

1 Tuesday, 24 October 2017  
2 (10.30 am)  
3 THE CHAIR: Good morning, Mr Altman.  
4 MR ALTMAN: Good morning, chair. This morning we are going  
5 to start with some reading, which Mr Henderson will do.  
6 Then we are going to hear from Mr Farnell. Then this  
7 afternoon Eleanor Phillips and retired Peter Marsh,  
8 former police officer.  
9 THE CHAIR: Thank you.  
10 MR HENDERSON: Good morning, chair. Chair and panel, as you  
11 have noticed, there is some reading to catch up on. Can  
12 I firstly indicate that there are some statements which  
13 will be published in full on the inquiry website. They  
14 are as follows, and I will try to do this very slowly  
15 for the benefit of the transcript.  
16 First of all, Detective Superintendent James  
17 Henderson -- no relation, I should add -- which is  
18 GMP000135; secondly, Chief Superintendent John Houghton,  
19 which is GMP000174; thirdly, Chief Superintendent  
20 John Cantrell, which is GMP000199; fourthly, Detective  
21 Inspector Waller, which is GMP001021, and there is also  
22 a report attached to his statement, GMP000145; fifthly,  
23 Ray Colley, which is GMP001024; and, finally, a second  
24 statement from Gregor McGill, who you have heard from,  
25 which is CPS002846. Those will all be published on the

Page 1

1 website and, chair, you and the panel will have copies  
2 of those.  
3 Statement of WITNESS A6 (read)  
4 MR HENDERSON: The first statement I am going to actually  
5 read from is from A6, who sadly couldn't come to give  
6 evidence in person as originally intended, but Ms Hoyano  
7 and Mr Scorer have provided a very helpful summary of  
8 the evidence he previously gave to police. I am going  
9 to read some of that.  
10 Chair, I'm afraid this one you won't have in your  
11 bundles in front of you, nor can I bring it up on the  
12 screen. The rest will have references and I will direct  
13 you to them.  
14 I am just going to read some small excerpts from  
15 this statement, as follows: A6 was admitted to  
16 Knowl View in 1982, having just turned age 11.  
17 He describes his arrival at Knowl View School as  
18 follows: he was taken there by his parents, he was left  
19 with June Proctor, a member of the domestic staff. A6  
20 was distraught at being left by his parents and  
21 Mrs Proctor locked him in a small storage room because  
22 he could not stop crying.  
23 He describes the layout of the buildings and the  
24 dormitories at Knowl View School and the daily routine.  
25 He alleges seven incidents of abuse by adults at

Page 2

1 Knowl View School. One of these was sexual abuse,  
2 allegedly perpetrated by Cyril Smith. The other six  
3 were allegations of abuse by staff members, and three of  
4 those had a sexual connotation.  
5 Firstly, he gives details about the sexual assault  
6 by Cyril Smith.  
7 A6 describes how he was asleep in bed at night in  
8 Ashworth dormitory, an open-plan dormitory for the  
9 youngest boys at Knowl View aged between 7 and 11.  
10 A member of staff, who he could not identify by name but  
11 who he describes as wearing a dark green corduroy  
12 jacket, pulled back his covers and said that A6 needed  
13 to come with him. He didn't know where he was being  
14 taken to.  
15 This man took him from Ashworth dormitory to a room  
16 downstairs. The room was in a flat at the bottom of  
17 the stairs where that member of staff lived.  
18 A6 recalls coming out of Ashworth dormitory down the  
19 stairs, forwards, and the flat was through a door to the  
20 right. It was a very small flat. There was a double  
21 bed and a couch in the room. There was a bathroom  
22 behind the door as it opened.  
23 A6 was dressed in his pyjamas. He recalls he was  
24 taken to the room with another boy, A28.  
25 There were two other adults already in the room.

Page 3

1 One of them A6 now identifies as Cyril Smith, although  
2 he did not know his identity at the time. The other man  
3 was not a member of staff, and A6 had never seen him  
4 before. So when the assault occurred, A6 recalls three  
5 adults and two boys in total in the room.  
6 He describes "the fat guy", who he now identifies as  
7 Cyril Smith, as "wearing very loose, big trackie  
8 bottoms, loose bottoms and a T-shirt. That was all he  
9 had on".  
10 When A6 went in, he was told to sit on the bed.  
11 When he was sitting on the bed, the fat man,  
12 subsequently identified as Cyril Smith, pushed him back  
13 so that he was lying with his feet on the bed. The man  
14 then pulled A6's pyjama bottoms down and was lying at  
15 the side of him. The man then performed oral sex on him  
16 by sucking his penis. The man then made A6 suck his  
17 penis. At this point, the man was lying on his back.  
18 He pushed A6's head down and the man ejaculated into his  
19 mouth. The man then pushed him off. A6 was then pulled  
20 across the room by another man. The other boy present  
21 was told to get on the bed and was then sexually  
22 assaulted in a similar manner.  
23 During the assault on A6, the third adult in the  
24 room, that is, neither Smith nor the staff member who  
25 had brought him into the room, masturbated. A6 was

Page 4

<p>1 asked by police what made him believe that "the fat man"                  2 that he described was Cyril Smith, and A6 replied:                  3 "I just know it was him, just the size of him, and                  4 I'd seen it, you know, I knew -- I knew -- I probably                  5 knew when I was in Egerton that it was him, seeing him                  6 in the papers and stuff, and I just knew it was him, and                  7 then other lads in the school were saying, 'The fat                  8 man's been in, in the school. The fat man was here last                  9 night', and deep down I obviously knew why he was there                  10 or what he was doing, but I never said anything."                  11 After the incident that I just described, A6 was                  12 sent back to his dormitory. He walked back there on his                  13 own. He was crying and wanted to go home.                  14 A6 recalled that people said Cyril Smith had keys to                  15 Knowl View School. He said that Knowl View School was                  16 not a secure place. But he never heard any staff                  17 mention anything about Cyril Smith; only pupils.                  18 A6 thinks he was in Ashworth for maybe a year at                  19 most after entering Knowl View School. This suggests                  20 the incident he recounts occurred in 1982 or 1983.                  21 Because of the incident with Cyril Smith, A6 insisted on                  22 being given his own room.                  23 Many years later, A6 recalls speaking to                  24 Martin Digan about what had happened, but when he was                  25 asked by police in 2013 when he first told Mr Digan</p> <p style="text-align: center;">Page 5</p>	<p>1 Finally, chair, A6 describes Rodney Hilton -- that                  2 should be Roderick Hilton, as we now know -- being                  3 present in Knowl View School. He says:                  4 "I knew Andy Found was letting him [that's Hilton]                  5 into the school at night. I knew for a fact Andy Found,                  6 the caretaker at the school, but I do know 100 per cent                  7 that he was letting him in to the younger side, Bamford                  8 and Ashworth. Rodney Hilton used to be in the school                  9 premises and used to always be in the wooded area and                  10 there were many occasions when he was in the TV room at                  11 the bottom of the dorm, at the bottom of Ashworth and                  12 Bamford dorms. There was a TV room and he was in there                  13 sometimes watching films with kids".                  14 That's the evidence from A6 that we have been given.                  15 Statement of MRS VALERIE MELLOR (read)                  16 MR HENDERSON: The second statement I am going to read some                  17 excerpts from is that of Valerie Mellor, which, chair                  18 and panel, you have heard a great deal about already.                  19 You can find that in your bundles at volume 4 of                  20 the week 2 witness bundles at tab 20G. If we can bring                  21 it up on the screen, please, it is GMP001110.                  22 If we look at the first page at the second main                  23 paragraph, we see she starts by describing her                  24 background:                  25 "I am a chartered psychologist and associate fellow</p> <p style="text-align: center;">Page 7</p>
<p>1 about the Smith incident, A6 replied, "Only a few years                  2 ago".                  3 A6 describes two other incidents that can be                  4 described as having a sexual connotation and a relevance                  5 to the inquiry. The first is that he describes a female                  6 staff member, who at the time was around 28 or 29 years                  7 old, blonde and quite attractive to him, and he                  8 describes that she would come into his room in the                  9 morning and stroke his back and tease him and stuff. As                  10 a result of this attention, he would get an erection,                  11 and looking back, he feels this was wrong. He said that                  12 this staff member came into his room and stroked him on                  13 10 or perhaps 12 occasions, maybe more.                  14 A6 also recalls an incident involving a fellow                  15 pupil. A6 had to collect chairs from the dormitories                  16 and bring them down into the gym in order that people                  17 could watch a play. A teacher we know as F32 told him                  18 to go and collect the chairs, and then in the dormitory                  19 another pupil, who we have ciphered as A75, pinned him                  20 on the bed, put his hand in his pants and tried to                  21 sexually assault him.                  22 Another staff member came in, gripped A75 and                  23 battered him and told A6 not to say anything, just to                  24 forget about it. This incident, according to A6,                  25 happened in Ashworth dormitory as well.</p> <p style="text-align: center;">Page 6</p>	<p>1 of the British Psychological Society. I was head of                  2 the department for clinical psychology at Booth Hall                  3 Children's Hospital, Manchester, for 23 years and                  4 director of the Jubilee Centre for Child Abuse at the                  5 same hospital for five years until my retirement from                  6 the NHS in 1997."                  7 She gives some further background but if we could go                  8 over to page 2 and pick up the story in the second                  9 paragraph there, she recounts as follows:                  10 "Sometime later in 1991, Diana Cavanagh, who was the                  11 Director of Education for Rochdale, telephoned me and                  12 asked if I would go and meet her at her office to                  13 discuss with me her proposal that I compile a report on                  14 Knowl View School.                  15 "I had never met her before, but went to see her.                  16 At the time I had heard about Knowl View School.                  17 I lived nearby for two to three years in Norden. This                  18 was around 1977. There were rumours circulating locally                  19 about the school and the pupils being naughty and                  20 difficult. My secretary at the time was                  21 Linda Wilkinson.                  22 "I was asked to talk to staff and pupils, if                  23 possible, about concerns that had been expressed about                  24 their behaviour and to talk to the police and health                  25 authority staff and give expert advice to the Director</p> <p style="text-align: center;">Page 8</p>

<p>1 of Education, Mrs Cavanagh, on what steps should be                  2 taken to ensure the future welfare of children at Knowl                  3 View School.                  4 "I wasn't asked to actually investigate any abuse                  5 that may have taken place at the school but rather to                  6 report on what should be done to protect the children in                  7 the future. Obviously I had to look at the past as                  8 well.                  9 "I think Diana Cavanagh gave me a list of the sorts                  10 of things that had happened to some of these children.                  11 I do not have a copy of that, as I will later explain.                  12 I have been shown a copy of my report dated                  13 18 February 1992. The original list given to me, which                  14 I attached to my report, had the actual A, B, C, D,                  15 et cetera, codes of the boys' names, so it was easy to                  16 identify them. It was given to me so that I could work                  17 from it, but I can't remember whether Diana Cavanagh                  18 gave it to me or if it was handed to me when I got to                  19 the school. It was a type of research document. I was                  20 asked to append the list and also a paragraph about                  21 a caretaker that I had included. The reasons were legal                  22 and for sensitivity. There may have been four versions                  23 of my report. I can't really remember."                  24 She briefly mentions attending the inquiry with                  25 Mr Garnham QC. If we pick it up at the bottom of</p> <p style="text-align: center;">Page 9</p>	<p>1 to interview any, it must be done in an interview suite                  2 with police officers and social workers present: in the                  3 notes of this meeting it is recorded that                  4 Marilyn Simpson had reservations about the use of video                  5 interviews and although I remember these reservations                  6 being raised, I do not recall what they were. However,                  7 if I thought that video interview was the best thing to                  8 do, then that's what I would have done.                  9 "What I did in preparation for my report was to                  10 follow original instructions to make sure things were                  11 all right in the future. I did them to the best of my                  12 ability. I did talk to some of the children but these                  13 were general chats about whether they were okay or felt                  14 safe or whether anything was upsetting them. I was                  15 happy that by this time nothing untoward was going on at                  16 the school.                  17 "I remember that there was a report of an intruder                  18 in the school. The intruder is mentioned in my report.                  19 This incident happened in September 1990 and                  20 by March 1991 the police had decided that they were not                  21 getting involved in an investigation. I did not think                  22 that the response was adequate. When I went to this                  23 meeting I thought that the matters involved the intruder                  24 and other incidents that had previously occurred.                  25 I believed that they had been dealt with and that</p> <p style="text-align: center;">Page 11</p>
<p>1 the page:                  2 "I have been shown notes of a meeting held on                  3 4 June 1991 which I attended. This was the first                  4 meeting I attended after my meeting with Diana Cavanagh.                  5 Steve Bradshaw and Diana Cavanagh were also present. At                  6 this meeting, I informed the group that it would be                  7 inappropriate for me to interview one child in isolation                  8 and that it wasn't feasible to interview them all.                  9 I also thought it was too late to interview them. There                  10 was also the issue of the children having spoken to each                  11 other during this period and how they had obtained                  12 information. There was no way I was going to get to the                  13 truth by attempting to do these interviews.                  14 "This enquiry was also in the wake of the Langley                  15 enquiry, which was fresh in my memory as I gave evidence                  16 to the hearing. I was very critical at the way Rochdale                  17 had handled this case, although in no way was this going                  18 to cloud my judgment in this case and what was best for                  19 these children and cause the least harm. I went first                  20 of all to the school and spoke to the headmaster,                  21 Mr Steve Bradshaw, whom I found to be a first-class                  22 headmaster and who was desperate for help. I thought he                  23 was totally reliable and I thought I could work with                  24 him. I decided there was no way I could single out                  25 children to interview them properly and, if I was going</p> <p style="text-align: center;">Page 10</p>	<p>1 nothing further could be done. Social services had                  2 apparently decided not to take any action. Dr Fraser                  3 had spoken to the children concerned. I didn't put it                  4 in my report at the time but my feelings were concerned                  5 with the practicalities of interviewing the children and                  6 I wasn't going to get any help from the police or                  7 social services. The children had been spoken to and                  8 there was a lot of open discussion about it. I thought                  9 that the best I could do was to make sure the children                  10 would be safe from then on. In effect, I was problem                  11 solving and from that point on I was looking forwards                  12 not backwards.                  13 "I never got a satisfactory answer from the police                  14 or social services.                  15 "At the time I was working closely with                  16 Freema Taylor, a social worker, and I am sure we would                  17 have had a frank and lengthy discussion about this, but                  18 without my notes from this time I cannot remember what                  19 we discussed.                  20 "I have been shown a copy of minutes of a meeting at                  21 Knowl View School dated 25 June 1991.                  22 "I was in attendance at this meeting and again                  23 Diana Cavanagh and Steve Bradshaw were also present.                  24 From the notes I have seen it is obvious to me that by                  25 this stage I had decided I was not going to interview</p> <p style="text-align: center;">Page 12</p>

1 the children.  
 2 "During the meeting I said that I had come to some  
 3 tentative conclusions and thought that it would neither  
 4 be right nor necessary to interview the boys in school  
 5 because it was too long after the event, too many  
 6 changes had occurred and it would be dredging up facts  
 7 from which the boys had moved on. I have also stated  
 8 that there was no indication that any inappropriate  
 9 sexual behaviour was continuing in the school and  
 10 I thought that interviews with the boys in the school  
 11 might be harmful.  
 12 "I also reported at the meeting that I had spoken to  
 13 Detective Inspector Henderson of Greater Manchester  
 14 Police who had confirmed that from a police point of  
 15 view there were no ongoing concerns at the Smith Street  
 16 toilets in Rochdale and the boys from Knowl View School.  
 17 "I have been shown a copy of minutes of a meeting  
 18 held on 1 August 1991. This was another follow-up  
 19 meeting held in the director's office. There is  
 20 a reference in the minutes of the meeting to me visiting  
 21 A12 at home.  
 22 "I have no recollection of this visit and do not  
 23 know who A12 is.  
 24 "Also during the meeting the services of an  
 25 educational school psychologist was discussed. It had

Page 13

1 not been possible to obtain this service due to  
 2 financial cutbacks and the school budget. Mr Edmonds,  
 3 the senior educational psychologist who was present at  
 4 the meeting, had said that they couldn't have  
 5 a dedicated psychologist, but really the school would  
 6 have benefited had they had this service.  
 7 "It wasn't my position to offer this service."  
 8 She goes on to describe an issue regarding F104, but  
 9 we will go over the page to page 5, please. If we could  
 10 zoom in at the paragraph beginning, "I have been shown  
 11 exhibit RC/7/1/1". She is then shown the minutes of  
 12 a meeting held on 12 September 1991 and says this:  
 13 "During the meeting I reported that I had by this  
 14 time interviewed the caretaker, a male called Mr Found.  
 15 I would describe him as a rather slippery type of  
 16 person. He denied any knowledge that he knew people had  
 17 been coming into the school. I can't give more  
 18 information without my original notes. I do recall he  
 19 was performing duties beyond his responsibility as  
 20 a caretaker and, as a result of some of the staff not  
 21 being where they should be at night, he would often lock  
 22 up. There was a man across the road that he suspected  
 23 of coming into the school and I got the impression that  
 24 this man could only get in if Mr Found admitted him.  
 25 The male was called Rodney Hilton. I do remember at

Page 14

1 subsequent meetings the issue of an injunction in  
 2 respect of Rodney Hilton was brought up but I cannot  
 3 recall any specific details."  
 4 If we then go down to the paragraph beginning, "My  
 5 report was completed and published":  
 6 "My report was completed and published on  
 7 18 February 1992 and it was discussed at a meeting on  
 8 3 March 1992.  
 9 "Diana Cavanagh had seen the report and asked me to  
 10 remove the identification of the pupils and the sentence  
 11 about the caretaker from my original report. I took  
 12 legal advice about the circulation of my report to  
 13 prevent having unrestricted circulation. As a result of  
 14 that advice my report begins with the first section  
 15 below the title 'Knowl View School'. I was concerned  
 16 that my report contained information about these  
 17 children and may be seen by all sorts of committees  
 18 without anyone asking my permission. Bill Lawley, the  
 19 Borough Solicitor, continually reminded others of this  
 20 legally binding statement.  
 21 "I have no recollection of events  
 22 between September 1991 and February 1992 when  
 23 I published my report. As I already stated, I have no  
 24 original notes and I am relying on documents that I have  
 25 been shown relative to the time.

Page 15

1 "I have been asked about the Shepherd Report. He  
 2 went to the school to talk to the staff about problems  
 3 and I think it was after Dr Fraser had been into the  
 4 school but before I was involved. I believe a copy of  
 5 the report was handed to me to view some time after  
 6 I had started my work as a document that would assist me  
 7 produce my report.  
 8 "I was appalled that they had been given all this  
 9 information and had done nothing about it."  
 10 Then the final section, if we could go down to the  
 11 paragraph beginning, "Once my report had been  
 12 published":  
 13 "Once my report had been published and circulated,  
 14 I said that I would follow it up after a few months, but  
 15 I was simply so busy I didn't revisit the school until  
 16 a year later. I probably rang Steve Bradshaw to see how  
 17 things were going on, but I wasn't worried, as I hadn't  
 18 been given any information that anything was wrong. Had  
 19 any problems been brought to my attention, I would have  
 20 visited earlier. I think I posted my report to  
 21 Diana Cavanagh and I wasn't present when she presented  
 22 it. I don't think I attended any further meetings but  
 23 I just can't remember.  
 24 "When I did revisit, it was like a different school.  
 25 I remember that the atmosphere was lovely.

Page 16

<p>1 Steve Bradshaw was relaxed and seemed quite happy with                  2 how things were going. I had a tour of the school and                  3 I was also happy with what I found. I can't remember if                  4 I saw any pupils that I had previously seen at the                  5 school during my visit. I did not go back to the school                  6 after this visit and I would assume they would have                  7 contacted me had any further problems arisen.                  8 "I have been asked about Martin Digan. I did talk                  9 to Mr Digan but without my notes I cannot recall what                  10 was discussed.                  11 "He was so wound up and anxious that I got more                  12 information from how he felt rather than what he had to                  13 say. He was so angry that it was difficult to get the                  14 information out of him. I wondered why other staff                  15 members hadn't come forward."                  16 That's the excerpts from Ms Mellor's report. There                  17 is also a second, such shorter, statement which we will                  18 just ask to be published on the website. That's at                  19 GMP000111.                  20 Statement of MR VINCENT HILL (read)                  21 MR HENDERSON: The next two statements are in volume 5,                  22 chair, of your bundles. Tab 27. If we could bring it                  23 up on the screen, it is the statement of Vincent Hill,                  24 GMP000097. If we could go over to the second page of                  25 this, please. Detective Sergeant Hill was involved in</p> <p style="text-align: center;">Page 17</p>	<p>1 one time. I was in charge of one of these teams and                  2 DS Louise Evans and DS Tony Griffiths were in charge of                  3 the other team. DS Neil Prunell was the HOLMES office                  4 manager and he ran the HOLMES system. He also had                  5 members of staff indexing and researching.                  6 "Sometime after 20 March 1998, I had a meeting with                  7 the head of Greater Manchester CID, Detective Chief                  8 Superintendent Tony Keegan, who handed me a bundle of                  9 documents abstracted from the original enquiry in 1970                  10 by Lancashire Constabulary investigating allegations                  11 about Cyril Smith and sexual assaults against boys. As                  12 a result of handing me these documents I was instructed                  13 to review these documents and consequently I interviewed                  14 A1 at his home address in Rochdale on 21 October 1998.                  15 Then on Thursday, 12 November 1998 I interviewed                  16 David Bartlett. Mr Bartlett handed me documents,                  17 probably copies, of affidavits from alleged victims and                  18 documents made as a result of his own enquiries into the                  19 activities of Cyril Smith as he had perceived them. As                  20 a result of these interviews, I produced my report dated                  21 2 December 1998. I handed my report together with                  22 a bundle of papers given to me and documents from                  23 Mr Bartlett personally to Detective Chief Superintendent                  24 Keegan. I have never seen these documents since but                  25 kept a copy of my report which I produce. To my</p> <p style="text-align: center;">Page 19</p>
<p>1 Operation Cleopatra and we will see his account here:                  2 "Operation Cleopatra was set up as a result of                  3 complaints made to other police forces of sexual abuse                  4 of children who had been in care and who also had been                  5 residents in care homes in Manchester where similar                  6 complaints had been made. It was decided that under                  7 these circumstances ownership of investigating these                  8 offences would be undertaken by Greater Manchester                  9 Police. The senior vetting officer when Cleopatra was                  10 set up was Detective Superintendent Stelfox and I think                  11 he also had responsibility for Stockport Division. The                  12 team structure at this time was Detective Inspector Ann                  13 Hewlett, myself, Detective Constable Naraine Oldham and                  14 indexer Carole Walker."                  15 Drop down to the paragraph beginning "By 1997":                  16 "By 1997, Detective Superintendent Bill Roberts was                  17 appointed senior investigating officer. Mr Roberts was                  18 an experienced investigator and had managed protracted                  19 and complex cases in the past, including the Strangeways                  20 Riot Inquiry. He was also experienced with the HOLMES                  21 system and he implemented its use on                  22 Operation Cleopatra. DI Ann Hewlett remained as deputy                  23 senior investigating officer. There were three                  24 detective sergeants with an outside enquiry team                  25 consisting of three or four detective constables at any</p> <p style="text-align: center;">Page 18</p>	<p>1 knowledge, none of these documents were registered on                  2 HOLMES. I do not know what the outcome of my report was                  3 and I was never told.                  4 "Early in 1999 I was instructed by Detective                  5 Superintendent Roberts to make enquiries as a result of                  6 my 1998 report; I do not recall how I was instructed,                  7 whether it was by an allocated action or verbal command.                  8 In March 1999, I interviewed A4 and A68. As a result of                  9 these interviews and further information I had gained                  10 I produced and submitted my report entitled 'Allegations                  11 re Cyril Smith' dated 18 March 1999. I personally                  12 handed the report with my recommendations to Detective                  13 Superintendent Roberts.                  14 "My report was in order for Mr Roberts to review the                  15 evidence put forward and make actions as he saw fit. He                  16 did tell me that he did not want recommendations on the                  17 report. However, I felt that I could not submit an                  18 accurate and balanced report without my professional                  19 recommendations. My report was handwritten and signed                  20 by me and had one last additional paragraph consisting                  21 of 11 lines detailing my recommendations despite my                  22 instructions. Some days later, my report came back to                  23 me with a typed copy. This was standard procedure in                  24 order that I could proofread the typed copy with my                  25 original. Upon examination and subsequent proofreading,</p> <p style="text-align: center;">Page 20</p>

<p>1 I noticed that my last paragraph had been marked with                  2 scribbled line and that it was omitted from the typed                  3 copy. The typed copy was dated 29 March 1999. I signed                  4 it and I kept the original handwritten report. I now                  5 produce this as exhibit VH/2. I remained on                  6 Operation Cleopatra until the end of 1999 when                  7 I returned Stalybridge and then I was posted to                  8 Bootle Street Police Station until my retirement from                  9 the force on 10 October 2001. During my enquiries I met                  10 up with Martin Digan. He showed me several documents                  11 including the Val Mellor and Phil Shepherd reports.                  12 I have reported during my meeting with Digan that I have                  13 submitted copies of these documents with my report.                  14 I do not know if Digan handed me these or if we were                  15 already in possession of them. Whilst I made my                  16 enquiries, I mainly conducted them with DC Mary Hough                  17 who is also now retired."                  18 Chair, you have already been taken in evidence to                  19 the final typed version of DS Hill's report, but we also                  20 have a copy of the handwritten version that he refers                  21 to. Just for completeness, I would ask for it to be                  22 brought up. It is at GMP001134.                  23 Could we please go to page 11 of that. You can see                  24 there, chair, at the bottom the two paragraphs which                  25 Mr Hill says were taken out of the typed version.</p> <p style="text-align: center;">Page 21</p>	<p>1 operation and the force in March 2000."                  2 Over the page, and right down the bottom again:                  3 "Operation Cleopatra was an enquiry looking into                  4 historical sexual abuse in care homes throughout                  5 Greater Manchester. In early 1998 whilst stationed at                  6 Bootle Street Police Station, I was appointed as SIO on                  7 Operation Cleopatra. The fact I had spent a substantial                  8 period of time as SIO on Operation Chittering had                  9 significant bearing on the decision to appoint me as the                  10 SIO. I was at that time by far the most experienced                  11 senior detective in GMP with regard to sexual and                  12 child abuse enquiries."                  13 Turn over the page. At the top:                  14 "Operation Cleopatra was established before I joined                  15 it and I recall that Detective Superintendent                  16 Peter Stelfox was the senior investigating officer. It                  17 had a very small team and was being conducted from                  18 Bredbury Police Station. Peter Stelfox wanted to                  19 concentrate on other matters and so I replaced him as                  20 the senior investigating officer. Already in place as                  21 the deputy SIO was Detective Inspector Ann Hewlett, an                  22 officer I knew well. One of the enquiry team sergeants                  23 was Vince Hill, who was an officer I had known since we                  24 were both cadets, although he was an intake behind me.                  25 "My initial recollection of Operation Cleopatra was</p> <p style="text-align: center;">Page 23</p>
<p>1 I will just read them out:                  2 "My own view is that a further investigation would                  3 be merited now that the information has been made                  4 available to Operation Cleopatra.                  5 "I feel that despite current priorities for the                  6 investigation, it would be better carried out sooner                  7 rather than later in order that the police be seen to be                  8 acting expeditiously and with due concern for those                  9 involved.                  10 "Submitted for your attention."                  11 As far as we can work out, that is the paragraph                  12 that was taken out. Mr Hill made a second statement,                  13 but, again, we are just going to publish this, it is                  14 GMP000098.                  15 Statement of MR WILLIAM ROBERTS (read)                  16 MR HENDERSON: Then I think finally this morning, chair,                  17 there is a statement from Detective Superintendent                  18 William Roberts. You will find that at the next tab in                  19 your bundles, tab 28, at sub-tab A. If we could bring                  20 it up on the screen, it's GMP001008. This is                  21 Mr Roberts' account in relation to what Mr Hill has, as                  22 you have heard, just said. If we just look down the                  23 bottom, he confirms in the last couple of lines there:                  24 "In 1998 I was appointed senior investigating                  25 officer for Operation Cleopatra and I retired from that</p> <p style="text-align: center;">Page 22</p>	<p>1 that it was not being run as a major incident but more                  2 on an ad hoc basis. It had been an enquiry that had                  3 gained momentum and grown. It now needed to be looked                  4 at differently and it had to have some definite focus                  5 put in place as I felt that it hadn't had a formal feel                  6 to it."                  7 If you can scroll down to the bottom of the page:                  8 "I was not given a specific remit when I went to                  9 Operation Cleopatra other than I was the senior                  10 investigating officer and I was in charge of that                  11 investigation. Although Peter Stelfox would have                  12 initially put policies in place, I know that I would                  13 have added my own. Quite soon after I arrived I decided                  14 to implement a joint operating policy that a police                  15 officer would work jointly with a social worker. The                  16 operation was gaining momentum and we were having                  17 a large number of referrals that required close liaison                  18 with social workers from across 10 different                  19 authorities. It therefore seemed commonsense to me that                  20 we should all be together under one roof. I decided to                  21 incorporate the social services staff with our enquiry                  22 team and I brought them to Grey Mare Lane. They had                  23 their own supervisor in Lorraine Wilson. They were                  24 conscious about confidentiality of their files and so                  25 they were allocated their own secure office, albeit on</p> <p style="text-align: center;">Page 24</p>

<p>1 the same corridor as the police officers. I did not                  2 have a say on the social service personnel that we                  3 received, it was decided by the respective local                  4 authorities. As a result of my initiative, GMP became                  5 the first force in the country to implement this truly                  6 joint working practice between police and social                  7 services.                  8 "This joint operation did not meet with everyone's                  9 approval and some police officers were resistant, none                  10 more so than Vince Hill. This surprised me as                  11 Vince Hill had worked closely with social services                  12 whilst on his Divisional Family Support Unit and I would                  13 have thought that he was used to working with them.                  14 I don't recall Vince Hill coming to see me on that                  15 specific subject of working with a social worker but he                  16 was certainly against the idea and he made it known at                  17 meetings, briefings, et cetera."                  18 If we then turn over the page to page 5 -- in fact,                  19 we can go all the way to page 6. In the middle of                  20 the page:                  21 "I have also been shown and have read exhibit VH/2."                  22 That's what we have just looked at, chair:                  23 "This is an original handwritten report allegedly                  24 submitted by DS Hill titled 'Allegations re Cyril Smith'                  25 and dated 18 March 1999. As far as I am concerned,</p> <p style="text-align: center;">Page 25</p>	<p>1 with the action will be submitted on an action                  2 continuation form. This is different to the general                  3 report forms (form 733) used in the police and is                  4 exclusive to major incident enquiries."                  5 He then goes on to explain how that system worked in                  6 Operation Cleopatra, but if we could drop down to the                  7 bottom of page 7, you will see he says this:                  8 "Having read the report VH/2, I haven't seen                  9 anything in it that would have caused me, as SIO, to                  10 instigate an investigation against Cyril Smith within                  11 the parameters of Operation Cleopatra. Nor is there                  12 anything in it that would assist me to particularly                  13 recall it. I saw hundreds, if not thousands, of reports                  14 during my time as SIO on Operation Cleopatra.                  15 "I make the point that, having regard to the                  16 description of the HOLMES system I have given above, the                  17 only way I could have seen the two reports allegedly                  18 submitted by Vince Hill is if they had gone through the                  19 system and first been read and initialled by five                  20 personnel engaged as the HOLMES team. I have been told                  21 that there is no trace of these two reports in the                  22 HOLMES system. I am confident, therefore, that neither                  23 of them ever entered Operation Cleopatra and that                  24 I never saw them."                  25 If we turn over the page. At the top there:</p> <p style="text-align: center;">Page 27</p>
<p>1 I have not seen this report before and I didn't instruct                  2 Vince Hill to submit it. Had I instructed Vince Hill to                  3 submit that report, then I would have raised an action                  4 via the HOLMES system and his report would have been                  5 submitted in typed form and seen by the HOLMES team                  6 before reaching me.                  7 "Operation Cleopatra was conducted using the HOLMES                  8 system, which is a Home Office Large Major Enquiry                  9 System. This system works as follows: every person                  10 involved in or connected with the enquiry is referred to                  11 as a nominal. This ranges from the SIO, all officers                  12 and civilian staff working on the enquiry, all                  13 witnesses, suspects and victims. Every nominal is                  14 allocated a unique nominal number. All subsequent                  15 references to that person will include his or her                  16 nominal number. When an enquiry is required to be made                  17 of a person, place, incident, vehicle, et cetera, an                  18 action is raised. The action can only be raised if                  19 there is an originating document in existence. This is                  20 usually in the form of a message submitted on a message                  21 form and allocated its unique message number. The                  22 action will itself be given a unique action number and                  23 all references to it will include that action number.                  24 The action will be allocated to a particular officer for                  25 enquiry. All reports made by that officer in connection</p> <p style="text-align: center;">Page 26</p>	<p>1 "I would also stress it would be highly unusual for                  2 any report concerning Cyril Smith or any other person                  3 associated with Operation Cleopatra to have been                  4 submitted through the above system on a form 733 by an                  5 officer working on the enquiry. Vince Hill apparently                  6 claims that he submitted report VH/2 for typing and                  7 that, when the typed copy was returned to him, he                  8 noticed that a number of recommendations he had included                  9 in his written report had been omitted."                  10 Again, chair, you have seen those:                  11 "All reports submitted for typing within a major                  12 incident are typed directly onto the HOLMES system.                  13 There is no other way that a typed copy of report VH/2                  14 could have been typed within Operation Cleopatra.                  15 "I am informed that no copy of VH/2 has been found                  16 on the HOLMES system. It could not, therefore, have                  17 been submitted for typing through Operation Cleopatra in                  18 the first place. The allegation that it was is                  19 therefore spurious. It is also noteworthy that, once                  20 something has been typed into the HOLMES system, the                  21 original document, be it a report, action or statement,                  22 is then filed away and is never seen again unless, for                  23 instance, it is required as an exhibit during a court                  24 case. The original copy is never kept by the officer                  25 who submitted it."</p> <p style="text-align: center;">Page 28</p>

1 We then drop down to the paragraph beginning  
 2 "I recall the name of Knowl View School":  
 3 "I recall the name of Knowl View School, but there  
 4 has been so much press coverage about that subject  
 5 I cannot be sure whether it is my memory of Cleopatra or  
 6 what I have read in the papers. I think I saw reports  
 7 of allegations at Knowl View that involved Cyril Smith  
 8 but these allegations I recall were that Cyril Smith,  
 9 who was looked upon as 'Mr Rochdale' was on a board of  
 10 Knowl View or other home in Rochdale and would chastise  
 11 the boys there and that indeed parents of boys would  
 12 actually send them to Cyril Smith to be chastised. The  
 13 allegations I saw were that he smacked them on the  
 14 backside and in some cases he pulled their pants down  
 15 and smacked them on the backside. Within the context of  
 16 what we were dealing with on Operation Cleopatra, these  
 17 were not serious enough to warrant immediate attention  
 18 and deviate from our enquiries which involved serious  
 19 sexual assaults including buggery and rape."  
 20 If we then turn over the page, and can we go to  
 21 page 10. Just two other little sections here. If we go  
 22 down the bottom of the page:  
 23 "I have been told that Vince Hill left the enquiry  
 24 on 24 November 1999. The decision to remove Vince Hill  
 25 was a really hard decision. I had known Vince since

Page 29

1 I was 17 and I considered us to be friends, not close,  
 2 but we had a good working relationship. During my  
 3 30 years' police career, 24 years were spent as  
 4 a supervisor and in all that time I only had to have  
 5 strong words with four people and two of those were on  
 6 Operation Cleopatra. Vince Hill didn't grasp the system  
 7 and embrace what I was asking. In fact, quite the  
 8 contrary. He was probably the officer who was most  
 9 vocal regarding his disgruntlement in having to work  
 10 with a social worker. He continued to submit  
 11 unnecessarily lengthy reports despite my instructions  
 12 not to include superfluous information. Eventually,  
 13 after he submitted a further statement that had numerous  
 14 pages with inconsequential details, I decided to remove  
 15 him from the operation. I remember that we had a long  
 16 meeting and it was conducted in the office of  
 17 the social services supervisor with just Vince Hill and  
 18 I present.  
 19 "I cannot remember the full details of our  
 20 conversation but I told Vince Hill that he would have to  
 21 return to division. He looked shocked and I recall him  
 22 saying at the end of our discussion words to the effect  
 23 of that [top of the page there] this was ironic as he  
 24 was just beginning to appreciate that what I was saying  
 25 was right. I told him that it was too late and he

Page 30

1 returned to his division."  
 2 If we just scroll down to the middle of this page,  
 3 that paragraph beginning "I cannot recall:  
 4 "I cannot recall ever having any meetings  
 5 specifically about Knowl View School and Cyril Smith.  
 6 I can state that no person, either internally within the  
 7 police or externally, has ever attempted to exert any  
 8 pressure on me to either investigate or not to  
 9 investigate anyone, including Cyril Smith. I would have  
 10 been appalled had anyone tried to do so and I feel sure  
 11 that anyone who knows me and who has worked with me  
 12 would corroborate the fact that I was not a person who  
 13 would have acceded to such a request/order.  
 14 "Had there been evidence to investigate and arrest  
 15 Cyril Smith, then we would have done that. We were,  
 16 however, dealing with allegations of very serious cases  
 17 of sexual abuse committed by people who had been, and in  
 18 some cases still were, in a position of care and control  
 19 over vulnerable young children. These had to take  
 20 priority over the allegations of comparatively minor  
 21 offences concerning Cyril Smith."  
 22 Finally, he says, at the bottom of that page:  
 23 "I have subsequently been informed that, following  
 24 investigations by officers engaged on Operation Clifton  
 25 [which we will hear more about today, chair] a typed

Page 31

1 copy of exhibit VH/2 has been discovered. This,  
 2 however, has been found not to have been typed onto the  
 3 HOLMES system. Five people are named in the report  
 4 submitted by Vince Hill which it has now been discovered  
 5 formed an advice file that was sent to the CPS.  
 6 A written advice letter from CPS has also been  
 7 discovered in response to Vince Hill's submission. The  
 8 letter is addressed directly to Vince Hill and, as in  
 9 the case of the original submission, was never processed  
 10 through the Cleopatra system."  
 11 Chair, you will recall we have seen that advice file  
 12 and the response. That I think is all the reading we  
 13 are going to do for the moment. I am going to hand back  
 14 over to Mr Altman.  
 15 MR ALTMAN: Thank you. Richard Farnell, please.  
 16 MR RICHARD GEORGE FARNELL (affirmed)  
 17 Examination by MR ALTMAN  
 18 MR ALTMAN: Give us your full name, if you would,  
 19 Mr Farnell?  
 20 THE CHAIR: Excuse me, Mr Altman, could I be directed to the  
 21 statement, please?  
 22 MR ALTMAN: It is section 6 of week 3. There is no  
 23 statement, as such, chair. There are interviews and  
 24 some press reports, but there is no statement.  
 25 THE CHAIR: Thank you, Mr Altman.

Page 32



1 MR ALTMAN: Give us your full name, if you would, please?  
 2 **A. Sorry, before you start, I am having trouble hearing**  
 3 **you, so if the volume could be brought up a bit.**  
 4 Q. I don't know if the technical people can do that. Just  
 5 a moment.  
 6 Mr Farnell, can you give us your full name, please?  
 7 **A. My name is Richard George Farnell.**  
 8 Q. In 1980, were you elected as a councillor for Newbold  
 9 ward?  
 10 **A. Yes, that's correct.**  
 11 Q. In 1985, did you become the leader of the Labour group?  
 12 **A. Yes, I did.**  
 13 Q. When you were then in opposition?  
 14 **A. Yes.**  
 15 Q. In 1986, am I right in saying that the Labour Party took  
 16 control of the council, Rochdale Council?  
 17 **A. It did, yes.**  
 18 Q. Was it in 1986 or 1987 that you became the leader of  
 19 the council?  
 20 **A. In 1986.**  
 21 Q. In 1992, when you were still leader, that was a pretty  
 22 disastrous year for Labour; is that right?  
 23 **A. What year, sorry?**  
 24 Q. 1992.  
 25 **A. Yes, it was, yes.**

Page 33

1 Q. When you lost control of the council?  
 2 **A. That's correct.**  
 3 Q. You lost your seat; is that right?  
 4 **A. That's correct.**  
 5 Q. You ceased to be a councillor?  
 6 **A. That's true.**  
 7 Q. I am simply taking this from an interview with the  
 8 police in 2016. Did you then go to university for three  
 9 years?  
 10 **A. For three years, yes.**  
 11 Q. Studied journalism?  
 12 **A. That's correct, yes.**  
 13 Q. I think you were in your mid 30s at the time?  
 14 **A. Yes, that would be about right, yes.**  
 15 Q. After that, working in newspapers. Then for Tameside  
 16 Council press office. Then on to Liverpool?  
 17 **A. That's correct, yes.**  
 18 Q. Working in their council press office?  
 19 **A. Mmm-hmm.**  
 20 Q. Then in 2011, did you become the head of the Leader's  
 21 office in Liverpool?  
 22 **A. Around that, yes. Around that.**  
 23 Q. Again, I am simply taking this from what you said to the  
 24 police in April 2016.  
 25 **A. Yes, it would be around there.**

Page 34

1 Q. But you weren't there very long, because by 2012 I think  
 2 you had become a councillor again at Rochdale?  
 3 **A. Yes, but I was still -- for a short period, I was still**  
 4 **working for Liverpool.**  
 5 Q. But then you retired?  
 6 **A. Yes, took early retirement.**  
 7 Q. By 2014, you became the leader of the council again?  
 8 **A. Yes, that's correct.**  
 9 Q. Following a gap of, what, 22 years?  
 10 **A. Something around that, yes.**  
 11 Q. Are you still the leader of Rochdale Council?  
 12 **A. I'm still the leader, yes.**  
 13 Q. You will remember the name Mary Moffat, I assume?  
 14 **A. Yes.**  
 15 Q. Am I right to think that she has since passed away?  
 16 **A. She has, yes.**  
 17 Q. Was it during all of the time that you were leader that  
 18 she was chair of the Education Committee?  
 19 **A. Yes, all the time from '86 to '92, she was the chair of**  
 20 **the Education Committee.**  
 21 Q. She was a Labour politician?  
 22 **A. Labour councillor, yes.**  
 23 Q. Part of your Labour group on the council?  
 24 **A. Yes.**  
 25 Q. I think when you spoke to the police, you called her

Page 35

1 a key person?  
 2 **A. Certainly in education, yes.**  
 3 Q. She was presumably a political colleague with whom you  
 4 had had any number of meetings during the course of  
 5 the years 1986 to 1992 when you were leader in that  
 6 period?  
 7 **A. Yes, we were on a number of committees together.**  
 8 Q. Do you remember that Mary Moffat had an office in the  
 9 Education Department?  
 10 **A. Yes, I was aware of that, yes.**  
 11 Q. As leader of the council, was it part of your role to  
 12 chair the committee that was known as the Policy and  
 13 Resources Committee?  
 14 **A. That's correct.**  
 15 Q. Which met how often?  
 16 **A. Meetings took place over a six-weekly cycle and there**  
 17 **would be around about two meetings per cycle.**  
 18 Q. Who would attend those meetings?  
 19 **A. It was mainly predominantly members of the chairs of**  
 20 **the committees. There would be one or two other Labour**  
 21 **councillors on there and there would be opposition**  
 22 **members as well.**  
 23 Q. So it would be a mix of Labour and, what, the main  
 24 parties or all the other parties?  
 25 **A. All the other parties -- the Conservatives and Liberals.**

Page 36

1 Q. Was there also something that you called, or was called,  
2 a chairs' panel?  
3 **A. Yes.**  
4 Q. Was that a committee of all of the chairs of the various  
5 committees that would meet?  
6 **A. Yes, all the chairs of the main committees of**  
7 **the council, yes.**  
8 Q. Including, what, education?  
9 **A. Education, social services, development services, and so**  
10 **on.**  
11 Q. Were those also routine meetings?  
12 **A. They would meet again around about twice during the**  
13 **cycle.**  
14 Q. What kind of things would be discussed at them?  
15 **A. There were really two elements to that. I established**  
16 **the chairs' panel because I wanted councillors to be**  
17 **able to talk through the big issues together, to come**  
18 **together. So it would be dealing with the major policy**  
19 **items of the council, particularly our manifesto. We**  
20 **had major policies that we wanted to deliver and we'd**  
21 **discuss those.**  
22 Q. Purely limited to policy?  
23 **A. No. What I also asked for, both of councillors and**  
24 **chief officers, if there was a major contentious issue,**  
25 **that that be brought to the chairs' panel as well.**

Page 37

1 Q. Presumably individual chairs who attended the chair  
2 panel meetings could raise issues of interest to them?  
3 **A. They could, as could the chief officers as well.**  
4 Q. Was it the kind of meeting where you would have set  
5 agendas or could people raise items ad hoc?  
6 **A. There was a set agenda of items to be discussed and**  
7 **then -- I don't recall there being many items brought to**  
8 **the meeting ad hoc, but there was the facility for that**  
9 **to happen, yes.**  
10 Q. These weren't political meetings?  
11 **A. Sorry?**  
12 Q. They weren't political meetings?  
13 **A. No, no, because they were serviced and attended by**  
14 **council officers.**  
15 Q. Would occasionally the chief executive attend meetings?  
16 **A. The chief executive was at all the meetings.**  
17 Q. At all of them?  
18 **A. Yes.**  
19 Q. Now, in addition to your chairs' panel meetings which  
20 you instituted, was there also something known as  
21 a leadership meeting or leadership meetings?  
22 **A. I think you're referring to an informal meeting that the**  
23 **leader and the deputy had with the chief executive.**  
24 Q. Yes. So you had those, and the executive at the time  
25 was John Pierce?

