 38:1	66:24 67:7,9,19	61:11,17	19:12 21:17 22:8	45:3
Office 10:11,21,22	67:24 68:9 69:11	overwhelming	22:18,22 24:12	perpetrated 29:15
14:20 15:9 85:23	70:5,8,9,15,17,21	18:2	25:10 26:12	60:12 63:25
93:22	71:4,8 73:1 74:8		41:10 52:16	perpetrator 40:24
officer 12:21 13:20	83:15 85:4,5	P	64:20 71:18	42:11 49:15,17
19:10 46:23,24	88:18,24 89:2,2,4	paedophiles 52:12	73:15 92:23	52:15
67:23 78:23	89:13,14,17,24	page 5:10 6:11	participated 63:22	perpetrators 31:8
82:11,12 84:17	90:23 91:1,4,25	15:25 16:5 17:1	particular 3:13	52:7
88:17,21 93:8	92:1,14,24	17:14 18:9	17:2 21:4 29:12	Perry 11:11 94:14
officers 35:12 36:9	operations 14:16	pages 5:16 23:6	50:23 51:4 53:1	persisting 27:22
36:17 37:1,6,10	80:23 85:2	58:21	76:18 79:22	person 16:21
46:20 50:18	opinions 81:4	painfully 59:9	80:22 86:6,10	17:12 40:24 41:1
66:22 67:23 68:4	85:14	pains 37:3	87:5 89:8	73:19 80:22
68:7 73:8,17,22	opportunities	panel 1:7,22 22:13	particularly 20:5	personal 38:4 39:2
76:2	82:21	26:16 27:24 30:1	59:2 61:20 78:10	61:9
Ofsted 64:23	opportunity 8:6	31:25 35:2 41:5	90:2	persons 39:23
Ofsted's 65:1	17:12 21:18	52:24 54:4 56:16	parties 30:25	pertinent 89:3
old 43:15	22:23 40:7,8	58:14 59:10	74:24	Perversely 44:3
once 2:17	60:17 65:12	61:24 65:17,21	partly 78:5	Peter 11:10
ongoing 41:20	71:18 80:4 81:9	68:1 72:9 74:19	parts 23:11,16	phone 50:21
67:18	oral 18:13 26:9	74:21 76:10	28:17 41:25	physical 12:18
open 1:3 2:5 4:1	order 2:18 3:16	78:21 81:2 84:4	party 10:16 12:1	15:5 46:11 47:9
5:15 21:9,22	4:10,15 6:5 7:5	88:11,25 91:14	15:8 34:21 62:4	81:22
22:5 23:5 26:13	15:13 26:6 32:4	92:3,22 93:20,23	66:13 74:20,21	physically 73:18
74:3 80:13 81:18	40:20 55:2 71:1	94:5,9	75:1,6,12,19,25	picture 55:23 56:5
85:1 86:24 93:13	71:3 86:21 87:3	panel's 92:5	party's 75:10,22	pieces 46:10
94:20,22 95:1	88:10	papers 36:2	pass 94:2	place 1:20 8:4,11
opening 1:4 2:4	orders 2:10,16	paragraph 85:1	passed 43:1	9:12 18:12 29:18
4:20 12:2,6	39:22	paragraphs 38:14	Paul 11:5,9	32:4,11 33:15
26:11,12,15	Ordinarily 4:4	parallels 49:4	Pause 95:5	44:23 50:21
31:24 37:18 41:4	ordinary 27:20	paraphrase 49:9	pay 87:24	51:19,20 56:14
52:23 58:8,13	organisation 61:12	50:3	peer 11:23	57:18,22 58:23
65:20 74:3,10,17	organisations	parent 78:17	peerage 15:10	68:15 82:20 83:4
76:9 80:19 81:15	85:25	parenting 28:16	23:23	86:10
81:17 87:9 88:23	original 6:4	parents 77:7 78:7	peers 84:7	placed 42:5 60:23
93:12 95:10,12	outburst 38:8	Parker 63:20	people 27:18 31:3	94:18
95:13,14,15,16	outcomes 37:10	64:13	35:24 42:25 60:1	placement 50:7
95:17,18,19,20	outset 12:14 20:13	parliament 11:20	64:16 76:22	placements 64:9
95:21,22,23	42:2 58:24 59:22	11:22,25 17:17	77:21,25 78:11	places 28:6 80:25
openly 32:3	60:19 64:3 67:20	34:21 41:1	80:25 92:25	placing 85:11
openness 76:16	outside 50:7	part 7:19 14:12	perceived 36:25	plain 56:19 85:19
88:16	overall 24:3 56:13	36:5,8 39:5,7,13	37:4,7	play 45:6
operation 6:21,21	overarching 75:11	65:25 74:3 79:1	period 5:17 16:6	played 39:5,6 63:1
		94:22		