Page 38

1 **A. That's correct, yes.**  
2 Q. Did those meetings, those informal meetings, the  
3 leadership meetings -- again, this is simply something  
4 I have picked up from your interview with the police in  
5 2016. Would the head of legal services also attend  
6 those leadership meetings between you and your deputy?  
7 **A. My recollection, he was at most of those meetings, yes.**  
8 Q. That was David Shipp around that time?  
9 **A. It was, yes.**  
10 Q. Who was your deputy?  
11 **A. I had about three deputies during the six years. The**  
12 **first one was Peter Roberts. Mary Moffat was the deputy**  
13 **for a short period. But the majority of the time, it**  
14 **was Jim Dobbin.**  
15 Q. Who later on became an MP?  
16 **A. Member of Parliament for a constituency within the**  
17 **borough, yes.**  
18 Q. Do you remember now when Mary Moffat was your deputy?  
19 **A. It was in the -- certainly in the first half of those**  
20 **six years. I think she was only deputy for a year.**  
21 Q. How were serious issues occurring within Rochdale  
22 brought to your attention?  
23 **A. Probably there were three ways that it could be brought**  
24 **to my attention. One -- or possibly four. One, they**  
25 **could have been raised at the informal Thursday**

Page 39

1 **briefings, but they were mainly catch-ups rather than**  
2 **meetings.**  
3 Q. That's the leadership meeting we were discussing, is it?  
4 **A. Yes. It didn't really have a title. It was so informal**  
5 **it didn't have a title.**  
6 **The three other ways were, a report could be**  
7 **presented to the Policy and Resources Committee; the**  
8 **matter could have been brought before the chairs' panel;**  
9 **and, thirdly, directors could bring that directly to me,**  
10 **ask for a meeting and have a direct meeting with myself.**  
11 Q. So three principal ways by which serious issues could be  
12 brought to the leader's attention?  
13 **A. Yes.**  
14 Q. And a fourth, which was informal?  
15 **A. Yes.**  
16 Q. Did they include issues with serious political  
17 ramifications?  
18 **A. Issues that would have an impact on the reputation of**  
19 **the council, I would think, yes.**  
20 Q. Or ones, for example, that might prove scandalous?  
21 **A. Yes, that ...**  
22 Q. Or issues that might embarrass the Labour Party or you  
23 personally?  
24 **A. In theory, but I don't ever recall that kind of issue**  
25 **being raised.**

Page 40

1 Q. What, in all the time that you were leader of Rochdale,  
 2 there was never any issue that came to your attention  
 3 which was potentially or actually politically  
 4 embarrassing?  
 5 **A. Politically embarrassing to the party, but I don't**  
 6 **recall anything that was politically embarrassing to**  
 7 **myself.**  
 8 Q. So that's the distinction that you are making? So  
 9 nothing politically embarrassing to you, but to the  
 10 party generally -- you don't recall anything personal to  
 11 you, but what about to the party?  
 12 **A. I think the two were really looked at together. It was**  
 13 **a Labour-run council and it was the Labour Party. So**  
 14 **those would be intertwined, really.**  
 15 Q. But do you remember now, looking back to the period when  
 16 you were leader, between '86 and '92, any politically  
 17 embarrassing issues being brought to your attention?  
 18 **A. At those meetings? I'm trying to think. I can't**  
 19 **remember directly.**  
 20 Q. Middleton. You know what I mean by Middleton, don't  
 21 you? The wardship cases?  
 22 **A. The satanic abuse case, yes.**  
 23 Q. You were leader when that blew up; is that right?  
 24 **A. That's correct, yes.**  
 25 Q. We know that the judgment, the High Court judgment, in

Page 41

1 the Middleton cases was, we are told, published in  
 2 early March 1991. You will remember it pretty well, I'm  
 3 sure, Mr Farnell?  
 4 **A. I do remember it, yes.**  
 5 Q. That led to pretty bad publicity for the council, didn't  
 6 it?  
 7 **A. It did, yes.**  
 8 Q. Mr Davey, who you will remember well, who was acting  
 9 Director of Social Services on Mr Littlemore's  
 10 resignation and then became director, told us that the  
 11 council was besieged?  
 12 **A. It was, yes. Yes. I think the story was on --**  
 13 **following the judgment, it was on the front pages of**  
 14 **national newspapers from memory, yes.**  
 15 Q. Almost certainly impacted morale in the council; do you  
 16 agree?  
 17 **A. Yes.**  
 18 Q. As well as working practices?  
 19 **A. In what respect?**  
 20 Q. Well, it affected how social services in particular  
 21 looked at its working practices, didn't it?  
 22 **A. Yes, it would have done, yes.**  
 23 Q. Did the effect of the Middleton scandal and the fallout  
 24 from it within the council in general and  
 25 social services in particular give you, as leader,

Page 42

1 reason to be vigilant about what your officers were  
 2 doing?  
 3 **A. My recollection of the response to satanic abuse was**  
 4 **perhaps different. What our concerns were, were morale**  
 5 **within the department and also to give support to the**  
 6 **department in recovering from what was a very traumatic**  
 7 **period.**  
 8 Q. But that's focusing on Middleton. Do you think it led  
 9 to you being, or becoming, more vigilant about what else  
 10 was going on in Rochdale?  
 11 **A. That's not my recollection. We were focused on**  
 12 **social services and to try and put right that**  
 13 **department.**  
 14 Q. Did you think, Mr Farnell, that it would have been  
 15 politically embarrassing for the council, at the very  
 16 time that the Middleton judgment was handed down making  
 17 headlines about cradle snatching, for you to have  
 18 another scandal on your hands revolving around the  
 19 sexual activities of Knowl View School pupils in and  
 20 outside the school?  
 21 **A. Yes, I think that would be a fair assessment.**  
 22 Q. Not only would it be politically embarrassing for  
 23 Labour, but those with whom you worked were sufficiently  
 24 politically astute to have realised that, weren't they,  
 25 such as Mary Moffat?

Page 43

1 **A. Yes, I would think so, yes.**  
 2 Q. So what did she tell you about Knowl View?  
 3 **A. I have no recollection of Mary Moffat raising Knowl View**  
 4 **with me.**  
 5 Q. So Mary Moffat, who was for a short period of time  
 6 during your leadership your deputy, who was throughout  
 7 the whole period of time of your leadership the  
 8 education chair, you say you have got no recollection at  
 9 all of her ever raising Knowl View with you?  
 10 **A. No recollection whatsoever.**  
 11 Q. When you say, Mr Farnell, "I, Richard Farnell, have no  
 12 recollection whatsoever", what does that really mean?  
 13 **A. I do not recall Mary Moffat mentioning to me any issues**  
 14 **connected with Knowl View.**  
 15 Q. Is it something, if she had raised it, you are likely to  
 16 forget?  
 17 **A. If she had raised that, I wouldn't have forgotten it,**  
 18 **no.**  
 19 Q. So what you are really telling us is, she never did?  
 20 **A. Yes, I'm saying that.**  
 21 Q. Is that what you are saying?  
 22 **A. Yes.**  
 23 Q. So Mary Moffat, in all the years that we know there were  
 24 problems at Knowl View, never once raised -- not a word?  
 25 **A. Not a word.**

Page 44

1 Q. Not a word?  
 2 **A. No.**  
 3 Q. So she left you, your erstwhile deputy, and your  
 4 education chair, completely and utterly exposed, as  
 5 Labour leader of the council, to scandal at Knowl View?  
 6 Is that what you are telling us?  
 7 **A. What I'm saying is, Mary Moffat's style wasn't to come**  
 8 **running to me every five minutes with problems within**  
 9 **the department. She was a formidable politician in her**  
 10 **own right. She got on with the job and she was**  
 11 **confident in her own abilities to deal with issues that**  
 12 **were put before her.**  
 13 Q. Just think about what you are saying, Mr Farnell. You  
 14 were the leader. She was the education chair. However  
 15 formidable she was, any astute politician would not  
 16 leave the leader unsighted by the kind of issues this  
 17 enquiry has heard about going on at Knowl View between  
 18 at least 1989 and the time that you lost your seat in  
 19 the council in May 1992. Is that what you are seriously  
 20 telling the enquiry?  
 21 **A. Yes.**  
 22 Q. She never brought it to your attention?  
 23 **A. She never brought it to my attention.**  
 24 Q. And nor did anyone else?  
 25 **A. No.**

Page 45

1 Q. Not any single chair of any single committee who sat on  
 2 your chairs' panel? No?  
 3 **A. No.**  
 4 Q. Not the chief executive, John Pierce?  
 5 **A. He didn't, no.**  
 6 Q. Not the Borough Solicitor?  
 7 **A. No.**  
 8 Q. No-one?  
 9 **A. No-one.**  
 10 Q. So you were completely and utterly oblivious to what was  
 11 going on at Knowl View for all of those years?  
 12 **A. All those people you mentioned did not bring that to my**  
 13 **attention.**  
 14 Q. Did anybody else, Mr Farnell?  
 15 **A. No.**  
 16 Q. No-one?  
 17 **A. No-one.**  
 18 Q. Is that reality, do you think?  
 19 **A. It is what happened in Knowl View.**  
 20 Q. Is it the truth, Mr Farnell?  
 21 **A. It is the truth, certainly the truth, yes.**  
 22 Q. When you were interviewed by the police  
 23 about September 1990 in April 2016 -- do you know what  
 24 I'm talking about when I mention September 1990?  
 25 **A. You will have to remind me.**

Page 46

1 Q. Are you serious, that I have to remind you, even after  
 2 all of these years, Mr Farnell, about what happened at  
 3 Knowl View School in September 1990?  
 4 **A. I'm not aware of that, no.**  
 5 Q. Are you really not aware of what I am talking about when  
 6 I mention September 1990?  
 7 **A. I'm not aware of what the dates -- specifically the**  
 8 **date --**  
 9 Q. Are you aware of the name Roderick Hilton?  
 10 **A. I have become aware of it subsequently.**  
 11 Q. When did you become aware of that?  
 12 **A. In the last three years, when Knowl View has been very**  
 13 **much in the public domain.**  
 14 Q. Since you learned the name Roderick Hilton and you  
 15 learned the detail of what Roderick Hilton did at the  
 16 school on two nights in September 1990, doubtless,  
 17 Mr Farnell, you thought to yourself that that sounded  
 18 like a very serious incident indeed?  
 19 **A. I wasn't aware of any event in 1990 --**  
 20 Q. That's not my question.  
 21 **A. Sorry, if you could repeat the question?**  
 22 Q. My question is, when you learned about it, you must have  
 23 said to yourself that that sounded like a very serious  
 24 incident indeed?  
 25 **A. Yes, that -- yes.**

Page 47

1 Q. It was serious, Mr Farnell, because not only had  
 2 a paedophile been admitted to a boys' school, but also,  
 3 on the second night of his intrusion into the school, he  
 4 sexually abused at least one boy. You say you came to  
 5 know that?  
 6 **A. Yes.**  
 7 Q. But that was only more recently?  
 8 **A. Yes, in the last few years, yes. I wasn't aware of it**  
 9 **at the time.**  
 10 Q. Did Mary Moffat never mention even the few sentences  
 11 I have used to describe that incident to you on any  
 12 occasion in all of the time since September 1990?  
 13 **A. No.**  
 14 Q. You see, we know it was serious enough for Mary Moffat  
 15 to have been told immediately about it. In fact,  
 16 Mary Moffat, the education chair, was told about that  
 17 incident before the Director of Education was told  
 18 because she was told it by Brian Williams. You know who  
 19 Brian Williams was?  
 20 **A. He was an officer in the Education Department.**  
 21 Q. He had telephoned Mary Moffat about the Hilton incident  
 22 before ringing Diana Cavanagh, who was then Acting Chief  
 23 Education Officer. Just thinking about it for a moment,  
 24 Mr Farnell, if that had got out, there was a risk  
 25 in September 1990, if the press had discovered it and

Page 48

1 had wanted to make something of it, that was pretty  
 2 scandalous, don't you think?  
 3 **A. The issue, really, is not so much, "This is a scandal",**  
 4 **it's the fact that the incident had happened and the**  
 5 **incident happened at an establishment of the council.**  
 6 Q. Yes. But whichever way you skin this particular cat,  
 7 Mr Farnell, this isn't going to make very good news for  
 8 you as political leader, is it?  
 9 **A. I think the more important thing is that this incident**  
 10 **had happened and it needed to -- it needs to be**  
 11 **investigated and put right. The consequence of it would**  
 12 **have been very bad publicity.**  
 13 Q. Which is the very reason why I am suggesting to you, and  
 14 have done more than once, that the idea that you never  
 15 knew about it and were never told by Mary Moffat is just  
 16 ridiculous, isn't it?  
 17 **A. That's your view, but I can only repeat that Mary Moffat**  
 18 **was the kind of councillor who got on with these things,**  
 19 **didn't share these things with many councillors, if at**  
 20 **all. She got on with the job. She didn't come running**  
 21 **to me with, "I need your help with this", or, "Do you**  
 22 **know about this?". Education was very much her domain**  
 23 **and she got on with it and that was her style.**  
 24 Q. Did you never see anything published locally about the  
 25 Hilton incident, Mr Farnell?

Page 49

1 **A. At the time?**  
 2 Q. Yes.  
 3 **A. I don't recall seeing it.**  
 4 Q. See, I only ask because we heard from Paul Rowen, who  
 5 I am sure you will know pretty well, who gave evidence  
 6 to the inquiry last week, who told us that he became  
 7 aware of the Hilton incident, as we have come to  
 8 characterise it, via a report in the Rochdale Observer.  
 9 Did you become aware of the Hilton incident because of  
 10 any writeup in the Rochdale Observer?  
 11 **A. Have you got a copy of that writeup?**  
 12 Q. The only copy of any report that we have -- I can put it  
 13 up on screen and you can have a look. It is a very  
 14 small one, but I don't know if it is the only one there  
 15 ever was. It is RHC002014. If we can blow up "Sex  
 16 charge remand", please, next to the advertisement.  
 17 Thank you. That doesn't tell us anything at all about  
 18 Knowl View, does it?  
 19 **A. No.**  
 20 Q. But Mr Rowen told us that he picked up information about  
 21 it because he'd read something about it in the  
 22 Rochdale Observer. We can't say that this is the only  
 23 time the Rochdale Observer published anything about it,  
 24 but that was his evidence to this inquiry. So my  
 25 question is, on the assumption that this wasn't the only

Page 50

1 published article about Roderick Hilton and what he did,  
 2 my question is, did it not come to your attention  
 3 through the paper that Roderick Hilton had offended at  
 4 Knowl View School?  
 5 **A. Through the paper, no, I have no recollection of reading**  
 6 **anything in the paper at that time about**  
 7 **Roderick Hilton, and if I'd have read this article, then**  
 8 **there's absolutely no indication that it's connected**  
 9 **with Knowl View in any way whatsoever.**  
 10 Q. I agree. So if Mr Rowen was being accurate with the  
 11 inquiry in telling us that he had picked up about the  
 12 Hilton incident and clearly its link to Knowl View from  
 13 an article in the Rochdale Observer, there had to be  
 14 another article, not this one?  
 15 **A. That's Councillor Rowen's view, yes.**  
 16 Q. Nobody brought it to your attention, Mr Farnell? "We  
 17 have read in the newspaper, the local newspaper, that  
 18 a chap called Hilton has sexually assaulted a boy at  
 19 Knowl View School, which is our only residential school,  
 20 what are we going to do about this?"  
 21 **A. Again, nobody has got any information that that report**  
 22 **ever appeared in the Rochdale Observer, so whether**  
 23 **Councillor Rowen was referring to that or another**  
 24 **article, I don't know; whether he's mistaken, I don't**  
 25 **know.**

Page 51

1 Q. But my question is, if there was such an article, and if  
 2 his recollection is accurate, no-one brought it to your  
 3 attention?  
 4 **A. If there was such an article, and I have no recollection**  
 5 **of reading such an article, I would have been aware of**  
 6 **it or somebody would have brought it to my attention, if**  
 7 **that was the case.**  
 8 Q. But nobody did?  
 9 **A. Nobody -- no.**  
 10 Q. Let's move on, then, to the following year, March/April  
 11 period 1991. By now, the school and Rochdale Council  
 12 were not only dealing with the aftermath of  
 13 Roderick Hilton, but they were also dealing with sexual  
 14 exploitation of Knowl View and other boys at  
 15 Smith Street toilets. You know about Smith Street  
 16 toilets?  
 17 **A. Yes, I have heard of the --**  
 18 Q. They were also dealing with peer-on-peer sexual abuse at  
 19 school. By now, your Director of Education,  
 20 Diana Cavanagh, was involved, having meetings, strategy  
 21 meetings and the like, with social services, police,  
 22 psychologists, child protection, as well as your acting,  
 23 soon to become director, of social services, Ian Davey,  
 24 who, if my memory serves me, you said to police in 2016  
 25 you thought proved to be an excellent Director of Social

Page 52

1 Services?  
 2 **A. After I'd left the council, that was the feedback I --**  
 3 Q. That was feedback, was it? That wasn't your personal  
 4 view?  
 5 **A. I was not on the council at that point.**  
 6 Q. Still, Mr Farnell, are you telling us that even in March  
 7 or April 1991, you were still completely and utterly  
 8 ignorant of the serious sexual abuse issues that were  
 9 going on at the school?  
 10 **A. I was unaware of those incidents because the Director of**  
 11 **Education, the Director of Social Services and the chief**  
 12 **executive failed to inform me of those incidents.**  
 13 Q. So the man who came to prove an excellent Director of  
 14 Social Services, he never mentioned a word to you?  
 15 **A. He never did, no.**  
 16 Q. Mrs Cavanagh, who this inquiry has seen in evidence for  
 17 a day and a half, she said nothing to you?  
 18 **A. She said nothing to me and she's told the inquiry she**  
 19 **never raised it with me.**  
 20 Q. And Mary Moffat never raised it with you, with whom she  
 21 was liaising?  
 22 **A. She was -- sorry?**  
 23 Q. Mary Moffat, with whom Diana Cavanagh was liaising and  
 24 in contact, she never raised it with you?  
 25 **A. As I have said, she never raised it with me.**

Page 53

1 Q. Pamela Hawton?  
 2 **A. No, definitely not.**  
 3 Q. She was the Tory education spokesperson, wasn't she?  
 4 She was also chair of the health authority?  
 5 **A. She was leader of the Conservative group and chair of**  
 6 **the health authority. I wasn't aware she was**  
 7 **spokesperson on education.**  
 8 Q. We have seen her referred to as that in several meeting  
 9 minutes. Whatever she was, she never said anything to  
 10 you?  
 11 **A. No.**  
 12 Q. Your opposite number never said anything to you?  
 13 **A. My opposite -- yes.**  
 14 Q. The leader of the Tory group?  
 15 **A. No.**  
 16 Q. Did you know somebody by the name of Rita Sargenson?  
 17 **A. I don't think she -- I'm aware that she was**  
 18 **a Liberal Democrat councillor. From memory, I don't**  
 19 **think she became a councillor until after I left office,**  
 20 **but I could be wrong on that. I was aware of it but**  
 21 **I didn't have any dealings with her.**  
 22 Q. We certainly know that she was a councillor by  
 23 13 March 1992 --  
 24 **A. Right. Well, she must have been --**  
 25 Q. -- and you were still in office then.

Page 54

1 **A. It must have been at the very end of my time on the**  
 2 **council.**  
 3 Q. We have seen, and I think you know about, letters  
 4 passing between Councillor Hawton as chair of the health  
 5 authority and Ian Davey and Diana Cavanagh on 4 April.  
 6 I think you were told about that, or you were informed  
 7 of some of the detail of that when you were interviewed  
 8 by police in 2016.  
 9 **A. Yes.**  
 10 Q. Because she wanted, Pam Hawton, in light of what she had  
 11 learned from the report of a man by the name of  
 12 Phil Shepherd, which is a name I suspect is at least now  
 13 familiar to you --  
 14 **A. It is, yes.**  
 15 Q. -- she wanted a thorough investigation, ideally by  
 16 a person of good standing, independent of the council,  
 17 with Social Services Department taking the lead but in  
 18 conjunction with the Education Department. Did you not  
 19 know about any of that?  
 20 **A. No.**  
 21 Q. It never came to your ears?  
 22 **A. No.**  
 23 Q. On the same date, Diana Cavanagh, Ian Davey and  
 24 Janet Bowyer, who was the child protection lead, had  
 25 a meeting and they determined to have a further strategy

Page 55

1 meeting on 11 April 1991. Did you know about that?  
 2 **A. I have learned about it subsequently, yes.**  
 3 Q. But at the time?  
 4 **A. At the time, I wasn't aware of it.**  
 5 MR ALTMAN: Diana Cavanagh made a handwritten note of  
 6 the meeting that she had with Ian Davey and with  
 7 Janet Bowyer. I think you may have been shown this  
 8 before. I am going to show it to you again. I am just  
 9 going to pause for a moment, because I see the time.  
 10 What happens, Mr Farnell, is the chair normally has  
 11 a break. I am not going to finish your examination any  
 12 time soon, so it may be this is as good a time as any.  
 13 THE CHAIR: Thank you, Mr Altman. We will return at  
 14 12.10 pm.  
 15 (11.55 am)  
 16 (A short break)  
 17 (12.10 pm)  
 18 MR ALTMAN: Mr Farnell, I was asking you about a note of  
 19 a conversation which you were shown I think for the  
 20 first time in 2016 and I want to show it to you now. We  
 21 only have a hard copy, so I wonder if Mr Farnell could  
 22 be -- do you have a copy there, Mr Farnell, of the note?  
 23 **A. The handwritten note? That one?**  
 24 Q. That's it. I hope everybody else has got it in hard  
 25 copy. It is dated 4 April 1991. This is

Page 56

1 Diana Cavanagh's note, which reads:  
 2 "Discussion with Ian Davey, Janet Bowyer."  
 3 The first point is:  
 4 "Can B Williams produce a note of the meeting at  
 5 Field House ..."  
 6 That was her reference to a strategy meeting we know  
 7 took place on 8 March 1991 with a number of  
 8 individuals -- police, education and social services.  
 9 A second point was:  
 10 "Meeting to involve ..."  
 11 This was an arrangement for a further meeting to be  
 12 held to involve Stephen Bradshaw -- had you ever heard  
 13 of him, Mr Farnell?  
 14 **A. The name, I don't recollect the name, no.**  
 15 Q. Cliff Bentley, did you know that name?  
 16 **A. The chief adviser, from memory.**  
 17 Q. Marilyn Simpson?  
 18 **A. Education Welfare Officer, I think, yes.**  
 19 Q. Mansoor Kazi, does that ring a bell?  
 20 **A. Sorry, I think he's the Education Welfare Officer.**  
 21 Q. He was the Principal Education Welfare Officer.  
 22 Marilyn Simpson was Special Needs adviser.  
 23 Richard Flammer, does that mean anything to you?  
 24 **A. No, I don't recognise that name.**  
 25 Q. He was a psychologist. And "SS", presumably meaning

Page 57

1 social services, Janet Bowyer. Does that name mean  
 2 anything to you?  
 3 **A. No, I don't recall that name.**  
 4 Q. As well as police, who, according to Diana Cavanagh's  
 5 note, the social services were to invite. You can see  
 6 the date: Thursday, April 11, preferably afternoon.  
 7 Val, who was her secretary at the time, was to arrange  
 8 it. We can see in the centre of the note underlined the  
 9 words "for strategy". Then on the right-hand side:  
 10 "To be informed: chair of governors; chair  
 11 education, [something] social services, area teams ..."  
 12 Then beneath that, and this is really why I'm  
 13 bringing the note to your attention, not for the first  
 14 time, is:  
 15 "Result of meeting", with an arrow pointing at your  
 16 name, "Councillor Farnell, Councillor Hawton, (health  
 17 authority Bob Bullough)."  
 18 What Diana Cavanagh said in a witness statement --  
 19 just so you understand and can deal with it -- she made  
 20 herself to the police in November 2015 was that she had  
 21 written that following that meeting, in other words, the  
 22 meeting of 11 April, "Mr Farnell, the leader of  
 23 the council, would be informed of the result", and she  
 24 added:  
 25 "To the best of my knowledge, Councillor Farnell and

Page 58

1 Councillor Hawton would have been provided with the  
 2 minutes. At the very least, they would have received  
 3 actions required to be taken."  
 4 What do you say, Mr Farnell?  
 5 **A. Do we know who would take responsibility for informing  
 6 me of the outcome of the meeting?**  
 7 Q. I'm not here, I'm afraid, Mr Farnell, to answer your  
 8 questions, but I am sure your question will be noted.  
 9 My question is a fairly simple one: was she right  
 10 when she told the police in November 2015 that you and  
 11 Councillor Hawton would have been provided with the  
 12 minutes, at the very least you both would have received  
 13 actions required to be taken as a result of a meeting we  
 14 know did take place on 11 April 1991?  
 15 **A. I've not seen any copy of the minutes of that meeting.  
 16 I'm not sure, do they exist? It would be interesting to  
 17 see if my name was on the distribution list of those  
 18 minutes.**  
 19 **In terms of if I was informed of -- to be informed  
 20 of the outcome, certainly the Director of Education did  
 21 not speak to me about the outcome of that meeting. If  
 22 there was a note produced of the outcome, a memo or  
 23 a letter, I have not seen one of those. Perhaps you may  
 24 be able to help me whether or not those do exist?**  
 25 Q. Mr Farnell, we don't have minutes of 11 April. We have

Page 59

1 a note of it, but they are not minutes. So I can't tell  
 2 you whether, if we were ever to have the minutes, they  
 3 would show you were on any distribution list or not, so  
 4 that's not going to help.  
 5 **A. Right.**  
 6 Q. When Mrs Cavanagh came to the inquiry, she told us that  
 7 it was likely the minutes of the meeting and/or the  
 8 actions required from that meeting were brought to your  
 9 attention. She wasn't, as I understood her evidence,  
 10 representing that it would have been by her personally,  
 11 but it is perfectly clear -- you will accept this,  
 12 Mr Farnell -- that she made a deliberate note on this  
 13 piece of paper that we all have that you were to be  
 14 informed. Do you agree?  
 15 **A. She did, yes.**  
 16 Q. What is your evidence: "I can't recollect", or, "I just  
 17 didn't get told by anyone"?  
 18 **A. My recollection is, I didn't see any minutes of those  
 19 meetings, and I think from what you said, there were no  
 20 minutes --**  
 21 Q. No, I'm not saying that, Mr Farnell.  
 22 **A. What did you say?**  
 23 Q. I'm saying the inquiry doesn't have any minutes if there  
 24 were?  
 25 **A. Certainly you have not seen any minutes nor have I seen**

Page 60

1 **any minutes and, equally, I have not seen any report or**  
 2 **memo to me that gave me details of the outcome of that**  
 3 **meeting.**  
 4 Q. A few moments ago you said, "I don't recollect", which  
 5 is what you said to the police when you were asked about  
 6 this note. What I am saying you said to the police --  
 7 and if you want to see this I can take you to it, but  
 8 perhaps you will be prepared to trust me --  
 9 **A. Yes.**  
 10 Q. -- but what you said to the police about this in your  
 11 interview of April 2016 is, "What I am saying is,  
 12 I can't remember".  
 13 Now, again, Mr Farnell, when Richard Farnell says,  
 14 "I can't remember", what does that mean: it didn't  
 15 happen or genuinely "I can't remember"?  
 16 **A. Genuinely, I can't remember and I can't remember seeing**  
 17 **any document arising from that meeting.**  
 18 Q. So on this occasion when you say, "I can't remember",  
 19 are you admitting of the possibility that it might have  
 20 been brought to your attention?  
 21 **A. Trying to remember something, what, 20-odd years ago,**  
 22 **that is a possibility, but, as I say, I have no**  
 23 **recollection, I have no recollection of it.**  
 24 Q. Let me ask you the same question I asked you a little  
 25 earlier: if it was brought to your attention

Page 61

1 by April 1991 that boys in a residential school within  
 2 Rochdale of which you were the leader of the council  
 3 were being sexually exploited at Smith Street toilets  
 4 and that there was an epidemic of peer-on-peer abuse  
 5 between boys at that school and that the council, in  
 6 particular the Education Department and up to a point  
 7 social services, were trying to do something about it,  
 8 are you likely to have forgotten that?  
 9 **A. Certainly not, no.**  
 10 Q. So, again, what you mean is, it was never brought to  
 11 your attention?  
 12 **A. It was never brought to my attention, yes.**  
 13 Q. So that's what Richard Farnell means when he says,  
 14 "I can't recollect"?  
 15 **A. I'm trying to be helpful in that I have no knowledge --**  
 16 **or I cannot remember these events being brought to my**  
 17 **attention, which also -- if they had been, I would have**  
 18 **remembered.**  
 19 Q. When you became council leader this time around, in  
 20 2014, Mr Farnell, Jim Dobbin, who I think was then  
 21 a Member of Parliament, criticised you, didn't he?  
 22 **A. What date was that, sorry?**  
 23 Q. In 2014, when you became leader of the council this time  
 24 around, Jim Dobbin criticised you?  
 25 **A. Yes.**

Page 62

1 Q. Is that right? He criticised you for becoming leader in  
 2 2014 while an investigation was ongoing; is that  
 3 correct?  
 4 **A. Yes, he did.**  
 5 Q. I would like to put up on screen, please, a cutting from  
 6 Rochdale Online, I think it is, GMP000164, page 2.  
 7 That's you in the image; is that right, Mr Farnell?  
 8 **A. That's correct, yes.**  
 9 Q. We can see the date of the article is 8 June 2014 with  
 10 a heading "Council leader accuses MP of smearing him".  
 11 That relates to Jim Dobbin, who had criticised you for  
 12 standing. Right at the foot of the page, there is one  
 13 quotation from you:  
 14 "Councillor Farnell was also annoyed at Mr Dobbin's  
 15 comments. He said: 'Any suggestion that I knew about  
 16 and did nothing about allegations at Knowl View is an  
 17 outright nonsense. Any suggestion I was involved [in]  
 18 a coverup is absolutely ridiculous.'  
 19 Do you accept that's what you said?  
 20 **A. Yes.**  
 21 Q. It continues:  
 22 "I am appalled that some people are attempting to  
 23 use the serious abuse at Knowl View as a political  
 24 football to try and smear me. It is an utter  
 25 disgrace -- they should be concerned about getting

Page 63

1 justice for the victims.  
 2 "After losing a democratic vote by a wide margin,  
 3 it is incredible that some people are prepared to now  
 4 sink so low just to try and smear me. I find it  
 5 sickening and so will the public'.  
 6 Did you say that?  
 7 **A. Yes.**  
 8 Q. Did you say this:  
 9 "Although it is 22 years since I was last leader of  
 10 the council, I am sure that allegations surrounding  
 11 Knowl View made to health and council staff during the  
 12 seven months towards the end of my leadership were not  
 13 brought to my attention. I ceased to be the leader  
 14 in May 1992".  
 15 Did you say that?  
 16 **A. Yes.**  
 17 Q. "I totally support the independent review and I have  
 18 already indicated this to Neil Garnham QC. The review  
 19 team has my complete support".  
 20 Did you say that?  
 21 **A. Yes.**  
 22 Q. "The review is very important to the council and  
 23 Rochdale and the inquiry should be allowed to get on  
 24 with its job without interference from politicians".  
 25 You said that?

Page 64



1 **A. Yes.**  
 2 Q. Finally:  
 3 "Until such time as the review is finalised, I am  
 4 legally advised that, as leader of the council, it would  
 5 be inappropriate for me to comment further."  
 6 I assume you agree you said that?  
 7 **A. Yes.**  
 8 Q. Can we go back up to that part of the quotation where  
 9 you say, "Although it is 22 years since ...":  
 10 "Although it is 22 years since I was last leader of  
 11 the council, I am sure that allegations surrounding  
 12 Knowl View made to health and council staff during the  
 13 seven months towards the end of my leadership were not  
 14 brought to my attention."  
 15 Why were you sure?  
 16 **A. Because I have no recollection of those ever being**  
 17 **brought to my attention.**  
 18 Q. What was the magic of the last seven months?  
 19 **A. I think that's when the key reports were produced.**  
 20 Q. What key reports are you talking about? Seven months,  
 21 by my calculation, from the date that you were talking  
 22 about would be October 1991. What was going on  
 23 in October -- let's say September 1991 in Rochdale?  
 24 **A. The view I had at that time was that the key report --**  
 25 **I may have been wrong, but the key reports, the**

Page 65

1 **Shepherd Report and certainly the Mellor Report were**  
 2 **produced around that time.**  
 3 Q. Where did you get that information from?  
 4 **A. Because that had been in the public domain at this time.**  
 5 Q. Can we look, then, please, at another news article. It  
 6 is the same reference but at page 6. Although the date  
 7 is obliterated, I can tell you it is 10 June 2014, so it  
 8 is two days later, after the last article we looked at.  
 9 In the second paragraph, we read:  
 10 "Rochdale Council leader Councillor Richard Farnell,  
 11 who also was leader of the council between 1986 and  
 12 1992, has been accused in some quarters of having been  
 13 involved in a council 'coverup'. In response,  
 14 Councillor Farnell said: 'I have always said that I have  
 15 no recollection about being told about the allegations  
 16 at Knowl View when I was last leader 23 years ago.  
 17 I doubt if anyone can clearly recall events that far  
 18 back. However, any suggestion that I knew about and did  
 19 nothing about allegations at Knowl View is an outright  
 20 nonsense. Any suggestion I was involved in a coverup is  
 21 absolutely ridiculous.'  
 22 Do you remember saying that?  
 23 **A. It's produced so I must have said it. I can't recall**  
 24 **the actual interview.**  
 25 Q. Had you always said that you had no recollection?

Page 66

1 **A. Yes, I think I have said I have no recollection of**  
 2 **Knowl View being brought to my attention.**  
 3 Q. Two days earlier, you had gone further. You had said,  
 4 "I am sure that these things were not brought to my  
 5 attention". I'm just struggling to understand,  
 6 Mr Farnell, what you are actually saying and were  
 7 saying. Do you think there was a bit of a shift in  
 8 those two days about what you were saying?  
 9 **A. No, I think I'm saying essentially the same thing: I'm**  
 10 **sure nobody brought this to my attention. I have no**  
 11 **recollection of being told about these events.**  
 12 Q. Do you not see a substantive difference between saying,  
 13 "I am sure that something didn't happen" as against,  
 14 "I have no recollection that something happened". Do  
 15 you not see a distinction between the two positions?  
 16 **A. I think they're saying essentially the same thing.**  
 17 Q. Have you heard the name Michael Poulton?  
 18 **A. No. You'll have to remind me on that.**  
 19 Q. He was an interim head teacher who was brought in to  
 20 Knowl View School for a single term. He was seconded  
 21 from mainstream education, just to come into Knowl View  
 22 with effect from January 1991 until the name I pointed  
 23 out to you a little earlier, Stephen Bradshaw, took over  
 24 as a permanent head with effect from 8 April 1991 -- all  
 25 right?

Page 67

1 **A. Yes.**  
 2 Q. So he was an interim head who was brought in and then  
 3 a permanent head, Stephen Bradshaw, who came in I think  
 4 from the private sector and another residential special  
 5 needs school. Do you agree that the appointment of both  
 6 of those men had budgetary consequences for the council?  
 7 **A. Normally every department has an establishment and**  
 8 **against each post, and against each post there would be**  
 9 **a budget. So, really, there should be a budget against**  
 10 **a post on the establishment.**  
 11 Q. Diana Cavanagh, who, as you well know, gave evidence to  
 12 the inquiry on Friday and yesterday, said to us that you  
 13 would have been informed about the September incident,  
 14 in other words, the Roderick Hilton incident, when you  
 15 were being asked to amend the budget at  
 16 a Policy Committee in October or November 1990. Was she  
 17 right?  
 18 **A. I heard her evidence, but she is not correct.**  
 19 Q. Why is she incorrect?  
 20 **A. Because when I heard her give that evidence, I think it**  
 21 **was last Friday, I went to the reference library in**  
 22 **Rochdale and dug out the minutes of the Policy and**  
 23 **Resources Committee she was referring to, and she said**  
 24 **it was October/November. The actual date of the meeting**  
 25 **was 26 November 1990.**

Page 68

1 Q. She said October or November, so she wasn't wrong about  
 2 that?  
 3 **A. That's correct, yes.**  
 4 Q. What was she wrong about?  
 5 **A. That Knowl View was raised at that meeting; that there**  
 6 **was an amendment to the budget in order to fund that**  
 7 **post. There is no mention in the minutes specifically**  
 8 **of Knowl View or amendments to any budget.**  
 9 Q. She also told us that when it came to seeking the  
 10 extension of the budget from the Policy Committee, she  
 11 would have to have explained the background to the  
 12 incident, which brought about a requirement for an  
 13 interim and then a permanent head. Again, are you  
 14 saying that didn't happen?  
 15 **A. It certainly didn't happen, no, simply because -- if**  
 16 **I could explain?**  
 17 Q. Go on.  
 18 **A. There is a minute. I can let you have this copy.**  
 19 Q. All right.  
 20 **A. There is a minute. The only thing on the report that**  
 21 **comes anywhere near to what she's saying, minute 100,**  
 22 **appointment of acting head teachers:**  
 23 **"Resolved that:**  
 24 **"1. Responsibility for the appointment of acting**  
 25 **head teachers be delegated to the chief education**

Page 69

1 **officer after consultation with the chair and vice chair**  
 2 **of Education Committee. This delegation to take effect**  
 3 **immediately."**  
 4 **So the only reference in the minute that comes**  
 5 **anywhere close to what she was saying was this minute,**  
 6 **and it was nothing -- it was not specific about**  
 7 **Knowl View. It was a general delegation regarding the**  
 8 **appointment of any acting head teacher. There's**  
 9 **certainly no reference in the minute, and there would**  
 10 **have been if it had been an amendment to any budget, but**  
 11 **moreover, this was on the public agenda of the Policy**  
 12 **and Resources Committee.**  
 13 **If the Director of Education was saying that very**  
 14 **sensitive information about the concerns they had about**  
 15 **Knowl View, the intrusion, the lack of security, that**  
 16 **would not have been raised on the public agenda with the**  
 17 **press present. In no way would that have been raised in**  
 18 **public.**  
 19 Q. Then if she is wrong about that, was there any other  
 20 means by which that issue was raised which was away from  
 21 the potentially prying eyes of the public?  
 22 **A. At the meeting?**  
 23 Q. At any meeting. If she's wrong that it was on  
 24 a Policy Committee agenda in October or November 1990,  
 25 was there, if she is wrong about that, any other means

Page 70

1 by which this issue was raised?  
 2 **A. As I said before, if the Director of Education wanted to**  
 3 **bring this to my or senior members' attention, there**  
 4 **were a number of avenues open to her to present her**  
 5 **report to Policy and Resources Committee, which would**  
 6 **have dealt with it in private, and to bring it to the**  
 7 **senior members at the chairs' panel or come and raise it**  
 8 **directly with me, and none of that happened.**  
 9 Q. So you're clear in your mind, Mr Farnell, that none of  
 10 that happened?  
 11 **A. None of that happened, absolutely clear, yes.**  
 12 Q. Let me ask you about Phil Shepherd. He worked, as I am  
 13 sure you appreciate, for Rochdale Health Authority in  
 14 their AIDS unit, and he was invited into the school,  
 15 Knowl View, in order to train staff on HIV/AIDS. But  
 16 when he went in to the school on 15 March -- you may  
 17 have either watched or read his evidence from  
 18 yesterday -- he was treated by the staff he was supposed  
 19 to be training to descriptions, quite graphic, of  
 20 the sexual activities that were going on at and outside  
 21 the school by Knowl View pupils.  
 22 Now, presumably you know about that now; yes?  
 23 **A. I'm aware of it now, yes.**  
 24 Q. He reported in writing on 20 March 1991 to, among  
 25 others, Diana Cavanagh, and the report was distributed

Page 71

1 to Mr Poulton, who was by then the interim but almost  
 2 outgoing head teacher at Knowl View; Dr Bullough, a name  
 3 we saw mentioned in the 4 April handwritten note. Who  
 4 was he -- the Director of Health, Public Health? Yes?  
 5 **A. Yes.**  
 6 Q. With copies to Brian Williams and to Marilyn Simpson.  
 7 I would just like, please, if we could put up on screen  
 8 for a moment, just to remind you of what it contains,  
 9 RHC001234 at page 3. If we can just magnify the  
 10 italicised part. This is, Mr Farnell, what  
 11 Phil Shepherd was told by members of staff during what  
 12 was supposed to be a training day:  
 13 "One boy who is homosexual has contact with an adult  
 14 outside the school. Several of the senior boys indulge  
 15 in oral sex with one another. Reputedly five of  
 16 the junior boys have been or are involved in 'cottaging'  
 17 in and around public toilets. Men as far away as  
 18 Sheffield are believed to be aware of this activity and  
 19 travel to Rochdale to take part. One 8-year-old is  
 20 thought to have been involved. The police are aware of  
 21 the problem. What action has been taken is not known.  
 22 One 'rent boy' has been removed from the school. The  
 23 suggestion that he may return soon has angered the  
 24 staff. Some boys have been 'forced' to have sex with  
 25 others."