79:1 player 80:11 please 4:19 5:10 5:18 6:10 9:16 17:13 30:5,8 74:1 pledged 59:22 pluck 15:25 pm 4:6,6,7,7,8 74:11,12,14 95:6 point 15:17 25:20 56:25 71:25 80:9 80:19 pointed 34:6,7,10 points 4:2 22:11 40:5 64:6 police 6:19,20,25 6:25 9:10 10:11 10:14 12:5,17,24 13:13,15 14:15 14:20,22 16:10 16:12 17:3,18 18:5,16,17 19:2 21:7 24:16 26:20 26:23 30:24 31:3 32:8 34:15 35:9 35:12,15 36:17 36:24 37:1,5,9 42:21,24 43:7,24 44:1,8 45:10,17 45:19,20 46:19 46:23,24 47:3 50:18 51:16 62:3 66:5,12,19,25 67:5,16 68:20 69:4,25 70:6,20 70:24 71:13 72:12,14,15 73:10,21 74:7 78:22 79:16 80:9 80:11,16 82:4,22 85:23 86:13 88:8 93:8 Police's 65:24 73:9 policies 54:8,13 57:6 75:2,9,10,11 75:15,18,25 policing 83:25 84:18	policy 35:21,23 75:21 84:18 political 15:10 23:24 30:25 74:24 politician 32:17 politician's 53:17 politicians 30:25 78:3 poor 39:21,22 40:3 40:21,23 pose 89:8 position 9:1 27:17 31:5 44:9 51:18 54:22 55:21 61:9 65:24 85:3 91:18 positions 83:24 84:1 positive 66:17 91:20 possession 61:2 possibility 1:18 70:20 possible 2:8 3:12 22:2 23:9 27:14 65:5 post 56:2 66:22 potential 29:22 37:8 50:25 90:15 91:17 92:1 power 33:20 powerful 31:3 80:5 practice 40:21 60:16 64:18 65:9 practices 73:9 80:12 pre-action 69:6 pre-charge 68:18 precisely 29:16 predated 35:9 predators 43:9 preferable 9:11 preliminary 17:20 24:13 preparation 69:21 prepared 15:12 37:10 51:9 69:6 76:11 81:12	present 4:2 21:18 21:21 38:9 46:7 54:3 73:18 presents 37:12 46:3 press 2:20 21:21 22:9 23:5 63:9 pressure 29:23 prevent 28:2 31:11 60:5 prevented 44:5 preventing 84:20 88:11 prevents 20:18 previous 12:4 14:6 14:17 20:24 21:6 49:23 66:4,8 70:6,11,16 71:2 71:14 74:21 80:23 89:15 90:9 previously 6:24 9:5 17:25 60:22 primarily 66:1 prime 33:12 40:6 43:18 principal 63:5 91:11 prior 63:13 70:5 prioritised 77:3 priority 60:2 67:12 prisoner 46:22 private 1:24 11:12 21:14 71:22 probably 92:11 probed 21:15 probing 3:8 problems 44:1,4 48:23 49:24 79:8 procedures 50:2,9 50:10 51:18,20 57:22 58:2 62:6 75:2,12 76:1 proceed 87:7 proceeded 8:15 proceeding 27:23 proceedings 2:6 3:14 6:18 8:18 14:10 23:5 70:12	80:12 81:5,20 94:16 process 15:9 27:10 43:11 52:19 60:1 63:12,21 64:1,10 69:4 86:5 88:2 proclaimed 81:10 produce 22:4 79:18 productive 55:14 professional 29:2 70:21,23 86:1 88:7,20 91:9 92:18,20 93:6 professionalism 84:2 86:22 88:22 professor 1:8 47:19 75:7 profile 31:5 39:25 53:24 76:19 profound 58:25 programme 24:22 progressed 71:15 72:24 progresses 23:13 90:22 progressing 68:3 prohibited 2:21 prolonged 72:17 prominence 32:7 40:11 53:17,24 prominent 23:23 27:18 47:6 promised 44:20 pronouncement 54:20,25 55:3 proof 79:4 proper 35:6,23 86:7 properly 34:16 37:6 56:8 properties 14:2 property 91:14 proportion 20:10 propose 26:10 66:20 proposed 6:13 22:18 propriety 53:4	prosecute 7:12,18 29:14 53:13 69:1 79:7 prosecuted 4:24 27:1,19 33:22 34:2 40:9 prosecuting 33:23 37:13 prosecution 6:1 7:6,6 8:10 10:9 13:4 14:4 26:23 27:2,4,13 29:21 30:15 33:19 35:5 36:13 40:12 43:3 52:25 57:21 66:12,18 67:17 69:22 70:12 73:3 90:6,10 Prosecutions 4:22 55:4 prosecutor 78:23 prosecutorial 24:17 53:4 54:1 prosecutors 7:8 30:24 80:9 90:2 prospect 7:10 8:18 14:7 25:22 56:12 90:3 prospects 43:2 prospered 32:22 protect 1:25 24:3 29:7 39:1 41:17 61:23 65:16 72:3 protected 36:15,18 72:22 77:5 protecting 2:11 84:8 87:16 88:8 protection 60:16 64:3 65:16 66:18 66:18 73:11 protocol 4:15 69:7 prove 8:10,13 79:3 provide 25:13 43:11 44:12 59:11 73:23 76:1 86:15 88:23 89:22 91:20 provided 16:10 17:18 19:9 50:15