Page 72

1 What follows, if we can just go back into the  
 2 document, please, at the bottom:  
 3 "This degree of sexual activity, if it is factual,  
 4 points to fundamental problems within the school. Most  
 5 people, not least parents of children at the school,  
 6 would be horrified were these facts to be made known.  
 7 Unless some incisive action is taken soon, it is more  
 8 than likely that this activity will become a public  
 9 scandal."  
 10 Now, a public scandal was the last thing you needed,  
 11 Mr Farnell, in March 1991, wasn't it?  
 12 **A. If you put it that way, yes.**  
 13 Q. Because 20 March was a couple of weeks after the  
 14 judgment in the High Court in Middleton had been made  
 15 public, when the council was besieged and mired in the  
 16 kind of publicity that you were telling us about locally  
 17 and nationally just a little earlier. Now, are you  
 18 saying, still saying, Mr Farnell, that in light of this,  
 19 you still knew absolutely nothing at that time of  
 20 the scandalous nature of what was going on at  
 21 Knowl View?  
 22 **A. Are you asking me whether I had knowledge of this report**  
 23 **at this time?**  
 24 Q. No, I'm not. What I am asking you is whether you knew  
 25 the nature of the kind of things that were being said to

Page 73

1 Shepherd, whether no-one had brought that to your  
 2 attention?  
 3 **A. Yes, I'm saying that. In order for me to know, I would**  
 4 **have had to be told.**  
 5 Q. Yes. No-one did? So you were left, just to remind  
 6 ourselves, even in -- putting Hilton, September 1990,  
 7 into the history books for a moment, moving on to this  
 8 period in March 1991, you were left completely and  
 9 utterly exposed by your political colleagues and others  
 10 within the council who did know?  
 11 **A. You're putting particular emphasis on political**  
 12 **colleagues and Mary Moffat. The clear duty of the chief**  
 13 **officer -- it is the responsibility of the chief**  
 14 **officers to inform me of these matters. They're the**  
 15 **professional officers. They're the people who should**  
 16 **bring this to my attention; not rely on lay council**  
 17 **members. The clear responsibility is on them to bring**  
 18 **this to my attention.**  
 19 **The Director of Education, the Director of Social**  
 20 **Services, the chief executive, have all said they never**  
 21 **brought this to my attention.**  
 22 Q. Not quite right, because Diana Cavanagh said in that  
 23 note in relation to the 11 April meeting that you would  
 24 have been given the minutes or the actions. So it is  
 25 not quite right about Diana Cavanagh. But insofar as

Page 74

1 the excellent Ian Davey is concerned, he certainly never  
 2 brought anything to your attention?  
 3 **A. No, and I think he's told the inquiry that, yes.**  
 4 Q. Mary Moffat, who was, we have heard, very well briefed  
 5 on all the issues, a political colleague -- and I do  
 6 emphasise "a political colleague", Mr Farnell -- again,  
 7 she never brought any of this to your attention?  
 8 **A. No, she didn't, no.**  
 9 Q. Because although you may be right that the directors of  
 10 the departments had a responsibility in terms of  
 11 the hierarchy and how the council worked, in the end,  
 12 Mary Moffat, who was your erstwhile deputy and education  
 13 chair throughout the whole period, she was bound to have  
 14 told you, she was bound to have told you, Mr Farnell,  
 15 wasn't she?  
 16 **A. Well, that's your supposition. What I'm saying --**  
 17 **Q. It is my suggestion, Mr Farnell.**  
 18 **A. Well, your suggestion. My answer to that is, she did**  
 19 **not raise it with me.**  
 20 Q. So do you agree that by combination of your chief  
 21 executive John Pierce, your Borough Solicitor at the  
 22 time, the town clerk David Shipp, your Director of  
 23 Education, Diana Cavanagh, your Director of Social  
 24 Services, Ian Davey, and every one of your political  
 25 colleagues and the opposition who were in the know, not

Page 75

1 one of them breathed a word throughout the whole period  
 2 of your leadership about what was going on at  
 3 Knowl View?  
 4 **A. As leader, I would expect the council's professional**  
 5 **officers to inform me, and nobody else. It is their**  
 6 **responsibility. They are the people involved at every**  
 7 **stage of Knowl View.**  
 8 **I don't expect to -- I didn't expect to be told, as**  
 9 **leader, through second- and third-hand information that**  
 10 **a councillor may have been briefed. It is the clear**  
 11 **responsibility on the officers to give me the best**  
 12 **professional information and advice. They are the only**  
 13 **ones with the complete information. It was for them to**  
 14 **let me -- to inform me, and they clearly did not.**  
 15 Q. Mr Farnell, you are not being realistic. You are  
 16 focusing on responsibility. Let's just imagine that the  
 17 scandalous behaviour had been picked up by the national  
 18 press and, as Richard Farnell walks up the steps into  
 19 Rochdale Town Hall one day, you are doorstepped by  
 20 a national journalist who wants your comment on the  
 21 goings on at Knowl View because it's been leaked to him.  
 22 Are you honestly saying, the next day, when you have  
 23 been left completely unsighted and completely exposed,  
 24 you are not going to walk up to Mary Moffat and say,  
 25 "Did you know ...", and when she says, "Yes", is the

Page 76

1 next question not going to be, "Why on earth didn't you  
 2 tell me?"  
 3 **A. I probably would have said that but after I'd been to**  
 4 **see the chief executive and the Director of Education**  
 5 **and the Director of social services, why they hadn't**  
 6 **told me about it.**  
 7 Q. On 17 May 1991, there was, as you have probably learned,  
 8 a meeting between Ian Davey, Diana Cavanagh, John Pierce  
 9 and David Shipp, where Ian Davey made clear his views  
 10 that social services would not investigate the matters  
 11 further. In other words, the allegations -- his focus  
 12 of attention at that time in fact was peer-on-peer  
 13 abuse. He seems to have ignored what was going on at  
 14 Smith Street. He wasn't going to investigate the  
 15 matters further, but would interview a few boys on that  
 16 isolated issue. Those views, as I'm sure you  
 17 appreciate, were set out in a memorandum to the Director  
 18 of Education, Diana Cavanagh, and copied to the chief  
 19 executive, John Pierce.  
 20 In the result, it was decided by Diana Cavanagh, in  
 21 discussion with Mr Shipp, that an investigation should  
 22 take place perhaps by an outside agency. You followed,  
 23 presumably, Diana Cavanagh's evidence about that?  
 24 **A. Yes. Yes, I'm aware of that.**  
 25 Q. It was Mr Shipp, according to Mrs Cavanagh, who

Page 77

1 suggested speaking to Mrs Mellor, who was a highly  
 2 qualified child psychologist and who happened to have  
 3 been given great credit in the Middleton matter; right?  
 4 **A. Correct.**  
 5 Q. So the result was that Mrs Mellor was invited to conduct  
 6 an investigation. What Mrs Cavanagh says, as you will  
 7 know, is that she was invited to conduct an  
 8 investigation on behalf of the leader of the council, in  
 9 other words, in your name. Now, was that usual or  
 10 unusual?  
 11 **A. Unusual.**  
 12 Q. It might be usual if you had known all about it?  
 13 **A. Unusual in the fact that when reports of this nature --**  
 14 **consultants are engaged, external advice is sought, that**  
 15 **is done by chief officers under delegated powers, it is**  
 16 **not done -- I have never heard before of that being done**  
 17 **in the name of the leader.**  
 18 Q. Mr Shipp was Director of Legal Services. Is that right?  
 19 **A. Yes.**  
 20 Q. Which was part of corporate services; is that right?  
 21 **A. I think so, yes.**  
 22 Q. Corporate services reported to the Policy and Resources  
 23 Committee; is that right?  
 24 **A. That's correct, yes.**  
 25 Q. As you have told us, you were chair of the Policy and

Page 78

1 Resources Committee?  
 2 **A. Yes.**  
 3 Q. Did Mr Shipp never report up to you what was going on?  
 4 **A. No.**  
 5 Q. Mrs Cavanagh told us also that it wasn't just on your  
 6 behalf as leader that the Mellor Report was being  
 7 commissioned, but also on behalf of Mary Moffat. You  
 8 remember reading that, presumably, or seeing that?  
 9 **A. I think I recall that evidence, yes.**  
 10 Q. Mrs Cavanagh told the inquiry in her evidence that she  
 11 could not imagine, which were her words, she couldn't  
 12 imagine that Mellor was commissioned without you being  
 13 in the know, first, because it was commissioned on your  
 14 behalf; second, not least because there would be  
 15 financial consequences. What would you say about that?  
 16 **A. Well, as I have explained before, these matters are**  
 17 **delegated to officers. The council is engaging**  
 18 **consultants, it is seeking external advice, it**  
 19 **approaches QCs for legal advice; all those things are**  
 20 **happening day-in, day-out. There is a clear delegation**  
 21 **to officers of the council that they have the authority**  
 22 **to commission that work. They also have a financial**  
 23 **delegation in which to pay for it. So those matters**  
 24 **would not come before individual councillors or me to**  
 25 **approve it.**

Page 79

1 **Certainly I would not be asked to commission -- as**  
 2 **leader of the council, as an individual, I wouldn't be**  
 3 **asked to commission any external consultants.**  
 4 **I certainly wouldn't be asked to approve expenditure.**  
 5 **So that wouldn't happen.**  
 6 **In any case, if it did, I, as an individual, do not**  
 7 **have any authority as an individual, even though I'm the**  
 8 **leader of the council -- as an individual, I do not have**  
 9 **any authority in which to commission outside**  
 10 **consultants. I have no authority to spend money as an**  
 11 **individual councillor.**  
 12 **If that were to happen, it would have to go to the**  
 13 **policy and resources delegated subcommittee to seek that**  
 14 **kind of approval, if it was required, because of**  
 15 **the extensive delegations chief officers have anyway.**  
 16 **For that to happen, a delegated subcommittee, which**  
 17 **consists of not just me, it consists of the leader of**  
 18 **the council, the deputy leader of the council and**  
 19 **a member of the opposition party. That delegated**  
 20 **subcommittee would have to be -- the meeting of that**  
 21 **committee would have to be called, there would have had**  
 22 **to have been a report to that meeting, the director**  
 23 **would have been expected -- would have had to come to**  
 24 **that meeting and explain that -- give a briefing on**  
 25 **that. Then there would have been a decision. All of**

Page 80

1 **that would have been minuted, there would have been**  
 2 **a report.**  
 3 **It never happened because there is no -- that**  
 4 **meeting was never called, there was no report produced,**  
 5 **there is no minute of ever being asked to -- for the**  
 6 **delegated subcommittee to commission a report or incur**  
 7 **any expenditure.**  
 8 Q. Somebody paid for it, Mr Farnell. Did corporate  
 9 services pay for this report, Mrs Mellor's work?  
 10 **A. I have absolutely no idea who paid for it, but certainly**  
 11 **each department has -- the Education Department, for**  
 12 **example, has a budget of several million pounds. In**  
 13 **each department, they have provision for this kind of**  
 14 **work. If there is no specific heading within the**  
 15 **budget, they have contingencies. So the resources are**  
 16 **within departments and, as I have said, the chief**  
 17 **officer has delegated authority to spend that money.**  
 18 Q. The only problem with that, Mr Farnell, is Mrs Cavanagh  
 19 told us her department didn't pick up the bill. So who  
 20 did?  
 21 **A. Well, I understand this was commissioned jointly by**  
 22 **education and legal services, so if her department**  
 23 **didn't pay for it, then I would presume it was the legal**  
 24 **department that paid for it.**  
 25 Q. Who are part of corporate services who report to Policy

Page 81

1 and Resources Committee, which you're the chair of?  
 2 **A. Yes, I haven't explained, if it required a member**  
 3 **approval, how that would be done. It wouldn't be done**  
 4 **by me alone. It would be done by the delegated**  
 5 **subcommittee of that committee, and that requires**  
 6 **a very -- we are talking about spending money here.**  
 7 **There are very strict and clear financial standing**  
 8 **orders that have to be adhered to. If you don't, the**  
 9 **district auditor would be on your back. There is a very**  
 10 **clear procedure that has to be followed for that**  
 11 **expenditure to be approved by members, and that never**  
 12 **happened.**  
 13 Q. As for the Mellor Report itself, which is dated  
 14 18 February 1992 -- of course you were still in power  
 15 then, Mr Farnell. Is that right? 18 February?  
 16 **A. Sorry, I didn't quite catch the month.**  
 17 Q. 18 February 1992 --  
 18 **A. Yes, yes.**  
 19 Q. -- you were still in power. Mrs Cavanagh told us she  
 20 had no doubt that you received a copy of the report,  
 21 Mellor, at the time. Did you?  
 22 **A. No.**  
 23 Q. Can we just put it up on screen, please. RHC001599.  
 24 You have looked at this before and been asked questions  
 25 about it by the police in 2016:

Page 82

1 "On joint instructions from the Directorates of  
 2 Legal Services and Education ..."  
 3 So that's what you have been telling us about?  
 4 **A. At the top of the page, yes, I can see that.**  
 5 Q. Joint instructions, so that's Mr Shipp and Mrs Cavanagh:  
 6 "... in Rochdale I was expressly instructed as  
 7 follows ..."  
 8 I'm not going to go through that. Can we go down to  
 9 the next paragraph:  
 10 "This report is confidential to the Directors of  
 11 Legal Services and Education, their properly delegated  
 12 officers and such members of the council as the chair of  
 13 the same as advised by the said directorates shall  
 14 decide."  
 15 You're the "chair of the same", aren't you,  
 16 Mr Farnell, at that point?  
 17 **A. No.**  
 18 Q. Who is?  
 19 **A. The Mayor.**  
 20 Q. The Mayor?  
 21 **A. Yes. There's been some confusion -- if I can explain.**  
 22 **There has been some confusion as to what "chair of**  
 23 **the same" means, was it the chair of education or was it**  
 24 **the chair of policy and resources. I have looked this**  
 25 **up. The council is required to appoint a chair of**

Page 83

1 **the council. It is required to do that I think under**  
 2 **the Local Government Act 1972. Where a borough council**  
 3 **which has a Mayor -- the Mayor of the Borough assumes**  
 4 **the role of chair of the council. So if this actually**  
 5 **refers to anybody, it refers to the Mayor. There's**  
 6 **a quite clear legal definition on that.**  
 7 Q. When did you discover that exactly, Mr Farnell?  
 8 **A. In the last couple of weeks -- well, no, in the last --**  
 9 **yes, in the last week, I think, yes.**  
 10 Q. Presumably because you considered that when you came to  
 11 give evidence here, you would be asked the question  
 12 again?  
 13 **A. Yes.**  
 14 Q. So you wanted to be prepared. Let's just read what  
 15 Mrs Mellor actually wrote, because this isn't a legal  
 16 document, it is a report by a child psychologist, and it  
 17 reads:  
 18 "This report is confidential to the Directors of  
 19 Legal Services and Education, their properly delegated  
 20 officers and such members of the council as the chair of  
 21 the same ..."  
 22 "The chair of the same" is the chair of the council  
 23 in that sentence, don't you agree?  
 24 **A. It is. That's quite correct.**  
 25 Q. When you were interviewed by the police in 2016 and you

Page 84

1 were asked about that very same sentence -- do you wish  
 2 to look at what you had to say? Would it help,  
 3 Mr Farnell?  
 4 **A. I think I can recall.**  
 5 Q. It is in the second part of the interview you had on  
 6 14 April 2016. You posed the question:  
 7 "What does 'the chair of the same' mean?"  
 8 The DCI who was interviewing you interjected and you  
 9 said:  
 10 "Does it mean the same as to what I have been  
 11 describing earlier in the paragraph, education and legal  
 12 services?"  
 13 So you have a debate about that. Then the officer  
 14 puts to you:  
 15 "This is a report for the leader of the council.  
 16 That's what it means. 'The chair of the same'."  
 17 Your answer was:  
 18 "The chair of the -- I'm not 'the chair of  
 19 the same', I'm the leader of the council. I don't  
 20 understand."  
 21 Of course you never said there that it meant the  
 22 Mayor?  
 23 **A. No, because at that -- when I was interviewed -- my**  
 24 **police interview, there was confusion by everybody in**  
 25 **the room just what exactly did "chair of the same" --**

Page 85

1 **chair of the council mean. I think there was --**  
 2 **certainly it wasn't clear from Diana Cavanagh because**  
 3 **I think she also referred "chair of the same" meant**  
 4 **chair of policy and resources. So I think there's been**  
 5 **a lot of confusion by everybody on just what this fairly**  
 6 **oblique reference meant. So I went away and I looked it**  
 7 **up and there is a very clear legal definition: the chair**  
 8 **of the council is the Mayor.**  
 9 Q. But the mistake you're making, Mr Farnell, is treating  
 10 this as a legal document. It is not. Nor was it  
 11 written by a lawyer or anybody who was steeped in  
 12 interpretation sections of local government regulations,  
 13 rules or law. What she meant was you, and she meant you  
 14 because this report in part was for you?  
 15 **A. I accept it is not a legal document, but we have been**  
 16 **talking about what does "the chair of the same" mean and**  
 17 **who does that refer to, and there's been incredible**  
 18 **confusion about that. If you go to the top of it, this**  
 19 **report -- is this for me, because the person, right at**  
 20 **the top of it, says, "On joint instructions from the**  
 21 **Directorates of Legal Services and Education in**  
 22 **Rochdale ..."**  
 23 **So, you know, that suggests to me that it's their**  
 24 **document.**  
 25 Q. Mr Farnell, you are forgetting what I told you. The

Page 86

1 whole idea of Mellor came about by the conversation  
 2 between Mrs Cavanagh, who was the Director of Education,  
 3 and Mr Shipp, who is the Director or was the Director of  
 4 Legal Services. Mrs Cavanagh said it was commissioned  
 5 on behalf of the leader. If those instructions trickled  
 6 down to Mrs Mellor, that's what she meant by 'chair of  
 7 the same': you. That's the whole point of it.  
 8 **A. This report was commissioned -- there is nothing in this**  
 9 **report that says it was commissioned on my behalf.**  
 10 **That's what Mrs Cavanagh has said. But certainly nobody**  
 11 **consulted me in advance of this report being**  
 12 **commissioned to say, "We are going to commission**  
 13 **a report in your name", and I have never heard of any**  
 14 **report being commissioned on behalf of the council being**  
 15 **done in the name of the leader of the council.**  
 16 Q. Mr Farnell, it is 1.00 pm. Let's just have this passing  
 17 thought before I invite the chair and panel to rise. So  
 18 it comes to this: even in February 1992, you were still  
 19 completely and utterly ignorant of the problems at  
 20 Knowl View; is that right?  
 21 **A. I was unaware of the problems at Knowl View.**  
 22 Q. You were completely and utterly ignorant of the fact  
 23 that the council was spending money on an external  
 24 adviser to go into the school and advise; is that  
 25 correct?

Page 87

1 **A. No, what I've said is that the financial rules of**  
 2 **the council, and there has to be a clear procedure**  
 3 **followed, and that did not involve me.**  
 4 Q. So you didn't know about it?  
 5 **A. No.**  
 6 Q. You were ignorant of it?  
 7 **A. Unaware of it, yes.**  
 8 Q. And completely and utterly ignorant, on  
 9 18 February 1992, that Mrs Mellor had produced the  
 10 report we have in front of us?  
 11 **A. That report was not presented to me, no.**  
 12 MR ALTMAN: We will hold that thought until 2.00 pm.  
 13 THE CHAIR: Thank you, Mr Altman.  
 14 (1.00 pm)  
 15 (The short adjournment)  
 16 (2.00 pm)  
 17 MR ALTMAN: Mr Farnell, the Mellor Report was presented to  
 18 a number of senior people, Education Department as well  
 19 as politicians, at a meeting on 13 March. The people  
 20 who were present were Mary Moffat, about whom I have  
 21 asked you several questions; Councillor Beasley -- does  
 22 that name ring a bell with you?  
 23 **A. It was either Councillor Ann Beasley or**  
 24 **Councillor John Beasley.**  
 25 Q. Whoever the Beasley was, it was a Labour education

Page 88

1 spokesperson and chairman of the school subcommittee.  
 2 Which Beasley was that?  
 3 **A. Probably Ann Beasley, I would have thought.**  
 4 Q. Was Ann Beasley a political colleague of yours?  
 5 **A. She was a member of the Labour group, yes.**  
 6 Q. Councillor Sargenson, who was education spokesperson for  
 7 the Liberals, I think, or the Lib Dems, perhaps, by  
 8 then, she was at that meeting as well. Do you remember  
 9 I asked you about her earlier today?  
 10 Also present was Councillor Hawton, Tory education  
 11 spokesperson and chair of the health authority.  
 12 That tends to suggest, doesn't it, that all of  
 13 the main political parties' education spokespersons were  
 14 present at the meeting when the Mellor Report was first  
 15 presented. Do you accept that?  
 16 **A. Could you remind me of the date of that meeting?**  
 17 Q. 13 March 1992.  
 18 **A. Could you just repeat the question, please?**  
 19 Q. My question is, given all the names I have just told you  
 20 about, do you accept that all of the education  
 21 spokespersons for the main political parties were  
 22 present at the presentation of the Mellor Report at the  
 23 meeting on 13 March?  
 24 **A. Yes, that's correct, yes.**  
 25 Q. Did Councillor Beasley ever bring the fact of that

Page 89

1 meeting or the content or any part of the report to your  
 2 attention?  
 3 **A. No.**  
 4 Q. Not even in March 1992?  
 5 **A. No.**  
 6 Q. Mary Moffat, given what you have told us before, same  
 7 thing: never breathed a word of it to you?  
 8 **A. No. In relation to the date, March 1992, probably the**  
 9 **opportunity of them to raise that with me wouldn't be**  
 10 **there. I say that because I think on 8 March John Major**  
 11 **called a general election and, you know, that fired the**  
 12 **starting gun and, as politicians, we would all be**  
 13 **working, you know, around the clock on election**  
 14 **campaigning.**  
 15 **So the opportunity for those people to bump into me**  
 16 **or take me to one side wouldn't be there because**  
 17 **everybody was so involved and working on a general**  
 18 **election campaign. That went on right through until May**  
 19 **'92.**  
 20 Q. A couple of things arise out of that answer, Mr Farnell.  
 21 First of all, if you were involved in an election  
 22 campaign, presumably so were Mary Moffat, Ann Beasley,  
 23 Rita Sargenson and Pam Hawton?  
 24 **A. Yes, that's the point I'm making: we were all very busy**  
 25 **in the election.**

Page 90

1 Q. Were there no telephones in Rochdale in 1992?  
 2 **A. Yes, there were.**  
 3 Q. So there is nothing stopping somebody picking up  
 4 a telephone to you and phoning you about what was going  
 5 on at that particular point, as far as the Mellor Report  
 6 goes, and what was going on at Knowl View and how the  
 7 Education Department with the Director of Legal Services  
 8 were seeking to sort out the issues?  
 9 **A. Yes, they could have telephoned me, but I think you also**  
 10 **have to remember, you know, you would be out first thing**  
 11 **in the morning delivering leaflets, working on the**  
 12 **campaign, and then you'd come -- you know, you wouldn't**  
 13 **finish until very late at night.**  
 14 Q. Are you telling us, Mr Farnell, that all council  
 15 business came to a grinding halt during the election  
 16 campaign?  
 17 **A. What happens in an election campaign is, all but the**  
 18 **most important council meetings, those that you couldn't**  
 19 **cancel, the rest would be -- all the rest would be**  
 20 **cancelled, yes.**  
 21 Q. I'm not asking you about committee meetings. I'm asking  
 22 you about you, as leader. You were still leader  
 23 in March 1992; right?  
 24 **A. Yes.**  
 25 Q. Presumably you had ambition to continue being leader

Page 91

1 after the election?  
 2 **A. Absolutely, and that's why I was working hard on the**  
 3 **election to (a), first of all, the general election to**  
 4 **win the parliamentary seat, and then to win my own seat.**  
 5 Q. You were no different from anyone else, were you?  
 6 Everybody else was working hard to that end?  
 7 **A. Absolutely -- yes.**  
 8 Q. Which included your own Labour politicians, in  
 9 particular Mary Moffat and Ann Beasley, for example?  
 10 **A. And that's the point I'm making. The opportunity to**  
 11 **raise these, either informally, at a -- before or after**  
 12 **a meeting, or whatever, it wasn't there or very limited**  
 13 **opportunities to do that.**  
 14 Q. That excuse doesn't really work, Mr Farnell, when we  
 15 think about before John Major called the election, you  
 16 tell us on 8 March, because they would have had plenty  
 17 of time to raise the issues with you formally or  
 18 informally, as the case may be, wouldn't they?  
 19 **A. I thought we were talking about from the meeting of**  
 20 **13 March?**  
 21 Q. We are. But you have raised the issue that  
 22 electioneering became such a priority that they wouldn't  
 23 have had time to raise the issue with you formally or  
 24 informally. All I'm suggesting to you, Mr Farnell, is,  
 25 if that is a valid excuse for why they were unable, as

Page 92

1 it were, or had no time or capacity to raise an issue  
 2 with you following the 8 March calling of the election,  
 3 that certainly doesn't run for all of the period up to  
 4 8 March 1992, does it?  
 5 **A. I'm not saying that. What I'm saying is that following**  
 6 **the meeting they had on 13 March, it would be difficult**  
 7 **to find the opportunity to raise that with me.**  
 8 Q. Mary Moffat was finding plenty of opportunity to engage  
 9 in the issues that were taking place during that period,  
 10 because not only did she attend the meeting on 13 March  
 11 together with Pam Hawton, Ann Beasley and  
 12 Rita Sargenson, Mary Moffat also found the time to  
 13 attend a meeting two weeks later, on 27 March, at  
 14 Knowl View where the Mellor Report was now being  
 15 presented to the staff of Knowl View and we are told by  
 16 Mrs Cavanagh she actually chaired the meeting. So she  
 17 seemed to have plenty of time on her hands, despite the  
 18 calling of an election, to busy herself with that kind  
 19 of thing?  
 20 **A. I'm not saying all meetings were cancelled. What I'm**  
 21 **saying is, the majority of meetings were cancelled.**  
 22 Q. Councillor Sargenson was there too, I should add. But  
 23 despite all of this, an election campaign is ongoing and  
 24 nobody has any time to tell you about what's happening  
 25 at Knowl View and what people are doing about it; is

Page 93

1 that right?  
 2 **A. The opportunity for them to raise it with me would have**  
 3 **been diminished, yes.**  
 4 Q. Diminished, but not impossible?  
 5 **A. Not impossible, I accept that.**  
 6 Q. I'd like to have put up on screen, please, RHC001284 at  
 7 page 5. I wonder if we could expand the top half,  
 8 please. This is a memorandum from the chief executive,  
 9 who was John Price --  
 10 **A. Pierce.**  
 11 Q. Pierce, forgive me, Pierce, to Diana Cavanagh, the  
 12 Director of Education. It is dated 1 May 1992. What he  
 13 writes is:  
 14 "Further to the matter of the inquiry into the  
 15 above-mentioned school ..."  
 16 Now, at this point, Mellor had been published on  
 17 18 February 1992, but as a result of disquiet among the  
 18 staff of the school, they had in effect persuaded  
 19 Mrs Cavanagh to hold a further enquiry of the role  
 20 played by the staff. Here we have John Pierce sending  
 21 a memorandum to her on the date that you see:  
 22 "... I should be most grateful if you could set out  
 23 for me a statement of what action has been taken and  
 24 what is contemplated to be taken so that I might be in  
 25 a position to advise the leader on these matters as soon

Page 94

1 as possible."  
 2 On 1 May, you were still the leader, weren't you?  
 3 **A. Yes.**  
 4 Q. When was the election? Was it 7 May that year?  
 5 **A. It was, yes.**  
 6 Q. Following the election, the leader was Paul Rowen; is  
 7 that correct?  
 8 **A. Yes, that's correct. Yes.**  
 9 Q. So from the date of the election, or as soon as you  
 10 learned of your fate, you were no longer leader, you  
 11 lost your seat; is that right?  
 12 **A. That's correct, yes.**  
 13 Q. So you were off the council and were no longer involved  
 14 in council business?  
 15 **A. Correct.**  
 16 Q. But as at this date, 1 May, Mr Pierce was contemplating  
 17 advising the leader on these matters as soon as  
 18 possible.  
 19 Now, you accept from the terms of that particular  
 20 memorandum that Mr Pierce, who was one of those people  
 21 you told us before lunch had a professional  
 22 responsibility to bring to your attention issues that  
 23 were taking place with the school, on the face of it was  
 24 intending to do exactly that; do you agree?  
 25 **A. Yes.**

Page 95

1 Q. Are you saying that this memorandum, 1 May 1992, getting  
 2 on for 20 months after the Hilton incident  
 3 in September 1990, was the very first time that  
 4 Mr Pierce must have had it or got it into his head that  
 5 now was the time to bring the leader on board?  
 6 **A. I couldn't tell you what Mr Pierce was thinking about.**  
 7 Q. Looked at another way, did the leader need to have the  
 8 minutiae of what was going on in the throes of this  
 9 inquiry when the leader did not even have the generality  
 10 of it?  
 11 **A. Again, I couldn't tell you what was behind the thoughts**  
 12 **of Mr Pierce in writing that memo.**  
 13 Q. The effect of your evidence, Mr Farnell, is that, on the  
 14 face of it, this has to be the very first time the chief  
 15 executive decides to bring the leader in on what's going  
 16 on, because up to this point in time and, according to  
 17 your evidence, in fact, never were you ever told a word  
 18 about the problems of Knowl View. That's what it  
 19 amounts to. Do you agree?  
 20 **A. In relation to Mr Pierce?**  
 21 Q. Well, to anyone, but in relation to Mr Pierce?  
 22 **A. Well, in relation to Mr Pierce, Mr Pierce never raised**  
 23 **the issue of Knowl View with me, and I think it is on**  
 24 **record that he's said that.**  
 25 Q. On 5 May, four days later, we have a letter which I want

Page 96



1 to ask you to look at. RHC001480. This is a letter  
 2 four days after that memorandum we just saw. It is from  
 3 Diana Cavanagh to Mr Bradshaw headed "Inquiry":  
 4 "I am writing further to my letter of 15 April 1992  
 5 and our meeting this morning concerning the possibility  
 6 of an inquiry into the role played by staff in events at  
 7 Knowl View in 1990.  
 8 "I have now had the opportunity to consult the union  
 9 representatives, the chair of the Education Committee  
 10 and yourself about the nature and purpose of any  
 11 inquiry ..."  
 12 Pausing there, the chair of the Education Committee  
 13 was still none other than Mary Moffat; am I right?  
 14 **A. That's right, yes.**  
 15 Q. She continues:  
 16 "I have recommended to Councillor Moffat that an  
 17 inquiry into the role played by staff should be  
 18 conducted by the LEA as part of its response to  
 19 Mrs Mellor's report.  
 20 "The purpose of the inquiry should be to clarify any  
 21 residual areas of concern about the level of care or  
 22 management exercised by teaching and nonteaching staff  
 23 in the months leading to the incident in September 1990.  
 24 There is the possibility that the inquiry may lead to  
 25 disciplinary action and staff should be aware of this."

Page 97

1 If we go to the next page, please, I just want to  
 2 look at who this letter was copied to at the bottom.  
 3 Ignoring the first entry, we have Councillor Moffat,  
 4 Councillor Hawton, Councillor Sargenson, the chief  
 5 adviser, an EO (Special) -- presumably an Education  
 6 Officer with Special Needs, and then a number of unions,  
 7 presumably all of which you will recognise; yes?  
 8 **A. Yes. Most of them, I think.**  
 9 Q. They were copied in because of the possibility of  
 10 disciplinary proceedings in relation to their members.  
 11 Does that appear to be the position from your reading of  
 12 this, Mr Farnell?  
 13 **A. Yes.**  
 14 Q. As Labour leader of the council still on 5 May, because  
 15 there was two days to go to the election in which you  
 16 had an ambition to remain as leader, don't you think  
 17 when the unions are being involved in an investigation  
 18 of this kind, which may end up with disciplinary  
 19 proceedings in relation to members of those several  
 20 unions, you might have been told about all of this?  
 21 **A. By whom?**  
 22 Q. By anyone.  
 23 **A. By those people -- well, I'm not aware of just at what  
 24 point were the trade unions consulted about this. I'm  
 25 not aware when that happened. But certainly, that**

Page 98

1 **letter which went to the councillors, probably -- given  
 2 it was only posted two days before the election, that  
 3 wouldn't have -- you know, that probably wouldn't have  
 4 reached any of those individuals until probably the  
 5 election day itself.**  
 6 Q. What about union representatives? Presumably, you were  
 7 friendly, perhaps, or knew some of the local  
 8 representatives of those unions?  
 9 **A. I may have known -- certainly not friendly with them.  
 10 I may have known who the NALGO and NUPE representatives  
 11 were, but certainly all the other teaching unions,  
 12 I wouldn't have any knowledge of that.**  
 13 Q. But still as at 5 May, do we understand it, Mr Farnell,  
 14 you still had no idea what was going on?  
 15 **A. In relation to this letter?**  
 16 Q. In relation to the whole process that was happening:  
 17 Mellor, and this was moving into a period of interviews  
 18 with staff in May 1992 and a further report after you  
 19 had lost your seat in June 1992 by Dr Hodge,  
 20 Selwyn Hodge, the chief adviser. What I am asking you  
 21 is, at this point in time, this snapshot in time, are  
 22 you telling us that you still knew nothing?  
 23 **A. I think I've told the inquiry several times that  
 24 I wasn't -- was not informed of events at Knowl View  
 25 during my time as leader.**

Page 99

1 Q. While we have in mind your time as leader, can I ask you  
 2 about the Farnell regime: were you someone who would  
 3 take advice on the implications of decisions you were  
 4 taking for political reasons, do you think?  
 5 **A. Sorry, I didn't quite catch the end of that.**  
 6 Q. Were you someone who would take advice on the  
 7 implications of decisions you were taking for political  
 8 reasons?  
 9 **A. As leader, I would take advice. My role as leader was  
 10 to listen to the professional advisers, but it was also  
 11 my role to sometimes question and challenge that advice,  
 12 to test it, to make sure I was satisfied that the advice  
 13 that we were given was in the best interests of  
 14 the borough.**  
 15 Q. Did you ever interfere in operational matters?  
 16 **A. In operational matters? No.**  
 17 Q. Do you agree with this description of you, Mr Farnell,  
 18 as a "very intelligent, far-sighted council leader"?  
 19 **A. Very flattering. I probably wouldn't put myself in  
 20 those terms.**  
 21 Q. It is a quotation I take from a witness from whom we  
 22 have heard, Allan Buckley. Do you know Allan Buckley?  
 23 **A. Yes, I do know him, yes.**  
 24 Q. So you don't put yourself quite as high as that.  
 25 Far-sighted? Is that you?

Page 100

1 **A. I had visions for the borough, yes.**  
 2 Q. What about someone who also bullied and browbeat people?  
 3 Do you recognise that description of you, Mr Farnell?  
 4 **A. No, that's not an accurate description of me, no.**  
 5 Q. That you interfered inappropriately with departmental  
 6 matters?  
 7 **A. Certainly that's not my style whatsoever.**  
 8 Q. That you didn't cooperate with certain council  
 9 initiatives; is that you?  
 10 **A. Sorry, could you repeat that again?**  
 11 Q. That you didn't cooperate with certain council  
 12 initiatives?  
 13 **A. Well, I'm not quite sure what that refers to.**  
 14 Q. That the Farnell regime would not listen to advice?  
 15 **A. We -- as I have already explained, certainly we listened**  
 16 **to advice very carefully.**  
 17 Q. So you wouldn't say that your style of leadership was  
 18 autocratic?  
 19 **A. Was also what, sorry?**  
 20 Q. Autocratic?  
 21 **A. No, definitely not, no.**  
 22 Q. You lost your seat on 7 May, and so the report which you  
 23 will have read about that Diana Cavanagh produced  
 24 in June 1992 is nothing you would certainly have seen at  
 25 that point?

Page 101

1 **A. Absolutely not.**  
 2 Q. Before I forget, can I ask you one other thing about the  
 3 council during your time as leader. Did you think there  
 4 was any culture of secrecy or any unwillingness to share  
 5 information?  
 6 **A. I think, at times, officers would want to keep members**  
 7 **at a distance, particularly when dealing with, you know,**  
 8 **very sensitive, controversial matters. I think there**  
 9 **was a culture of keeping members at a distance.**  
 10 Q. Would you share information with other political  
 11 parties?  
 12 **A. Me personally, or the council?**  
 13 Q. Well, let's start with you.  
 14 **A. Probably not. I don't think I would have had any**  
 15 **information that they would want.**  
 16 Q. What about the council generally?  
 17 **A. The council, all members of the opposition parties were**  
 18 **entitled to all papers and reports in the council. They**  
 19 **were members of committees, they received all the**  
 20 **reports for those committees. They received the private**  
 21 **reports to those committees and they had every right to**  
 22 **see any document held by the council.**  
 23 Q. Paul Rowen, who gave evidence to the inquiry last  
 24 Thursday, 19 October, said that during your stewardship,  
 25 as a member of the opposition, they had no ability to

Page 102

1 raise issues with the Education Committee and they had  
 2 to fight for every bit of information. Was that true,  
 3 to your knowledge?  
 4 **A. That's not true, because any member can ask for items to**  
 5 **be placed on council agendas, and, as I have explained**  
 6 **before, no member had to fight for information, it is**  
 7 **enshrined in common law that they have a right to see**  
 8 **any document held by the council, provided they could**  
 9 **demonstrate a need to know, and that was fully**  
 10 **understood by officers. It would be the officers who**  
 11 **would be providing this information, not me.**  
 12 Q. Another topic, please: Cyril Smith. During your time in  
 13 office, did you have dealings with Cyril Smith?  
 14 **A. Very, very occasionally.**  
 15 Q. In what circumstances?  
 16 **A. Well, I didn't have any direct dealings with him. The**  
 17 **council would have had dealings, but not that very many**  
 18 **with him, because he was obviously the Member of**  
 19 **Parliament.**  
 20 Q. What was his reputation in Rochdale generally?  
 21 **A. At the time, he was, as I think a lot of people have**  
 22 **said, a larger-than-life figure, very prominent in**  
 23 **public affairs in the town. You know, he had**  
 24 **a reputation of being "Mr Rochdale".**  
 25 Q. Did you hear any of the rumours about his alleged sexual

Page 103

1 involvement with boys at either Cambridge House Hostel  
 2 in the '60s or at Knowl View School?  
 3 **A. Certainly not Knowl View. I remember when I first**  
 4 **joined the party, the Labour Party, and that would be**  
 5 **1974, the old-guard council would have mentioned --**  
 6 **I can't remember exactly when, but, you know, there was**  
 7 **something in Cyril Smith's background, he was alleged to**  
 8 **have spanked boys at Cambridge House, it was**  
 9 **investigated at the time but nothing was done about it.**  
 10 **I was aware of that information about Cyril Smith from**  
 11 **when I joined the party.**  
 12 Q. That suggests you knew about the police investigation or  
 13 you'd heard about it?  
 14 **A. Only in very general terms. The view was, amongst my**  
 15 **colleagues, it had been investigated but nothing came**  
 16 **about it.**  
 17 Q. Did you, in 1979, read the Rochdale Alternative Paper  
 18 article about him?  
 19 **A. Yes, I did, yes.**  
 20 Q. You were a member of the party but not on the council at  
 21 that point?  
 22 **A. That's correct, yes.**  
 23 Q. Did the rumours persist locally about him?  
 24 **A. After the article?**  
 25 Q. Yes.

Page 104

1 **A. The article itself was a bombshell because, you know, up**  
 2 **to now there was this vague knowledge of**  
 3 **Cambridge House. That article actually spelt out in**  
 4 **very graphic detail about the allegations, so quite**  
 5 **shocking in that respect. Yes, it was -- you know, it**  
 6 **was talked about a lot in the town.**  
 7 Q. Harry Wild. Is that a name that meant anything to you?  
 8 **A. I have heard of his name subsequently, but I wasn't**  
 9 **aware of him then.**  
 10 Q. Was there, to your knowledge, Mr Farnell, at any time  
 11 while you were a councillor, a pact between the local  
 12 Liberal or Liberal Democrat Party and the Labour Party  
 13 the effect of which was that the Labour Party would not  
 14 raise issues about Cyril Smith in return for the Liberal  
 15 or Liberal Democrat party not raising issues about  
 16 another local politician?  
 17 **A. The idea of a pact: absolute nonsense. That would not**  
 18 **have ever been contemplated by certainly anybody in the**  
 19 **Labour Party. You know, the Liberals were our bitter**  
 20 **political enemies. It was a marginal seat. Every --**  
 21 **you know, the relationship between the parties at**  
 22 **a political level was quite bitter, I would think. So**  
 23 **the idea that any Labour politician in Rochdale would**  
 24 **enter into a pact with the Liberals was an absolute**  
 25 **non-starter. It would never be contemplated. And**

Page 105

1 **I can't think why you would want to do it anyway,**  
 2 **because in 1979, following the RAP article, everybody in**  
 3 **the town knew about the allegations at Cambridge House,**  
 4 **so I'm not so sure what there was to cover up.**  
 5 Q. So even if not a pact, not even an understanding?  
 6 **A. Absolutely not, no.**  
 7 Q. Peter Joinson. That's a name that means something to  
 8 you, isn't it, Mr Farnell?  
 9 **A. Yes, he's a councillor, a Labour councillor on the**  
 10 **council.**  
 11 Q. In 2014, whether he is or is not now is one thing, but  
 12 in 2014 was he chief Labour Party whip or the Chief Whip  
 13 in Rochdale?  
 14 **A. He is currently still a member of the council and he was**  
 15 **the Chief Whip at that time.**  
 16 Q. Did he interview you on 11 June 2014 in part, if not in  
 17 whole, because of the statement you made to the press,  
 18 the ones we read together a little earlier, on 8 June  
 19 and perhaps afterwards?  
 20 **A. He didn't interview me, but I had a conversation with**  
 21 **him, yes.**  
 22 Q. Where did you have a conversation with him?  
 23 **A. It was in my office in the council buildings.**  
 24 Q. As a Party Whip or as a Chief Whip, one of his jobs was  
 25 to impose discipline on party members, I suppose? Is

Page 106

1 that fair?  
 2 **A. That's one of his roles, yes.**  
 3 Q. Was that one of the reasons he was coming to see you,  
 4 Mr Farnell, because of what you had said to the press in  
 5 the June of that year?  
 6 **A. It wasn't a disciplinary matter. It was a very -- if**  
 7 **I can explain, it was a very brief meeting, and he**  
 8 **popped his head around the door and said -- I'm not so**  
 9 **sure it was just these press articles that have been**  
 10 **referred to today. I think there were other coverage in**  
 11 **the media. He popped his head around the door to say,**  
 12 **"Richard, as Chief Whip, I have to ask you this: were**  
 13 **you aware of anything to do with Knowl View?", and**  
 14 **I simply answered, "I was not aware of any of**  
 15 **the incidents at Knowl View", and that was basically the**  
 16 **sum total of the conversation.**  
 17 Q. You're aware, I'm sure, Mr Farnell, that he has produced  
 18 a note, and he produced a note to the police who  
 19 interviewed him in October 2014, a typewritten note, of  
 20 how at least part of that conversation went, and he made  
 21 two statements about it. You are aware of that, aren't  
 22 you, Mr Farnell?  
 23 **A. Yes, I am. Yes.**  
 24 Q. Have you seen the note?  
 25 **A. I was shown the note during the police interview.**

Page 107

1 Q. Have you got a copy of it now?  
 2 **A. I haven't got a copy now.**  
 3 Q. I wonder, if we have a spare -- I hope the chair and the  
 4 panel should have a copy of this. We will see it is  
 5 headed "Notes of a meeting with Councillor  
 6 Richard Farnell, leader Rochdale Labour group, 11 June".  
 7 Although it doesn't have the year date, it is clear from  
 8 what Mr Joinson had to say it is 2014. It reads this  
 9 way:  
 10 "As Chief Whip, I arranged a meeting with the lead  
 11 of the Labour group to go through various group  
 12 positions, et cetera. At the end of the meeting,  
 13 I raised with the leader the issues of press articles  
 14 that questioned his knowledge of the Knowl View abuse  
 15 report."  
 16 Pausing there, it rather suggests that this was more  
 17 than just a popping the head around the door, doesn't  
 18 it? "At the end of the meeting I raised issues?"  
 19 **A. Certainly there was no discussion about various group**  
 20 **positions. I had already dealt with them and passed**  
 21 **them on to Committee Services about the positions the**  
 22 **Labour group will be taking on the council. So there**  
 23 **would be no need to meet him to discuss various group**  
 24 **positions.**  
 25 Q. But "at the end of the meeting" rather suggests it was

Page 108

<p>1 more than just this. Do you agree the intrinsic notion                  2 here "at the end of the meeting" suggests it was                  3 something more than just the popping of a head around                  4 the door?                  5 <b>A. That's what he suggests in his note but my recollection                  6 of that meeting is entirely different.</b>                  7 Q. Let's read on:                  8 "Councillor Farnell indicated that                  9 Councillor Hawton, as chair of Rochdale Health                  10 Authority, had received a report from her senior officer                  11 that had been written by a sexual health worker employed                  12 by the health authority. As a consequence of that                  13 report, the council was preparing a report. This was                  14 between approximately March and June 1992.                  15 Councillor Farnell said he had only seen a draft report                  16 and the full report wasn't complete until June. By that                  17 time, he had lost his council seat and ceased to be the                  18 council leader. Councillor Farnell stated the full                  19 report was presented to Councillor Rowen who had taken                  20 the leadership of the council."                  21 It has got his name, his position, "Labour group                  22 Chief Whip" and in hand his initials "PJ1" and the date                  23 and time because he was producing it as an exhibit to                  24 the police on 30 October 2014. Did you say any of those                  25 things or anything like it to Mr Joinson, Mr Farnell?</p> <p style="text-align: center;">Page 109</p>	<p>1 and the full report wasn't complete until June", by                  2 which time you'd lost your council seat. Again,                  3 I assume you're going to be telling us, Mr Farnell, that                  4 those are words being put into your mouth, completely                  5 untrue, and the facts that he got, to put them in your                  6 mouth, he got from another source?                  7 <b>A. Yes.</b>                  8 Q. He made, as I said, two statements: one on the day that                  9 he exhibited this note, 30 October, and another, albeit                  10 dated 7 April 2016, it is a police statement, it must be                  11 2017, this year, but he said two other things about this                  12 meeting which are not noted in this note. First, he                  13 said you named during the course of this meeting the sex                  14 health worker as Shepherd. Did you do that?                  15 <b>A. No.</b>                  16 Q. Secondly, he said that you told him that there were                  17 allegations of sexual abuse in a draft report that you                  18 had seen. Did you say that?                  19 <b>A. No.</b>                  20 Q. So Mr Joinson has completely and utterly invented this                  21 content of this meeting with you on 11 June?                  22 <b>A. Absolutely, yes.</b>                  23 Q. You were asked about this in 2016 and you gave an                  24 explanation as to why you think Mr Joinson made this up.                  25 Why did he make it up, do you think, Mr Farnell?</p> <p style="text-align: center;">Page 111</p>
<p>1 <b>A. No.</b>                  2 Q. Has he made it up?                  3 <b>A. Yes.</b>                  4 Q. Has he made up all of the detail about Councillor Hawton                  5 receiving a report from a senior officer that had been                  6 written by a sexual health worker employed by the health                  7 authority? He's made all of that up?                  8 <b>A. Yes.</b>                  9 Q. So if he has made that up, in the sense of putting those                  10 words into your mouth, he must have got that information                  11 from another source?                  12 <b>A. Yes.</b>                  13 Q. Was Peter Joinson in the council at the time that we are                  14 dealing with?                  15 <b>A. No.</b>                  16 Q. So that suggests, if you are telling the truth, that he                  17 has somehow come by this information and has simply put                  18 these words into your mouth?                  19 <b>A. Yes.</b>                  20 Q. When it goes on, "As a consequence of that report, the                  21 council was preparing a report between                  22 approximately March and June 1992", again, completely                  23 made that up? You never said any such thing?                  24 <b>A. Absolutely not.</b>                  25 Q. "Councillor Farnell said he had only seen a draft report</p> <p style="text-align: center;">Page 110</p>	<p>1 <b>A. This was very shortly after the group annual meeting                  2 where I became leader of the group and leader of                  3 the council. Before that period, there was a very                  4 bitter --</b>                  5 Q. You're talking about 2014, aren't you?                  6 <b>A. '14, yes. Yes. There was a very bitter election                  7 campaign going on. I was challenging the current leader                  8 for the leadership of the group. It's been described as                  9 a civil war in the party.</b>                  10 <b>During that campaign, and this is an illustration of                  11 just how nasty it was, there were lots of allegations                  12 made by the outgoing leader, Colin Lambert, who was                  13 defending his seat, and by Peter Joinson that they                  14 shouldn't elect me as leader because I was leader at the                  15 time of Knowl View, I knew all about it and I covered it                  16 up, and that was the essence of the campaign, and the                  17 election was held, the group members took little notice                  18 of those smear campaigns, and I was elected with quite                  19 a large majority.</b>                  20 <b>The person running Colin Lambert's campaign to get                  21 re-elected during this bitter battle was Peter Joinson.                  22 He was hand in hand with Colin Lambert.</b>                  23 <b>Following the election, which I hoped would put                  24 a line under it, it continued and Joinson was part of                  25 that with Lambert. I had only just been elected,</b></p> <p style="text-align: center;">Page 112</p>

1 **I should step down, I should step aside. So he was very**  
 2 **much part of that campaign. This is a complete**  
 3 **invention. This statement he's made here is a complete**  
 4 **invention in order to try and politically damage me and**  
 5 **to undermine me as I've become the new leader.**  
 6 Q. When did you become the new leader? What date?  
 7 **A. It was early June. It would be a Monday, early June.**  
 8 **I can't remember exactly.**  
 9 Q. So around the very time those press articles we looked  
 10 at earlier?  
 11 **A. The press articles came just after that election.**  
 12 Q. So that we are clear, Mr Farnell, he is right that he  
 13 came to see you?  
 14 **A. Yes.**  
 15 Q. So whatever happened in the meeting he has completely  
 16 ignored, according to that note, and he has replaced it  
 17 with a complete invention about what passed between you?  
 18 **A. He didn't take any note during the meeting. As**  
 19 **I explained, it was a very brief encounter. He popped**  
 20 **his head around the door, very quick question, and**  
 21 **I answered it, and it was as brief as that.**  
 22 Q. Of course, the note that we are looking at was exhibited  
 23 to a witness statement that he made to the police on  
 24 30 October 2014, so it's several months after the  
 25 election. Did Mr Joinson, so that we understand, seek

Page 113

1 to make any political capital out of this claimed  
 2 conversation with you in the meantime?  
 3 **A. I don't quite follow the question, if you could repeat**  
 4 **it.**  
 5 Q. Did Mr Joinson seek to allege against you, by reference  
 6 to the note that we are all looking at, that you had  
 7 confessed to him having seen a draft report before you  
 8 left office?  
 9 **A. No, he'd not used that -- this particular interview.**  
 10 Q. No. So the first time it appears to surface is when  
 11 he's interviewed by the police on 30 October 2014,  
 12 months later?  
 13 **A. Yes.**  
 14 Q. So when you say that it was a nasty civil war and  
 15 Joinson had, as I understand you, sided with Lambert, he  
 16 never made use of it?  
 17 **A. Well, the civil war or the -- you know, the bad blood in**  
 18 **the Labour group carried on for -- you know, carried on**  
 19 **for several weeks and months after that.**  
 20 Q. But the first time it surfaces is when he speaks to the  
 21 police on 30 October 2014, and now we have it and now  
 22 I'm asking you questions about it. But, Mr Farnell, you  
 23 are going to agree, aren't you, there is no grey area  
 24 here: either he is lying or you are lying?  
 25 **A. And certainly my contention is he is lying about it,**

Page 114

1 **yes.**  
 2 Q. But it is one or the other, isn't it?  
 3 **A. It must be, yes.**  
 4 Q. So even up to this point in time, at the point at which  
 5 you leave office, and even despite Mr Joinson's, you  
 6 say, fabricated notes of a conversation that you never  
 7 had, at the point at which you leave office, so that we  
 8 understand the position, Mr Farnell, so that we all  
 9 understand, you still were ignorant of all of the sexual  
 10 exploitation and abuse that boys had been suffering for  
 11 years at a school for which your council had  
 12 responsibility?  
 13 **A. I was never informed about the events of Knowl View, and**  
 14 **you're quite right, because you have reminded the panel**  
 15 **several times now, that I have said I was unaware of**  
 16 **these matters.**  
 17 Q. Finally, this, Mr Farnell: you'll presumably understand  
 18 that several boys went through that school, vulnerable  
 19 boys, and their lives were blighted by what happened to  
 20 them. You understand that, don't you?  
 21 **A. Yes.**  
 22 Q. Presumably, you're prepared to accept responsibility for  
 23 that as leader during the period, aren't you?  
 24 **A. The council should accept responsibility for the**  
 25 **failings that happened in Knowl View, and individuals**

Page 115

1 **must take responsibility for their own actions.**  
 2 Q. What about you?  
 3 **A. Well, I bitterly regret that the senior officers of**  
 4 **the council never once approached me to brief me about**  
 5 **these matters. They had every opportunity to do so, and**  
 6 **it was incumbent on them to give me those facts and they**  
 7 **never did, and I bitterly regret that, because if they**  
 8 **had done, I may have been able to help. I may have been**  
 9 **able to challenge, as has already been said, the advice**  
 10 **and the actions of the officers.**  
 11 Q. So the blameworthy people, just so we understand,  
 12 Mr Farnell, are: Diana Cavanagh? Is she blameworthy in  
 13 your view?  
 14 **A. She has, I think, admitted to this inquiry she never**  
 15 **briefed me about Knowl View.**  
 16 Q. No, but as I reminded you earlier, she said you were  
 17 likely to have received the minutes or actions of  
 18 the 11 April meeting?  
 19 **A. Whenever Diana Cavanagh has given a statement about this**  
 20 **to the inquiry, she's been extremely, extremely vague**  
 21 **about -- as to whether anybody had given me any**  
 22 **information -- "presume", "would have", "likely". She's**  
 23 **never once said in evidence that this person spoke to me**  
 24 **or wrote a briefing note for me and told me about it.**  
 25 **She's never, ever been able to say that because it never**

Page 116

1 **happened.**  
 2 Q. So that's Diana Cavanagh. The excellent Ian Davey, is  
 3 he responsible?  
 4 **A. Well, Mr Davey is also on record as saying he never**  
 5 **escalated this matter to me.**  
 6 Q. Is he responsible, Mr Farnell?  
 7 **A. Responsible for what, sorry?**  
 8 Q. Well, you know what we are talking about, Mr Farnell.  
 9 Is he responsible for the failures at Knowl View where  
 10 you are not?  
 11 **A. Mr Davey is responsible, yes.**  
 12 Q. John Pierce: is he responsible, as chief executive,  
 13 where you are not?  
 14 **A. John Pierce had -- I'm not quite sure at what point**  
 15 **John Pierce was informed about Knowl View, but certainly**  
 16 **John Pierce, despite me meeting him weekly, despite**  
 17 **having every opportunity to bring these matters to my**  
 18 **attention, he did not, and he's said so.**  
 19 Q. Who else? Who else is personally responsible, apart  
 20 from you, Mr Farnell? Who else is responsible?  
 21 **A. Those three, as the senior officers of the council,**  
 22 **senior advisers to the Labour group, I think they are**  
 23 **the people who should shoulder the responsibility for**  
 24 **not informing me and dealing with these issues in**  
 25 **a proper way.**

Page 117

1 Q. Just so we understand, because there will come a moment  
 2 shortly when you leave this inquiry, Mr Farnell, but  
 3 when you do, everybody should understand that you are  
 4 not prepared to accept personal responsibility for this?  
 5 **A. I am not prepared to accept personal responsibility for**  
 6 **not -- for failing to take action in this matter. For**  
 7 **me to be able to take action in this matter, I would**  
 8 **have had to be informed of the -- of the situation, and**  
 9 **as clearly demonstrated, the key people -- the people**  
 10 **with the information, the people with the professional**  
 11 **responsibility to inform me about these matters, failed**  
 12 **to do so, and that's a matter of record.**  
 13 MR ALTMAN: I have made my points, so I am not going to  
 14 repeat them. I am going to ask the chair or the panel  
 15 if they have any questions for you.  
 16 Questions from THE PANEL  
 17 MR FRANK: If you would help me with one matter: you have  
 18 told us about the many occasions when you didn't have  
 19 any knowledge about Knowl View. Could you please help  
 20 us and tell us clearly, when did you first learn of  
 21 the serious problems at Knowl View? When was the very  
 22 first time?  
 23 **A. The very first time would be two to three years ago when**  
 24 **Simon Danczuk, Member of Parliament, raised these**  
 25 **matters under privilege in the House of Commons and then**

Page 118

1 **went on to write a book detailing the failures at**  
 2 **Knowl View.**  
 3 MR FRANK: Thank you. My second question is this: as the  
 4 leader, the current leader, of the council, does it  
 5 worry you that some of your officers may still be  
 6 keeping important information from you in a similar way  
 7 and, if it does, what are you doing about it?  
 8 **A. Currently, the whole system -- we are talking now**  
 9 **22 years down the line. The system in local government**  
 10 **today is much changed. It is far more transparent.**  
 11 **This situation would never happen again. I am now kept**  
 12 **informed of major incidents on a regular basis, so the**  
 13 **current arrangements that the council has, the way we**  
 14 **conduct our business, has changed dramatically over time**  
 15 **and I am confident that today this would never happen**  
 16 **again. I would be kept informed as I am currently.**  
 17 MR FRANK: My final question, if I may, is this: of  
 18 the three who you say should have informed you and  
 19 failed to do so, have you ever said to any one of them,  
 20 "Why on earth did you keep me in the dark? Why didn't  
 21 you tell me what went on?"  
 22 **A. I have not had the opportunity to do that because these**  
 23 **people have left the authority. When I became aware of**  
 24 **Knowl View, that was many, many years after the event,**  
 25 **I had no contact with these people anymore.**

Page 119

1 MR FRANK: Thank you.  
 2 THE CHAIR: Just one question from me, Mr Farnell: whilst  
 3 you were leader of the council, who was the local  
 4 member, do you remember, for the area in which Knowl  
 5 View School was located?  
 6 **A. That would be Cyril Smith. The school was, I think,**  
 7 **located in Norden, was it? Norden would be part of**  
 8 **the Rochdale constituency. It was represented by**  
 9 **Cyril Smith.**  
 10 THE CHAIR: Thank you. I didn't make myself clear. At  
 11 local council level, who amongst your councillors was  
 12 responsible for that area?  
 13 **A. For that area? Norden was a rock solid Conservative**  
 14 **seat.**  
 15 THE CHAIR: At any time, did the local member for that area  
 16 raise any questions or concerns about Knowl View School?  
 17 **A. No, none whatsoever.**  
 18 THE CHAIR: Thank you.  
 19 MR ALTMAN: Thank you, Mr Farnell. You are free to go.  
 20 **A. Thank you very much.**  
 21 **(The witness withdrew)**  
 22 MR ALTMAN: Chair, I am going to invite you to take perhaps  
 23 a 10-minute break. We have two witnesses who are here  
 24 whom we would quite like to see away by the end of  
 25 the day. Thank you very much.

Page 120

1 THE CHAIR: Thank you very much. We will return in  
 2 10 minutes.  
 3 (2.52 pm)  
 4 (A short break)  
 5 (3.05 pm)  
 6 MS ELEANOR PHILLIPS (sworn)  
 7 Examination by MR HENDERSON  
 8 MR HENDERSON: Good afternoon, Ms Phillips. Please do take  
 9 a seat. Thank you for joining us. I would like to  
 10 start just by asking you some brief background  
 11 information to set the scene, if we may. You very  
 12 kindly have given a witness statement to the inquiry  
 13 which I am going to ask to be brought up on the screen  
 14 and we can follow along with it. Could we bring up  
 15 INQ001301. If we could put that on one side of  
 16 the screen and we can bring up other documents on the  
 17 other. That's probably the most efficient.  
 18 Ms Phillips, you were a corporal in the RAF,  
 19 I think, originally?  
 20 **A. That's correct.**  
 21 Q. Then you joined the Director of Public Prosecutions'  
 22 office in 1973?  
 23 **A. That's right.**  
 24 Q. I think initially it was as personal secretary --  
 25 **A. Yes.**

Page 121

1 Q. -- to one of the assistant secretaries of the Director  
 2 of Public Prosecutions?  
 3 **A. I was a direct entrant personal secretary to the**  
 4 **Civil Service and I was allocated as a secretary to**  
 5 **a then assistant solicitor -- a secretary, sorry, and**  
 6 **not an assistant director.**  
 7 Q. In 1974, you tell us you became a senior personal  
 8 secretary to Sir Norman Skelhorn?  
 9 **A. That's right.**  
 10 Q. Who was then the DPP himself, is that right?  
 11 **A. Yes.**  
 12 Q. What did that role involve?  
 13 **A. Well, I looked after his diary, made appointments, made**  
 14 **sure he got to places on time, and any -- he wasn't**  
 15 **someone who did a lot of shorthand, but typing, general**  
 16 **secretarial duties.**  
 17 Q. You tell us that under Sir Norman the policy of  
 18 the DPP's office was to give no information to the  
 19 press?  
 20 **A. That's correct. I think it had been going on longer**  
 21 **than Sir Norman.**  
 22 Q. Do you know why that was?  
 23 **A. I think it was the culture at the time. They didn't**  
 24 **speak to the press.**  
 25 Q. In 1977, Sir Thomas Hetherington became DPP?

Page 122

1 **A. That's right.**  
 2 Q. You became his private secretary but also a press  
 3 officer?  
 4 **A. And parliamentary clerk.**  
 5 Q. It was a very small office, you say?  
 6 **A. That's right.**  
 7 Q. Can you give us a little bit of an idea? How much  
 8 interaction did you have with Sir Thomas?  
 9 **A. Oh, daily. There were many of us who wore different**  
 10 **hats because there weren't enough people there to do all**  
 11 **the jobs, but then they weren't full-time occupations so**  
 12 **there wasn't the press officer. Prior to Sir Thomas**  
 13 **making me the press officer, it was a man called**  
 14 **Bill Adams, who was the establishment officer at that**  
 15 **time, who just simply fielded the calls.**  
 16 Q. So didn't actually communicate much with the press?  
 17 **A. No.**  
 18 Q. It was just fielding calls. Why did Sir Thomas make  
 19 a change to have more communication with the press?  
 20 **A. I think Sir Thomas wanted to modernise the DPP. It was**  
 21 **very old century at that time, so that was one of**  
 22 **the things he brought into being.**  
 23 Q. What was the general approach to press enquiries after  
 24 Sir Thomas took over? Was it quite careful in giving  
 25 away minimal information, was it more open, what was the

Page 123

1 general policy?  
 2 **A. I think it was more open. I remember talking to one**  
 3 **journalist who had been speaking to Bill Adams for**  
 4 **years, and he said to me, "Are you sure you should be**  
 5 **telling me this?", because it was a big shock to them**  
 6 **that it had changed.**  
 7 Q. That you would actually speak to them?  
 8 **A. Mmm.**  
 9 Q. Was there any situation in which you would be instructed  
 10 to mislead the press?  
 11 **A. No.**  
 12 Q. Or even be economical with the truth?  
 13 **A. Maybe economical with the truth, yes. But not lie.**  
 14 Q. What kind of situation would that be?  
 15 **A. Well, there wasn't a policy, press policy, as such. So**  
 16 **we were making it up, or rather Sir Thomas was, as we**  
 17 **were going along because there was no measure of**  
 18 **the sort of press calls we were going to get. Also, at**  
 19 **that time, most of the Fleet Street newspapers had**  
 20 **a chief crime officer and they were very, very familiar**  
 21 **with the court system, unlike those who were just**  
 22 **writing articles about this, that or the other.**  
 23 Q. Can I come to the matter that interests the inquiry?  
 24 **A. Yes.**  
 25 Q. First of all, before we look at your interaction with

Page 124

1 the press in 1979, I just want to ask you about the  
 2 thing which started it, which was the police file and  
 3 investigation into Cyril Smith in 1970. Could we bring  
 4 up on the screen CPS002711. If we could stick it on the  
 5 right-hand side, that would be great.  
 6 Chair and panel, you have seen this many times.  
 7 I hope you might have seen this before, Ms Phillips?  
 8 **A. I have, yes.**  
 9 Q. This was the letter sent back to Lancashire Police  
 10 advising not to prosecute Cyril Smith in 1970. The  
 11 reason I ask you about it -- it is obviously before your  
 12 time -- is that we have been struggling to understand  
 13 a few little bits and pieces on this letter and you may  
 14 be able to help us.  
 15 In paragraphs 5 to 8 of your statement, you have  
 16 explained the filing system at the time?  
 17 **A. Yes.**  
 18 Q. Can you interpret for us the filing reference at the top  
 19 of this letter?  
 20 **A. Well, "W" would be the division, which was west, and as**  
 21 **this is the Lancashire Constabulary, that would be in**  
 22 **the west division. It was geographical.**  
 23 Q. The number in the middle?  
 24 **A. The number is the unique registration number of that**  
 25 **file.**

Page 125

1 Q. And the 70?  
 2 **A. Is the year.**  
 3 Q. How about the "TT"?  
 4 **A. I'm puzzled by that.**  
 5 Q. Any idea?  
 6 **A. No. I thought initially, as is the practice in a lot of**  
 7 **offices, that it would be the initials of the writer,**  
 8 **but it bears no relation to that signature, so I don't**  
 9 **know.**  
 10 Q. That brings me to the signature. You can see there  
 11 there is a signature that we think reads "N Hutchinson"?  
 12 **A. Yes.**  
 13 Q. Do you recall anyone called Hutchinson?  
 14 **A. No, I don't.**  
 15 Q. If we could bring up, instead of that, a recent document  
 16 that the CPS have helpfully provided for us. CPS002846.  
 17 If we could look at subpage 6 of that. Do you see  
 18 there, on the right-hand side of the screen, a very  
 19 similar looking signature and it is someone who is  
 20 apparently an Assistant Director of Public Prosecutions.  
 21 Does that help at all? Have you ever heard of them?  
 22 **A. I haven't heard of him, but -- this is something I am**  
 23 **not too sure about -- at some point, the number of**  
 24 **assistant directors, as opposed to assistant**  
 25 **secretaries, were changed, and when I arrived there were**

Page 126

1 **just two, but it was more of a managerial between the**  
 2 **lower level and the director and the deputy.**  
 3 Q. So this was someone one level down, perhaps, from the  
 4 director himself?  
 5 **A. Yes, but they had the powers, like the director and the**  
 6 **deputy, under the legislation which the assistant**  
 7 **secretaries didn't.**  
 8 Q. We have seen then that they have signed this letter in  
 9 1970. Was it normal practice for an assistant to sign  
 10 in the name of the DPP at that time?  
 11 **A. Oh, yes, because the assistant directors had the same**  
 12 **powers under the law as the DPP himself.**  
 13 Q. Would an assistant director have discussed the  
 14 decision -- usually discussed the decision with the  
 15 director themselves or would they have just made it on  
 16 their own?  
 17 **A. No, they might have. I mean, they may not have actually**  
 18 **sent the file, but they may have just wandered into his**  
 19 **office to talk about it.**  
 20 Q. Would they have done that in all cases or only in  
 21 high-profile cases?  
 22 **A. Most of the cases that went to the DPP were high**  
 23 **profile, because under the regulations of**  
 24 **the legislation at that time, chief constables had to**  
 25 **send certain cases, like all murders; any case needing**

Page 127

1 **an Attorney General's consent; any case needing a DPP's**  
 2 **consent. The chief constables then also had**  
 3 **a discretion to send a file with a lesser offence**  
 4 **because of a notable person in that area.**  
 5 Q. Yes, we have had that explained to us. You think it is  
 6 entirely possible the assistant director would sign in  
 7 the name of the DPP, they may or may not have discussed  
 8 it with the DPP himself? If you bring it back up, the  
 9 previous reference, CPS002711 on the right-hand side.  
 10 **A. This is --**  
 11 Q. Don't worry.  
 12 **A. That's a notice of --**  
 13 Q. That's something from 1962.  
 14 **A. Oh, right.**  
 15 Q. It is not unusual in your experience at the time for  
 16 someone to sign on behalf of the DPP like this?  
 17 **A. Well, this is 1970, so I wouldn't know.**  
 18 Q. Was the practice like that in 1974?  
 19 **A. It was to begin with, until Sir Thomas made the**  
 20 **assistant -- well, requested the Home Secretary, who had**  
 21 **the power then, to make Assistant Directors Public**  
 22 **Prosecutions. So all the assistant solicitors who --**  
 23 **secretaries who were in charge of division were made**  
 24 **Assistant DPPs and then they had the power.**  
 25 Q. Can we then come to the enquiry that you received from

Page 128



1 the press in 1979. In your statement, this starts at  
 2 paragraph 4. You say that you recall the DPP's office  
 3 receiving a phone call from a paper about Cyril Smith.  
 4 **A. Yes.**  
 5 Q. Can you remember at all, was that the Rochdale  
 6 Alternative Press?  
 7 **A. No, I can't.**  
 8 Q. You weren't present when the call first came in. Your  
 9 recollection is that a secretary called Frances answered  
 10 it instead?  
 11 **A. Yes.**  
 12 Q. Can you remember her surname?  
 13 **A. No, she got married while I was there, so she had**  
 14 **different surnames.**  
 15 Q. Your recollection is she checked with the registry,  
 16 that's the section that checked incoming mail?  
 17 **A. Yes.**  
 18 Q. They confirmed there was a file on Cyril Smith but it  
 19 was closed, so it was archived?  
 20 **A. Yes.**  
 21 Q. "Closed", does that just mean it had been finished with?  
 22 It wasn't classified?  
 23 **A. It may be because a decision not to prosecute had been**  
 24 **made or it was the end of a prosecution.**  
 25 Q. Either way, it had been finished with?

Page 129

1 **A. Yes.**  
 2 Q. You say that you didn't at the time think it was  
 3 something big. It didn't seem a major enquiry. Because  
 4 you didn't go to get help from an experienced  
 5 Home Office press officer who helped you with big  
 6 enquiries?  
 7 **A. No, because, I mean, at that time, I'd been acting as**  
 8 **press officer for well over a year, and I spoke to**  
 9 **Sir Thomas about it and asked him the line to take,**  
 10 **which was that we only comment on current cases.**  
 11 Q. Can we just take it in stages. You say initially that  
 12 you believed that Frances, the secretary, called the  
 13 journalist back and said the DPP did have a file but it  
 14 would take some time; is that right?  
 15 **A. Yes.**  
 16 Q. You then say -- this is paragraph 11 of your statement,  
 17 if we go over the page, that when Frances told you about  
 18 the call the next day, you asked Sir Thomas about  
 19 bringing it up and he said no?  
 20 **A. Yes.**  
 21 Q. Was that unusual?  
 22 **A. I can't say either way or other, really. We didn't --**  
 23 **we weren't often asked about closed files, so it wasn't**  
 24 **a question of --**  
 25 Q. It wasn't the normal practice?

Page 130

1 **A. No.**  
 2 Q. What you do say, though -- this is paragraph 12 -- is  
 3 that Sir Thomas did not seem surprised or curious about  
 4 the file?  
 5 **A. That's right.**  
 6 Q. You got the impression he knew about the issues  
 7 surrounding Sir Cyril?  
 8 **A. Yes.**  
 9 Q. What gave you that impression?  
 10 **A. Well, I'd been working with the man for a few years.**  
 11 **He was very curious about a lot of things and I thought,**  
 12 **if this was totally new to him, he may well have wanted**  
 13 **to see it.**  
 14 Q. Did he say anything about Cyril Smith?  
 15 **A. No.**  
 16 Q. Did he say anything about why he wanted to leave the  
 17 file in the archive?  
 18 **A. No.**  
 19 Q. You then explain in paragraph 13 that, as a result of  
 20 this enquiry, the media policy changed and you started  
 21 only commenting on live cases; is that right?  
 22 **A. No, it didn't change, it just came into being.**  
 23 Q. Right. There wasn't a policy before then?  
 24 **A. No.**  
 25 Q. Why did this enquiry start the need for a policy?

Page 131

1 **A. Because I -- from my recollection, it was the first time**  
 2 **we were getting an archived file up for a press enquiry.**  
 3 Q. Does that not suggest it was quite a major story or  
 4 a major incident?  
 5 **A. No. I think the name Sir Cyril Smith suggested it was**  
 6 **something. It depends what you call "major". I mean,**  
 7 **it wasn't murder.**  
 8 Q. But an enquiry about allegations of sexual assault by  
 9 a sitting MP, did that not ring alarm bells and make  
 10 everybody take it quite seriously?  
 11 **A. Well, not the enquiry, no. I think there was a feeling**  
 12 **that they thought it was a fishing trip by the press.**  
 13 **It wasn't current.**  
 14 Q. You say then that what happened was -- this is  
 15 paragraph 13 still -- you went back and you called back  
 16 the journalist who'd enquired and you said:  
 17 "We do not comment except for ongoing, live cases."  
 18 **A. Yes.**  
 19 Q. Then you go on to say -- this is paragraphs 14 and 15,  
 20 over the page -- that you got a lot of other press calls  
 21 about Cyril Smith at the time and spoke to them?  
 22 **A. Yes.**  
 23 Q. You gave them the same standard answer: we don't comment  
 24 on live, ongoing cases [as spoken]?  
 25 **A. That's right.**

Page 132

<p>1 Q. Why not just confirm the true position, that there was 2 a file in 1970? 3 <b>A. Because I had been instructed by Sir Thomas not to.</b> 4 Q. He didn't explain why? 5 <b>A. No. When you get an instruction, you don't argue.</b> 6 Q. Can I take you then -- this is the final topic -- to 7 a series of notes that I think you have seen which the 8 inquiry has obtained from the Security Service? 9 <b>A. Yes.</b> 10 Q. If we could bring up, firstly, INQ000975 and go to 11 subpage 3. Again, the chair and panel have seen this 12 before, you have seen this before? 13 <b>A. Yes.</b> 14 Q. Let's just look at what it says. If we could zoom in on 15 the first paragraph, and particularly we will see there, 16 a few lines down, it says: 17 "After consultations ..." 18 There is an enquiry made by Mr Bartlett from the 19 Rochdale Alternative Press and Sir Thomas tells 20 the legal adviser at the Security Service: 21 "After consultations, the DPP's press representative 22 had untruthfully told Bartlett that they had no record 23 of the case." 24 First of all, is there anyone else that could be the 25 press representative other than you, Ms Phillips?</p> <p style="text-align: center;">Page 133</p>	<p>1 zoom in on the top half of that. The file note reads: 2 "The DPP telephoned me again late this morning to 3 say that they had now had an enquiry ... from the Daily 4 Express ... they had been told that the DPP had no 5 record of this case." 6 So the Daily Express was now being similarly misled 7 according to this note? 8 <b>A. According to that, yes.</b> 9 Q. Again, you have no recollection of that? 10 <b>A. No.</b> 11 Q. Indeed, you think you wouldn't have said that, you would 12 have said "No comment"? 13 <b>A. Yes.</b> 14 Q. Finally, if we have a look at the next page, page 5, 15 again if we could just zoom in on the second paragraph 16 there, this is a couple of days later, further questions 17 from Mr Bartlett, and on this occasion the answer was 18 "not admitting receiving any papers but had said the 19 alleged offence would have been reportable if the chief 20 constable had judged that a prima facie case was made 21 out." 22 Again, you say no recollection of failing to admit 23 receiving the papers? 24 <b>A. No.</b> 25 Q. Again, you think it would have been a "No comment"</p> <p style="text-align: center;">Page 135</p>
<p>1 <b>A. No.</b> 2 Q. Your recollection is that you didn't mislead the press; 3 is that right? 4 <b>A. That's correct.</b> 5 Q. You say you gave a "No comment" response, "We don't 6 comment on ongoing cases"? 7 <b>A. Yes.</b> 8 Q. This is obviously a contemporaneous note. 9 <b>A. Yes.</b> 10 Q. Made much closer in time than today? 11 <b>A. Yes.</b> 12 Q. Do you accept that your memory now may be wrong? 13 <b>A. I do not accept that's correct.</b> 14 Q. The obvious explanation for this note is that that is 15 what Sir Thomas told the Security Service -- 16 <b>A. Well, that is correct. It's just --</b> 17 Q. Do you have any other explanation? 18 <b>A. The way I read it, it's one man's word against another.</b> 19 Q. But can you have any explanation for why he would say 20 you misled the press -- 21 <b>A. No.</b> 22 Q. -- if you just made no comment? 23 <b>A. No.</b> 24 Q. If we look at the second note, the same date, it is 25 INQ000975, and just the next page, page 4. If we could</p> <p style="text-align: center;">Page 134</p>	<p>1 response? 2 <b>A. Yes.</b> 3 Q. Can we finally then go to the article itself that was 4 published by the Rochdale Alternative Press. This is 5 INQ000963. I think we have had some issues zooming in 6 on this before so I may need to read it to you? 7 <b>A. Oh, gosh, yes.</b> 8 Q. If we could zoom in on the right-hand side to the 9 section that says "The DPP". That's not great to read 10 but I will tell you what it says. The key point is 11 this, about midway down, it says: 12 "An approach to the DPP, however, failed to confirm 13 that ..." 14 That is that the DPP advised no prosecution: 15 "On our first request for information the DPP's 16 press office agreed to answer the question of whether or 17 not the file had been received by them. After making 18 the appropriate search, we were told that they had 19 failed to find such a file." 20 Stopping there, that seems to be the same as your 21 recollection of the secretary, Frances, initially 22 saying, "We will go and see if we can find the file"? 23 <b>A. That's right. There were two calls with different 24 people.</b> 25 Q. Then we get a further approach, which brought the</p> <p style="text-align: center;">Page 136</p>

1 official statement from the director, and then quotes:  
 2 "The DPP cannot trace such a case being referred to  
 3 us but cannot confirm or deny receiving it."  
 4 **A. No, I didn't say that.**  
 5 Q. You don't recognise that?  
 6 **A. No.**  
 7 Q. Because that does sound like there was a denial there  
 8 was a case?  
 9 **A. Yes.**  
 10 Q. Rather than a "No comment"?  
 11 **A. Mmm.**  
 12 Q. Again, would you be prepared to accept that maybe your  
 13 memory is wrong? Because this is a quote --  
 14 **A. Yes.**  
 15 Q. -- that's been put by the journalist?  
 16 **A. No, I don't think my memory is wrong.**  
 17 Q. Can you give any explanation for how the journalist  
 18 would have got the wrong quotation from you there?  
 19 **A. No.**  
 20 Q. Can I just explore then, finally, this with you. If you  
 21 don't think your memory is wrong, is it possible that  
 22 someone else may have spoken to the Rochdale Alternative  
 23 Press and/or the Daily Express other than you?  
 24 **A. It is possible, but not in the press office -- well, our**  
 25 **little press office.**

Page 137

1 Q. So is it possible that someone like Frances, the  
 2 secretary, may have given a slightly different answer,  
 3 which is what's quoted --  
 4 **A. After the first day, she didn't -- I can't remember her**  
 5 **getting involved again.**  
 6 Q. But you weren't in on that day, were you?  
 7 **A. After the first day, no.**  
 8 Q. You got a report of what had happened the subsequent  
 9 day?  
 10 **A. Yes, but on the first day, my understanding is Frances**  
 11 **did confirm there was a file.**  
 12 Q. Is it possible that there was another part of  
 13 the conversation that you missed, where they said there  
 14 wasn't one?  
 15 **A. Well, no, I couldn't answer that.**  
 16 Q. Is it possible that you thought you were giving a "No  
 17 comment" answer but it came across to the press as, "We  
 18 deny having a file"?  
 19 **A. No.**  
 20 Q. Not even when this was a new policy and it was the first  
 21 time it was being rolled out?  
 22 **A. I think I would have remembered it clearly, as it was**  
 23 **the first policy. It's only a matter of hours before**  
 24 **that I'd got the instruction.**  
 25 Q. Can you give us any explanation for why the

Page 138

1 contemporaneous records seem to say, "We were told there  
 2 was no file"?  
 3 **A. This is Private Eye. I think they would get --**  
 4 Q. This is the Rochdale Alternative Press.  
 5 **A. I see.**  
 6 Q. Private Eye did pick up the story. Go on, sorry.  
 7 **A. I see. I don't know.**  
 8 Q. Can you offer any light at all on what might have  
 9 happened here?  
 10 **A. No.**  
 11 MR HENDERSON: Thank you very much, Ms Phillips. That's all  
 12 the questions I have for you. I don't know if the panel  
 13 have any?  
 14 THE CHAIR: No. Thank you very much, Ms Phillips.  
 15 MS HOYANO: Chair, might I -- I just have one question  
 16 arising, if I might, just for clarification, if that is  
 17 possible?  
 18 Examination by MS HOYANO  
 19 MS HOYANO: I wanted to ask you about the phrase you used in  
 20 relation to the MI5 dossier we have seen. You said it  
 21 was one man's word against another's. I wasn't sure who  
 22 the other was.  
 23 **A. Sir Thomas and the legal adviser to MI5.**  
 24 Q. But we don't have any evidence as to what -- from  
 25 Sir Thomas about what he said to the MI5 legal adviser?

Page 139

1 **A. Yes, but I'm not too sure what the legal adviser wrote**  
 2 **would be classed as evidence.**  
 3 Q. Would be ...? I'm sorry?  
 4 **A. Classed as evidence.**  
 5 Q. Well, let's leave aside the rules of evidence for  
 6 a moment. What you're saying is that Sir Thomas did not  
 7 say that?  
 8 **A. I do not know what Sir Thomas said. What I am casting**  
 9 **doubt on is that it is not correctly recorded.**  
 10 Q. And he did not correctly record it twice in that  
 11 dossier, from the two phone calls he received from  
 12 Sir Thomas?  
 13 **A. Yes, if he got two phone calls.**  
 14 MS HOYANO: Thank you, chair.  
 15 THE CHAIR: Thank you very much, Ms Phillips.  
 16 **A. Thank you.**  
 17 **(The witness withdrew)**  
 18 MS DOBBIN: Chair, the next witness is Mr Marsh.  
 19 Chair, whilst you are waiting, Mr Marsh is going to  
 20 give evidence about Operation Clifton and the full body  
 21 of that report is in volume 2 of week 2 at tab 13.  
 22 MR NIGEL PETER MARSH (sworn)  
 23 Examination by MS DOBBIN  
 24 MS DOBBIN: Mr Marsh, if you would like to sit down, that's  
 25 fine.