---	--	--	--	--

58:20 59:24 61:1 61:5 62:22 66:2 66:6 68:5,17,20 75:7,19 85:12 providers 64:10 provides 65:12 86:17 providing 75:11 82:1 85:14 93:2 provision 61:17 73:12 proxy 9:14 prying 36:4 public 1:11,14,23 2:20 3:3,12 4:22 7:11,12,18 12:7 12:14 20:21 21:10,16,22 22:20 23:5,7 24:2 26:11 29:10 31:1 32:9 33:14 53:17,23 54:5,20 55:3 59:6,17 67:1 69:1 71:4 76:19 78:23 publication 3:17 3:18 20:25 71:9 publicly 3:14 12:10 21:5 34:10 69:4 71:24 publish 74:2 published 2:23 3:5 20:18 21:23 23:8 23:12 24:19 29:9 publishing 2:21 3:10 punished 28:24 pure 85:10 purpose 12:2 purposes 3:17 20:19 55:10 75:20 94:8 pursuant 70:24 pursue 90:25 pursued 90:21 91:3 pursuing 36:21 84:10 put 5:8,10 6:10	16:21 23:3 31:2 31:6 32:19 50:21 74:2 <hr/> Q <hr/> QC 1:13 4:1,24 10:8,10,12,12,14 10:16,24 11:1,2,5 11:9,10,19 28:3 32:23 37:24 38:3 38:17 58:14 quality 70:18 quantity 70:16 question 29:16,18 29:20,23 31:14 91:17,22 questioned 86:16 questioning 22:21 22:24 questions 9:8 21:20 22:23 25:18 29:12 30:2 34:18 57:20 63:8 quickly 52:8 60:5 quite 30:23 44:17 86:3 quo 76:22 quote 53:3 <hr/> R <hr/> Rabbi 10:25 radar 50:25 Radical 76:24 raft 51:21 raised 47:21 57:20 62:19 68:12 raising 86:6 ran 18:16 19:2 42:21 45:10 rank 88:19 Rape 57:4 raped 38:21 43:16 rated 64:23 re-evaluated 90:21 reach 35:6 49:10 71:5 read 22:11,16 ready 50:6 real 21:8 realised 16:18	realises 92:25 realistic 7:10 14:7 56:12 59:12 90:3 Realistically 26:2 reality 28:5 55:22 reason 13:8 reasonable 43:2 80:15 85:17 90:25 reasons 2:7,25 13:8 19:25 20:2 23:18 32:4 39:16 50:12 55:20 80:13 reassessed 90:20 reassured 46:6 recall 26:5 57:16 58:6 recalls 45:2,7,25 received 25:6 29:1 46:24 66:25 receiving 47:20 recognise 27:7 59:20 78:18 recognises 58:22 59:3 71:22 72:16 recognition 83:13 87:12 88:9 recommendations 2:1 31:16 40:21 52:3 55:11 63:17 65:1 recommending 68:18 record 28:23 47:1 74:5 81:13 recorded 2:22 records 39:24 89:20 recount 59:21 redacted 83:19 84:23 redaction 4:15 redactions 2:12 4:13 reduce 52:8 reducing 50:2 Reeves 10:21 93:22,23,24	refer 85:25 reference 14:16 23:3 35:20 61:3 62:14 63:2 67:15 70:8 references 20:19 35:14 Referrals 70:14 referred 17:3 19:7 23:2 70:25 74:6 referring 5:1 57:22 reflect 60:18 reform 63:12,21 64:1 reforms 65:2 refugee 78:13 regard 89:19 92:4 regarding 26:20 84:18 regardless 84:11 registered 68:10 regret 45:20 51:2 59:1,15 regrets 47:2 71:12 73:16 Regrettably 71:16 regular 42:12 50:6 regularly 44:17 63:23 75:15 Regulations 70:25 reinforces 83:10 reiterate 60:7 72:11 reject 34:12 relate 5:16 relating 5:6 6:2,6 35:23 relation 4:14 28:5 41:22 50:23 51:12 52:17 68:19,21 69:12 69:22 75:8 83:15 85:3 89:1 91:15 relationship 47:15 47:17 Relativity 23:3 relevant 39:9 41:8 53:2,25 57:24	61:2,4 70:7 reluctance 30:9 rely 4:9 60:2 remain 89:11 remained 69:23 90:1 remaining 74:10 remains 9:1 remarks 1:4 95:10 remedied 58:3 remember 30:21 75:5 remind 3:21 53:18 54:15,18 reminded 2:10,14 remit 6:22 remotely 1:14,18 79:18 remove 35:14 reopens 51:25 repeat 19:14 repeated 40:17 repeatedly 8:25 37:14 report 17:25 18:5 21:23,24 22:14 24:22 30:22 31:2 31:6 40:15 42:15 42:21 49:6 50:1 51:15 52:2,4 63:3,16 71:9 81:5 reported 3:14 19:20 45:17 69:24 reporting 19:21 20:25 21:7,21 23:17 reports 62:12 66:6 represent 10:8,13 11:3,6 26:18 58:15 representations 69:3 representatives 3:22 4:2 9:17,21 12:11 22:9 represented 9:25 10:2,14,18
---	---	---	---	--

representing 8:6 21:17	responding 50:4 62:7	Richard's 55:4	76:22	78:22
represents 10:5,6 10:10,21,24	response 15:1,22 16:11 17:5,20	right 4:17 7:20 18:10 20:16 21:2 52:16 69:3,9	saying 19:1	self-medicate 28:22
repress 48:24	18:18,24 19:18	rightly 30:23	says 18:25 20:4 37:9 42:14,20	send 36:6
repressed 43:21	38:3,12 39:8	Rights 64:12	44:8,21 45:18	senior 12:20 13:19 19:10 35:11 36:9
reputation 28:14 29:2 33:9 39:1 84:3	45:5,10,17 62:21 65:6	rigorous 64:10	46:20	36:16 37:9 62:19 67:22 82:10,12 88:17 91:9
requests 21:19	responses 1:12,19 11:14 14:13	rise 25:18	scale 68:8 82:19	sensitive 68:4
require 4:12 87:2 87:3	25:18 27:11,12 49:23 65:13	risk 21:8 74:24	scales 34:17	sensitivity 23:8 71:20 80:3
required 67:6 72:21	72:16 75:24	Robert 63:20 64:13	scared 49:16	sent 5:4 14:4 22:18 43:14 54:18
requirement 89:22	responsibility 36:21	Rochdale 23:22	scenario 52:11	sentenced 81:21
requirements 64:22	responsible 15:2 51:7,7	Roger 67:13	schedule 5:15 70:24	separate 13:19 69:16
researched 24:25	restriction 2:10 3:16 4:15 32:4	role 25:11 53:19 53:20 63:1 65:25	scheduled 86:15	separated 5:21 46:7
resemblance 38:16	87:3	room 37:23 82:11	scheme 7:20 64:19	separating 35:21
resident 12:25 20:6 62:17	result 53:23 59:5 91:20 92:9,12	rooted 78:5	school 16:8,16 18:14 44:24 47:22	September 1:20 3:17 59:16
residential 50:13 50:17 62:7 64:9	resulted 7:1 16:13 36:16 69:11	route 54:10	scope 34:20 53:1 53:16 61:3 68:8 85:24	sergeant 82:6
residents 5:24	70:11	routes 54:6	Scorer 26:17	series 5:17 6:14 82:21
resist 37:15	resume 2:18	row 16:3	screen 5:10,19 6:10 15:16 23:4 23:7 93:17	serious 32:10 37:11 57:5 76:13 83:23 84:15 89:25 93:7
resisted 28:9	retained 48:12	ruined 60:9 78:14	screens 2:23	seriously 51:6,11 72:23
resolve 26:4	retired 33:25 37:2 87:11	rule 21:18	scrutinised 91:12	servant 78:23
resonate 23:15	return 31:19 74:11	ruled 1:19	search 14:2 91:14 91:18,19	served 83:24
resourced 67:20	returned 46:18	Rules 21:19 22:19	searches 58:19	service 7:6 10:9 13:5 14:4 26:23 52:25 57:21 64:12,14 66:12 67:17 70:12 73:12 81:11 90:6
resources 29:19 33:22 35:17 87:21	returning 4:6	rumours 35:8,12	seat 77:6	services 15:1 43:7 47:3 50:9 61:16 61:17 64:1,11 82:22 89:20
respect 7:16 13:11 14:8,11,16,18 19:13 24:16,17 52:5,25 53:8,19 54:6 56:1,10 60:25 61:20 63:7 84:7 92:17	revealed 40:1 82:19	run 16:4 17:9 46:16	second 7:11 13:24 16:23 17:1 44:22 54:10 61:15 80:9	servicing 46:22
respected 88:21	reversed 69:10	runs 16:25	Secondly 34:24 38:22 53:16 64:14 74:4 89:13	session 1:3 2:6 3:7 12:9 21:13 22:5 23:6 26:13 84:24 85:1 86:25 87:6 93:11,13,14
respectful 3:23	review 7:20 17:22 18:20 55:1,4 67:3,5 69:3,8,9 70:19 75:19 80:12,16 89:15	rush 92:16	secretary 35:14	
respectfully 38:10 55:10,14	reviewed 7:13,19 70:15 75:15	safeguarding 63:23 68:5 75:2 75:3,9,21	section 12:6 20:17	
respective 19:8	reviewing 13:6 56:11	safely 37:20	security 34:22	
respond 24:10 25:14 39:2 40:17 88:13	reviews 14:17	safety 77:6	see 5:8,12 16:3 19:11,24 29:10 76:5 94:17	