Page 140

1 **A. Thank you.**  
 2 Q. Can I ask you, please, to give your full name to the  
 3 panel?  
 4 **A. My full name is Nigel Peter Marsh.**  
 5 Q. Mr Marsh, you were a detective superintendent with  
 6 Greater Manchester Police, weren't you?  
 7 **A. Yes, temporary detective superintendent.**  
 8 Q. You were the senior investigating officer in  
 9 Operation Clifton; is that right?  
 10 **A. That's correct.**  
 11 Q. As a result of that investigation, there was a report  
 12 which is dated 26 September 2016?  
 13 **A. Yes.**  
 14 Q. That report outlines all of the investigations that you  
 15 undertook as part of Operation Clifton; yes?  
 16 **A. That's correct.**  
 17 Q. When was Operation Clifton set up, please?  
 18 **A. It was set up in 2014, but I believe I started the**  
 19 **policy and the actual investigation on 10 October 2014.**  
 20 Q. Thank you. Could you explain to the panel, please, what  
 21 Operation Clifton was set up in response to?  
 22 **A. It was set up -- there were a number of investigations**  
 23 **ongoing at the time into allegations of abuse in**  
 24 **Rochdale, some in relation to Knowl View, and the**  
 25 **decision was taken by command that we would look at the**

Page 141

1 **action or inaction of GMP, Rochdale and other agencies.**  
 2 **The allegation was that there was a coverup that had**  
 3 **taken place relating to the abuse that had taken place,**  
 4 **linked in to Cyril Smith and some kind of pact within**  
 5 **the parties.**  
 6 Q. I think it is right that at the time that you started  
 7 Operation Clifton, Neil Garnham QC, as he was then, was  
 8 undertaking a review on behalf of Rochdale Borough  
 9 Council?  
 10 **A. Yes, that's correct.**  
 11 Q. Is it right that he then suspended his review at the  
 12 request of GMP so that Operation Clifton could develop?  
 13 **A. Mr Garnham interviewed an individual and stopped that**  
 14 **interview, contacted GMP and indicated that this was**  
 15 **a matter for the police to take up and that's the start**  
 16 **of where GMP came to take over. They requested that he**  
 17 **stop his investigation and that's really where I came**  
 18 **in.**  
 19 Q. Have you set out at paragraph 2 of your report then the  
 20 allegations that Operation Clifton was going to  
 21 consider?  
 22 **A. Sorry, what page is that, please?**  
 23 Q. That's at page 6. I think this summarises it. The  
 24 allegation was that senior Rochdale Borough Council  
 25 executives and GMP officers had failed to properly

Page 142

1 investigate serious sexual abuse at Knowl View School  
 2 and that there had been some form of coverup;  
 3 specifically that the reports of Philip Shepherd and  
 4 Valerie Mellor hadn't been made public for inappropriate  
 5 reasons?  
 6 **A. Yes, that's right.**  
 7 Q. That was the core allegation that you were going to look  
 8 at?  
 9 **A. Yes.**  
 10 Q. Then do we see, just a little way down the page, on  
 11 page 7, what the terms of reference were for your  
 12 investigation?  
 13 **A. Yes. The terms of reference document is quite**  
 14 **a comprehensive document, but those were the --**  
 15 Q. I was going say, it is a very lengthy terms of reference  
 16 document, but you have helpfully summarised the terms of  
 17 reference here.  
 18 **A. Yes.**  
 19 Q. I just want to look at the first one, which was to  
 20 examine any action or inaction by GMP or the council in  
 21 relation to the investigation of child abuse at Knowl  
 22 View School with particular emphasis on the information  
 23 included in the reports generated from within the  
 24 council around 1991 and 1992?  
 25 **A. Yes.**

Page 143

1 Q. So very much looking at the information that emanated in  
 2 those years, namely, the Shepherd Report, the  
 3 Mellor Report and the Cavanagh report as well?  
 4 **A. Yes.**  
 5 Q. Then what you were going to consider was whether or not  
 6 action or inaction revealed any complicity in relation  
 7 to a coverup, corruption or criminal offences, such as  
 8 misconduct in a public office or malfeasance?  
 9 **A. Yes.**  
 10 Q. I think that's probably important to emphasise,  
 11 Mr Marsh, that you were looking at this in terms of  
 12 whether or not any criminal offences had been  
 13 committed --  
 14 **A. Yes.**  
 15 Q. -- by council officers or by police officers. You  
 16 weren't generally considering whether or not, for  
 17 example, child protection standards had been met at the  
 18 time; is that right?  
 19 **A. No.**  
 20 Q. You were also going to look at -- I'm looking at  
 21 bullet 3 -- any other incidents arising from these  
 22 enquiries or allegations relating to action or inaction  
 23 by any of those officers could be construed as evidence  
 24 of a coverup. You were going to also consider any  
 25 interim findings made by Neil Garnham and you were going

Page 144

1 to consider or satisfy the requirements of the criminal  
 2 judicial process first and thereafter consider with the  
 3 National Inquiry and other stakeholders the publication  
 4 of any findings. I mention that because I think when  
 5 you refer to National Inquiry, you are talking about  
 6 this inquiry; is that right?  
 7 **A. Yes, the terms of reference actually for that list, that**  
 8 **part changed about three times, because initially**  
 9 **I think it was the Woolf Inquiry, then the**  
 10 **Goddard Inquiry and then finally we said the National**  
 11 **Inquiry.**  
 12 Q. The reason why we have this report ultimately is because  
 13 that was shared with the inquiry by Greater Manchester  
 14 Police?  
 15 **A. Yes.**  
 16 Q. Just to explain, because the panel will see that it is  
 17 quite a thick bundle of documents that you provided, but  
 18 your report was also supplemented by your request to the  
 19 CPS for a device --  
 20 **A. Yes.**  
 21 Q. -- arising out of your investigation. There is also  
 22 a separate report which was conducted by the GMP  
 23 Professional Standards Board as well?  
 24 **A. Yes.**  
 25 Q. Could you explain to the panel, please, what the

Page 145

1 relationship is between your report and the Professional  
 2 Standards Board report?  
 3 **A. The Professional Standards report was governed by the**  
 4 **Police Reform Act 2002, so they would look at specific**  
 5 **offences that relate to police officers where they were**  
 6 **servicing or not servicing. There would be special**  
 7 **restrictions -- expectations, I think might be the**  
 8 **word -- for a police officer that was servicing now that**  
 9 **would come under the investigation, but as the majority**  
 10 **of these individuals were retired, it wouldn't have had**  
 11 **to be referred to the IPCC for a managed investigation.**  
 12 **However, that investigation linked in very close with**  
 13 **me. The SIO on that was DCI Flindle. We met up**  
 14 **regularly, we discussed different aspects of**  
 15 **the investigation. At times, we interviewed individuals**  
 16 **jointly. So an officer from my enquiry and an officer**  
 17 **from the PSB, because the two were intrinsically linked.**  
 18 Q. Can I just ask you then, when it comes to the  
 19 conclusions of the Professional Standards Board, do they  
 20 represent the same conclusions that you ultimately came  
 21 to as well?  
 22 **A. They did for the criminal aspects but for the police --**  
 23 **potential police misconduct, there may be different**  
 24 **elements of that. That is because they were not looking**  
 25 **per se at whether this was something that we could take**

Page 146

1 **to court. They were looking at that -- those offences,**  
 2 **if they crossed over into the criminal threshold, they**  
 3 **would have come under my investigation and you can see**  
 4 **that in the CPS where we have discussed the individuals**  
 5 **that are concerned in both investigations as a criminal,**  
 6 **but then the Police Reform Act would be as separate**  
 7 **because that's about discipline for those police**  
 8 **officers if they were still serving, if that explains**  
 9 **it.**  
 10 Q. Yes. I probably didn't ask the question very well. But  
 11 when we look at the PSB report, the conclusions in that  
 12 are solely directed towards the professional standards  
 13 of the officers concerned. In your report, you were  
 14 looking at wider allegations of corruption?  
 15 **A. Yes, that's correct.**  
 16 Q. When we look at the PSB report, did you take those  
 17 findings and incorporate them then into your report?  
 18 **A. Yes, especially in relation to police officers, because**  
 19 **if there had been evidence of misconduct, malfeasance,**  
 20 **that could have escalated into a criminal aspect rather**  
 21 **than just the police misconduct. That's what I was**  
 22 **interested in, that there hadn't been that crossover to**  
 23 **the criminal aspect. That's important for the alleged**  
 24 **coverup.**  
 25 Q. Just to be clear, when we look at the PSB report, the

Page 147

1 officers who are considered by it are Chief  
 2 Superintendent Houghton, Detective Superintendent  
 3 Henderson and Detective Sergeant Sterndale.  
 4 **A. Yes.**  
 5 Q. Is that right? They are all names that are familiar now  
 6 to the panel. I will come back to that in a moment.  
 7 I want to ask you first of all, though, about  
 8 cottaging at Smith Street toilets and the extent to  
 9 which your investigation touched upon that. I wonder if  
 10 we could look, first of all, at page 52 of your report.  
 11 GMP000916\_052. If we go to the middle paragraph that  
 12 begins "It is clear", what I understand you to be  
 13 setting out here, Mr Marsh, is that there were very few  
 14 police records left in respect of Smith Street toilets  
 15 and any investigations that had taken place in the late  
 16 1980s or early 1990s?  
 17 **A. That's correct.**  
 18 Q. And that the findings that were made by you in this  
 19 report were largely based on the social services records  
 20 that were still available?  
 21 **A. Yes. My team trawled various avenues to try and recover**  
 22 **documentation, the microfiche from GMP, because there**  
 23 **was a crossover -- I can't remember now, whether it was**  
 24 **'93/'94. There was a crossover from paper to a computer**  
 25 **system, so we went to every available avenue to try and**

Page 148

<p>1 <b>identify offences at Smith Street toilets, so we got</b>                  2 <b>social services and then tracked the enquiries back from</b>                  3 <b>there.</b>                  4 Q. What you go on to say here is that you explain the                  5 difficulties that that caused in your investigation and                  6 you refer to officer and staff recollection of events                  7 being limited due to the passage of time and the                  8 reluctance of alleged victims to speak to the police and                  9 social services:                  10 "There is only the reliance on local authority                  11 documents which are limited and vague as to individual                  12 case results for Smith Street toilets."                  13 I understand what you are saying there is that it is                  14 quite difficult, through the social services documents,                  15 to actually understand what the final outcome was in                  16 respect of any of the investigations that took place --                  17 <b>A. Yes.</b>                  18 Q. -- around Smith Street toilets. When you refer in that                  19 paragraph to the reluctance of alleged victims to speak                  20 to the police, were you talking about at the time, so in                  21 the late 1980s or early 1990s, people were reluctant to                  22 come forward or did you mean people were reluctant to                  23 speak to you about it?                  24 <b>A. Both, really. If you follow the narrative of</b>                  25 <b>the investigation for Smith Street, you will see some of</b></p> <p style="text-align: center;">Page 149</p>	<p>1 fact, we do see examples of children mentioning or                  2 telling people in authority the names of people who they                  3 said had abused them.                  4 <b>A. Yes.</b>                  5 Q. I'm just going to pick up a witness statement that was                  6 provided to us by Mr Bottomley, the force reviewer. I'm                  7 not going to ask you to bring it up on screen. I'm just                  8 going to refer you to something that he said. At                  9 paragraph 16 of his witness statement, he mentioned, and                  10 he names a number of the children who were associated                  11 with Smith Street toilets, and he states:                  12 "Upon their return to school, they disclosed to an                  13 unknown member of staff that they had masturbated a man                  14 named Alf Smith from flats for money. The boys also                  15 committed thefts and were charged with these. No                  16 charges were brought against any adult committing                  17 offences against these pupils. Police are involved and                  18 intend to continue in the hope of catching the men                  19 involved."                  20 That appears to be an example both of children                  21 actually giving the name of someone who they said had                  22 abused them and also of the children apparently having                  23 been charged with committing theft as well arising out                  24 of the same events. Do you know anything more about                  25 that?</p> <p style="text-align: center;">Page 151</p>
<p>1 <b>the information we had there were, when officers had</b>                  2 <b>gone to some of the individuals that had been alleging</b>                  3 <b>abuse, they refused to talk to them at different times.</b>                  4 <b>We spoke to police officers about their recollections of</b>                  5 <b>those individuals. So it's important to say that we</b>                  6 <b>weren't just going to one individual, taking what they</b>                  7 <b>were saying and then running that and putting that into</b>                  8 <b>the report. What we were trying to do is provenance</b>                  9 <b>that information by what discussions did they have with</b>                  10 <b>other people, their peers, supervisors, the police, all</b>                  11 <b>their colleagues within that department, to try and</b>                  12 <b>corroborate that evidence because of those difficulties.</b>                  13 <b>There were instances where we were -- part of my role as</b>                  14 <b>well was the reviewing of other offences within --</b>                  15 <b>sorry, other investigations and I was a Hydrant SPOC, so</b>                  16 <b>I was aware of individuals within GMP who had made</b>                  17 <b>allegations of abuse in the past and I linked in very</b>                  18 <b>closely with DCI Jones and Jaguar and actually reviewed</b>                  19 <b>part of Jaguar, so I knew what steps they'd taken with</b>                  20 <b>the people within their enquiry and we were linking in</b>                  21 <b>at different times, and at times we did use those to</b>                  22 <b>introduce us to some of the people that had been abused</b>                  23 <b>on that to get their side of the story and to get that</b>                  24 <b>information.</b>                  25 Q. I think when we look at the contemporaneous records, in</p> <p style="text-align: center;">Page 150</p>	<p>1 <b>A. I'm not too sure about the charge of theft. I would</b>                  2 <b>say -- charges or cautions.</b>                  3 Q. I'm just reading from his report. That's what it says                  4 at paragraph 16.                  5 <b>A. I'm aware of that -- I think the detective sergeant</b>                  6 <b>actually took the boys to identify the property.</b>                  7 Q. That's right.                  8 <b>A. Yes.</b>                  9 Q. I was going to also say that it appears that the police                  10 did take the boys on occasions when they identified that                  11 they had been with adults to see if they could find                  12 where they had been, but it doesn't appear from the                  13 records we have got that those investigations led to any                  14 adults being apprehended?                  15 <b>A. Yes.</b>                  16 Q. Is that your understanding?                  17 <b>A. Yes, it is, yes.</b>                  18 Q. I also wanted to ask you -- I'm sorry, I know this is in                  19 Mr Bottomley's evidence, not yours, but I know you have                  20 some familiarity with it -- at paragraph 33 of his                  21 witness statement, he also referred to two boys who we                  22 are familiar with, A9 and A10, being picked up at                  23 Smith Street toilets by the police for importuning an                  24 adult male who was arrested and charged, and it says A9                  25 and A10 gave the police a statement about the activities</p> <p style="text-align: center;">Page 152</p>

<p>1 around the toilets and said it had been going on for                  2 around a month. I just wondered if I could look with                  3 you at the record that that relates to, please. That's                  4 RHC002487. If we look at the very end of that page, it                  5 is the final paragraph. It is a record of having met                  6 with one of the boy's mothers and there's a reference to                  7 the boys being around the toilets. It goes on to say:                  8 "He was to be charged with gross indecency but that                  9 may not happen, given that both A9 and A10 gave the                  10 police a statement about these ..."                  11 I'm afraid we need to go to page 3 of this document,                  12 because it is out of order. If we go to the top                  13 paragraph. So they are going to give a statement about                  14 these:                  15 "... activities around the toilet. They say it has                  16 been going on for a month, although you could surmise                  17 that it's been going on far longer than that. A10 is                  18 due to go to Rochdale Police Station with his mother on                  19 14 October to find out if he is to be charged or will                  20 receive a caution. I asked that A10 come to see me ..."                  21 I think we can pick up the thread on the next page,                  22 please, page 4. If we look at the record on                  23 28 August 1992, this is about A10. This records that                  24 the author phoned Peter Partridge about A10 and his                  25 recent behaviour at Rochdale toilets:</p> <p style="text-align: center;">Page 153</p>	<p>1 <b>A. It would be a last resort that the police would seek to</b>                  2 <b>charge/caution a child in that -- them circumstances.</b>                  3 <b>I think that's always been the case when I have been</b>                  4 <b>a police officer. However, the -- I'm aware of</b>                  5 <b>the history behind RO-9 and RO-10. This had been going</b>                  6 <b>on for some time, approximately two years, so you've got</b>                  7 <b>that situation where the police are picking these boys</b>                  8 <b>up, taking them back, they're told different people are</b>                  9 <b>involved and that and you can see there that R-10 is</b>                  10 <b>being dealt with differently than R-9. I'm not too sure</b>                  11 <b>there where -- I think he may have received a caution</b>                  12 <b>and diversionary panel. It is that. It is not a police</b>                  13 <b>decision. It is a multi-agency panel that we used to</b>                  14 <b>have where we would consider what are the options for</b>                  15 <b>this child, this youth, and the last resort would be</b>                  16 <b>that, to charge or caution, so it would not be the norm.</b>                  17 Q. Just to be clear about it, when we said a diversionary                  18 panel, that's a multi-disciplinary panel that's supposed                  19 to be guiding children away from being criminalised, so                  20 looking at alternatives to charging them with criminal                  21 offences. Cautioning was one of the ways of diverting                  22 them out of the criminal justice system, but nonetheless                  23 it was treating children as criminals or children to be                  24 diverted away from criminality as opposed to the victims                  25 of exploitation?</p> <p style="text-align: center;">Page 155</p>
<p>1 "This was discussed at the cautioning panel on                  2 [August 1992]. Apparently he was importuning at the                  3 toilets with A9. The police are charging a man involved                  4 who had taken them up on their offers but are unsure                  5 about what to do about A9 and A10 although they do not                  6 seem too concerned about pursuing the matter with A10 in                  7 any case."                  8 That record goes on to say that the panel put the                  9 matter back a week to allow Peter Partridge to get more                  10 information about the boys' circumstances. Then it goes                  11 on to describe how information was going to be provided                  12 to the cautioning panel.                  13 I'm going to ask you about that in a second, but                  14 I just want to finish off with what Mr Bottomley said                  15 about this in his evidence. He said that on                  16 24 August 1992, A9 was discussed at the Police Diversion                  17 Panel as a result of the incident in the toilets and it                  18 was recommended that he be cautioned.                  19 The reason I'm asking you about this is that we                  20 haven't really heard any evidence about the children who                  21 were picked up at the toilets and they being cautioned                  22 or it being considered they should be cautioned for                  23 importuning at the time. Do these records tend to                  24 suggest that that's what may have happened in respect of                  25 some of the children?</p> <p style="text-align: center;">Page 154</p>	<p>1 <b>A. You would have to look at the context of the individual</b>                  2 <b>involved there, their behaviour, what their antecedents</b>                  3 <b>are. I'm sorry, I can't answer that question.</b>                  4 Q. I know obviously you can't speak for what happened on                  5 diversionary panels, but nonetheless, what this record                  6 would tend to suggest is in 1992 one way of dealing with                  7 what was happening to children at Smith Street toilets                  8 was that children were being at least considered for                  9 caution in respect of their activities?                  10 <b>A. No. I think what you see there is one individual</b>                  11 <b>youth/child who is being considered for that. There are</b>                  12 <b>a number of others that that has never been the</b>                  13 <b>consideration. All I can say about that is, at that</b>                  14 <b>stage, that individual was identified that, here's</b>                  15 <b>a caution, the only way we can deal with it, very much</b>                  16 <b>like the short sharp shock treatment, what else can we</b>                  17 <b>do to try to divert this individual from it? And the</b>                  18 <b>cautions are not there for life, they drop off after</b>                  19 <b>a certain time for youths.</b>                  20 Q. Thank you. I think I understand what you are saying                  21 about the diversionary panel. Can I just check, is A9                  22 the only child that you are aware of who was either                  23 charged or cautioned or considered for caution in                  24 respect of Smith Street toilets?                  25 <b>A. Yes, that's the only one that brings to mind me looking</b></p> <p style="text-align: center;">Page 156</p>

1 at information. I'm pretty sure it won't be a charge,  
 2 it would have been caution. We would find out by  
 3 looking if there's a PNC record for that individual. If  
 4 he'd been charged, that would be recorded on the PNC.

5 Q. Is your understanding that he was being singled out  
 6 because he was a child who was being exploited on an  
 7 ongoing basis as compared to other children or who was  
 8 at Smith Street toilets more often than other children?

9 A. The individual is identified on more than one occasion  
 10 at Smith Street toilets more than others.

11 Q. Is it -- do you understand that that's why he was then  
 12 being dealt with by the diversionary panel rather than  
 13 the other children?

14 A. I can't say why he was being dealt with. But there is  
 15 a reason why that boy was being dealt with in that way.

16 Q. I want to move on then, if I may, to cover some of  
 17 the things that you deal with in your report. I am  
 18 going to try to do this as shortly as I possibly can.  
 19 If you lose the thread, or I hope if any member of  
 20 the panel loses the thread, you will let me know.  
 21 One of the primary things that you were interested  
 22 in is what had happened to the information that came  
 23 from Mr Shepherd or from Mrs Mellor and what the police  
 24 and officers from Rochdale did with it. I am going to  
 25 deal very shortly, first of all, with the

Page 157

1 Shepherd Report. The investigation has heard evidence  
 2 from Mrs Cavanagh about how that report was distributed  
 3 and who it was distributed to.

4 A. Yes.

5 Q. Is it your understanding that the police involvement  
 6 around this time really begins at the meeting that took  
 7 place on 8 March 1991?

8 A. Yes. Can I just add something to that? It might  
 9 assist.

10 Q. Please do.

11 A. There's the terms of reference, but there's also really  
 12 my policy file at the time. I actually made a list of  
 13 points that sum up what I actually direct what we are  
 14 going to do. If I can just go over those. I said that  
 15 a number of incidents in relation to those documents  
 16 were the start points of the investigation. From then,  
 17 I needed to establish the following: understanding of  
 18 the complaint and what the expectations were; follow the  
 19 complaint through the chain; identify who was involved;  
 20 who were the decision makers; what engagement took place  
 21 to gather evidence or deal with the complaint; is there  
 22 evidence of failing to progress or hinder any  
 23 investigations; what meetings were held by Rochdale  
 24 Metropolitan Council and GMP to address the actual  
 25 initial abuse investigation; and these are all -- there

Page 158

1 are also many documents that relate to the committee  
 2 meeting and panel from 1990 that require examination,  
 3 are of significance and is what the leader of  
 4 the council knew at the time and what they'd then do.  
 5 So that formed the basis of my investigation, looking at  
 6 documents that you are talking about.

7 Q. I think that you have, in the way that this  
 8 investigation has done, considered all of the reports,  
 9 all of the meetings that took place, and sought to  
 10 ascertain who was at what meeting and what did they do  
 11 with the information they were given?

12 A. Yes.

13 Q. The panel have already heard reference to the meeting on  
 14 8 March. It is dealt with at page 17 of your report.  
 15 This was the multi-disciplinary report that was attended  
 16 by a number of representatives from different statutory  
 17 agencies including social services, the Department of  
 18 Education, and we see that, as regards the police, they  
 19 were represented by Sergeant Kevin Sterndale from the  
 20 Family Support Unit at GMP?

21 A. Yes, I see that.

22 Q. And Detective Superintendent James Henderson --

23 A. Yes.

24 Q. -- who was also based in Rochdale as well. So he was  
 25 a superintendent on division. I don't think there is

Page 159

1 any dispute that the officers who attended at that  
 2 meeting were party to all of the different things that  
 3 were discussed at that meeting?

4 A. Yes.

5 Q. I won't go through all of the minutes now, but it  
 6 obviously raised issues about the Hilton incident,  
 7 child-on-child abuse and there is reference to the notes  
 8 to stranger abuse as well?

9 A. Yes.

10 Q. After that, the position appears to be that there wasn't  
 11 going to be any social services involvement from a child  
 12 protection perspective as regards the issues that were  
 13 discussed at the 8 March 1991?

14 A. My understanding is that there -- this meeting -- there  
 15 was going to be follow-on meetings and more information  
 16 was required.

17 Q. Yes.

18 A. That's my understanding.

19 Q. But ultimately, at the end of May 1991, the  
 20 Social Services Department determined that the incidents  
 21 at Knowl View School didn't fall within the  
 22 parameters --

23 A. Yes.

24 Q. -- of child protection. Are you able to explain what  
 25 role the police had been expecting or anticipated that

Page 160



1 they might play at that point from your investigations?  
 2 **A. I don't think it's changed over the years. There's got**  
 3 **to be an allegation made -- specific allegation,**  
 4 **criminal allegation, made for the police to take**  
 5 **anything forward for investigation. Social services**  
 6 **will expect them to look after the well-being and**  
 7 **welfare of the children and certainly in cases I have**  
 8 **dealt with, the police can't just go and take a child --**  
 9 **take him in a room and then try and elicit information**  
 10 **from them. That information has got to come from the**  
 11 **child via whatever means to the police, whether that's**  
 12 **facilitated through social services, that joint**  
 13 **conversation.**  
 14 **So my understanding is that they would have been**  
 15 **expecting a more substantial package or some evidence by**  
 16 **accounts or interviews with these boys at the time to**  
 17 **come to the police to allow them to conduct a criminal**  
 18 **investigation.**  
 19 Q. Would the police have expected this time to only be  
 20 involved as part of a multi-disciplinary approach to the  
 21 children?  
 22 **A. Yes, and it would be supporting that to take it forward**  
 23 **to a criminal investigation. It is a balancing act.**  
 24 **I mean, these boys were there for a reason, and it**  
 25 **was -- I would say, and I can't speak for them, that**

Page 161

1 **they were thinking that social services are driving this**  
 2 **at the time and we will await to see what**  
 3 **documentation/evidence -- whether we got the interviews**  
 4 **come for. That's certainly what I would be looking at,**  
 5 **that I can take this forward.**  
 6 Q. There is no evidence, is there, at this time that the  
 7 police were considering any sort of unilateral  
 8 investigation into Knowl View School?  
 9 **A. No.**  
 10 Q. Or unilaterally deciding that they should interview any  
 11 of the children in the absence of social services'  
 12 involvement?  
 13 **A. No.**  
 14 Q. If we pick up the thread then in terms of the meetings  
 15 that happened a little bit later, it doesn't appear,  
 16 does it, that the police were involved in any of  
 17 the meetings with Mrs Mellor when she met with  
 18 representatives of the Department of Education?  
 19 **A. No.**  
 20 Q. I think we can pick that up from your page 34 onwards.  
 21 What we do have at page 34 is the indication that we  
 22 have heard about already, that Mrs Mellor spoke to  
 23 Detective Superintendent Henderson to ascertain if there  
 24 were any ongoing police enquiries about pupils at Knowl  
 25 View School and he said that there weren't, nor were

Page 162

1 there any ongoing concerns about Smith Street toilets.  
 2 Are you able to provide any more information about that  
 3 or any investigations that might have been going on  
 4 around Smith Street toilets prior to that?  
 5 **A. No. No. I investigated the elements of Smith Street**  
 6 **toilets as a separate entity within this investigation,**  
 7 **so I had different people going off, but Smith Street**  
 8 **toilets, we were trying to direct our attention down and**  
 9 **get down to the detail in Smith Street toilets and we**  
 10 **were having real difficulty with no records anywhere.**  
 11 **So we were having to go to speak to officers --**  
 12 **I referred to DS Goggins there, so we went to see him**  
 13 **and asked him what his recollection was, to try and put**  
 14 **that picture together of what happened at the time to**  
 15 **support the social services records which -- helpful,**  
 16 **but they don't paint the full picture. So I've nothing**  
 17 **that I can add further about any directed surveillance**  
 18 **operations or ongoing surveillance operations.**  
 19 Q. Did it appear to you that from time to time different  
 20 officers from Rochdale were involved in apprehending men  
 21 at Smith Street toilets or involved in picking up the  
 22 children who were involved at Smith Street toilets?  
 23 **A. Yes.**  
 24 Q. Is that one of the difficulties that was being dealt  
 25 with by a number of different officers as opposed to

Page 163

1 being part of one operation, for example?  
 2 **A. Yes. The officers involved in that would generally be**  
 3 **officers nominated to carry that kind of investigation**  
 4 **forward. It wouldn't be every officer. My own**  
 5 **experience as a young constable were at certain times --**  
 6 **I worked in the city centre -- there were problems at**  
 7 **a set of toilets, there's some support needed to go and**  
 8 **sort those problems out.**  
 9 Q. So you mean some officers would be going backwards and  
 10 forwards --  
 11 **A. Yes.**  
 12 Q. -- on a regular basis to check what was going on? Thank  
 13 you.  
 14 I am going to jump forward again, if I may, so we  
 15 can try to follow the thread of police involvement.  
 16 After Mrs Mellor wrote her report and after it was  
 17 provided to different agencies, is it right that a copy  
 18 of that report was provided to Chief Superintendent  
 19 Henderson in or around 9 April 1992?  
 20 **A. Yes.**  
 21 Q. I think, again, we can pick that up from page 38. If we  
 22 can perhaps go to this document, which is GMP000916\_252,  
 23 you probably recognise that, that's the letter from the  
 24 chief superintendent to Mrs Cavanagh?  
 25 **A. Yes.**

Page 164

<p>1 Q. I think the first paragraph is important because it                  2 confirms that he got a copy of the report in April of                  3 that year and asked if police enquiries would be                  4 undertaken into this matter to see whether or not there                  5 were any outstanding issues which should be addressed                  6 and which could require the initiation of criminal                  7 proceedings. If we go to the next paragraph, he said                  8 that it was difficult to make progress because the                  9 police had been unable to contact Dr Mellor to discuss                  10 it further?                  11 <b>A. Yes.</b>                  12 Q. Then, again, I think important to note that if she was                  13 prepared to discuss the circumstances, that the officer                  14 concerned was Detective Sergeant Sterndale, who we have                  15 seen is from the Family Unit. I think that's probably                  16 all that's relevant on that page.                  17 If we go to the next document in that sequence --                  18 I should apologise. I said this was to Superintendent                  19 Henderson. It is to Chief Superintendent Houghton. So                  20 he was the commander of Rochdale. Mrs Cavanagh was                  21 recording here that she had spoken to Dr Mellor and that                  22 she was willing to discuss the report with the police                  23 and again suggesting that Detective Sergeant Sterndale                  24 should make arrangements to speak to her; is that right?                  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 165</p>	<p>1 order. I think his response to all of this is captured                  2 just below the midpoint of the page. So it was put to                  3 him whether or not there was an investigation and                  4 whether or not he had seen the Mellor Report and what he                  5 says is:                  6 "At the meeting of 8 March 1991 nothing seemed to                  7 have been resolved at that other than it's been left                  8 with the council to carry on and they've then appointed                  9 other people to go and interview the kids ..."                  10 Pausing there, that would appear to go back to the                  11 decision, social services, that this didn't fall within                  12 child protection procedures. He goes on:                  13 "... then we've got to Mellor. And the second point                  14 is have I ever seen -- in relation to me -- have I ever                  15 seen a report from Val Mellor that's come from [it says                  16 John Horton but that must be John Houghton, the chief                  17 superintendent] down to Kevin Sterndale? And the answer                  18 is, I've never seen it that I can recall. Those are the                  19 two issues that seem to involve me regarding the meeting                  20 at Field House and the subsequent report by Val Mellor."                  21 I think what he's referring back to is that the                  22 Chief Superintendent Houghton's letter referred to                  23 Detective Sergeant Sterndale picking up the                  24 investigation?                  25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 167</p>
<p>1 Q. Can you help, then, please, with what you understand                  2 took place after that point in time, namely, whether or                  3 not there was any other police investigation in 1992 off                  4 the back of the Mellor Report?                  5 <b>A. I don't recall seeing a specific piece of work involving                  6 that. There are -- we had some documentation showing                  7 some communication where Sergeant Sterndale tried to                  8 contact Dr Mellor, that kind of documentation.                  9 I don't -- my enquiries don't show any substantial                  10 investigation into anything in relation to this.</b>                  11 Q. When Chief Superintendent Houghton was interviewed, he                  12 was retired by that stage. He said his view was that                  13 the Mellor enquiry would require further investigation                  14 but that he retired in the summer of 1992 so he didn't                  15 undertake any further investigation insofar as you're                  16 aware, did he?                  17 <b>A. No.</b>                  18 Q. I think he suggested that he would have passed it on to                  19 Detective Superintendent Henderson?                  20 <b>A. Yes.</b>                  21 Q. Did you interview Detective Superintendent Henderson                  22 about that?                  23 <b>A. He was interviewed twice, I believe.</b>                  24 Q. It may just help to pick up his response, which appears                  25 at page 238 of your report. Take it in fairly short</p> <p style="text-align: center;">Page 166</p>	<p>1 Q. And he didn't mention Superintendent Henderson being                  2 involved. Is that your understanding?                  3 <b>A. Yes.</b>                  4 Q. Do you understand Superintendent Henderson to say that                  5 he wasn't then involved in any investigation --                  6 <b>A. Yes.</b>                  7 Q. -- as regards Mrs Mellor's report? You also considered                  8 some contemporaneous press reporting in relation to this                  9 as well, if I could just ask you about that. Go back in                  10 your report to page 229. If we look at that, and it may                  11 be just as wise to bring this up, please, it is                  12 GMP000916, page 229. This is an extract from an article                  13 that appeared in the Rochdale Observer on 19 July 1996.                  14 It would appear to cite Detective Superintendent                  15 Henderson having said:                  16 "I have examined the issues raised in connection                  17 with the school and nothing in the documents or the                  18 information requires further investigation by the                  19 police. All the issues involved at the school were                  20 discussed and investigated at the time by a number of                  21 agencies and necessary action was taken then. I do not                  22 believe there has been any coverup at the school and                  23 nothing in the documents indicates that'.                  24 "Mr Henderson said he had investigated the dossier                  25 together with Rochdale Family Support Unit which deals</p> <p style="text-align: center;">Page 168</p>

1 with physical and sexual abuse cases."  
 2 This goes on to read:  
 3 "Mr Henderson's assertion in this article that he  
 4 investigated 'the dossier' together with Rochdale's  
 5 family support unit seems at odds with his initial  
 6 account to DCI Flindle and Mr Sterndale's witness  
 7 statement as provided to the MIT."  
 8 You will forgive me for trying to kill two birds  
 9 with one stone, but the reason why that article appears  
 10 in this report was because it would tend to suggest that  
 11 if he had seen the dossier provided by Mr Digan, that he  
 12 must have seen the Mellor Report as well at that point  
 13 in time?  
 14 **A. My understanding is that the dossier from my**  
 15 **investigation is that it comprises of three different**  
 16 **reports: the Shepherd Report, the Cavanagh Report and**  
 17 **the Mellor Report. That word "dossier" has been used**  
 18 **numerous times and suggests a comprehensive file of**  
 19 **material. Every time, with our investigation, we tried**  
 20 **to drill down to what that dossier was. That's what**  
 21 **that dossier is, those the three reports. In relation**  
 22 **to any press releases, just to add on, we didn't end it**  
 23 **there, so that press release there -- an integral part**  
 24 **of my enquiry was to look at every press release that**  
 25 **had been done from these dates up to a certain point so**

Page 169

1 **I have got within the enquiry a whole list of certain**  
 2 **press cuttings. Part of our enquiry was to go to that**  
 3 **journalist or every journalist, every paper, and say,**  
 4 **"You have said this. Are there any notes or anything to**  
 5 **substantiate what you are saying to assist the enquiry**  
 6 **and is there anything else we need to know to take us**  
 7 **forward?" That's what we try to do on every piece of**  
 8 **press.**  
 9 This is another example of where we were getting  
 10 evidence to challenge, corroborate, assist or show that  
 11 people are not giving us the right answers.  
 12 Q. Just so that the panel are clear, then, what you were  
 13 trying to do was to make sure that there wasn't any  
 14 additional information outside of those three reports --  
 15 **A. Yes.**  
 16 Q. -- that was in existence and was known about by certain  
 17 individuals and somehow being hidden or obscured?  
 18 **A. Yes.**  
 19 Q. Did you find any such additional information?  
 20 **A. Not really.**  
 21 Q. Or evidence --  
 22 **A. No.**  
 23 Q. -- that hadn't come to light?  
 24 **A. Some journalists wouldn't speak to us, some said "Yes,**  
 25 **I did that story." I -- you know, I haven't got**

Page 170

1 **any specific example of any substantive evidence coming**  
 2 **from a journalist to assist us with any enquiry, but**  
 3 **what it did do is it allowed us to follow lines of**  
 4 **enquiry to see where information came from and to chase**  
 5 **that rumour or that piece of information down.**  
 6 Q. I just want to -- I haven't dealt with Detective  
 7 Sergeant Sterndale but I think he was also asked, and  
 8 you investigated whether or not he had taken up as well  
 9 any investigation after Mellor, and I think his  
 10 response -- his evidence is recorded at page 211 of your  
 11 report. I called this part of your report but this is  
 12 actually your request to the CPS for advice?  
 13 **A. Yes.**  
 14 Q. Again, if we just -- looking at that page, if I go down  
 15 a few paragraphs:  
 16 "Kevin Sterndale has been interviewed by  
 17 Operation Clifton and he has said, as far as KVS is  
 18 concerned, I dealt with no investigations involving the  
 19 staff, pupils or any other officials. I do remember an  
 20 incident at the school when a lad called Hilton was  
 21 released from prison and began hanging around the school  
 22 grounds."  
 23 Again, is the point there that although Chief  
 24 Superintendent Houghton had suggested that this officer,  
 25 Detective Sergeant Sterndale, would consider whether or

Page 171

1 not there would be any further investigation, the  
 2 officer himself has no recollection of undertaking any  
 3 further investigation?  
 4 **A. That's right.**  
 5 Q. Can you just help as regards any final conclusion you  
 6 came to about whether or not there had been an  
 7 investigation then in 1992?  
 8 **A. No, I couldn't find any evidence that an investigation**  
 9 **had taken place into this information that had come**  
 10 **through about Mellor, Cavanagh, Shepherd. What I was**  
 11 **able to say was, Kevin Sterndale had had sight of**  
 12 **something from Martin Digan at some point. We went --**  
 13 **it might be going off the track now, but Martin Digan**  
 14 **says he gave that to Mr Sterndale. Actually, we then**  
 15 **discussed -- sorry, we then investigated that element**  
 16 **because he said a journalist identified Martin Digan**  
 17 **giving a dossier to a uniformed --**  
 18 Q. Can I stop you there, because I am going to deal with  
 19 that separately. I just want to finish off in terms  
 20 of --  
 21 **A. No investigation, but may have had sight of material**  
 22 **that related to it.**  
 23 Q. I'm just going to finish this bit of the report and the  
 24 PSB report off by saying that, ultimately, the  
 25 conclusion was, as regards these officers, there wasn't

Page 172

1 anything criminal, so to speak, about the lack of  
 2 investigation after the Mellor Report?  
 3 **A. No.**  
 4 Q. But that, judged according to the standards of  
 5 the present day, there ought to have been some sort of  
 6 response or more police involvement following the  
 7 Mellor Report. Is that correct?  
 8 **A. Yes, there is. I can see nothing proactive from the**  
 9 **police in this area, which I would expect today to be**  
 10 **a bit more proactive in going and finding information**  
 11 **out.**  
 12 Q. The next point that I am going to deal with then is  
 13 precisely the issue that you have just referred to,  
 14 which is Mr Digan's collection of papers and who he  
 15 showed them to. I think as regards Detective Sergeant  
 16 Sterndale, Mr Digan suggested that at some point between  
 17 1994 and 1996 -- this is page 57 of your report if you  
 18 need to refer to it -- he attended Littleborough Police  
 19 Station and he saw DS Sterndale to whom he gave the  
 20 documents that he had gathered. According to Mr Digan,  
 21 DS Sterndale spoke to him about ten days later and said  
 22 that the incidents that he had referred to -- that the  
 23 documents referred to had already been investigated. Is  
 24 that what you understand Mr Digan's allegation to be?  
 25 **A. Yes.**

Page 173

1 Q. Is it right that when Operation Clifton officers then  
 2 spoke to Detective Sergeant Sterndale, he had no memory  
 3 or denied that Mr Digan had given him such a bundle of  
 4 documents?  
 5 **A. What Mr Digan was saying is that he had made**  
 6 **arrangements to go to the police station, meet with**  
 7 **Sergeant Sterndale and hand in this dossier with the**  
 8 **bundle of documentation. He said that he'd had**  
 9 **a journalist, Martyn Green, I think, to watch the**  
 10 **passing of this documentation to take place. That's**  
 11 **what he said. We spoke to Sergeant Sterndale, got**  
 12 **his -- he said it didn't happen that way and we spoke to**  
 13 **Martyn Green who said it wasn't a plainclothes detective**  
 14 **officer. He saw Martin Digan give it to a uniformed**  
 15 **officer. I think Mr Sterndale was spoken to on a number**  
 16 **of occasions, interviewed on a number of occasions.**  
 17 Q. But if we are trying to understand where all of this  
 18 goes to, it would certainly -- there is certainly  
 19 evidence to suggest, in the form of press reports, that  
 20 the Mellor Report was known about on Rochdale Division,  
 21 certainly in 1992 at the time that it came out, and  
 22 there's also reference then to it in the press in 1996  
 23 as well?  
 24 **A. Yes.**  
 25 Q. Again, I think the point follows that there's no

Page 174

1 evidence that there was any further investigation in  
 2 1996 if again the police considered that report?  
 3 **A. Yes.**  
 4 Q. Is that right?  
 5 **A. That's right.**  
 6 Q. I want to move on to the second person to whom Mr Digan  
 7 refers, and that's Liz Lynne, who was the Member of  
 8 Parliament for Rochdale. Again, that's dealt with at  
 9 page 56 of your report if you need to look at it.  
 10 I think in essence Mr Digan said he tried to make  
 11 contact with Liz Lynne to discuss the bundle of  
 12 documents that he had with her, but that he only spoke  
 13 to her PA and that he didn't hear from Ms Lynne. Then  
 14 in 1994, Deborah Doyle said that while she was working  
 15 for Liz Lynne, Ms Lynne had instructed her to throw away  
 16 notes that Ms Doyle had made of a conversation that she  
 17 had had with Martin Digan?  
 18 **A. Yes.**  
 19 Q. So the suggestion from that evidence was that  
 20 Martin Digan had given Deborah Doyle information  
 21 relating to Knowl View School that was in this  
 22 documentation and that Ms Lynne had essentially tried to  
 23 stymie that from coming out or being made public or  
 24 being dealt with by her; is that right?  
 25 **A. Yes. I mean, Mr Digan -- I should say that he made six**

Page 175

1 **specific allegations and it was quite important for the**  
 2 **investigation to look at these allegations and put some**  
 3 **context of what they'd done on those six allegations,**  
 4 **and we'd discuss them. The first one was dossier**  
 5 **provided to Diana Cavanagh in 1994; dossier provided to**  
 6 **Rochdale Police in 1994, DS Sterndale; contacts with**  
 7 **Liz Lynne in 1996; allegation from PA that she destroyed**  
 8 **the complainant notes; dossier given to Lorna Fitzsimons**  
 9 **in 1998; meeting with Colin Lambert and Jim Dobbin in**  
 10 **2000, where two copies of dossier were handed over; and**  
 11 **finally the letter from Chief Whip in 2000 stating no**  
 12 **further action would be taken.**  
 13 **So those six elements were from Martin Digan when he**  
 14 **spoke to him at the start of the enquiry to identify**  
 15 **what he was alleging had happened to these three**  
 16 **documents, what he refers to as "the dossier". Every**  
 17 **time we went back to the people, we couldn't identify**  
 18 **any more documentation if they could remember in**  
 19 **relation to dossier other than the three documents.**  
 20 Q. So that's quite important as well?  
 21 **A. Yes.**  
 22 Q. As regards the people who he provided information to,  
 23 none of them said that they'd received anything beyond  
 24 the three reports that you have already referred to?  
 25 **A. That's right. That's quite important -- that was quite**

Page 176

1 **important for my enquiry because if you look at -- it**  
 2 **goes into what has been suppressed, what has happened to**  
 3 **the documents and what is it that they're covering up?**  
 4 **You know, that was integral to the enquiry, what is it**  
 5 **they're covering up? Are they covering up what's**  
 6 **happened or are they trying to say that the**  
 7 **documentation is covered up? Well, those documents**  
 8 **there have been seen by numerous people. They have been**  
 9 **in the public domain. There are different elements**  
 10 **where they have been discussed. So I wasn't seeing**  
 11 **anything where those three documents were being**  
 12 **suppressed. That's what I'm trying to say.**  
 13 Q. I just wanted to -- as regards Ms Lynne, we are going to  
 14 hear her witness statement read out and that of  
 15 Ms Doyle. But Ms Lynne, whenever she was spoken to  
 16 about this, pointed to the existence of press reports in  
 17 1996 which refer to her having received information from  
 18 Mr Digan and having referred to what she said she would  
 19 do in respect of it?  
 20 **A. Yes, she provided a copy.**  
 21 Q. I think in essence the allegation or what was being  
 22 suggested to her was that the Mellor Report had been  
 23 amended in some way, that the information hadn't been  
 24 provided as it should have been, and the press report  
 25 referred to her saying that she would be writing to

Page 177

1 Mrs Mellor about that. The detail may not matter, but  
 2 what was important to her was the ability to point to  
 3 her knowing about that information in 1996?  
 4 **A. Yes.**  
 5 MS DOBBIN: Chair, I can see it is 4.30 pm. There isn't  
 6 very much left for this witness. I'm sorry, I have  
 7 taken it as fast as is possible. But there is probably  
 8 about 10 more minutes left.  
 9 THE CHAIR: Okay. We will take 10 minutes.  
 10 MS DOBBIN: Again, just as regards another two people who  
 11 Mr Digan said he had provided his documentation to, that  
 12 was Mr Lambert, who was a Labour politician and had been  
 13 the leader of Rochdale Council?  
 14 **A. Yes.**  
 15 Q. And Mr Dobbin, who had been the MP for Rochdale as well?  
 16 **A. Yes.**  
 17 Q. Again, in essence, he said that he had provided them  
 18 with information from this material and that, in  
 19 essence, they hadn't done anything with it and that that  
 20 led Mr Digan to make a complaint to the parliamentary  
 21 ombudsman?  
 22 **A. Yes.**  
 23 Q. Is that your understanding of this allegation?  
 24 **A. Yes.**  
 25 Q. When you investigated this, did you speak to Mr Lambert

Page 178

1 about what he had been provided with?  
 2 **A. Yes. I interviewed -- I actually interviewed Mr Lambert**  
 3 **on the first occasion, and we were in the process of**  
 4 **making arrangements to interview Mr Dobbin, but**  
 5 **unfortunately, just about the same time, unfortunately,**  
 6 **he died, in Poland, I think. What we did is, we were**  
 7 **given assistance by parliament to look at the**  
 8 **documentation he had in relation to this on his**  
 9 **computer. So we were allowed to look at if he had**  
 10 **anything, but we didn't find any documentation.**  
 11 Q. In essence, though, Mr Lambert said that they had  
 12 contacted the police about the information that Mr Digan  
 13 had given to them?  
 14 **A. Yes, Detective Superintendent Huntbach.**  
 15 Q. His evidence was that Detective Superintendent Huntbach,  
 16 who was at that time involved in Operation European --  
 17 **A. Yes.**  
 18 Q. -- came to Mr Dobbin and Mr Lambert's office and took  
 19 some material away; is that right?  
 20 **A. That's right.**  
 21 Q. I think in fact when you spoke to Detective  
 22 Superintendent Huntbach, he didn't recollect that at  
 23 all?  
 24 **A. That's correct.**  
 25 Q. But within Operation European, you found a nominal card

Page 179

1 that related to Mr Dobbin --  
 2 **A. Yes.**  
 3 Q. -- which suggested that there had been a meeting?  
 4 **A. Yes, and I -- yes, I recall that, yes.**  
 5 Q. I think this is dealt with at page 203 and page --  
 6 **A. Is that DI Waller?**  
 7 Q. -- 60 as well deals with it.  
 8 **A. Yes.**  
 9 Q. I will just read very quickly from page 60:  
 10 "Detective Superintendent Huntbach, as documented,  
 11 was the SIO for Operation European. Within the material  
 12 still available for Operation European is a nominal card  
 13 in the name of Jim Dobbin which contains the following  
 14 information."  
 15 So there's a number for him and then some document  
 16 numbers. Then:  
 17 "On the reverse of the card is information stating  
 18 that there was a meeting between Lambert and Detective  
 19 Superintendent Huntbach and Detective Inspector Waller  
 20 re ex-pupils KVS. The D numbers refer to documents  
 21 obtained but the documents no longer exist."  
 22 So in other words, there was corroboration from  
 23 Mr Lambert's account that he had provided documentation  
 24 to Superintendent Huntbach notwithstanding that  
 25 Superintendent Huntbach didn't have any memory of that?