responded 9:7 72:14	Richard 14:18 26:17 33:25 55:1 55:6,8,17 66:7 81:5	salient 22:1 41:25	seeing 31:12 43:20 49:22 55:23	
		Sam 10:12,14 37:24	seek 9:8 64:25	
		sat 11:24	seekers 38:6	
		satisfactory 57:13	seeking 67:18 89:17 92:19,20	
		satisfied 7:7	seen 20:7 48:15	
		Saunders 4:23		
		save 4:11 5:2		
		saw 44:17 47:16		

<p>94:23,25 95:1,7 sessions 3:2,4,11 3:15 20:12 22:7 23:7 set 7:7 38:13 63:12 65:2 67:15 75:10 78:24 81:13 85:5 89:3 sets 4:10 setting 15:13 61:22 63:1 seven 92:2 severity 86:2 sex 18:13 27:18 50:16 sexual 1:7,12,25 3:15,20 5:1 6:23 8:22 12:19 15:5 19:22 20:15,17 20:22 23:10,17 23:19 24:4 25:7 26:20 27:1 28:18 30:22 31:8 32:11 32:16 41:18 46:11 47:14 48:4 48:24 52:7 57:5 57:17 61:21 65:7 66:19 67:1 72:10 73:4 74:25 80:1 81:22 83:1 84:19 87:14,15,21,25 88:12,14 89:25 sexually 13:1,18 42:10 44:15 46:9 shake 38:19 shaken 38:15 Shamash 10:17 74:20 shame 20:3 shape 62:25 shaping 39:5 share 73:7 shared 66:14 Sharpling 1:9 37:19 shirked 36:20 shirking 84:10 shock 49:24 shocked 38:15,19</p>	<p>short 5:2 12:21 31:21 36:14 43:14 74:13 77:1 95:2 shortcomings 57:24 Shortly 42:9 show 51:15 53:9 showed 81:25 shown 23:23 33:8 shows 37:9 40:10 Sian 10:21 93:22 signed 78:1 significant 39:7 65:6 72:5 73:2 82:12 significantly 57:15 similar 29:6 40:1 49:2 76:2 simplest 37:11 simply 30:16 33:21 43:22 45:12 51:8 65:5 74:5 79:21 92:8 93:16 Simpson 10:3 32:2 simultaneously 2:23 sincere 59:14 sinister 77:1 Sinnott 61:6 62:5 SIO 12:21 13:19 74:7 92:24 Sir 1:8 14:18 33:25 37:20 55:1,4,6,8 55:17 66:7 81:5 sister 77:18 sit 4:4,7 Sitting 1:7 situation 16:22 six 69:2 87:15 skewed 92:6 skill 85:20 skilled 84:3 skills 39:23 Slater 10:1 26:17 slur 28:20,25 small 64:8 smartly 46:2</p>	<p>Smitten 11:5 snooker 45:6 so-called 7:25 21:5 social 3:18 15:1 18:15,25 25:24 25:25 31:7 42:17 43:7 45:9 46:12 47:3 50:13,17 60:20 64:18 65:8 82:22 89:20 society 42:22 57:9 82:24 83:5 87:17 91:18 sole 93:5 solicitor 1:16 62:25 Solicitors 10:17 11:3,10 26:18 son 29:6 sooner 33:22 82:23 sophisticated 52:11 sorry 48:2 60:5 72:18 sort 28:22 sought 1:16 6:1 15:4 16:12 60:15 90:5 92:14 sound 85:17 sourced 64:9 spanned 5:7 spanning 32:9 spared 87:20 speak 39:17 46:10 69:25 73:19 80:5 specific 38:1 62:14 66:22 75:8 79:13 90:5 specifically 70:17 spectacle 33:7 speculation 85:10 85:12 speech 20:19 spent 84:9,21 87:23 spirit 88:16 split 16:2 78:7 spoke 45:1</p>	<p>spoken 72:8 Square 17:2 38:17 staff 13:3 15:4 18:15 35:22 43:8 44:25 45:2,12 46:13 50:5,13,17 67:23 68:4 stage 7:11,12,15 32:10 59:25 67:17 stages 7:9 78:4 stain 87:17 Stanage 10:1 26:14,15,16 31:18 95:13 stand 7:23,24 51:14 56:24 69:2 standard 8:11 79:4 standards 34:14 54:8,13 70:20,23 88:20 stands 92:13 start 69:16 86:11 started 42:9 state 12:14 18:5 51:23 72:1 stated 7:22 38:15 38:23 49:9 75:14 statement 4:20 19:8 25:9,9 26:11,15 31:24 37:4,18 38:14 40:5,6 41:4 44:9 52:23 58:13 61:15,21 62:6 65:2,20 74:4,17 76:9 81:15,17 87:9,10 88:23 94:24 95:12,13 95:14,15,16,17 95:18,19,20,21 95:22,23 statements 12:24 13:7 16:11 17:18 22:3 25:25 26:12 35:15,25 44:2 61:5 68:13 74:10 93:13</p>	<p>states 16:15,18 17:7,9,24 18:23 stature 29:3 status 31:7 36:16 36:20 47:6 76:22 statutory 64:22 stay 47:14 stayed 34:9 stealing 46:16 Stein 37:24 38:8 stemmed 47:4 step 59:20 steps 14:3 50:12 60:11 62:21 63:18 stewardship 63:14 stone 77:7 stop 28:7 36:4 87:2 stopped 82:22 story 32:6,7 33:1 77:19 88:4 straight 81:13 90:17 strand 53:1 58:6 58:16,23 62:1,15 64:5 65:12 strands 40:2 56:10 87:22 strategy 64:15 stream 22:7 87:3 streamed 22:6 strength 90:19 strengthen 90:8 strengthened 57:3 stress 3:6,13 strictly 64:21 strides 61:22 striking 31:7 strikingly 40:1 strive 65:15 studied 11:18 styled 11:23 subconsciously 53:23 subject 23:7 26:9 39:21 58:10 75:18 91:17 submissions 3:24 39:6,9 58:8</p>
---	--	--	---	---

84:25 86:24 submit 53:11 55:10,13,14 56:24,25 submitted 17:21 69:14 subsequently 7:19 successful 32:17 69:10 succinctly 85:6 suffer 43:10 suffered 12:25 17:10 41:18 43:13,22 47:9,24 48:3 59:1,19 82:2 suffering 7:17 39:24 59:4,5 72:17 76:18 sufficient 26:6 29:19 90:6 suggest 8:8 22:23 suggested 36:17 suggestion 24:22 24:25 suggestions 22:25 suicide 77:14 suited 37:10 summaries 3:11 summarise 41:25 summarised 22:12 summary 15:12,21 16:24 17:15 18:11 19:6,9,19 superannuated 32:16 superintendent 12:22 13:21,22 13:23 67:21 87:11 88:19 supervisory 82:15 supply 77:1 support 24:25 59:23 68:6 73:22 82:12 90:10 91:4 supported 69:5 80:1 supporting 82:15 89:9	sure 8:12 88:10 surfaced 27:3 surmount 72:5 surrounding 70:1 survivor 73:13 survivors 44:13 49:3 78:12 suspected 80:10 suspicion 36:23 46:16 77:23 suspicious 79:24 Swanwick 32:2 Swift-Rollinson 37:2 sympathetically 57:13 sympathies 54:5 synopsis 11:16 system 23:23 28:15,16 50:20 57:11 67:25,25 68:10 71:4 82:25 systematic 28:8 systems 73:11 83:3	Taylor 41:7 43:13 43:21,21 44:7 48:24 Taylor's 43:19 44:3 teacher 40:25 team 58:18 67:16 70:15,17,25 83:15 technical 2:7 technology 67:25 television 24:22 tell 16:19 17:8 18:3,23 45:4 49:17 88:4 telling 77:16 tens 58:20 terminate 2:17 terms 28:5 38:4 45:1 61:3 63:1 67:15 70:7 81:22 terrible 82:1 test 7:7,8,9,11,15 8:6 testament 83:8 tested 21:15 80:16 testimony 22:2 84:5 testing 3:9 texted 77:19 thank 4:21 6:16 19:4 26:14 27:22 31:17,18 37:15 37:17 41:2,3 52:21,22 58:10 58:12 65:18,19 73:23 74:8,9 76:7,8 81:14 87:7,10 93:9,10 95:3 thankful 27:25 theme 19:22 23:18 80:8 thing 91:7 things 49:8 74:1 think 36:19 50:14 51:9 90:13,16 thirdly 53:25 64:15 89:16	Thoburn 75:7 Thomas 11:4 12:22 13:21,22 13:23 81:19 87:11,12,24 88:1 88:7,14,17 89:16 90:23 91:7,16 92:13,22 93:3 thorough 67:9 88:21 92:15 93:6 thought 21:13 thoughtful 39:4 thousands 58:20 66:2 threatened 49:16 threatening 78:18 three 6:2 7:4 12:4 13:12,18 25:20 29:18 30:4 42:17 53:1 69:16 71:11 77:14 three-minute 2:9 threshold 68:25 thrown 28:20,21 thumb 34:17 Tim 41:7 44:14,24 48:21 time 5:16 6:8 11:25 16:3 17:8 17:22 18:20 20:2 25:20 30:19 32:21 34:3 36:25 41:15 42:1,25 43:14 44:6 47:14 47:14 48:14,14 49:12,22 51:1,3 54:1,2,3,8,9,10 56:4,6 58:16 60:15 61:12 62:2 62:10,15 69:20 72:4 73:1 80:2 83:10 87:21 88:18 89:24 91:3 95:2 timely 59:18 times 66:23 timetable 4:10 22:19 timing 4:3	Timothy 18:10 title 15:19,20 today 2:2,3 11:8 41:11 56:22 57:3 57:9,19,24 58:4 65:10 76:3,15 82:9 94:22 today's 54:12,13 94:7 told 17:12 18:14 18:25 19:3 26:6 35:14 42:7,14,17 42:22 43:16,23 45:2,7,10 46:6,17 48:18 49:15,17 77:19 81:3 85:7 94:15 Tony 11:7 topic 55:19 topics 24:1 tops 77:6 tormented 43:9 total 5:6 6:5,6 68:12 76:16 totality 12:15 totally 76:14 Tracey 41:7 43:13 44:2 48:24 tragedy 33:1,2 trained 68:4,6 training 50:5 57:6 transcript 2:22 3:4 23:11 trauma 49:24 52:9 78:6 87:20 traumatised 43:20 47:23 treated 51:6 67:11 92:17 treating 86:8 treatment 9:11 53:18 trial 6:5 7:23,24 7:25 9:15,15 30:16 32:9,19 51:14 52:8 59:7 60:14 69:2,16 71:17,19 82:18 84:14