Page 180

1 **A. Yes.**  
 2 Q. Is that right?  
 3 **A. Yes.**  
 4 Q. Again, we needn't go into this in any detail, but  
 5 Operation European and Operation Cleopatra overlapped  
 6 with each other?  
 7 **A. Yes. European -- yes.**  
 8 Q. I think it is right that a copy of the Mellor Report was  
 9 submitted in Operation Cleopatra --  
 10 **A. I believe so.**  
 11 Q. -- which was actually looking at the investigation into  
 12 Knowl View School at the time?  
 13 **A. Yes.**  
 14 Q. So certainly there doesn't appear to have been any  
 15 suppression of the Mellor Report as regards that  
 16 investigation?  
 17 **A. No, and I actually -- I actually reviewed, personally**  
 18 **reviewed, the SIO policy books looking for Knowl View**  
 19 **School within the Cleopatra SIO to identify that**  
 20 **linkage. I could only find one or two entries that**  
 21 **related to that.**  
 22 Q. Two discrete topics, then, if I may, just to finish off.  
 23 I want to ask you, please, if I may, about what's been  
 24 called the Breitbart email in this investigation. Very  
 25 shortly, that was an email that seemed to have come into

Page 181

1 existence in and around 2014 and which referred to  
 2 a pact between Liberal Democrat and Labour politicians  
 3 in Rochdale to the effect that Labour politicians  
 4 wouldn't mention rumours about Cyril Smith if  
 5 Liberal Democrat politicians didn't mention rumours  
 6 about another Labour politician.  
 7 We don't need to go into any of the details about  
 8 that, but I just wanted to ask you this: did you  
 9 investigate that as part of Operation Clifton? In other  
 10 words, the possible existence of a pact between the two  
 11 political parties?  
 12 **A. Yes, and can I add that the individual that purports to**  
 13 **have sent that contacted me very, very quickly after**  
 14 **this was put into the public domain to explain that it**  
 15 **was a silly email that was looking to scope some**  
 16 **research, and that's the way it was painted to me, and**  
 17 **I have documented that within my investigation and**  
 18 **I followed what was said in there and investigated**  
 19 **different strands of it and could find no evidence of**  
 20 **any pact or anything of that nature.**  
 21 Q. So having spoken to a number of people from the  
 22 different political parties in Rochdale, I think  
 23 including from the Conservative Party as well --  
 24 **A. Yes.**  
 25 Q. -- there wasn't any objective evidence that any pact

Page 182

1 existed?  
 2 **A. No.**  
 3 Q. Is that right?  
 4 **A. That's right. We did quite a lot of investigation to**  
 5 **find who was -- the people that had heard this story of**  
 6 **where this story came from, and to drill that down to**  
 7 **find out where -- who was saying it as well, and we**  
 8 **couldn't. It was like a rumour that was going around**  
 9 **and around.**  
 10 Q. So you weren't really able to identify --  
 11 **A. No.**  
 12 Q. -- where this rumour had come from --  
 13 **A. No.**  
 14 Q. -- in the very first instance?  
 15 **A. Yes.**  
 16 Q. But as regards whether or not there might have been some  
 17 sort of understanding between the parties not to go  
 18 there, so to speak, that isn't something presumably that  
 19 you would have been able to evidence or not?  
 20 **A. No. My opinion: I think it's some political mischief,**  
 21 **and those were some of the conversations I had with some**  
 22 **of the individuals and in particular the individual that**  
 23 **purports to have sent that.**  
 24 Q. So essentially, the person who sent the email in the  
 25 first place has sought to retract --

Page 183

1 **A. Yes.**  
 2 Q. Would you go that far?  
 3 **A. Yes, I have documented that fact.**  
 4 Q. Another allegation or rumour that was around at the time  
 5 that you commenced Operation Clifton was that there had  
 6 been a mass shredding exercise in 1992 when Labour lost  
 7 control of the council. Again, did you interview  
 8 a number of individuals who worked at the council at  
 9 that time?  
 10 **A. I think I can say that we interviewed about 14 or 15**  
 11 **individuals, so, again, we followed the premise that an**  
 12 **individual said, "I was aware of shredding taking place**  
 13 **at this time". We went to that individual, who was**  
 14 **there, who told you that, we went to those individuals**  
 15 **and we followed that trail on a number of occasions and**  
 16 **at no point did anybody say there was mass shredding**  
 17 **after Richard Farnell left office, which is what they**  
 18 **were saying. Different people said different things.**  
 19 **Like, "We get rid of that waste in bags. Once a leader**  
 20 **finishes, then, yes, there are elements of his**  
 21 **documents/her documentation being removed because it's**  
 22 **not required anymore", and I actually found this -- as**  
 23 **an example, when Jim Dobbin died, because there were**  
 24 **certain documents there, I was asking and they'd already**  
 25 **been passed to parliament to his aides and things like**

Page 184

1 **that, sort of removing them. They get moved very**  
 2 **quickly.**  
 3 Q. I think that's probably an important point, but you did  
 4 establish, as I understand it, that when councillors  
 5 lost their seats, they weren't actually allowed to  
 6 return to their offices to --  
 7 **A. No.**  
 8 Q. -- clear out their offices. That work was undertaken by  
 9 people from member services; is that right?  
 10 **A. Yes, that's right.**  
 11 Q. Or council employees who would box up their material  
 12 with them?  
 13 **A. Yes.**  
 14 Q. Or possibly dispose of confidential waste?  
 15 **A. That's right. I got to such a stage where I'd**  
 16 **interviewed so many people about this, I could have gone**  
 17 **on and on and on, but I decided it wasn't in the**  
 18 **interests of the enquiry -- and there were other lines**  
 19 **of enquiry more important -- that the shredding, there**  
 20 **was no evidence to support that.**  
 21 Q. Finally, I just want to ask again about the outcome of  
 22 your report and the conclusion that you came to. But  
 23 I'm going to summarise it, if I may: the investigation,  
 24 both from the perspective of Operation Clifton and the  
 25 PSB, could find no definitive evidence of coverup,

Page 185

1 corruption or malfeasance. Similarly, this was also the  
 2 findings of the CPS, which are documented, and you say  
 3 that because your report and the request for --  
 4 a request for advice from the CPS, you've obviously gone  
 5 to the CPS so they have been able to consider the  
 6 position as well?  
 7 **A. Yes. I couldn't identify any level of criminality that**  
 8 **would support us asking for a charge and to arrest -- we**  
 9 **never cautioned anybody because we didn't have that**  
 10 **evidence that would say that we were led to believe that**  
 11 **this individual had committed a criminal offence and**  
 12 **required the standard of PACE to support them. It was**  
 13 **important for me to have that interim investigative**  
 14 **advice from the CPS because of the nature of**  
 15 **the allegation that -- because, when you look at it, I'm**  
 16 **investigating police as well, and for me -- the**  
 17 **integrity of the investigation for me is I have to have**  
 18 **some independence of that, that this is the information**  
 19 **and evidence we have got so far, does it meet the**  
 20 **threshold? And that's why we asked for the**  
 21 **investigative advice from CPS at that stage. That**  
 22 **wasn't at the end of the investigation, that was prior**  
 23 **to -- I kind of got it down to some specific individuals**  
 24 **that I was -- I needed to speak to again and to finalise**  
 25 **the investigation, but I wanted some advice on where --**

Page 186

1 **what information I'd got, had we even got anywhere near**  
 2 **the barrier of misconduct? And we couldn't identify --**  
 3 **I still interviewed those individuals and I still felt**  
 4 **that I didn't need to caution them because there was**  
 5 **nothing of criminal that I was -- that had fallen out of**  
 6 **the investigation.**  
 7 MS DOBBIN: Thank you, Mr Marsh. Chair, Ms Hoyano had  
 8 sought permission to ask one question and I understand  
 9 that you granted it.  
 10 MS HOYANO: Chair, I'm happy to put the question now but  
 11 I appreciate the time. Would it be better if I were to  
 12 submit the question to Ms Studd and get a written answer  
 13 overnight which could be read into the record tomorrow?  
 14 I'm in your hands.  
 15 THE CHAIR: Do you have anything to say?  
 16 MS DOBBIN: There may be a short answer to the question.  
 17 Maybe ask it.  
 18 Examination by MS HOYANO  
 19 MS HOYANO: If there is then ... Mr Marsh, on the bottom of  
 20 page 48, over to page 49 of your report -- I don't think  
 21 we need to bring it up -- you say:  
 22 "There is a reference in Operation Cleopatra that  
 23 RO-A9 and other boys, RO-A12 and RO-A10, received  
 24 counselling after admitting to regularly absconding from  
 25 KVS, attending street toilets and engaging in

Page 187

1 masturbation with males for payment."  
 2 I was wondering if you came across any  
 3 contemporaneous documentation on this? We have seen  
 4 many records from the period of 1990 to 1994 saying that  
 5 the boys needed counselling, but we have not seen any,  
 6 so far as I am aware, that they did receive counselling?  
 7 **A. No, I'm sorry, I have not seen any of that**  
 8 **documentation. There were a large number of boxes that**  
 9 **were retained by the council very early in this inquiry**  
 10 **that were taken away from the council and stored in**  
 11 **a solicitors and we were given access to that. So**  
 12 **Operation Jaguar and Operation Clifton went through all**  
 13 **that information and I'm sorry we didn't find anything**  
 14 **of that nature that I can assist you with.**  
 15 Q. So the reference to Operation Cleopatra -- I'm afraid  
 16 I haven't been able to de-cipher OP Cleopatra R6D.  
 17 I haven't been able to locate that. Could that be an  
 18 assumption that the expectation they'd received  
 19 counselling meant -- led to an inference that they did  
 20 receive counselling?  
 21 **A. I might be able to assist you with that if you were to**  
 22 **send -- sorry, I can't now, because I've retired, but**  
 23 **I think GMP would be able to assist you with that**  
 24 **reference. If you were to send it to GMP, they may be**  
 25 **able to identify that, because Cleopatra -- to explain,**

Page 188

1 **Cleopatra is on a HOLMES database. That is separate --**  
 2 **that is different to the HOLMES database we have today,**  
 3 **so you have to load it onto a computer. The references**  
 4 **in Cleopatra is where we have researched the Cleopatra**  
 5 **database and got that information. But I'm sure we will**  
 6 **be able to help you with that -- or they could help you**  
 7 **with that if you put it in writing.**

8 MS HOYANO: Thank you, that would be helpful.  
 9 MS DOBBIN: Chair, that was optimistic of me. We will  
 10 endeavour to finalise that. That's all the evidence for  
 11 today.  
 12 THE CHAIR: Thank you very much. We will reconvene  
 13 tomorrow. Thank you, Mr Marsh.

14 (4.45 pm)  
 15 (The hearing was adjourned to  
 16 Wednesday, 25 October 2017 at 10.30 am)

18  
 19 I N D E X

20  
 21 Statement of WITNESS A6 (read) .....2  
 22  
 23 Statement of MRS VALERIE MELLOR .....7  
 24 (read)  
 25

1 Statement of MR VINCENT HILL (read) .....17  
 2  
 3 Statement of MR WILLIAM ROBERTS .....22  
 4 (read)  
 5  
 6 MR RICHARD GEORGE FARNELL (affirmed) .....32  
 7  
 8 Examination by MR ALTMAN .....32  
 9  
 10 Questions from THE PANEL .....118  
 11  
 12 MS ELEANOR PHILLIPS (sworn) .....121  
 13  
 14 Examination by MR HENDERSON .....121  
 15  
 16 Examination by MS HOYANO .....139  
 17  
 18 MR NIGEL PETER MARSH (sworn) .....140  
 19  
 20 Examination by MS DOBBIN .....140  
 21  
 22 Examination by MS HOYANO .....187  
 23  
 24  
 25



A				
<b>A1</b> 19:14	62:4 63:23 77:13	68:24 141:19	133:20 139:23,25	19:10 20:10 25:24
<b>A10</b> 152:22,25	108:14 111:17	158:24	140:1	29:7,8,13 31:16
153:9,17,20,23,24	115:10 141:23	<b>ad</b> 24:2 38:5,8	<b>advisers</b> 100:10	31:20 63:16 64:10
154:5,6	142:3 143:1,21	<b>Adams</b> 123:14	117:22	65:11 66:15,19
<b>A12</b> 13:21,23	150:3,17 158:25	124:3	<b>advising</b> 95:17	77:11 105:4 106:3
<b>A28</b> 3:24	160:7,8 169:1	<b>add</b> 1:17 93:22	125:10	111:17 112:11
<b>A4</b> 20:8	<b>abused</b> 48:4 150:22	158:8 163:17	<b>affairs</b> 103:23	132:8 141:23
<b>A6</b> 2:3,5,15,19 3:7	151:3,22	169:22 182:12	<b>affidavits</b> 19:17	142:20 144:22
3:12,18,23 4:1,3,4	<b>acceded</b> 31:13	<b>added</b> 24:13 58:24	<b>affirmed</b> 32:16	147:14 150:17
4:10,16,19,23,25	<b>accept</b> 60:11 63:19	<b>addition</b> 38:19	190:6	176:1,2,3
5:2,11,14,18,21	86:15 89:15,20	<b>additional</b> 20:20	<b>afraid</b> 2:10 59:7	<b>allege</b> 114:5
5:23 6:1,3,14,15	94:5 95:19 115:22	170:14,19	153:11 188:15	<b>alleged</b> 19:17
6:23,24 7:1,14	115:24 118:4,5	<b>address</b> 19:14	<b>aftermath</b> 52:12	103:25 104:7
189:21	134:12,13 137:12	158:24	<b>afternoon</b> 1:7 58:6	135:19 147:23
<b>A6's</b> 4:14,18	<b>access</b> 188:11	<b>addressed</b> 32:8	121:8	149:8,19
<b>A68</b> 20:8	<b>account</b> 18:1 22:21	165:5	<b>age</b> 2:16	<b>allegedly</b> 3:2 25:23
<b>A75</b> 6:19,22	169:6 180:23	<b>adequate</b> 11:22	<b>aged</b> 3:9	27:17
<b>A9</b> 152:22,24 153:9	<b>accounts</b> 161:16	<b>adhered</b> 82:8	<b>agencies</b> 142:1	<b>alleges</b> 2:25
154:3,5,16 156:21	<b>accurate</b> 20:18	<b>adjourned</b> 189:15	159:17 164:17	<b>alleging</b> 150:2
<b>abilities</b> 45:11	51:10 52:2 101:4	<b>adjournment</b> 88:15	168:21	176:15
<b>ability</b> 11:12	<b>accused</b> 66:12	<b>admit</b> 135:22	<b>agency</b> 77:22	<b>allocated</b> 20:7
102:25 178:2	<b>accuses</b> 63:10	<b>admitted</b> 2:15	<b>agenda</b> 38:6 70:11	24:25 26:14,21,24
<b>able</b> 37:17 59:24	<b>act</b> 84:2 146:4	14:24 48:2 116:14	70:16,24	122:4
116:8,9,25 118:7	147:6 161:23	<b>admitting</b> 61:19	<b>agendas</b> 38:5 103:5	<b>allow</b> 154:9 161:17
125:14 160:24	<b>acting</b> 22:8 42:8	135:18 187:24	<b>ago</b> 6:2 61:4,21	<b>allowed</b> 64:23
163:2 172:11	48:22 52:22 69:22	<b>adult</b> 4:23 72:13	66:16 118:23	171:3 179:9 185:5
183:10,19 186:5	69:24 70:8 130:7	151:16 152:24	<b>agree</b> 42:16 51:10	<b>Alternative</b> 104:17
188:16,17,21,23	<b>action</b> 12:2 20:7	<b>adults</b> 2:25 3:25	60:14 65:6 68:5	129:6 133:19
188:25 189:6	26:3,18,18,22,22	4:5 152:11,14	75:20 84:23 95:24	136:4 137:22
<b>above-mentioned</b>	26:23,24 27:1,1	<b>advance</b> 87:11	96:19 100:17	139:4
94:15	28:21 72:21 73:7	<b>advertisement</b>	109:1 114:23	<b>alternatives</b> 155:20
<b>absconding</b> 187:24	94:23 97:25 118:6	50:16	<b>agreed</b> 136:16	<b>Altman</b> 1:3,4 32:14
<b>absence</b> 162:11	118:7 142:1	<b>advice</b> 8:25 15:12	<b>aides</b> 184:25	32:15,17,18,20,22
<b>absolute</b> 105:17,24	143:20 144:6,22	15:14 32:5,6,11	<b>AIDS</b> 71:14	32:25 33:1 56:5
<b>absolutely</b> 51:8	168:21 176:12	76:12 78:14 79:18	<b>alarm</b> 132:9	56:13,18 88:12,13
63:18 66:21 71:11	<b>actions</b> 20:15 59:3	79:19 100:3,6,9	<b>albeit</b> 24:25 111:9	88:17 118:13
73:19 81:10 92:2	59:13 60:8 74:24	100:11,12 101:14	<b>Alf</b> 151:14	120:19,22 190:8
92:7 102:1 106:6	116:1,10,17	101:16 116:9	<b>Allan</b> 100:22,22	<b>ambition</b> 91:25
110:24 111:22	<b>activities</b> 19:19	171:12 186:4,14	<b>allegation</b> 28:18	98:16
<b>abstracted</b> 19:9	43:19 71:20	186:21,25	142:2,24 143:7	<b>amend</b> 68:15
<b>abuse</b> 2:25 3:1,3	152:25 153:15	<b>advise</b> 87:24 94:25	161:3,3,4 173:24	<b>amended</b> 177:23
8:4 9:4 18:3 23:4	156:9	<b>advised</b> 65:4 83:13	176:7 177:21	<b>amendment</b> 69:6
23:12 31:17 41:22	<b>activity</b> 72:18 73:3	136:14	178:23 184:4	70:10
43:3 52:18 53:8	73:8	<b>adviser</b> 57:16,22	186:15	<b>amendments</b> 69:8
	<b>actual</b> 9:14 66:24	87:24 98:5 99:20	<b>allegations</b> 3:3	<b>amounts</b> 96:19

<b>and/or</b> 60:7 137:23	160:10 166:24	<b>argue</b> 133:5	91:21,21 99:20	<b>attending</b> 9:24
<b>Andy</b> 7:4,5	169:9	<b>arisen</b> 17:7	114:22 121:10	187:25
<b>angered</b> 72:23	<b>append</b> 9:20	<b>arising</b> 61:17	154:19 184:24	<b>attention</b> 6:10
<b>angry</b> 17:13	<b>appoint</b> 23:9 83:25	139:16 144:21	186:8	16:19 22:10 29:17
<b>Ann</b> 18:12,22 23:21	<b>appointed</b> 18:17	145:21 151:23	<b>asleep</b> 3:7	39:22,24 40:12
88:23 89:3,4	22:24 23:6 167:8	<b>arrange</b> 58:7	<b>aspect</b> 147:20,23	41:2,17 45:22,23
90:22 92:9 93:11	<b>appointment</b> 68:5	<b>arranged</b> 108:10	<b>aspects</b> 146:14,22	46:13 51:2,16
<b>annoyed</b> 63:14	69:22,24 70:8	<b>arrangement</b> 57:11	<b>assault</b> 3:5 4:4,23	52:3,6 58:13 60:9
<b>annual</b> 112:1	<b>appointments</b>	<b>arrangements</b>	6:21 132:8	61:20,25 62:11,12
<b>another's</b> 139:21	122:13	119:13 165:24	<b>assaulted</b> 4:22	62:17 64:13 65:17
<b>answer</b> 12:13 59:7	<b>appreciate</b> 30:24	174:6 179:4	51:18	67:2,5,10 71:3
75:18 85:17 90:20	71:13 77:17	<b>arrest</b> 31:14 186:8	<b>assaults</b> 19:11	74:2,16,18,21
132:23 135:17	187:11	<b>arrested</b> 152:24	29:19	75:2,7 77:12 90:2
136:16 138:2,15	<b>apprehended</b>	<b>arrival</b> 2:17	<b>assertion</b> 169:3	95:22 117:18
138:17 156:3	152:14	<b>arrived</b> 24:13	<b>assessment</b> 43:21	163:8
167:17 187:12,16	<b>apprehending</b>	126:25	<b>assist</b> 16:6 27:12	<b>attention'</b> 65:14
<b>answered</b> 107:14	163:20	<b>arrow</b> 58:15	158:9 170:5,10	<b>Attorney</b> 128:1
113:21 129:9	<b>approach</b> 123:23	<b>article</b> 51:1,7,13,14	171:2 188:14,21	<b>attractive</b> 6:7
<b>answers</b> 170:11	136:12,25 161:20	51:24 52:1,4,5	188:23	<b>auditor</b> 82:9
<b>antecedents</b> 156:2	<b>approached</b> 116:4	63:9 66:5,8	<b>assistance</b> 179:7	<b>August</b> 13:18
<b>anticipated</b> 160:25	<b>approaches</b> 79:19	104:18,24 105:1,3	<b>assistant</b> 122:1,5,6	153:23 154:2,16
<b>anxious</b> 17:11	<b>appropriate</b> 136:18	106:2 136:3	126:20,24,24	<b>author</b> 153:24
<b>anybody</b> 46:14	<b>approval</b> 25:9	168:12 169:3,9	127:6,9,11,13	<b>authorities</b> 24:19
84:5 86:11 105:18	80:14 82:3	<b>articles</b> 107:9	128:6,20,21,22,24	25:4
116:21 184:16	<b>approve</b> 79:25 80:4	108:13 113:9,11	<b>associate</b> 7:25	<b>authority</b> 8:25 54:4
186:9	<b>approved</b> 82:11	124:22	<b>associated</b> 28:3	54:6 55:5 58:17
<b>anymore</b> 119:25	<b>approximately</b>	<b>ascertain</b> 159:10	151:10	71:13 79:21 80:7
184:22	109:14 110:22	162:23	<b>assume</b> 17:6 35:13	80:9,10 81:17
<b>anyway</b> 80:15	155:6	<b>Ashworth</b> 3:8,15	65:6 111:3	89:11 109:10,12
106:1	<b>April</b> 34:24 46:23	3:18 5:18 6:25	<b>assumes</b> 84:3	110:7 119:23
<b>apart</b> 117:19	53:7 55:5 56:1,25	7:8,11	<b>assumption</b> 50:25	149:10 151:2
<b>apologise</b> 165:18	58:6,22 59:14,25	<b>aside</b> 113:1 140:5	188:18	<b>autocratic</b> 101:18
<b>appalled</b> 16:8	61:11 62:1 67:24	<b>asked</b> 5:1,25 8:12	<b>astute</b> 43:24 45:15	101:20
31:10 63:22	72:3 74:23 85:6	8:22 9:4,20 15:9	<b>atmosphere</b> 16:25	<b>available</b> 22:4
<b>apparently</b> 12:2	97:4 111:10	16:1 17:8 37:23	<b>attached</b> 1:22 9:14	148:20,25 180:12
28:5 126:20	116:18 164:19	61:5,24 68:15	<b>attempted</b> 31:7	<b>avenue</b> 148:25
151:22 154:2	165:2	80:1,3,4 81:5	<b>attempting</b> 10:13	<b>avenues</b> 71:4
<b>appear</b> 98:11	<b>archive</b> 131:17	82:24 84:11 85:1	63:22	148:21
152:12 162:15	<b>archived</b> 129:19	88:21 89:9 111:23	<b>attend</b> 36:18 38:15	<b>await</b> 162:2
163:19 167:10	132:2	130:9,18,23	39:5 93:10,13	<b>aware</b> 36:10 47:4,5
168:14 181:14	<b>area</b> 7:9 58:11	153:20 163:13	<b>attendance</b> 12:22	47:7,9,10,11,19
<b>appeared</b> 51:22	114:23 120:4,12	165:3 171:7	<b>attended</b> 10:3,4	48:8 50:7,9 52:5
168:13	120:13,15 128:4	186:20	16:22 38:1,13	54:6,17,20 56:4
<b>appears</b> 114:10	173:9	<b>asking</b> 15:18 30:7	159:15 160:1	71:23 72:18,20
151:20 152:9	<b>areas</b> 97:21	56:18 73:22,24	173:18	77:24 97:25 98:23

98:25 104:10 105:9 107:13,14 107:17,21 119:23 150:16 152:5 155:4 156:22 166:16 184:12 188:6	<b>bearing</b> 23:9 <b>bears</b> 126:8 <b>Beasley</b> 88:21,23 88:24,25 89:2,3,4 89:25 90:22 92:9 93:11 <b>becoming</b> 43:9 63:1 <b>bed</b> 3:7,21 4:10,11 4:13,21 6:20 <b>began</b> 171:21 <b>beginning</b> 14:10 15:4 16:11 18:15 29:1 30:24 31:3 <b>begins</b> 15:14 148:12 158:6 <b>behalf</b> 78:8 79:6,7 79:14 87:5,9,14 128:16 142:8 <b>behaviour</b> 8:24 13:9 76:17 153:25 156:2 <b>believe</b> 5:1 16:4 141:18 166:23 168:22 181:10 186:10 <b>believed</b> 11:25 72:18 130:12 <b>bell</b> 57:19 88:22 <b>bells</b> 132:9 <b>beneath</b> 58:12 <b>benefit</b> 1:15 <b>benefited</b> 14:6 <b>Bentley</b> 57:15 <b>besieged</b> 42:11 73:15 <b>best</b> 10:18 11:7,11 12:9 58:25 76:11 100:13 <b>better</b> 22:6 187:11 <b>beyond</b> 14:19 176:23 <b>big</b> 4:7 37:17 124:5 130:3,5 <b>bill</b> 15:18 18:16 81:19 123:14	124:3 <b>binding</b> 15:20 <b>birds</b> 169:8 <b>bit</b> 33:3 67:7 103:2 123:7 162:15 172:23 173:10 <b>bits</b> 125:13 <b>bitter</b> 105:19,22 112:4,6,21 <b>bitterly</b> 116:3,7 <b>blameworthy</b> 116:11,12 <b>blew</b> 41:23 <b>blighted</b> 115:19 <b>blonde</b> 6:7 <b>blood</b> 114:17 <b>blow</b> 50:15 <b>board</b> 29:9 96:5 145:23 146:2,19 <b>Bob</b> 58:17 <b>body</b> 140:20 <b>bombshell</b> 105:1 <b>book</b> 119:1 <b>books</b> 74:7 181:18 <b>Booth</b> 8:2 <b>Bootle</b> 21:8 23:6 <b>borough</b> 15:19 39:17 46:6 75:21 84:2,3 100:14 101:1 142:8,24 <b>bottom</b> 3:16 7:11 7:11 9:25 21:24 22:23 23:2 24:7 27:7 29:22 31:22 73:2 98:2 187:19 <b>Bottomley</b> 151:6 154:14 <b>Bottomley's</b> 152:19 <b>bottoms</b> 4:8,8,14 <b>bound</b> 75:13,14 <b>Bowyer</b> 55:24 56:7 57:2 58:1 <b>box</b> 185:11 <b>boxes</b> 188:8 <b>boy</b> 3:24 4:20 48:4	51:18 72:13 157:15 <b>boy'</b> 72:22 <b>boy's</b> 153:6 <b>boys</b> 3:9 4:5 13:4,7 13:10,16 19:11 29:11,11 52:14 62:1,5 72:14,16 72:24 77:15 104:1 104:8 115:10,18 115:19 151:14 152:6,10,21 153:7 155:7 161:16,24 187:23 188:5 <b>boys'</b> 9:15 48:2 154:10 <b>Bradshaw</b> 10:5,21 12:23 16:16 17:1 57:12 67:23 68:3 97:3 <b>break</b> 56:11,16 120:23 121:4 <b>breathed</b> 76:1 90:7 <b>Bredbury</b> 23:18 <b>Breitbart</b> 181:24 <b>Brian</b> 48:18,19 72:6 <b>brief</b> 107:7 113:19 113:21 116:4 121:10 <b>briefed</b> 75:4 76:10 116:15 <b>briefing</b> 80:24 116:24 <b>briefings</b> 25:17 40:1 <b>briefly</b> 9:24 <b>bring</b> 2:11 6:16 7:20 17:22 22:19 40:9 46:12 71:3,6 74:16,17 89:25 95:22 96:5,15 117:17 121:14,16 125:3 126:15 128:8 133:10	151:7 168:11 187:21 <b>bringing</b> 58:13 130:19 <b>brings</b> 126:10 156:25 <b>British</b> 8:1 <b>brought</b> 4:25 15:2 16:19 21:22 24:22 33:3 37:25 38:7 39:22,23 40:8,12 41:17 45:22,23 51:16 52:2,6 60:8 61:20,25 62:10,12 62:16 64:13 65:14 65:17 67:2,4,10 67:19 68:2 69:12 74:1,21 75:2,7 121:13 123:22 136:25 151:16 <b>browbeat</b> 101:2 <b>Buckley</b> 100:22,22 <b>budget</b> 14:2 68:9,9 68:15 69:6,8,10 70:10 81:12,15 <b>budgetary</b> 68:6 <b>buggery</b> 29:19 <b>buildings</b> 2:23 106:23 <b>bullet</b> 144:21 <b>bullied</b> 101:2 <b>Bullough</b> 58:17 72:2 <b>bump</b> 90:15 <b>bundle</b> 19:8,22 145:17 174:3,8 175:11 <b>bundles</b> 2:11 7:19 7:20 17:22 22:19 <b>business</b> 91:15 95:14 119:14 <b>busy</b> 16:15 90:24 93:18
<hr/> <b>B</b> <hr/>				<hr/> <b>C</b> <hr/>

<p><b>C</b> 9:14  <b>cadets</b> 23:24  <b>calculation</b> 65:21  <b>call</b> 129:3,8 130:18  132:6  <b>called</b> 14:14,25  35:25 37:1,1  51:18 80:21 81:4  90:11 92:15  123:13 126:13  129:9 130:12  132:15 171:11,20  181:24  <b>calling</b> 93:2,18  <b>calls</b> 123:15,18  124:18 132:20  136:23 140:11,13  <b>Cambridge</b> 104:1,8  105:3 106:3  <b>campaign</b> 90:18,22  91:12,16,17 93:23  112:7,10,16,20  113:2  <b>campaigning</b> 90:14  <b>campaigns</b> 112:18  <b>cancel</b> 91:19  <b>cancelled</b> 91:20  93:20,21  <b>Cantrell</b> 1:20  <b>capacity</b> 93:1  <b>capital</b> 114:1  <b>captured</b> 167:1  <b>card</b> 179:25 180:12  180:17  <b>care</b> 18:4,5 23:4  31:18 97:21  <b>career</b> 30:3  <b>careful</b> 123:24  <b>carefully</b> 101:16  <b>caretaker</b> 7:6 9:21  14:14,20 15:11  <b>Carole</b> 18:14  <b>carried</b> 22:6 114:18  114:18  <b>carry</b> 164:3 167:8</p>	<p><b>case</b> 10:17,18 28:24  32:9 41:22 52:7  80:6 92:18 127:25  128:1 133:23  135:5,20 137:2,8  149:12 154:7  155:3  <b>cases</b> 18:19 29:14  31:16,18 41:21  42:1 127:20,21,22  127:25 130:10  131:21 132:17,24  134:6 161:7 169:1  <b>casting</b> 140:8  <b>cat</b> 49:6  <b>catch</b> 1:11 82:16  100:5  <b>catch-ups</b> 40:1  <b>catching</b> 151:18  <b>cause</b> 10:19  <b>caused</b> 27:9 149:5  <b>caution</b> 153:20  155:11,16 156:9  156:15,23 157:2  187:4  <b>cautioned</b> 154:18  154:21,22 156:23  186:9  <b>cautioning</b> 154:1  154:12 155:21  <b>cautions</b> 152:2  156:18  <b>Cavanagh</b> 8:10 9:1  9:9,17 10:4,5  12:23 15:9 16:21  48:22 52:20 53:16  53:23 55:5,23  56:5 58:18 60:6  68:11 71:25 74:22  74:25 75:23 77:8  77:18,20,25 78:6  79:5,10 81:18  82:19 83:5 86:2  87:2,4,10 93:16  94:11,19 97:3</p>	<p>101:23 116:12,19  117:2 144:3 158:2  164:24 165:20  169:16 172:10  176:5  <b>Cavanagh's</b> 57:1  58:4 77:23  <b>ceased</b> 34:5 64:13  109:17  <b>cent</b> 7:6  <b>centre</b> 8:4 58:8  164:6  <b>century</b> 123:21  <b>certain</b> 101:8,11  127:25 156:19  164:5 169:25  170:1,16 184:24  <b>certainly</b> 25:16  36:2 39:19 42:15  46:21 54:22 59:20  60:25 62:9 66:1  69:15 70:9 75:1  80:1,4 81:10 86:2  87:10 93:3 98:25  99:9,11 101:7,15  101:24 104:3  105:18 108:19  114:25 117:15  161:7 162:4  174:18,18,21  181:14  <b>cetera</b> 9:15 25:17  26:17 108:12  <b>chain</b> 158:19  <b>chair</b> 1:3,4,9,10,10  2:1,10 7:1,17  17:22 21:18,24  22:16 25:22 28:10  31:25 32:11,20,23  32:25 35:18,19  36:12 38:1 44:8  45:4,14 46:1  48:16 54:4,5 55:4  56:10,13 58:10,10  70:1,1 75:13</p>	<p>78:25 82:1 83:12  83:15,22,23,24,25  84:4,20,22,22  85:7,16,18,18,25  86:1,3,4,7,16 87:6  87:17 88:13 89:11  97:9,12 108:3  109:9 118:14  120:2,10,15,18,22  121:1 125:6  133:11 139:14,15  140:14,15,18,19  178:5,9 187:7,10  187:15 189:9,12  <b>chaired</b> 93:16  <b>chairman</b> 89:1  <b>chairs</b> 6:15,18  36:19 37:4,6 38:1  <b>chairs'</b> 37:2,16,25  38:19 40:8 46:2  71:7  <b>challenge</b> 100:11  116:9 170:10  <b>challenging</b> 112:7  <b>change</b> 123:19  131:22  <b>changed</b> 119:10,14  124:6 126:25  131:20 145:8  161:2  <b>changes</b> 13:6  <b>chap</b> 51:18  <b>characterise</b> 50:8  <b>charge</b> 19:1,2  24:10 50:16  128:23 152:1  155:16 157:1  186:8  <b>charge/caution</b>  155:2  <b>charged</b> 151:15,23  152:24 153:8,19  156:23 157:4  <b>charges</b> 151:16  152:2</p>	<p><b>charging</b> 154:3  155:20  <b>chartered</b> 7:25  <b>chase</b> 171:4  <b>chastise</b> 29:10  <b>chastised</b> 29:12  <b>chats</b> 11:13  <b>check</b> 156:21  164:12  <b>checked</b> 129:15,16  <b>chief</b> 1:18,19 19:7  19:23 37:24 38:3  38:15,16,23 46:4  48:22 53:11 57:16  69:25 74:12,13,20  75:20 77:4,18  78:15 80:15 81:16  94:8 96:14 98:4  99:20 106:12,12  106:15,24 107:12  108:10 109:22  117:12 124:20  127:24 128:2  135:19 148:1  164:18,24 165:19  166:11 167:16,22  171:23 176:11  <b>child</b> 8:4 10:7  23:12 52:22 55:24  78:2 84:16 143:21  144:17 155:2,15  156:22 157:6  160:11,24 161:8  161:11 167:12  <b>child-on-child</b>  160:7  <b>children</b> 9:2,6,10  10:10,19,25 11:12  12:3,5,7,9 13:1  15:17 18:4 31:19  73:5 151:1,10,20  151:22 154:20,25  155:19,23,23  156:7,8 157:7,8  157:13 161:7,21</p>
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162:11 163:22 <b>Children's</b> 8:3 <b>Chittering</b> 23:8 <b>CID</b> 19:7 <b>ciphered</b> 6:19 <b>circulated</b> 16:13 <b>circulating</b> 8:18 <b>circulation</b> 15:12 15:13 <b>circumstances</b> 18:7 103:15 154:10 155:2 165:13 <b>cite</b> 168:14 <b>city</b> 164:6 <b>civil</b> 112:9 114:14 114:17 122:4 <b>civilian</b> 26:12 <b>claimed</b> 114:1 <b>claims</b> 28:6 <b>clarification</b> 139:16 <b>clarify</b> 97:20 <b>classed</b> 140:2,4 <b>classified</b> 129:22 <b>clear</b> 60:11 71:9,11 74:12,17 76:10 77:9 79:20 82:7 82:10 84:6 86:2,7 88:2 108:7 113:12 120:10 147:25 148:12 155:17 170:12 185:8 <b>clearly</b> 51:12 66:17 76:14 118:9,20 138:22 <b>Cleopatra</b> 18:1,2,9 18:22 21:6 22:4 22:25 23:3,7,14 23:25 24:9 26:7 27:6,11,14,23 28:3,14,17 29:5 29:16 30:6 32:10 181:5,9,19 187:22 188:15,16,25 189:1,4,4	<b>clerk</b> 75:22 123:4 <b>Cliff</b> 57:15 <b>Clifton</b> 31:24 140:20 141:9,15 141:17,21 142:7 142:12,20 171:17 174:1 182:9 184:5 185:24 188:12 <b>clinical</b> 8:2 <b>clock</b> 90:13 <b>close</b> 24:17 30:1 70:5 146:12 <b>closed</b> 129:19,21 130:23 <b>closely</b> 12:15 25:11 150:18 <b>closer</b> 134:10 <b>cloud</b> 10:18 <b>codes</b> 9:15 <b>Colin</b> 112:12,20,22 176:9 <b>colleague</b> 36:3 75:5 75:6 89:4 <b>colleagues</b> 74:9,12 75:25 104:15 150:11 <b>collect</b> 6:15,18 <b>collection</b> 173:14 <b>Colley</b> 1:23 <b>combination</b> 75:20 <b>come</b> 2:5 3:13 6:8 13:2 17:15 37:17 45:7 49:20 50:7 51:2 67:21 71:7 79:24 80:23 91:12 110:17 118:1 124:23 128:25 146:9 147:3 148:6 149:22 153:20 161:10,17 162:4 167:15 170:23 172:9 181:25 183:12 <b>comes</b> 69:21 70:4 87:18 146:18	<b>coming</b> 3:18 14:17 14:23 25:14 107:3 171:1 175:23 <b>command</b> 20:7 141:25 <b>commander</b> 165:20 <b>commenced</b> 184:5 <b>comment</b> 65:5 76:20 130:10 132:17,23 134:5,6 134:22 135:12,25 137:10 138:17 <b>commenting</b> 131:21 <b>comments</b> 63:15 <b>commission</b> 79:22 80:1,3,9 81:6 87:12 <b>commissioned</b> 79:7 79:12,13 81:21 87:4,8,9,12,14 <b>committed</b> 31:17 144:13 151:15 186:11 <b>committee</b> 35:18,20 36:12,13 37:4 40:7 46:1 68:16 68:23 69:10 70:2 70:12,24 71:5 78:23 79:1 80:21 82:1,5 91:21 97:9 97:12 103:1 108:21 159:1 <b>committees</b> 15:17 36:7,20 37:5,6 102:19,20,21 <b>committing</b> 151:16 151:23 <b>common</b> 103:7 <b>Commons</b> 118:25 <b>commonsense</b> 24:19 <b>communicate</b> 123:16 <b>communication</b>	123:19 166:7 <b>comparatively</b> 31:20 <b>compared</b> 157:7 <b>compile</b> 8:13 <b>complainant</b> 176:8 <b>complaint</b> 158:18 158:19,21 178:20 <b>complaints</b> 18:3,6 <b>complete</b> 64:19 76:13 109:16 111:1 113:2,3,17 <b>completed</b> 15:5,6 <b>completely</b> 45:4 46:10 53:7 74:8 76:23,23 87:19,22 88:8 110:22 111:4 111:20 113:15 <b>completeness</b> 21:21 <b>complex</b> 18:19 <b>complicity</b> 144:6 <b>comprehensive</b> 143:14 169:18 <b>comprises</b> 169:15 <b>computer</b> 148:24 179:9 189:3 <b>concentrate</b> 23:19 <b>concern</b> 22:8 97:21 <b>concerned</b> 12:3,4 15:15 25:25 63:25 75:1 147:5,13 154:6 165:14 171:18 <b>concerning</b> 28:2 31:21 97:5 <b>concerns</b> 8:23 13:15 43:4 70:14 120:16 163:1 <b>conclusion</b> 172:5 172:25 185:22 <b>conclusions</b> 13:3 146:19,20 147:11 <b>conduct</b> 78:5,7 119:14 161:17 <b>conducted</b> 21:16	23:17 26:7 30:16 97:18 145:22 <b>confessed</b> 114:7 <b>confident</b> 27:22 45:11 119:15 <b>confidential</b> 83:10 84:18 185:14 <b>confidentiality</b> 24:24 <b>confirm</b> 133:1 136:12 137:3 138:11 <b>confirmed</b> 13:14 129:18 <b>confirms</b> 22:23 165:2 <b>confusion</b> 83:21,22 85:24 86:5,18 <b>conjunction</b> 55:18 <b>connected</b> 26:10 44:14 51:8 <b>connection</b> 26:25 168:16 <b>connotation</b> 3:4 6:4 <b>conscious</b> 24:24 <b>consent</b> 128:1,2 <b>consequence</b> 49:11 109:12 110:20 <b>consequences</b> 68:6 79:15 <b>consequently</b> 19:13 <b>Conservative</b> 54:5 120:13 182:23 <b>Conservatives</b> 36:25 <b>consider</b> 142:21 144:5,24 145:1,2 155:14 171:25 186:5 <b>consideration</b> 156:13 <b>considered</b> 30:1 84:10 148:1 154:22 156:8,11 156:23 159:8
--	--	--	--	--