---	--	--	---	--

trials 8:10	50:12 55:15	unworthy 34:13	virtually 1:21	26:10 37:22
tribute 87:24	56:23 65:13	updated 75:16	12:12	39:11 50:22
tried 18:23 26:19	93:14	updating 24:12	virtue 79:4	57:13 60:22 65:9
28:2 42:20 51:11	understandable	uploaded 35:25	visited 46:22	69:8 83:1,22
80:15	30:6	upset 46:17	visiting 43:20	88:13 92:20
trigger 82:24	understandably	urge 30:21 51:25	45:25 50:8	weak 81:1
trouble 36:21	33:8	92:2	visitor 42:12	wealth 31:7
77:21	understanding	urgent 52:4	visitor's 64:19	website 2:24 3:5
true 35:13 37:9	19:17 39:3 49:21	URN 23:3	voice 61:18 64:11	4:16 23:8,12
81:10,11	75:17,18	use 15:17 28:22	64:15	week 13:24 15:7
truly 72:17	understands 44:9	usual 2:8	voices 59:22 60:23	61:8 63:19
trust 17:11 37:4	61:24	utmost 88:14	voluntary 43:4	weeks 7:4 12:4
49:19 86:9	undertaken 14:17		48:1 69:14	25:20 30:4 71:11
trusted 50:7	70:6 87:13,19	V	volunteers 75:13	76:6
truth 25:11 30:17	92:10	vague 45:1	vulnerabilities	weight 85:11
84:11 92:19	undertaking 83:12	value 59:12	50:6	weird 76:25
try 27:15 92:22	88:10	various 66:6,10	vulnerability 44:4	Welch 11:2 81:18
trying 38:25	undertook 68:5	74:23 87:22	vulnerable 47:9	87:1,8,9,10 93:10
turn 17:11,13 24:6	71:7	vast 70:15 88:1	48:16 51:19	95:23
93:16	undervalued	veil 40:15	57:12 61:23	welcome 1:4,10
turned 43:8	36:19	Verdan 10:12	65:17 72:4 79:25	95:10
two 7:9 10:5 12:19	undetected 52:13	58:12,13,14	83:4 84:8 88:8	welcomes 58:17
12:23 13:18	undisputed 34:8	65:19 95:18		65:11 74:22
15:25,25 16:5,7	Undoubtedly 72:5	verdicts 79:9	W	went 18:4 33:23
23:25 29:16	undue 53:21	version 21:24	wait 58:22 95:2	44:14 59:5 95:7
42:13,17 44:18	unfair 53:14 77:20	vetted 64:21	waived 4:17 18:10	West 11:21,22
45:2,15 46:9	unfit 7:23,24 69:2	victim 39:25 68:6	21:1	Westminster
49:6 54:6 57:1	unforeseen 4:11	73:12	waiver 21:3	23:20 30:23 75:4
61:5 74:1,2	Unfortunately	victims 28:19,21	Wales 1:24	whilst 12:25 13:15
83:10	51:22	28:23 31:9 39:20	Waller 62:24	82:14 85:24
twofold 38:13	unique 23:2 52:14	44:12 47:3 49:1	63:14,20	89:22
Tying 48:14	unit 75:3	49:3 57:12 68:5	want 3:6 14:2	wholehearted
type 84:20	Units 57:5	77:3 79:21 81:12	26:11 30:5,16	72:12
	unnecessary 69:9	81:25 82:9 83:2	53:13 94:17	wholesale 63:12
U	unrecognisable	87:24 88:6	wanted 42:19	83:1
UK 83:24	60:21 64:4	Victims' 7:20 69:3	77:11	wholly 65:10
ultimately 54:4	unreliable 85:18	69:9	wants 87:24	wide-ranging
63:1 69:8	unrepresented	video 16:10 17:4	war 78:6	59:24
unabated 52:13	11:11 94:15	17:19 18:18	Ward 10:19 94:1	widely 66:14
unable 26:5 41:15	unreservedly	view 23:21 83:1	94:11	wider 20:9
unaware 45:13	59:14	viewing 11:12,12	warning 89:23	widespread 21:7
unbroadcast 24:23	unsolicited 25:6	94:16	warnings 57:16	wife 43:18
unconventional	unthinkable 50:14	views 1:16 44:10	warranted 36:13	William 10:3
76:21 78:5	51:9 60:23	56:2 91:1,6 93:2	wasn't 45:11	Wilsdon 10:19