168:7 175:2 <b>considering</b> 144:16 162:7 <b>consisting</b> 18:25 20:20 <b>consists</b> 80:17,17 <b>constable</b> 18:13 135:20 164:5 <b>constables</b> 18:25 127:24 128:2 <b>Constabulary</b> 19:10 125:21 <b>constituency</b> 39:16 120:8 <b>construed</b> 144:23 <b>consult</b> 97:8 <b>consultants</b> 78:14 79:18 80:3,10 <b>consultation</b> 70:1 <b>consultations</b> 133:17,21 <b>consulted</b> 87:11 98:24 <b>contact</b> 53:24 72:13 119:25 165:9 166:8 175:11 <b>contacted</b> 17:7 142:14 179:12 182:13 <b>contacts</b> 176:6 <b>contained</b> 15:16 <b>contains</b> 72:8 180:13 <b>contemplated</b> 94:24 105:18,25 <b>contemplating</b> 95:16 <b>contemporaneous</b> 134:8 139:1 150:25 168:8 188:3 <b>content</b> 90:1 111:21 <b>contention</b> 114:25 <b>contentious</b> 37:24	<b>context</b> 29:15 156:1 176:3 <b>contingencies</b> 81:15 <b>continually</b> 15:19 <b>continuation</b> 27:2 <b>continue</b> 91:25 151:18 <b>continued</b> 30:10 112:24 <b>continues</b> 63:21 97:15 <b>continuing</b> 13:9 <b>contrary</b> 30:8 <b>control</b> 31:18 33:16 34:1 184:7 <b>controversial</b> 102:8 <b>conversation</b> 30:20 56:19 87:1 106:20 106:22 107:16,20 114:2 115:6 138:13 161:13 175:16 <b>conversations</b> 183:21 <b>cooperate</b> 101:8,11 <b>copied</b> 77:18 98:2,9 <b>copies</b> 2:1 19:17 21:13 72:6 176:10 <b>copy</b> 9:11,12 12:20 13:17 16:4 19:25 20:23,24 21:3,3 21:20 28:7,13,15 28:24 32:1 50:11 50:12 56:21,22,25 59:15 69:18 82:20 108:1,2,4 164:17 165:2 177:20 181:8 <b>corduroy</b> 3:11 <b>core</b> 143:7 <b>corporal</b> 121:18 <b>corporate</b> 78:20,22 81:8,25 <b>correct</b> 33:10 34:2	34:4,12,17 35:8 36:14 39:1 41:24 63:3,8 68:18 69:3 78:4,24 84:24 87:25 89:24 95:7 95:8,12,15 104:22 121:20 122:20 134:4,13,16 141:10,16 142:10 147:15 148:17 173:7 179:24 <b>correctly</b> 140:9,10 <b>corridor</b> 25:1 <b>corroborate</b> 31:12 150:12 170:10 <b>corroboration</b> 180:22 <b>corruption</b> 144:7 147:14 186:1 <b>cottaging</b> 148:8 <b>cottaging'</b> 72:16 <b>couch</b> 3:21 <b>council</b> 33:16,16,19 34:1,16,18 35:7 35:11,23 36:11 37:7,19 38:14 40:19 41:13 42:5 42:11,15,24 43:15 45:5,19 49:5 52:11 53:2,5 55:2 55:16 58:23 62:2 62:5,19,23 63:10 64:10,11,22 65:4 65:11,12 66:10,11 66:13 68:6 73:15 74:10,16 75:11 78:8 79:17,21 80:2,8,18,18 83:12,25 84:1,2,4 84:20,22 85:15,19 86:1,8 87:14,15 87:23 88:2 91:14 91:18 95:13,14 98:14 100:18 101:8,11 102:3,12	102:16,17,18,22 103:5,8,17 104:5 104:20 106:10,14 106:23 108:22 109:13,17,18,20 110:13,21 111:2 112:3 115:11,24 116:4 117:21 119:4,13 120:3,11 142:9,24 143:20 143:24 144:15 158:24 159:4 167:8 178:13 184:7,8 185:11 188:9,10 <b>council's</b> 76:4 <b>councillor</b> 33:8 34:5 35:2,22 49:18 51:15,23 54:18,19,22 55:4 58:16,16,25 59:1 59:11 63:14 66:10 66:14 76:10 80:11 88:21,23,24 89:6 89:10,25 93:22 97:16 98:3,4,4 105:11 106:9,9 108:5 109:8,9,15 109:18,19 110:4 110:25 <b>councillors</b> 36:21 37:16,23 49:19 79:24 99:1 120:11 185:4 <b>counselling</b> 187:24 188:5,6,19,20 <b>country</b> 25:5 <b>couple</b> 22:23 73:13 84:8 90:20 135:16 <b>course</b> 36:4 82:14 85:21 111:13 113:22 <b>court</b> 28:23 41:25 73:14 124:21 147:1	<b>cover</b> 106:4 157:16 <b>coverage</b> 29:4 107:10 <b>covered</b> 112:15 177:7 <b>covering</b> 177:3,5,5 <b>covers</b> 3:12 <b>coverup</b> 63:18 66:20 142:2 143:2 144:7,24 147:24 168:22 185:25 <b>coverup'</b> 66:13 <b>CPS</b> 32:5,6 126:16 145:19 147:4 171:12 186:2,4,5 186:14,21 <b>CPS002711</b> 125:4 128:9 <b>CPS002846</b> 1:25 126:16 <b>cradle</b> 43:17 <b>credit</b> 78:3 <b>crime</b> 124:20 <b>criminal</b> 144:7,12 145:1 146:22 147:2,5,20,23 155:20,22 161:4 161:17,23 165:6 173:1 186:11 187:5 <b>criminalised</b> 155:19 <b>criminality</b> 155:24 186:7 <b>criminals</b> 155:23 <b>critical</b> 10:16 <b>criticised</b> 62:21,24 63:1,11 <b>crossed</b> 147:2 <b>crossover</b> 147:22 148:23,24 <b>crying</b> 2:22 5:13 <b>culture</b> 102:4,9 122:23 <b>curious</b> 131:3,11
---	--	--	--	---

<b>current</b> 22:5 112:7 119:4,13 130:10 132:13	55:5,23 56:6 57:2 75:1,24 77:8,9 117:2,4,11	185:17	150:11 159:17 160:20 162:18	162:23 165:14,23 166:19,21 167:23 168:14 171:6,25 173:15 174:2,13 179:14,15,21 180:10,18,19
<b>currently</b> 106:14 119:8,16	<b>David</b> 19:16 39:8 75:22 77:9	<b>decides</b> 96:15	<b>departmental</b> 101:5	<b>determined</b> 55:25 160:20
<b>cutbacks</b> 14:2	<b>day</b> 53:17 72:12 76:19,22 99:5	<b>deciding</b> 162:10	<b>departments</b> 75:10 81:16	<b>develop</b> 142:12
<b>cutting</b> 63:5	<b>day-in</b> 79:20	<b>decision</b> 23:9 29:24 29:25 80:25 127:14,14 129:23 141:25 155:13 158:20 167:11	<b>depends</b> 132:6	<b>development</b> 37:9
<b>cuttings</b> 170:2	<b>day-out</b> 79:20	<b>decisions</b> 100:3,7	<b>deputies</b> 39:11	<b>deviate</b> 29:18
<b>cycle</b> 36:16,17 37:13	<b>days</b> 20:22 66:8 67:3,8 96:25 97:2 98:15 99:2 135:16 173:21	<b>dedicated</b> 14:5	<b>deputy</b> 18:22 23:21 38:23 39:6,10,12 39:18,20 44:6 45:3 75:12 80:18 127:2,6	<b>device</b> 145:19
<b>Cyril</b> 3:2,6 4:1,7,12 5:2,14,17,21 19:11,19 20:11 25:24 27:10 28:2 29:7,8,12 31:5,9 31:15,21 103:12 103:13 104:7,10 105:14 120:6,9 125:3,10 129:3,18 131:7,14 132:5,21 142:4 182:4	<b>DC</b> 21:16	<b>deep</b> 5:9	<b>describe</b> 14:8,15 48:11 154:11	<b>DI</b> 18:22 180:6
	<b>DCI</b> 85:8 146:13 150:18 169:6	<b>defending</b> 112:13	<b>described</b> 5:2,11 6:4 112:8	<b>Diana</b> 8:10 9:9,17 10:4,5 12:23 15:9 16:21 48:22 52:20 53:23 55:5,23 56:5 57:1 58:4,18 68:11 71:25 74:22 74:25 75:23 77:8 77:18,20,23 86:2 94:11 97:3 101:23 116:12,19 117:2 176:5
	<b>de-cipher</b> 188:16	<b>definite</b> 24:4	<b>describes</b> 2:17,23 3:7,11 4:6 6:3,5,8 7:1	<b>diary</b> 122:13
	<b>deal</b> 7:18 45:11 58:19 156:15 157:17,25 158:21 172:18 173:12	<b>definitely</b> 54:2 101:21	<b>describing</b> 7:23 85:11	<b>died</b> 179:6 184:23
	<b>dealings</b> 29:16 31:16 37:18 52:12,13,18 102:7 110:14 117:24 156:6	<b>definition</b> 84:6 86:7	<b>description</b> 27:16 100:17 101:3,4	<b>difference</b> 67:12
	<b>dealing</b> 29:16 31:16 37:18 52:12,13,18 102:7 110:14 117:24 156:6	<b>definitive</b> 185:25	<b>descriptions</b> 71:19	<b>different</b> 16:24 24:18 27:2 43:4 92:5 109:6 123:9 129:14 136:23 138:2 146:14,23 150:3,21 155:8 159:16 160:2 163:7,19,25 164:17 169:15 177:9 182:19,22 184:18,18 189:2
	<b>deals</b> 168:25 180:7	<b>degree</b> 73:3	<b>desperate</b> 10:22	<b>differently</b> 24:4 155:10
	<b>dealt</b> 11:25 71:6 108:20 155:10 157:12,14,15 159:14 161:8 163:24 171:6,18 175:8,24 180:5	<b>delegated</b> 69:25 78:15 79:17 80:13 80:16,19 81:6,17 82:4 83:11 84:19	<b>despite</b> 20:21 22:5 30:11 93:17,23 115:5 117:16,16	<b>difficult</b> 8:20 17:13 93:6 149:14 165:8
	<b>debate</b> 85:13	<b>delegation</b> 70:2,7 79:20,23	<b>destroyed</b> 176:7	<b>difficulties</b> 149:5 150:12 163:24
	<b>Deborah</b> 175:14,20	<b>delegations</b> 80:15	<b>detail</b> 47:15 55:7 105:4 110:4 163:9 178:1 181:4	<b>difficulty</b> 163:10
	<b>December</b> 19:21	<b>deliberate</b> 60:12	<b>detailing</b> 20:21 119:1	
	<b>decide</b> 83:14	<b>deliver</b> 37:20	<b>details</b> 3:5 15:3 30:14,19 61:2 182:7	
	<b>decided</b> 10:24 11:20 12:2,25 18:6 24:13,20 25:3 30:14 77:20	<b>delivering</b> 91:11	<b>detective</b> 1:16,20 13:13 17:25 18:10 18:12,13,16,24,25 19:7,23 20:4,12 22:17 23:11,15,21 141:5,7 148:2,3 152:5 159:22	
		<b>Democrat</b> 54:18 105:12,15 182:2,5		
		<b>democratic</b> 64:2		
		<b>demonstrate</b> 103:9 <b>demonstrated</b> 118:9		
		<b>Dems</b> 89:7		
		<b>denial</b> 137:7		
		<b>denied</b> 14:16 174:3		
		<b>deny</b> 137:3 138:18		
		<b>department</b> 8:2 36:9 43:5,6,13 45:9 48:20 55:17 55:18 62:6 68:7 81:11,11,13,19,22 81:24 88:18 91:7		

<b>Digan</b> 5:24,25 17:8 17:9 21:10,12,14 169:11 172:12,13 172:16 173:16,20 174:3,5,14 175:6 175:10,17,20,25 176:13 177:18 178:11,20 179:12	<b>discrete</b> 181:22 <b>discretion</b> 128:3 <b>discuss</b> 8:13 37:21 108:23 165:9,13 165:22 175:11 176:4 <b>discussed</b> 12:19 13:25 15:7 17:10 37:14 38:6 127:13 127:14 128:7 146:14 147:4 154:1,16 160:3,13 168:20 172:15 177:10 <b>discussing</b> 40:3 <b>discussion</b> 12:8,17 30:22 57:2 77:21 108:19 <b>discussions</b> 150:9 <b>disgrace</b> 63:25 <b>disgruntlement</b> 30:9 <b>dispose</b> 185:14 <b>dispute</b> 160:1 <b>disquiet</b> 94:17 <b>distance</b> 102:7,9 <b>distinction</b> 41:8 67:15 <b>distraught</b> 2:20 <b>distributed</b> 71:25 158:2,3 <b>distribution</b> 59:17 60:3 <b>district</b> 82:9 <b>Diversion</b> 154:16 <b>diversionary</b> 155:12,17 156:5 156:21 157:12 <b>divert</b> 156:17 <b>diverted</b> 155:24 <b>diverting</b> 155:21 <b>division</b> 18:11 30:21 31:1 125:20 125:22 128:23 159:25 174:20	<b>Divisional</b> 25:12 <b>Dobbin</b> 39:14 62:20,24 63:11 140:18,23,24 176:9 178:5,10,15 179:4,18 180:1,13 184:23 187:7,16 189:9 190:20 <b>Dobbin's</b> 63:14 <b>document</b> 9:19 16:6 26:19 28:21 61:17 73:2 84:16 86:10,15,24 102:22 103:8 126:15 143:13,14 143:16 153:11 164:22 165:17 180:15 <b>documentation</b> 148:22 166:6,8 174:8,10 175:22 176:18 177:7 178:11 179:8,10 180:23 184:21 188:3,8 <b>documentation/e...</b> 162:3 <b>documented</b> 180:10 182:17 184:3 186:2 <b>documents</b> 15:24 19:9,12,13,16,18 19:22,24 20:1 21:10,13 121:16 145:17 149:11,14 158:15 159:1,6 168:17,23 173:20 173:23 174:4 175:12 176:16,19 177:3,7,11 180:20 180:21 184:24 <b>documents/her</b> 184:21 <b>doing</b> 5:10 43:2 93:25 119:7	<b>domain</b> 47:13 49:22 66:4 177:9 182:14 <b>domestic</b> 2:19 <b>door</b> 3:19,22 107:8 107:11 108:17 109:4 113:20 <b>doorstepped</b> 76:19 <b>dorm</b> 7:11 <b>dormitories</b> 2:24 6:15 <b>dormitory</b> 3:8,8,15 3:18 5:12 6:18,25 <b>dorms</b> 7:12 <b>dossier</b> 139:20 140:11 168:24 169:11,14,17,20 169:21 172:17 174:7 176:4,5,8 176:10,16,19 <b>dossier'</b> 169:4 <b>double</b> 3:20 <b>doubt</b> 66:17 82:20 140:9 <b>doubtless</b> 47:16 <b>downstairs</b> 3:16 <b>Doyle</b> 175:14,16,20 177:15 <b>DPP</b> 122:10,25 123:20 127:10,12 127:22 128:7,8,16 130:13 135:2,4 136:9,12,14 137:2 <b>DPP's</b> 122:18 128:1 129:2 133:21 136:15 <b>DPPs</b> 128:24 <b>Dr</b> 12:2 16:3 72:2 99:19 165:9,21 166:8 <b>draft</b> 109:15 110:25 111:17 114:7 <b>dramatically</b> 119:14	<b>dredging</b> 13:6 <b>dressed</b> 3:23 <b>drill</b> 169:20 183:6 <b>driving</b> 162:1 <b>drop</b> 18:15 27:6 29:1 156:18 <b>DS</b> 19:2,2,3 21:19 25:24 163:12 173:19,21 176:6 <b>due</b> 14:1 22:8 149:7 153:18 <b>dug</b> 68:22 <b>duties</b> 14:19 122:16 <b>duty</b> 74:12
<b>E</b>				
<b>E</b> 189:19				
<b>earlier</b> 16:20 61:25 67:3,23 73:17 85:11 89:9 106:18 113:10 116:16 <b>early</b> 20:4 23:5 35:6 42:2 113:7,7 148:16 149:21 188:9 <b>ears</b> 55:21 <b>earth</b> 77:1 119:20 <b>easy</b> 9:15 <b>economical</b> 124:12 124:13 <b>Edmonds</b> 14:2 <b>education</b> 8:11 9:1 35:18,20 36:2,9 37:8,9 44:8 45:4 45:14 48:16,17,20 48:23 49:22 52:19 53:11 54:3,7 55:18 57:8,18,20 57:21 58:11 59:20 62:6 67:21 69:25 70:2,13 71:2 74:19 75:12,23 77:4,18 81:11,22 83:2,11,23 84:19 85:11 86:21 87:2				



88:18,25 89:6,10 89:13,20 91:7 94:12 97:9,12 98:5 103:1 159:18 162:18 <b>educational</b> 13:25 14:3 <b>effect</b> 12:10 30:22 42:23 67:22,24 70:2 94:18 96:13 105:13 182:3 <b>efficient</b> 121:17 <b>Egerton</b> 5:5 <b>either</b> 31:6,8 71:17 88:23 92:11 104:1 114:24 129:25 130:22 156:22 <b>ejaculated</b> 4:18 <b>Eleanor</b> 1:7 121:6 190:12 <b>elect</b> 112:14 <b>elected</b> 33:8 112:18 112:25 <b>election</b> 90:11,13 90:18,21,25 91:15 91:17 92:1,3,3,15 93:2,18,23 95:4,6 95:9 98:15 99:2,5 112:6,17,23 113:11,25 <b>electioneering</b> 92:22 <b>element</b> 172:15 <b>elements</b> 37:15 146:24 163:5 176:13 177:9 184:20 <b>elicit</b> 161:9 <b>email</b> 181:24,25 182:15 183:24 <b>emanated</b> 144:1 <b>embarrass</b> 40:22 <b>embarrassing</b> 41:4 41:5,6,9,17 43:15 43:22	<b>embrace</b> 30:7 <b>emphasis</b> 74:11 143:22 <b>emphasise</b> 75:6 144:10 <b>employed</b> 109:11 110:6 <b>employees</b> 185:11 <b>encounter</b> 113:19 <b>endeavour</b> 189:10 <b>enemies</b> 105:20 <b>engage</b> 93:8 <b>engaged</b> 27:20 31:24 78:14 <b>engagement</b> 158:20 <b>engaging</b> 79:17 187:25 <b>enquired</b> 132:16 <b>enquiries</b> 19:18 20:5 21:9,16 23:12 27:4 29:18 123:23 130:6 144:22 149:2 162:24 165:3 166:9 <b>enquiry</b> 10:14,15 18:24 19:9 23:3 23:22 24:2,21 26:8,10,12,16,25 28:5 29:23 45:17 45:20 94:19 128:25 130:3 131:20,25 132:2,8 132:11 133:18 135:3 146:16 150:20 166:13 169:24 170:1,2,5 171:2,4 176:14 177:1,4 185:18,19 <b>enshrined</b> 103:7 <b>ensure</b> 9:2 <b>enter</b> 105:24 <b>entered</b> 27:23 <b>entering</b> 5:19 <b>entirely</b> 109:6	128:6 <b>entitled</b> 20:10 102:18 <b>entity</b> 163:6 <b>entrant</b> 122:3 <b>entries</b> 181:20 <b>entry</b> 98:3 <b>EO</b> 98:5 <b>epidemic</b> 62:4 <b>equally</b> 61:1 <b>erection</b> 6:10 <b>erstwhile</b> 45:3 75:12 <b>escalated</b> 117:5 147:20 <b>especially</b> 147:18 <b>essence</b> 112:16 175:10 177:21 178:17,19 179:11 <b>essentially</b> 67:9,16 175:22 183:24 <b>establish</b> 158:17 185:4 <b>established</b> 23:14 37:15 <b>establishment</b> 49:5 68:7,10 123:14 <b>et</b> 9:15 25:17 26:17 108:12 <b>European</b> 179:16 179:25 180:11,12 181:5,7 <b>Evans</b> 19:2 <b>event</b> 13:5 47:19 119:24 <b>events</b> 15:21 62:16 66:17 67:11 97:6 99:24 115:13 149:6 151:24 <b>Eventually</b> 30:12 <b>everybody</b> 56:24 85:24 86:5 90:17 92:6 106:2 118:3 132:10 <b>everyone's</b> 25:8	<b>evidence</b> 2:6,8 7:14 10:15 20:15 21:18 31:14 50:5,24 53:16 60:9,16 68:11,18,20 71:17 77:23 79:9,10 84:11 96:13,17 102:23 116:23 139:24 140:2,4,5 140:20 144:23 147:19 150:12 152:19 154:15,20 158:1,21,22 161:15 162:6 170:10,21 171:1 171:10 172:8 174:19 175:1,19 179:15 182:19,25 183:19 185:20,25 186:10,19 189:10 <b>ex-pupils</b> 180:20 <b>exactly</b> 84:7 85:25 95:24 104:6 113:8 <b>examination</b> 20:25 32:17 56:11 121:7 139:18 140:23 159:2 187:18 190:8,14,16,20,22 <b>examine</b> 143:20 <b>examined</b> 168:16 <b>example</b> 40:20 81:12 92:9 144:17 151:20 164:1 170:9 171:1 184:23 <b>examples</b> 151:1 <b>excellent</b> 52:25 53:13 75:1 117:2 <b>excerpts</b> 2:14 7:17 17:16 <b>exclusive</b> 27:4 <b>excuse</b> 32:20 92:14 92:25 <b>executive</b> 38:15,16 38:23,24 46:4	53:12 74:20 75:21 77:4,19 94:8 96:15 117:12 <b>executives</b> 142:25 <b>exercise</b> 184:6 <b>exercised</b> 97:22 <b>exert</b> 31:7 <b>exhibit</b> 14:11 21:5 25:21 28:23 32:1 109:23 <b>exhibited</b> 111:9 113:22 <b>exist</b> 59:16,24 180:21 <b>existed</b> 183:1 <b>existence</b> 26:19 170:16 177:16 182:1,10 <b>expand</b> 94:7 <b>expect</b> 76:4,8,8 161:6 173:9 <b>expectation</b> 188:18 <b>expectations</b> 146:7 158:18 <b>expected</b> 80:23 161:19 <b>expecting</b> 160:25 161:15 <b>expeditiously</b> 22:8 <b>expenditure</b> 80:4 81:7 82:11 <b>experience</b> 128:15 164:5 <b>experienced</b> 18:18 18:20 23:10 130:4 <b>expert</b> 8:25 <b>explain</b> 9:11 27:5 69:16 80:24 83:21 107:7 131:19 133:4 141:20 145:16,25 149:4 160:24 182:14 188:25 <b>explained</b> 69:11 79:16 82:2 101:15
--	--	--	--	---

103:5 113:19 125:16 128:5 <b>explains</b> 147:8 <b>explanation</b> 111:24 134:14,17,19 137:17 138:25 <b>exploitation</b> 52:14 115:10 155:25 <b>exploited</b> 62:3 157:6 <b>explore</b> 137:20 <b>exposed</b> 45:4 74:9 76:23 <b>Express</b> 135:4,6 137:23 <b>expressed</b> 8:23 <b>expressly</b> 83:6 <b>extension</b> 69:10 <b>extensive</b> 80:15 <b>extent</b> 148:8 <b>external</b> 78:14 79:18 80:3 87:23 <b>externally</b> 31:7 <b>extract</b> 168:12 <b>extremely</b> 116:20 116:20 <b>Eye</b> 139:3,6 <b>eyes</b> 70:21	<b>factual</b> 73:3 <b>failed</b> 53:12 118:11 119:19 136:12,19 142:25 <b>failing</b> 118:6 135:22 158:22 <b>failings</b> 115:25 <b>failures</b> 117:9 119:1 <b>fair</b> 43:21 107:1 <b>fairly</b> 59:9 86:5 166:25 <b>fall</b> 160:21 167:11 <b>fallen</b> 187:5 <b>fallout</b> 42:23 <b>familiar</b> 55:13 124:20 148:5 152:22 <b>familiarity</b> 152:20 <b>family</b> 25:12 159:20 165:15 168:25 169:5 <b>far</b> 22:11 23:10 25:25 66:17 72:17 91:5 119:10 153:17 171:17 184:2 186:19 188:6 <b>far-sighted</b> 100:18 100:25 <b>Farnell</b> 1:6 32:15 32:16,19 33:6,7 42:3 43:14 44:11 44:11 45:13 46:14 46:20 47:2,17 48:1,24 49:7,25 51:16 53:6 56:10 56:18,21,22 57:13 58:16,22,25 59:4 59:7,25 60:12,21 61:13,13 62:13,20 63:7,14 66:10,14 67:6 71:9 72:10 73:11,18 75:6,14 75:17 76:15,18	81:8,18 82:15 83:16 84:7 85:3 86:9,25 87:16 88:17 90:20 91:14 92:14,24 96:13 98:12 99:13 100:2 100:17 101:3,14 105:10 106:8 107:4,17,22 108:6 109:8,15,18,25 110:25 111:3,25 113:12 114:22 115:8,17 116:12 117:6,8,20 118:2 120:2,19 184:17 190:6 <b>fast</b> 178:7 <b>fat</b> 4:6,11 5:1,7,8 <b>fate</b> 95:10 <b>feasible</b> 10:8 <b>February</b> 9:13 15:7 15:22 82:14,15,17 87:18 88:9 94:17 <b>feedback</b> 53:2,3 <b>feel</b> 22:5 24:5 31:10 <b>feeling</b> 132:11 <b>feelings</b> 12:4 <b>feels</b> 6:11 <b>feet</b> 4:13 <b>fellow</b> 6:14 7:25 <b>felt</b> 11:13 17:12 20:17 24:5 187:3 <b>female</b> 6:5 <b>Field</b> 57:5 167:20 <b>fielded</b> 123:15 <b>fielding</b> 123:18 <b>fifthly</b> 1:22 <b>fight</b> 103:2,6 <b>figure</b> 103:22 <b>file</b> 32:5,11 125:2 125:25 127:18 128:3 129:18 130:13 131:4,17 132:2 133:2 135:1 136:17,19,22	138:11,18 139:2 158:12 169:18 <b>filed</b> 28:22 <b>files</b> 24:24 130:23 <b>filing</b> 125:16,18 <b>films</b> 7:13 <b>final</b> 16:10 21:19 119:17 133:6 149:15 153:5 172:5 <b>finalise</b> 186:24 189:10 <b>finalised</b> 65:3 <b>finally</b> 1:23 7:1 22:16 31:22 65:2 115:17 135:14 136:3 137:20 145:10 176:11 185:21 <b>financial</b> 14:2 79:15,22 82:7 88:1 <b>find</b> 7:19 22:18 64:4 93:7 136:19 136:22 152:11 153:19 157:2 170:19 172:8 179:10 181:20 182:19 183:5,7 185:25 188:13 <b>finding</b> 93:8 173:10 <b>findings</b> 144:25 145:4 147:17 148:18 186:2 <b>fine</b> 140:25 <b>finish</b> 56:11 91:13 154:14 172:19,23 181:22 <b>finished</b> 129:21,25 <b>finishes</b> 184:20 <b>fired</b> 90:11 <b>first</b> 1:16 2:4 5:25 6:5 7:22 10:3,19 15:14 25:5 27:19 28:18 39:12,19	56:20 57:3 58:13 79:13 89:14 90:21 91:10 92:3 96:3 96:14 98:3 104:3 111:12 114:10,20 118:20,22,23 124:25 129:8 132:1 133:15,24 136:15 138:4,7,10 138:20,23 143:19 145:2 148:7,10 157:25 165:1 176:4 179:3 183:14,25 <b>first-class</b> 10:21 <b>firstly</b> 1:12 3:5 133:10 <b>fishing</b> 132:12 <b>fit</b> 20:15 <b>Fitzsimons</b> 176:8 <b>five</b> 8:5 27:19 32:3 45:8 72:15 <b>Flammer</b> 57:23 <b>flat</b> 3:16,19,20 <b>flats</b> 151:14 <b>flattering</b> 100:19 <b>Fleet</b> 124:19 <b>Flindle</b> 146:13 169:6 <b>focus</b> 24:4 77:11 <b>focused</b> 43:11 <b>focusing</b> 43:8 76:16 <b>follow</b> 11:10 16:14 114:3 121:14 149:24 158:18 164:15 171:3 <b>follow-on</b> 160:15 <b>follow-up</b> 13:18 <b>followed</b> 77:22 82:10 88:3 182:18 184:11,15 <b>following</b> 31:23 35:9 42:13 52:10 58:21 93:2,5 95:6 106:2 112:23
<b>F</b>				
<b>F104</b> 14:8 <b>F32</b> 6:17 <b>fabricated</b> 115:6 <b>face</b> 95:23 96:14 <b>facie</b> 135:20 <b>facilitated</b> 161:12 <b>facility</b> 38:8 <b>fact</b> 7:5 23:7 25:18 30:7 31:12 48:15 49:4 77:12 78:13 87:22 89:25 96:17 151:1 179:21 184:3 <b>facts</b> 13:6 73:6 111:5 116:6				

158:17 173:6 180:13 <b>follows</b> 1:14 2:15 2:18 8:9 26:9 73:1 83:7 174:25 <b>foot</b> 63:12 <b>football</b> 63:24 <b>force</b> 21:9 23:1 25:5 151:6 <b>forced'</b> 72:24 <b>forces</b> 18:3 <b>forget</b> 6:24 44:16 102:2 <b>forgetting</b> 86:25 <b>forgive</b> 94:11 169:8 <b>forgotten</b> 44:17 62:8 <b>form</b> 26:5,20,21 27:2,3 28:4 143:2 174:19 <b>formal</b> 24:5 <b>formally</b> 92:17,23 <b>formed</b> 32:5 159:5 <b>former</b> 1:8 <b>formidable</b> 45:9,15 <b>forms</b> 27:3 <b>forward</b> 17:15 20:15 149:22 161:5,22 162:5 164:4,14 170:7 <b>forwards</b> 3:19 12:11 164:10 <b>found</b> 7:4,5 10:21 14:14,24 17:3 28:15 32:2 93:12 179:25 184:22 <b>four</b> 9:22 18:25 30:5 39:24 96:25 97:2 <b>fourth</b> 40:14 <b>fourthly</b> 1:20 <b>Frances</b> 129:9 130:12,17 136:21 138:1,10 <b>frank</b> 12:17 118:17	119:3,17 120:1 <b>Fraser</b> 12:2 16:3 <b>free</b> 120:19 <b>Freema</b> 12:16 <b>fresh</b> 10:15 <b>Friday</b> 68:12,21 <b>friendly</b> 99:7,9 <b>friends</b> 30:1 <b>front</b> 2:11 42:13 88:10 <b>full</b> 1:13 30:19 32:18 33:1,6 109:16,18 111:1 140:20 141:2,4 163:16 <b>full-time</b> 123:11 <b>fully</b> 103:9 <b>fund</b> 69:6 <b>fundamental</b> 73:4 <b>further</b> 8:7 12:1 16:22 17:7 20:9 22:2 30:13 55:25 57:11 67:3 77:11 77:15 94:14,19 97:4 99:18 135:16 136:25 163:17 165:10 166:13,15 168:18 172:1,3 175:1 176:12 <b>further'</b> 65:5 <b>future</b> 9:2,7 11:11	124:1 <b>General's</b> 128:1 <b>generality</b> 96:9 <b>generally</b> 41:10 102:16 103:20 144:16 164:2 <b>generated</b> 143:23 <b>genuinely</b> 61:15,16 <b>geographical</b> 125:22 <b>George</b> 32:16 33:7 190:6 <b>getting</b> 11:21 63:25 96:1 132:2 138:5 170:9 <b>give</b> 2:5 8:25 14:17 32:18 33:1,6 42:25 43:5 68:20 76:11 80:24 84:11 116:6 122:18 123:7 137:17 138:25 140:20 141:2 153:13 174:14 <b>given</b> 5:22 7:14 9:13,16 16:8,18 19:22 24:8 26:22 27:16 74:24 78:3 89:19 90:6 99:1 100:13 116:19,21 121:12 138:2 153:9 159:11 174:3 175:20 176:8 179:7,13 188:11 <b>gives</b> 3:5 8:7 <b>giving</b> 123:24 138:16 151:21 170:11 172:17 <b>GMP</b> 23:11 25:4 142:1,12,14,16,25 143:20 145:22 148:22 150:16 158:24 159:20 188:23,24	<b>GMP000097</b> 17:24 <b>GMP000098</b> 22:14 <b>GMP000111</b> 17:19 <b>GMP000135</b> 1:18 <b>GMP000145</b> 1:22 <b>GMP000164</b> 63:6 <b>GMP000174</b> 1:19 <b>GMP000199</b> 1:20 <b>GMP000916</b> 168:12 <b>GMP000916_052</b> 148:11 <b>GMP000916_252</b> 164:22 <b>GMP001008</b> 22:20 <b>GMP001021</b> 1:21 <b>GMP001024</b> 1:23 <b>GMP001110</b> 7:21 <b>GMP001134</b> 21:22 <b>go</b> 5:13 6:18 8:7,12 14:9 15:4 16:10 17:5,24 21:23 25:19 29:20,21 34:8 65:8 69:17 73:1 80:12 83:8,8 86:18 87:24 98:1 98:15 108:11 120:19 130:4,17 132:19 133:10 136:3,22 139:6 148:11 149:4 153:11,12,18 158:14 160:5 161:8 163:11 164:7,22 165:7,17 167:9,10 168:9 170:2 171:14 174:6 181:4 182:7 183:17 184:2 <b>Goddard</b> 145:10 <b>goes</b> 14:8 27:5 91:6 110:20 153:7 154:8,10 167:12 169:2 174:18 177:2	<b>Goggins</b> 163:12 <b>going</b> 1:4,6 2:4,8,14 7:16 10:12,17,25 11:15 12:6,25 16:17 17:2 22:13 32:13,13 43:10 45:17 46:11 49:7 51:20 53:9 56:8,9 56:11 60:4 65:22 71:20 73:20 76:2 76:24 77:1,13,14 79:3 83:8 87:12 91:4,6 96:8,15 99:14 111:3 112:7 114:23 118:13,14 120:22 121:13 122:20 124:17,18 140:19 142:20 143:7,15 144:5,20 144:24,25 150:6 151:5,7,8 152:9 153:1,13,16,17 154:11,13 155:5 157:18,24 158:14 160:11,15 163:3,7 164:9,12,14 172:13,18,23 173:10,12 177:13 183:8 185:23 <b>goings</b> 76:21 <b>good</b> 1:3,4,10 30:2 49:7 55:16 56:12 121:8 <b>gosh</b> 136:7 <b>governed</b> 146:3 <b>government</b> 84:2 86:12 119:9 <b>governors</b> 58:10 <b>granted</b> 187:9 <b>graphic</b> 71:19 105:4 <b>grasp</b> 30:6 <b>grateful</b> 94:22 <b>great</b> 7:18 78:3 125:5 136:9
---	---	---	---	--

<b>Greater</b> 13:13 18:8 19:7 23:5 141:6 145:13	<b>happen</b> 38:9 61:15 67:13 69:14,15 80:5,12,16 119:11 119:15 153:9 174:12	<b>headlines</b> 43:17	162:23 164:19	<b>homes</b> 18:5 23:4
<b>green</b> 3:11 174:9 174:13	<b>happened</b> 5:24 6:25 9:10 11:19 46:19 47:2 49:4,5 49:10 67:14 71:8 71:10,11 78:2 81:3 82:12 98:25 113:15 115:19,25 117:1 132:14 138:8 139:9 154:24 156:4 157:22 162:15 163:14 176:15 177:2,6	<b>headmaster</b> 10:20 10:22	165:19 166:19,21 168:1,4,15,24 190:14	<b>homosexual</b> 72:13
<b>Gregor</b> 1:24	<b>happening</b> 79:20 93:24 99:16 156:7	<b>health</b> 8:24 54:4,6 55:4 58:16 64:11 65:12 71:13 72:4 72:4 89:11 109:9 109:11,12 110:6,6 111:14	<b>Henderson's</b> 169:3	<b>honestly</b> 76:22
<b>grey</b> 24:22 114:23	<b>happens</b> 56:10 91:17	<b>hear</b> 1:6 31:25 103:25 175:13 177:14	<b>Hetherington</b> 122:25	<b>hope</b> 56:24 108:3 125:7 151:18 157:19
<b>Griffiths</b> 19:2	<b>hard</b> 29:25 56:21 56:24 92:2,6	<b>heard</b> 1:24 5:16 7:18 8:16 22:22 45:17 50:4 52:17 57:12 67:17 68:18 68:20 75:4 78:16 87:13 100:22 104:13 105:8 126:21,22 154:20 158:1 159:13 162:22 183:5	<b>Hewlett</b> 18:13,22 23:21	<b>hoped</b> 112:23
<b>grinding</b> 91:15	<b>harm</b> 10:19	<b>hearing</b> 10:16 33:2 189:15	<b>Hierarchy</b> 75:11	<b>horrified</b> 73:6
<b>gripped</b> 6:22	<b>harmful</b> 13:11	<b>held</b> 10:2 13:18,19 14:12 57:12 102:22 103:8 112:17 158:23	<b>high</b> 41:25 73:14 100:24 127:22	<b>Horton</b> 167:16
<b>gross</b> 153:8	<b>Harry</b> 105:7	<b>help</b> 10:22 12:6 49:21 59:24 60:4 85:2 116:8 118:17 118:19 125:14 126:21 130:4 166:1,24 172:5 189:6,6	<b>high-profile</b> 127:21	<b>hospital</b> 8:3,5
<b>grounds</b> 171:22	<b>hats</b> 123:10	<b>helped</b> 130:5	<b>highly</b> 28:1 78:1	<b>Hostel</b> 104:1
<b>group</b> 10:6 33:11 35:23 54:5,14 89:5 108:6,11,11 108:19,22,23 109:21 112:1,2,8 112:17 114:18 117:22	<b>Hawton</b> 54:1 55:4 55:10 58:16 59:1 59:11 89:10 90:23 93:11 98:4 109:9 110:4	<b>helpful</b> 2:7 62:15 163:15 189:8	<b>Hill</b> 17:20,23,25 21:25 22:12,21 23:23 25:10,11,14 25:24 26:2,2 27:18 28:5 29:23 29:24 30:6,17,20 32:4,8 190:1	<b>Houghton</b> 21:16
<b>grown</b> 24:3	<b>head</b> 4:18 8:1 19:7 34:20 39:5 67:19 67:24 68:2,3 69:13,22,25 70:8 72:2 96:4 107:8 107:11 108:17 109:3 113:20	<b>helpfully</b> 126:16 143:16	<b>Hill's</b> 21:19 32:7	<b>Houghton's</b> 167:22
<b>guiding</b> 155:19	<b>headed</b> 97:3 108:5	<b>Henderson</b> 1:5,10 1:17 2:4 7:16 13:13 17:21 22:16 121:7,8 139:11 148:3 159:22	<b>Hilton</b> 7:1,2,4,8 14:25 15:2 47:9 47:14,15 48:21 49:25 50:7,9 51:1 51:3,7,12,18 52:13 68:14 74:6 96:2 160:6 171:20	<b>hours</b> 138:23
<b>gun</b> 90:12	<b>heading</b> 63:10 81:14		<b>Hinder</b> 158:22	<b>House</b> 57:5 104:1,8 105:3 106:3 118:25 167:20
<b>guy</b> 4:6			<b>historical</b> 23:4	<b>House</b> 57:5 104:1,8 105:3 106:3 118:25 167:20
<b>gym</b> 6:16			<b>history</b> 74:7 155:5	<b>Hoyano</b> 2:6 139:15 139:18,19 140:14 187:7,10,18,19 189:8 190:16,22
			<b>HIV/AIDS</b> 71:15	<b>hundreds</b> 27:13
			<b>hoc</b> 24:2 38:5,8	<b>Huntbach</b> 179:14 179:15,22 180:10 180:19,24,25
			<b>Hodge</b> 99:19,20	<b>Hutchinson</b> 126:11 126:13
			<b>hold</b> 88:12 94:19	<b>Hydrant</b> 150:15
			<b>HOLMES</b> 18:20 19:3,4 20:2 26:4,5 26:7 27:16,20,22 28:12,16,20 32:3 189:1,2	
			<b>home</b> 5:13 13:21 19:14 26:8 29:10 128:20 130:5	
				<b>I</b>
				<b>Ian</b> 52:23 55:5,23 56:6 57:2 75:1,24 77:8,9 117:2
				<b>idea</b> 25:16 49:14 81:10 87:1 99:14 105:17,23 123:7 126:5
				<b>ideally</b> 55:15
				<b>identification</b> 15:10
				<b>identified</b> 4:12