uncorroborated	untold 86:3	vigorous 32:17	watch 3:3	wish 13:9 52:25
57:17	unwanted 42:22	vigour 27:20	watched 76:16	58:6 91:16
undermine 29:24	unwavering 33:9	vilified 28:3	watching 94:16	wishes 73:20 87:12
undermined 81:7	unwell 51:14	violence 32:15	watershed 82:17	91:8
understand 30:19	unwilling 40:12	violent 78:17	Waterson 11:6	withdrawn 79:5
33:17 38:25 42:4		virtual 1:15 94:18	way 4:9 7:5 18:8	

81:1 witness 19:8 21:25 22:2,10,18 25:9 29:7 38:13 61:5 68:12 74:6,7 80:15 86:8 witness's 21:14 22:10 witnesses 2:9 4:10 4:17 8:7 21:20 22:21 25:4,17 26:8 29:2,4 30:4 30:7,9,12,20 55:16 57:12,17 63:2 witnessing 78:8 words 8:12 38:19 40:14 44:11 76:11 work 19:23 20:9 20:23 23:16 24:3 24:12 28:10 31:17 64:18 65:8 68:4 73:10 74:22 75:14 78:3 80:8 82:4 83:11,21 84:1,15 87:13,19 87:22 88:9 worked 67:16 84:5 worker 18:15,25 42:17 45:9 46:12 workers 25:24 26:1 50:13,18 working 30:20 58:18 63:22 works 15:17 world 78:10 wouldn't 49:16 wounds 52:9 writing 20:20 59:10 written 84:25 wrong 16:18 30:13 30:14 54:20,25 85:19 90:13,16 92:8 wrongdoing 33:7	<hr/> Y <hr/> year 33:6 75:22 years 5:21 8:16 13:12 16:17 24:8 26:19 27:2 43:15 44:15 47:18 49:12 57:18 58:19 68:16 76:20 77:14 78:8 78:21 79:16 82:2 82:3 83:6 84:6 84:21 85:13 86:4 87:15 89:6 91:23 92:2 young 29:6 43:13 60:1 64:16 78:10 youngest 76:12 youth 64:15	1954 11:18 32:23 1960s 5:7 16:4,23 32:12 62:8 1963 5:17 16:6 1967 77:13 1969 16:7,24 1970 11:19 16:24 32:23 1970s 17:13 43:15 82:21 1971 11:19 32:23 1974 11:21 1980s 5:8 18:9 42:5 45:24 51:21 62:8 1981 18:12 1982 18:12 1986 58:7 1988 5:17 1990 82:13 1990s 51:21 64:14 1991 59:7 60:14 81:21 82:13 1992 3:16 20:18,23 23:10 60:15 1994 61:9 1997 11:21,23 32:23 1999 12:17	24:18 83:6 2014/early 68:17 2015 4:21 5:13 6:14 7:13,20 8:15 13:9 14:9 17:6,18,21 18:18 19:14 26:25 28:1 40:9 42:24 44:6 45:18 47:25 48:11 54:14,19 54:25 55:2,19,23 55:24 56:11,18 68:17,19,22 69:15,18 79:6 2016 55:17 59:23 69:17 2018 17:4 37:23 64:8 2019 3:17 49:6 71:10 2020 1:1,20 57:19 59:16 22 5:5,5,14,16 6:5 27:1 33:4 69:11 69:17 23 83:6 24 49:12 25 49:9 89:6 26 18:9 41:9 95:13 29 4:21 41:9 81:21	50p 46:10 52 95:17 58 95:18
	<hr/> Z <hr/> 0 <hr/> 1 <hr/> 1 5:10 95:10 1(1) 20:17 1,000 68:11 1.45 4:6 74:11,14 10 18:9 21:18 10.30 1:2 4:4 100 81:23 11 11:17 85:1 11.30 4:5 31:20 11.45 31:19,22 114 38:14 12 1:1 6:1,4,6 69:15,22 77:13 12.45 4:6 12.50 74:12 121 38:14 13 17:14 26:18 31:25 44:15 45:25 13-year 82:8 14 43:15 15 40:2 42:6 77:15 15-minute 4:5,8 18 1:20 19 8:15 41:9 1928 11:17	<hr/> 2 <hr/> 2 39:8 41:8 61:8 63:19 70:24 2.19 95:6 2.45 4:8 2000 70:8 2002 13:2 54:17 70:9 2005 13:13 88:19 2006 21:19 70:9 89:11 90:2 91:13 92:10 2007 54:18,24 55:25 70:9 91:13 92:10 2012 6:21 66:24 70:25 2013 46:23 56:14 92:9 2014 16:10,13	<hr/> 3 <hr/> 3,600 68:11 30 59:16 31 37:23 49:6 95:14 33 19:11 41:9 34 6:6 37 95:15 3D 11:3	<hr/> 6 <hr/> 6 41:8 65 95:19
	<hr/> 0 <hr/> 1 <hr/> 2 <hr/> 3 <hr/> 4 <hr/> 4 95:12 4.00 4:7 4.15 4:7 41 95:16	<hr/> 7 <hr/> 70s 17:15 74 95:20 76 95:21 795 68:12	<hr/> 8 <hr/> 8 47:12 8,277 68:9 81 95:22 87 8:16 95:23 88th 33:6	
	<hr/> 1 <hr/> 2 <hr/> 3 <hr/> 4 <hr/> 5 <hr/> 5 6:11 17:14 50-year 58:21	<hr/> 9 <hr/> 9 47:12 71:10		
<hr/> X <hr/>				