152:10 156:14 157:9 172:16 <b>identifies</b> 4:1,6 <b>identify</b> 3:10 9:16 149:1 152:6 158:19 176:14,17 181:19 183:10 186:7 187:2 188:25 <b>identity</b> 4:2 <b>ignorant</b> 53:8 87:19,22 88:6,8 115:9 <b>ignored</b> 77:13 113:16 <b>Ignoring</b> 98:3 <b>illustration</b> 112:10 <b>image</b> 63:7 <b>imagine</b> 76:16 79:11,12 <b>immediate</b> 29:17 <b>immediately</b> 48:15 70:3 <b>impact</b> 40:18 <b>impacted</b> 42:15 <b>implement</b> 24:14 25:5 <b>implemented</b> 18:21 <b>implications</b> 100:3 100:7 <b>important</b> 49:9 64:22 91:18 119:6 144:10 147:23 150:5 165:1,12 176:1,20,25 177:1 178:2 185:3,19 186:13 <b>importuning</b> 152:23 154:2,23 <b>impose</b> 106:25 <b>impossible</b> 94:4,5 <b>impression</b> 14:23 131:6,9 <b>inaction</b> 142:1 143:20 144:6,22	<b>inappropriate</b> 10:7 13:8 65:5 143:4 <b>inappropriately</b> 101:5 <b>incident</b> 5:11,20,21 6:1,14,24 11:19 24:1 26:17 27:4 28:12 47:18,24 48:11,17,21 49:4 49:5,9,25 50:7,9 51:12 68:13,14 69:12 96:2 97:23 132:4 154:17 160:6 171:20 <b>incidents</b> 2:25 6:3 11:24 53:10,12 107:15 119:12 144:21 158:15 160:20 173:22 <b>incisive</b> 73:7 <b>include</b> 26:15,23 30:12 40:16 <b>included</b> 9:21 28:8 92:8 143:23 <b>including</b> 18:19 21:11 29:19 31:9 37:8 159:17 182:23 <b>incoming</b> 129:16 <b>inconsequential</b> 30:14 <b>incorporate</b> 24:21 147:17 <b>incorrect</b> 68:19 <b>incredible</b> 64:3 86:17 <b>incumbent</b> 116:6 <b>incur</b> 81:6 <b>indecency</b> 153:8 <b>independence</b> 186:18 <b>independent</b> 55:16 64:17 <b>indexer</b> 18:14 <b>indexing</b> 19:5	<b>indicate</b> 1:12 <b>indicated</b> 64:18 109:8 142:14 <b>indicates</b> 168:23 <b>indication</b> 13:8 51:8 162:21 <b>individual</b> 38:1 79:24 80:2,6,7,8 80:11 142:13 149:11 150:6 156:1,10,14,17 157:3,9 182:12 183:22 184:12,13 186:11 <b>individuals</b> 57:8 99:4 115:25 146:10,15 147:4 150:2,5,16 170:17 183:22 184:8,11 184:14 186:23 187:3 <b>indulge</b> 72:14 <b>inference</b> 188:19 <b>inform</b> 53:12 74:14 76:5,14 118:11 <b>informal</b> 38:22 39:2,25 40:4,14 <b>informally</b> 92:11 92:18,24 <b>information</b> 10:12 14:18 15:16 16:9 16:18 17:12,14 20:9 22:3 30:12 50:20 51:21 66:3 70:14 76:9,12,13 102:5,10,15 103:2 103:6,11 104:10 110:10,17 116:22 118:10 119:6 121:11 122:18 123:25 136:15 143:22 144:1 150:1,9,24 154:10 154:11 157:1,22 159:11 160:15	161:9,10 163:2 168:18 170:14,19 171:4,5 172:9 173:10 175:20 176:22 177:17,23 178:3,18 179:12 180:14,17 186:18 187:1 188:13 189:5 <b>informed</b> 10:6 28:15 31:23 55:6 58:10,23 59:19,19 60:14 68:13 99:24 115:13 117:15 118:8 119:12,16 119:18 <b>informing</b> 59:5 117:24 <b>initial</b> 23:25 158:25 169:5 <b>initialled</b> 27:19 <b>initially</b> 24:12 121:24 126:6 130:11 136:21 145:8 <b>initials</b> 109:22 126:7 <b>initiation</b> 165:6 <b>initiative</b> 25:4 <b>initiatives</b> 101:9,12 <b>injunction</b> 15:1 <b>INQ000963</b> 136:5 <b>INQ000975</b> 133:10 134:25 <b>INQ001301</b> 121:15 <b>inquiry</b> 1:13 6:5 9:24 18:20 50:6 50:24 51:11 53:16 53:18 60:6,23 64:23 68:12 75:3 79:10 94:14 96:9 97:3,6,11,17,20 97:24 99:23 102:23 116:14,20 118:2 121:12	124:23 133:8 145:3,5,6,9,10,11 145:13 188:9 <b>insisted</b> 5:21 <b>insofar</b> 74:25 166:15 <b>Inspector</b> 1:21 13:13 18:12 23:21 180:19 <b>instance</b> 28:23 183:14 <b>instances</b> 150:13 <b>instigate</b> 27:10 <b>instituted</b> 38:20 <b>instruct</b> 26:1 <b>instructed</b> 19:12 20:4,6 26:2 83:6 124:9 133:3 175:15 <b>instruction</b> 133:5 138:24 <b>instructions</b> 11:10 20:22 30:11 83:1 83:5 86:20 87:5 <b>intake</b> 23:24 <b>integral</b> 169:23 177:4 <b>integrity</b> 186:17 <b>intelligent</b> 100:18 <b>intend</b> 151:18 <b>intended</b> 2:6 <b>intending</b> 95:24 <b>interaction</b> 123:8 124:25 <b>interest</b> 38:2 <b>interested</b> 147:22 157:21 <b>interesting</b> 59:16 <b>interests</b> 100:13 124:23 185:18 <b>interfere</b> 100:15 <b>interfered</b> 101:5 <b>interference</b> 64:24 <b>interim</b> 67:19 68:2 69:13 72:1 144:25
---	---	--	---	--

186:13	104:9,15 163:5	78:7	<b>items</b> 37:19 38:5,6 38:7 103:4	<b>Jubilee</b> 8:4
<b>interjected</b> 85:8	168:20,24 169:4	<b>involve</b> 57:10,12		<b>judged</b> 135:20
<b>internally</b> 31:6	171:8 172:15	88:3 122:12		173:4
<b>interpret</b> 125:18	173:23 178:25	167:19	<b>J</b>	<b>judgment</b> 10:18
<b>interpretation</b>	182:18	<b>involved</b> 11:21,23	<b>jacket</b> 3:12	41:25,25 42:13
86:12	<b>investigating</b> 18:7	16:4 17:25 22:9	<b>Jaguar</b> 150:18,19	43:16 73:14
<b>intertwined</b> 41:14	18:17,23 19:10	26:10 29:7,18	188:12	<b>judicial</b> 145:2
<b>interview</b> 10:7,8,9	22:24 23:16,20	52:20 63:17 66:13	<b>James</b> 1:16 159:22	<b>July</b> 168:13
10:25 11:1,1,7	24:10 141:8	66:20 72:16,20	<b>Janet</b> 55:24 56:7	<b>jump</b> 164:14
12:25 13:4 34:7	186:16	76:6 90:17,21	57:2 58:1	<b>June</b> 2:19 10:3
39:4 61:11 66:24	<b>investigation</b> 11:21	95:13 98:17 138:5	<b>January</b> 67:22	12:21 63:9 66:7
77:15 85:5,24	22:2,6 24:11	151:17,19 154:3	<b>Jim</b> 39:14 62:20,24	99:19 101:24
106:16,20 107:25	27:10 55:15 63:2	155:9 156:2	63:11 176:9	106:16,18 107:5
114:9 142:14	77:21 78:6,8	158:19 161:20	180:13 184:23	108:6 109:14,16
162:10 166:21	98:17 104:12	162:16 163:20,21	<b>job</b> 45:10 49:20	110:22 111:1,21
167:9 179:4 184:7	125:3 141:11,19	163:22 164:2	64:24	113:7,7
<b>interviewed</b> 14:14	142:17 143:12,21	168:2,5,19 179:16	<b>jobs</b> 106:24 123:11	<b>junior</b> 72:16
19:13,15 20:8	145:21 146:9,11	<b>involvement</b> 104:1	<b>John</b> 1:18,20 38:25	<b>justice</b> 64:1 155:22
46:22 55:7 84:25	146:12,15 147:3	158:5 160:11	46:4 75:21 77:8	
85:23 107:19	148:9 149:5,25	162:12 164:15	77:19 88:24 90:10	<b>K</b>
114:11 142:13	158:1,16,25 159:5	173:6	92:15 94:9,20	<b>Kazi</b> 57:19
146:15 166:11,23	159:8 161:5,18,23	<b>involving</b> 6:14	117:12,14,15,16	<b>Keegan</b> 19:8,24
171:16 174:16	162:8 163:6 164:3	166:5 171:18	167:16,16	<b>keep</b> 102:6 119:20
179:2,2 184:10	166:3,10,13,15	<b>IPCCC</b> 146:11	<b>joined</b> 23:14 104:4	<b>keeping</b> 102:9
185:16 187:3	167:3,24 168:5,18	<b>ironic</b> 30:23	104:11 121:21	119:6
<b>interviewing</b> 12:5	169:15,19 171:9	<b>isolated</b> 77:16	<b>joining</b> 121:9	<b>kept</b> 19:25 21:4
85:8	172:1,3,7,8,21	<b>isolation</b> 10:7	<b>Joinson</b> 106:7	28:24 119:11,16
<b>interviews</b> 10:13	173:2 175:1 176:2	<b>issue</b> 10:10 14:8	108:8 109:25	<b>Kevin</b> 159:19
11:5 13:10 19:20	181:11,16,24	15:1 37:24 40:24	110:13 111:20,24	167:17 171:16
20:9 32:23 99:17	182:17 183:4	41:2 49:3 70:20	112:13,21,24	172:11
161:16 162:3	185:23 186:17,22	71:1 77:16 92:21	113:25 114:5,15	<b>key</b> 36:1 65:19,20
<b>intrinsic</b> 109:1	186:25 187:6	92:23 93:1 96:23	<b>Joinson's</b> 115:5	65:24,25 118:9
<b>intrinsically</b> 146:17	<b>investigations</b>	173:13	<b>joint</b> 24:14 25:6,8	136:10
<b>introduce</b> 150:22	31:24 141:14,22	<b>issues</b> 37:17 38:2	83:1,5 86:20	<b>keys</b> 5:14
<b>intruder</b> 11:17,18	147:5 148:15	39:21 40:11,16,18	161:12	<b>kids</b> 7:13 167:9
11:23	149:16 150:15	40:22 41:17 44:13	<b>jointly</b> 24:15 81:21	<b>kill</b> 169:8
<b>intrusion</b> 48:3	152:13 158:23	45:11,16 53:8	146:16	<b>kind</b> 37:14 38:4
70:15	161:1 163:3	75:5 91:8 92:17	<b>Jones</b> 150:18	40:24 45:16 49:18
<b>invented</b> 111:20	171:18	93:9 95:22 103:1	<b>journalism</b> 34:11	73:16,25 80:14
<b>invention</b> 113:3,4	<b>investigative</b>	105:14,15 108:13	<b>journalist</b> 76:20	81:13 93:18 98:18
113:17	186:13,21	108:18 117:24	124:3 130:13	124:14 142:4
<b>investigate</b> 9:4 31:8	<b>investigator</b> 18:18	131:6 136:5 160:6	132:16 137:15,17	164:3 166:8
31:9,14 77:10,14	<b>invite</b> 58:5 87:17	160:12 165:5	170:3,3 171:2	186:23
143:1 182:9	120:22	167:19 168:16,19	172:16 174:9	<b>kindly</b> 121:12
<b>investigated</b> 49:11	<b>invited</b> 71:14 78:5	<b>italicised</b> 72:10	<b>journalists</b> 170:24	<b>knew</b> 5:4,4,5,6,9

7:4,5 14:16 23:22 49:15 63:15 66:18 73:19,24 99:7,22 104:12 106:3 112:15 131:6 150:19 159:4 <b>know</b> 3:13 4:2 5:3 5:4 6:17 7:2,6 13:23 20:2 21:14 24:12 33:4 41:20 41:25 44:23 46:23 48:5,14,18 49:22 50:5,14 51:24,25 52:15 54:16,22 55:3,19 56:1 57:6 57:15 59:5,14 68:11 71:22 74:3 74:10 75:25 76:25 78:7 79:13 86:23 88:4 90:11,13 91:10,12 99:3 100:22,23 102:7 103:9,23 104:6 105:1,5,19,21 114:17,18 117:8 122:22 126:9 128:17 139:7,12 140:8 151:24 152:18,19 156:4 157:20 170:6,25 177:4 <b>knowing</b> 178:3 <b>Knowl</b> 2:16,17,24 3:1,9 5:15,15,19 7:3 8:14,16 9:2 12:21 13:16 15:15 29:2,3,7,10 31:5 43:19 44:2,3,9,14 44:24 45:5,17 46:11,19 47:3,12 50:18 51:4,9,12 51:19 52:14 63:16 63:23 64:11 65:12 66:16,19 67:2,20 67:21 69:5,8 70:7	70:15 71:15,21 72:2 73:21 76:3,7 76:21 87:20,21 91:6 93:14,15,25 96:18,23 97:7 99:24 104:2,3 107:13,15 108:14 112:15 115:13,25 116:15 117:9,15 118:19,21 119:2 119:24 120:4,16 141:24 143:1,21 160:21 162:8,24 175:21 181:12,18 <b>knowledge</b> 14:16 20:1 58:25 62:15 73:22 99:12 103:3 105:2,10 108:14 118:19 <b>known</b> 23:23 25:16 29:25 36:12 38:20 72:21 73:6 78:12 99:9,10 170:16 174:20 <b>knows</b> 31:11 <b>KVS</b> 171:17 180:20 187:25 <hr/> <b>L</b> <hr/> <b>Labour</b> 33:11,15 33:22 35:21,22,23 36:20,23 40:22 41:13 43:23 45:5 88:25 89:5 92:8 98:14 104:4 105:12,13,19,23 106:9,12 108:6,11 108:22 109:21 114:18 117:22 178:12 182:2,3,6 184:6 <b>Labour-run</b> 41:13 <b>lack</b> 70:15 173:1 <b>lad</b> 171:20 <b>lads</b> 5:7	<b>Lambert</b> 112:12,22 112:25 114:15 176:9 178:12,25 179:2,11 180:18 <b>Lambert's</b> 112:20 179:18 180:23 <b>Lancashire</b> 19:10 125:9,21 <b>Lane</b> 24:22 <b>Langley</b> 10:14 <b>large</b> 24:17 26:8 112:19 188:8 <b>largely</b> 148:19 <b>larger-than-life</b> 103:22 <b>late</b> 10:9 30:25 91:13 135:2 148:15 149:21 <b>law</b> 86:13 103:7 127:12 <b>Lawley</b> 15:18 <b>lawyer</b> 86:11 <b>lay</b> 74:16 <b>layout</b> 2:23 <b>LEA</b> 97:18 <b>lead</b> 55:17,24 97:24 108:10 <b>leader</b> 33:11,18,21 35:7,11,12,17 36:5,11 38:23 41:1,16,23 42:25 45:5,14,16 49:8 54:5,14 58:22 62:2,19,23 63:1 63:10 64:9,13 65:4,10 66:10,11 66:16 76:4,9 78:8 78:17 79:6 80:2,8 80:17,18 85:15,19 87:5,15 91:22,22 91:25 94:25 95:2 95:6,10,17 96:5,7 96:9,15 98:14,16 99:25 100:1,9,9 100:18 102:3	108:6,13 109:18 112:2,2,7,12,14 112:14 113:5,6 115:23 119:4,4 120:3 159:3 178:13 184:19 <b>leader's</b> 34:20 40:12 <b>leadership</b> 38:21 38:21 39:3,6 40:3 44:6,7 64:12 65:13 76:2 101:17 109:20 112:8 <b>leading</b> 97:23 <b>leaflets</b> 91:11 <b>leaked</b> 76:21 <b>learn</b> 118:20 <b>learned</b> 47:14,15 47:22 55:11 56:2 77:7 95:10 <b>leave</b> 45:16 115:5,7 118:2 131:16 140:5 <b>led</b> 42:5 43:8 152:13 178:20 186:10 188:19 <b>left</b> 2:18,20 29:23 45:3 53:2 54:19 74:5,8 76:23 114:8 119:23 148:14 167:7 178:6,8 184:17 <b>legal</b> 9:21 15:12 39:5 78:18 79:19 81:22,23 83:2,11 84:6,15,19 85:11 86:7,10,15,21 87:4 91:7 133:20 139:23,25 140:1 <b>legally</b> 15:20 65:4 <b>legislation</b> 127:6,24 <b>lengthy</b> 12:17 30:11 143:15 <b>lesser</b> 128:3 <b>let's</b> 52:10 65:23	76:16 84:14 87:16 102:13 109:7 133:14 140:5 <b>letter</b> 32:6,8 59:23 96:25 97:1,4 98:2 99:1,15 125:9,13 125:19 127:8 164:23 167:22 176:11 <b>letters</b> 55:3 <b>letting</b> 7:4,7 <b>level</b> 97:21 105:22 120:11 127:2,3 186:7 <b>liaising</b> 53:21,23 <b>liaison</b> 24:17 <b>Lib</b> 89:7 <b>Liberal</b> 54:18 105:12,12,14,15 182:2,5 <b>Liberals</b> 36:25 89:7 105:19,24 <b>library</b> 68:21 <b>lie</b> 124:13 <b>life</b> 156:18 <b>light</b> 55:10 73:18 139:8 170:23 <b>limited</b> 37:22 92:12 149:7,11 <b>Linda</b> 8:21 <b>line</b> 21:2 112:24 119:9 130:9 <b>lines</b> 20:21 22:23 133:16 171:3 185:18 <b>link</b> 51:12 <b>linkage</b> 181:20 <b>linked</b> 142:4 146:12,17 150:17 <b>linking</b> 150:20 <b>list</b> 9:9,13,20 59:17 60:3 145:7 158:12 170:1 <b>listen</b> 100:10 101:14
--	--	--	--	---

<b>listened</b> 101:15	161:6 168:10	<b>M</b>	19:6 20:8,11 21:3	172:21 178:18
<b>little</b> 29:21 61:24	169:24 175:9	<b>magic</b> 65:18	23:1 25:25 42:2	179:19 180:11
67:23 73:17	176:2 177:1 179:7	<b>magnify</b> 72:9	53:6 54:23 57:7	185:11
106:18 112:17	179:9 186:15	<b>mail</b> 129:16	71:16,24 73:11,13	<b>matter</b> 40:8 78:3
123:7 125:13	<b>looked</b> 24:3 25:22	<b>main</b> 7:22 36:23	74:8 88:19 89:17	94:14 107:6 117:5
137:25 143:10	29:9 30:21 41:12	37:6 89:13,21	89:23 90:4,8,10	118:6,7,12,17
162:15	42:21 66:8 82:24	<b>mainstream</b> 67:21	91:23 92:16,20	124:23 138:23
<b>Littleborough</b>	83:24 86:6 96:7	<b>major</b> 24:1 26:8	93:2,4,6,10,13	142:15 154:6,9
173:18	113:9 122:13	27:4 28:11 37:18	109:14 110:22	165:4 178:1
<b>Littlemore's</b> 42:9	<b>looking</b> 6:11 12:11	37:20,24 90:10	158:7 159:14	<b>matters</b> 11:23
<b>live</b> 131:21 132:17	23:3 41:15 113:22	92:15 119:12	160:13 167:6	23:19 74:14 77:10
132:24	114:6 126:19	130:3 132:3,4,6	<b>March/April</b> 52:10	77:15 79:16,23
<b>lived</b> 3:17 8:17	144:1,11,20	<b>majority</b> 39:13	<b>Mare</b> 24:22	94:25 95:17
<b>Liverpool</b> 34:16,21	146:24 147:1,14	93:21 112:19	<b>margin</b> 64:2	100:15,16 101:6
35:4	155:20 156:25	146:9	<b>marginal</b> 105:20	102:8 115:16
<b>lives</b> 115:19	157:3 159:5 162:4	<b>makers</b> 158:20	<b>Marilyn</b> 11:4 57:17	116:5 117:17
<b>Liz</b> 175:7,11,15	171:14 181:11,18	<b>making</b> 41:8 43:16	57:22 72:6	118:11,25
176:7	182:15	86:9 90:24 92:10	<b>marked</b> 21:1	<b>Mayor</b> 83:19,20
<b>load</b> 189:3	<b>loose</b> 4:7,8	123:13 124:16	<b>married</b> 129:13	84:3,3,5 85:22
<b>local</b> 25:3 51:17	<b>Lorna</b> 176:8	136:17 179:4	<b>Marsh</b> 1:7 140:18	86:8
84:2 86:12 99:7	<b>Lorraine</b> 24:23	<b>male</b> 14:14,25	140:19,22,24	<b>McGill</b> 1:24
105:11,16 119:9	<b>lose</b> 157:19	152:24	141:4,5 144:11	<b>mean</b> 41:20 44:12
120:3,11,15	<b>loses</b> 157:20	<b>males</b> 188:1	148:13 187:7,19	57:23 58:1 61:14
149:10	<b>losing</b> 64:2	<b>malfeasance</b> 144:8	189:13 190:18	62:10 85:7,10
<b>locally</b> 8:18 49:24	<b>lost</b> 34:1,3 45:18	147:19 186:1	<b>Martin</b> 5:24 17:8	86:1,16 127:17
73:16 104:23	95:11 99:19	<b>man</b> 3:15 4:2,11,13	21:10 172:12,13	129:21 130:7
<b>locate</b> 188:17	101:22 109:17	4:15,16,17,18,19	172:16 174:14	132:6 149:22
<b>located</b> 120:5,7	111:2 184:6 185:5	4:20 5:1,8 14:22	175:17,20 176:13	161:24 164:9
<b>lock</b> 14:21	<b>lot</b> 12:8 86:5	14:24 53:13 55:11	<b>Martyn</b> 174:9,13	175:25
<b>locked</b> 2:21	103:21 105:6	123:13 131:10	<b>Mary</b> 21:16 35:13	<b>meaning</b> 57:25
<b>long</b> 13:5 30:15	122:15 126:6	151:13 154:3	36:8 39:12,18	<b>means</b> 62:13 70:20
35:1	131:11 132:20	<b>man's</b> 5:8 134:18	43:25 44:3,5,13	70:25 83:23 85:16
<b>longer</b> 95:10,13	183:4	139:21	44:23 45:7 48:10	106:7 161:11
122:20 153:17	<b>lots</b> 112:11	<b>managed</b> 18:18	48:14,16,21 49:15	<b>meant</b> 85:21 86:3,6
180:21	<b>Louise</b> 19:2	146:11	49:17 53:20,23	86:13,13 87:6
<b>look</b> 7:22 9:7 22:22	<b>lovely</b> 16:25	<b>management</b> 97:22	74:12 75:4,12	105:7 188:19
50:13 66:5 85:2	<b>low</b> 64:4	<b>manager</b> 19:4	76:24 79:7 88:20	<b>measure</b> 124:17
97:1 98:2 124:25	<b>lower</b> 127:2	<b>managerial</b> 127:1	90:6,22 92:9 93:8	<b>media</b> 107:11
126:17 133:14	<b>lunch</b> 95:21	<b>Manchester</b> 8:3	93:12 97:13	131:20
134:24 135:14	<b>lying</b> 4:13,14,17	13:13 18:5,8 19:7	<b>mass</b> 184:6,16	<b>meet</b> 8:12 25:8 37:5
141:25 143:7,19	114:24,24,25	23:5 141:6 145:13	<b>masturbated</b> 4:25	37:12 108:23
144:20 146:4	<b>Lynne</b> 175:7,11,13	<b>manifesto</b> 37:19	151:13	174:6 186:19
147:11,16,25	175:15,15,22	<b>manner</b> 4:22	<b>masturbation</b>	<b>meeting</b> 10:2,4,4,6
148:10 150:25	176:7 177:13,15	<b>Mansoor</b> 57:19	188:1	11:3,23 12:20,22
153:2,4,22 156:1		<b>March</b> 11:20 15:8	<b>material</b> 169:19	13:2,12,17,19,20



13:24 14:4,12,13 15:7 19:6 21:12 30:16 38:4,8,21 38:22 40:3,10,10 54:8 55:25 56:1,6 57:4,6,10,11 58:15,21,22 59:6 59:13,15,21 60:7 60:8 61:3,17 68:24 69:5 70:22 70:23 74:23 77:8 80:20,22,24 81:4 88:19 89:8,14,16 89:23 90:1 92:12 92:19 93:6,10,13 93:16 97:5 107:7 108:5,10,12,18,25 109:2,6 111:12,13 111:21 112:1 113:15,18 116:18 117:16 158:6 159:2,10,13 160:2 160:3,14 167:6,19 176:9 180:3,18	167:13,15,20 169:12,17 171:9 172:10 173:2,7 174:20 177:22 178:1 181:8,15 189:23 <b>Mellor's</b> 17:16 81:9 97:19 168:7 <b>member</b> 2:19 3:10 3:17 4:3,24 6:6,12 6:22 39:16 62:21 80:19 82:2 89:5 102:25 103:4,6,18 104:20 106:14 118:24 120:4,15 151:13 157:19 175:7 185:9 <b>members</b> 3:3 17:15 19:5 36:19,22 71:7 72:11 74:17 82:11 83:12 84:20 98:10,19 102:6,9 102:17,19 106:25 112:17 <b>members'</b> 71:3 <b>memo</b> 59:22 61:2 96:12 <b>memorandum</b> 77:17 94:8,21 95:20 96:1 97:2 <b>memory</b> 10:15 29:5 42:14 52:24 54:18 57:16 134:12 137:13,16,21 174:2 180:25 <b>men</b> 68:6 72:17 151:18 163:20 <b>mention</b> 5:17 46:24 47:6 48:10 69:7 145:4 168:1 182:4 182:5 <b>mentioned</b> 11:18 46:12 53:14 72:3 104:5 151:9 <b>mentioning</b> 44:13	151:1 <b>mentions</b> 9:24 <b>merited</b> 22:3 <b>message</b> 26:20,20 26:21 <b>met</b> 8:15 21:9 36:15 144:17 146:13 153:5 162:17 <b>Metropolitan</b> 158:24 <b>MIS</b> 139:20,23,25 <b>Michael</b> 67:17 <b>microfiche</b> 148:22 <b>mid</b> 34:13 <b>middle</b> 25:19 31:2 125:23 148:11 <b>Middleton</b> 41:20 41:20 42:1,23 43:8,16 73:14 78:3 <b>midpoint</b> 167:2 <b>midway</b> 136:11 <b>million</b> 81:12 <b>mind</b> 71:9 100:1 156:25 <b>minimal</b> 123:25 <b>minor</b> 31:20 <b>minute</b> 69:18,20,21 70:4,5,9 81:5 <b>minuted</b> 81:1 <b>minutes</b> 12:20 13:17,20 14:11 45:8 54:9 59:2,12 59:15,18,25 60:1 60:2,7,18,20,23 60:25 61:1 68:22 69:7 74:24 116:17 121:2 160:5 178:8 178:9 <b>minutiae</b> 96:8 <b>mired</b> 73:15 <b>mischief</b> 183:20 <b>misconduct</b> 144:8 146:23 147:19,21 187:2	<b>mislead</b> 124:10 134:2 <b>misled</b> 134:20 135:6 <b>missed</b> 138:13 <b>mistake</b> 86:9 <b>mistaken</b> 51:24 <b>MIT</b> 169:7 <b>mix</b> 36:23 <b>Mmm</b> 124:8 137:11 <b>Mmm-hmm</b> 34:19 <b>modernise</b> 123:20 <b>Moffat</b> 35:13 36:8 39:12,18 43:25 44:3,5,13,23 48:10,14,16,21 49:15,17 53:20,23 74:12 75:4,12 76:24 79:7 88:20 90:6,22 92:9 93:8 93:12 97:13,16 98:3 <b>Moffat's</b> 45:7 <b>moment</b> 32:13 33:5 48:23 56:9 72:8 74:7 118:1 140:6 148:6 <b>moments</b> 61:4 <b>momentum</b> 24:3,16 <b>Monday</b> 113:7 <b>money</b> 80:10 81:17 82:6 87:23 151:14 <b>month</b> 82:16 153:2 153:16 <b>months</b> 16:14 64:12 65:13,18,20 96:2 97:23 113:24 114:12,19 <b>morale</b> 42:15 43:4 <b>morning</b> 1:3,4,4,10 6:9 22:16 91:11 97:5 135:2 <b>mother</b> 153:18 <b>mothers</b> 153:6 <b>mouth</b> 4:19 110:10	110:18 111:4,6 <b>move</b> 52:10 157:16 175:6 <b>moved</b> 13:7 185:1 <b>moving</b> 74:7 99:17 <b>MP</b> 39:15 63:10 132:9 178:15 <b>multi-agency</b> 155:13 <b>multi-disciplinary</b> 155:18 159:15 161:20 <b>murder</b> 132:7 <b>murders</b> 127:25 <hr/> <b>N</b> <b>N</b> 126:11 189:19 <b>NALGO</b> 99:10 <b>name</b> 3:10 29:2,3 32:18 33:1,6,7 35:13 47:9,14 54:16 55:11,12 57:14,14,15,24 58:1,3,16 59:17 67:17,22 72:2 78:9,17 87:13,15 88:22 105:7,8 106:7 109:21 127:10 128:7 132:5 141:2,4 151:21 180:13 <b>named</b> 32:3 111:13 151:14 <b>names</b> 9:15 89:19 148:5 151:2,10 <b>Naraine</b> 18:13 <b>narrative</b> 149:24 <b>nasty</b> 112:11 114:14 <b>national</b> 42:14 76:17,20 145:3,5 145:10 <b>nationally</b> 73:17 <b>nature</b> 73:20,25 78:13 97:10
---	---	--	--	---

182:20 186:14 188:14 <b>naughty</b> 8:19 <b>near</b> 69:21 187:1 <b>nearby</b> 8:17 <b>necessary</b> 13:4 168:21 <b>need</b> 49:21 96:7 103:9 108:23 131:25 136:6 153:11 170:6 173:18 175:9 182:7 187:4,21 <b>needed</b> 3:12 24:3 49:10 73:10 158:17 164:7 186:24 188:5 <b>needing</b> 127:25 128:1 <b>needn't</b> 181:4 <b>needs</b> 49:10 57:22 68:5 98:6 <b>Neil</b> 19:3 64:18 142:7 144:25 <b>neither</b> 4:24 13:3 27:22 <b>never</b> 4:3 5:10,16 8:15 12:13 19:24 20:3 27:24 28:22 28:24 32:9 41:2 44:19,24 45:22,23 48:10 49:14,15,24 53:14,15,19,20,24 53:25 54:9,12 55:21 62:10,12 74:20 75:1,7 78:16 79:3 81:3,4 82:11 85:21 87:13 90:7 96:17,22 105:25 110:23 114:16 115:6,13 116:4,7,14,23,25 116:25 117:4 119:11,15 156:12 167:18 186:9	<b>new</b> 113:5,6 131:12 138:20 <b>Newbold</b> 33:8 <b>news</b> 49:7 66:5 <b>newspaper</b> 51:17 51:17 <b>newspapers</b> 34:15 42:14 124:19 <b>NHS</b> 8:6 <b>Nigel</b> 140:22 141:4 190:18 <b>night</b> 3:7 7:5 14:21 48:3 91:13 <b>night'</b> 5:9 <b>nights</b> 47:16 <b>no-one</b> 46:8,9,16,17 52:2 74:1,5 <b>nominal</b> 26:11,13 26:14,16 179:25 180:12 <b>nominated</b> 164:3 <b>non-starter</b> 105:25 <b>nonsense</b> 63:17 66:20 105:17 <b>nonteaching</b> 97:22 <b>Norden</b> 8:17 120:7 120:7,13 <b>norm</b> 155:16 <b>normal</b> 127:9 130:25 <b>normally</b> 56:10 68:7 <b>Norman</b> 122:8,17 122:21 <b>notable</b> 128:4 <b>note</b> 56:5,18,22,23 57:1,4 58:5,8,13 59:22 60:1,12 61:6 72:3 74:23 107:18,18,19,24 107:25 109:5 111:9,12 113:16 113:18,22 114:6 116:24 134:8,14 134:24 135:1,7	165:12 <b>noted</b> 59:8 111:12 <b>notes</b> 10:2 11:3 12:18,24 14:18 15:24 17:9 108:5 115:6 133:7 160:7 170:4 175:16 176:8 <b>noteworthy</b> 28:19 <b>notice</b> 112:17 128:12 <b>noticed</b> 1:11 21:1 28:8 <b>notion</b> 109:1 <b>notwithstanding</b> 180:24 <b>November</b> 19:15 29:24 58:20 59:10 68:16,25 69:1 70:24 <b>number</b> 24:17 26:14,16,21,22,23 28:8 36:4,7 54:12 57:7 71:4 88:18 98:6 125:23,24,24 126:23 141:22 151:10 156:12 158:15 159:16 163:25 168:20 174:15,16 180:15 182:21 184:8,15 188:8 <b>numbers</b> 180:16,20 <b>numerous</b> 30:13 169:18 177:8 <b>NUPE</b> 99:10	168:13 <b>obtain</b> 14:1 <b>obtained</b> 10:11 133:8 180:21 <b>obvious</b> 12:24 134:14 <b>obviously</b> 5:9 9:7 103:18 125:11 134:8 156:4 160:6 186:4 <b>occasion</b> 48:12 61:18 135:17 157:9 179:3 <b>occasionally</b> 38:15 103:14 <b>occasions</b> 6:13 7:10 118:18 152:10 174:16,16 184:15 <b>occupations</b> 123:11 <b>occurred</b> 4:4 5:20 11:24 13:6 <b>occurring</b> 39:21 <b>October</b> 1:1 19:14 21:9 65:22,23 68:16 69:1 70:24 102:24 107:19 109:24 111:9 113:24 114:11,21 141:19 153:19 189:16 <b>October/Novemb...</b> 68:24 <b>odds</b> 169:5 <b>offence</b> 128:3 135:19 186:11 <b>offences</b> 18:8 31:21 144:7,12 146:5 147:1 149:1 150:14 151:17 155:21 <b>offended</b> 51:3 <b>offer</b> 14:7 139:8 <b>offers</b> 154:4 <b>office</b> 8:12 13:19 19:3 24:25 26:8	30:16 34:16,18,21 36:8 54:19,25 103:13 106:23 114:8 115:5,7 121:22 122:18 123:5 127:19 129:2 130:5 136:16 137:24,25 144:8 179:18 184:17 <b>officer</b> 1:8 18:9,17 18:23 22:25 23:16 23:20,22,23 24:10 24:15 26:24,25 28:5,24 30:8 48:20,23 57:18,20 57:21 70:1 74:13 81:17 85:13 98:6 109:10 110:5 123:3,12,13,14 124:20 130:5,8 141:8 146:8,16,16 149:6 155:4 164:4 165:13 171:24 172:2 174:14,15 <b>officers</b> 11:2 25:1,9 26:11 31:24 37:24 38:3,14 43:1 74:14,15 76:5,11 78:15 79:17,21 80:15 83:12 84:20 102:6 103:10,10 116:3,10 117:21 119:5 142:25 144:15,15,23 146:5 147:8,13,18 148:1 150:1,4 157:24 160:1 163:11,20,25 164:2,3,9 172:25 174:1 <b>offices</b> 126:7 185:6 185:8 <b>official</b> 137:1 <b>officials</b> 171:19
--	--	---	--	--

<b>Oh</b> 123:9 127:11 128:14 136:7	<b>operations</b> 163:18 163:18	<b>overlapped</b> 181:5	139:12 141:3,20	106:16 107:20
<b>okay</b> 11:13 178:9	<b>opinion</b> 183:20	<b>overnight</b> 187:13	145:16,25 148:6	112:24 113:2
<b>old</b> 6:7 123:21	<b>opportunities</b> 92:13	<b>ownership</b> 18:7	154:1,8,12,17	120:7 138:12
<b>old-guard</b> 104:5	<b>opportunity</b> 90:9	<b>P</b>	155:12,13,18,18	141:15 145:8
<b>Oldham</b> 18:13	90:15 92:10 93:7	<b>PA</b> 175:13 176:7	156:21 157:12,20	150:13,19 161:20
<b>ombudsman</b> 178:21	93:8 94:2 97:8	<b>PACE</b> 186:12	159:2,13 170:12	164:1 169:23
<b>omitted</b> 21:2 28:9	116:5 117:17	<b>package</b> 161:15	190:10	170:2 171:11
<b>once</b> 16:11,13	119:22	<b>pact</b> 105:11,17,24	<b>panels</b> 156:5	182:9
28:19 44:24 49:14	<b>opposed</b> 126:24	106:5 142:4 182:2	<b>pants</b> 6:20 29:14	<b>particular</b> 26:24
116:4,23 184:19	155:24 163:25	182:10,20,25	<b>paper</b> 51:3,5,6	42:20,25 49:6
<b>ones</b> 40:20 76:13	<b>opposite</b> 54:12,13	<b>paedophile</b> 48:2	60:13 104:17	62:6 74:11 91:5
106:18	<b>opposition</b> 33:13	<b>page</b> 7:22 8:8 10:1	129:3 148:24	92:9 95:19 114:9
<b>ongoing</b> 13:15 63:2	36:21 75:25 80:19	14:9,9 17:24	170:3	143:22 183:22
93:23 132:17,24	102:17,25	21:23 23:2,13	<b>papers</b> 5:6 19:22	<b>particularly</b> 27:12
134:6 141:23	<b>optimistic</b> 189:9	24:7 25:18,18,19	29:6 102:18	37:19 102:7
157:7 162:24	<b>options</b> 155:14	25:20 27:7,25	135:18,23 173:14	133:15
163:1,18	<b>oral</b> 4:15 72:15	29:20,21,22 30:23	<b>paragraph</b> 7:23 8:9	<b>parties</b> 36:24,24,25
<b>Online</b> 63:6	<b>order</b> 6:16 20:14	31:2,22 63:6,12	9:20 14:10 15:4	89:21 102:11,17
<b>onwards</b> 162:20	20:24 22:7 69:6	66:6 72:9 83:4	16:11 18:15 20:20	105:21 142:5
<b>OP</b> 188:16	71:15 74:3 113:4	94:7 98:1 130:17	21:1 22:11 29:1	182:11,22 183:17
<b>open</b> 12:8 71:4	153:12 167:1	132:20 134:25,25	31:3 66:9 83:9	<b>parties'</b> 89:13
123:25 124:2	<b>orders</b> 82:8	135:14,14 142:22	85:11 129:2	<b>Partridge</b> 153:24
<b>open-plan</b> 3:8	<b>original</b> 9:13 11:10	142:23 143:10,11	130:16 131:2,19	154:9
<b>opened</b> 3:22	14:18 15:11,24	148:10 153:4,11	132:15 133:15	<b>party</b> 33:15 40:22
<b>operating</b> 24:14	19:9 20:25 21:4	153:21,22 159:14	135:15 142:19	41:5,10,11,13
<b>operation</b> 18:1,2,22	25:23 28:21,24	162:20,21 164:21	148:11 149:19	80:19 104:4,4,11
21:6 22:4,25 23:1	32:9	165:16 166:25	151:9 152:4,20	104:20 105:12,12
23:3,7,8,14,25	<b>originally</b> 2:6	167:2 168:10,12	153:5,13 165:1,7	105:13,15,19
24:9,16 25:8 26:7	121:19	171:10,14 173:17	<b>paragraphs</b> 21:24	106:12,24,25
27:6,11,14,23	<b>originating</b> 26:19	175:9 180:5,5,9	125:15 132:19	112:9 160:2
28:3,14,17 29:16	<b>ought</b> 173:5	187:20,20	171:15	182:23
30:6,15 31:24	<b>outcome</b> 20:2 59:6	<b>pages</b> 30:14 42:13	<b>parameters</b> 27:11	<b>passage</b> 149:7
140:20 141:9,15	59:20,21,22 61:2	<b>paid</b> 81:8,10,24	160:22	<b>passed</b> 35:15
141:17,21 142:7	149:15 185:21	<b>paint</b> 163:16	<b>parents</b> 2:18,20	108:20 113:17
142:12,20 164:1	<b>outgoing</b> 72:2	<b>painted</b> 182:16	29:11 73:5	166:18 184:25
171:17 174:1	112:12	<b>Pam</b> 55:10 90:23	<b>parliament</b> 39:16	<b>passing</b> 55:4 87:16
179:16,25 180:11	<b>outlines</b> 141:14	93:11	62:21 103:19	174:10
180:12 181:5,5,9	<b>outright</b> 63:17	<b>Pamela</b> 54:1	118:24 175:8	<b>Paul</b> 50:4 95:6
182:9 184:5	66:19	<b>panel</b> 1:10 2:1 7:18	179:7 184:25	102:23
185:24 187:22	<b>outside</b> 18:24 43:20	37:2,16,25 38:2	<b>parliamentary</b> 92:4	<b>pause</b> 56:9
188:12,12,15	71:20 72:14 77:22	38:19 40:8 46:2	123:4 178:20	<b>Pausing</b> 97:12
<b>operational</b> 100:15	80:9 170:14	71:7 87:17 108:4	<b>part</b> 35:23 36:11	108:16 167:10
100:16	<b>outstanding</b> 165:5	115:14 118:14,16	65:8 72:10,19	<b>pay</b> 79:23 81:9,23
		125:6 133:11	78:20 81:25 85:5	<b>payment</b> 188:1
			86:14 90:1 97:18	<b>peer-on-peer</b> 52:18

62:4 77:12 <b>peers</b> 150:10 <b>penis</b> 4:16,17 <b>people</b> 5:14 6:16 14:16 30:5 31:17 32:3 33:4 38:5 46:12 63:22 64:3 73:5 74:15 76:6 88:18,19 90:15 93:25 95:20 98:23 101:2 103:21 116:11 117:23 118:9,9,10 119:23 119:25 123:10 136:24 149:21,22 150:10,20,22 151:2,2 155:8 163:7 167:9 170:11 176:17,22 177:8 178:10 182:21 183:5 184:18 185:9,16 <b>perceived</b> 19:19 <b>perfectly</b> 60:11 <b>performed</b> 4:15 <b>performing</b> 14:19 <b>period</b> 10:11 23:8 35:3 36:6 39:13 41:15 43:7 44:5,7 52:11 74:8 75:13 76:1 93:3,9 99:17 112:3 115:23 188:4 <b>permanent</b> 67:24 68:3 69:13 <b>permission</b> 15:18 187:8 <b>perpetrated</b> 3:2 <b>persist</b> 104:23 <b>person</b> 2:6 14:16 26:9,15,17 28:2 31:6,12 36:1 55:16 86:19 112:20 116:23 128:4 175:6	183:24 <b>personal</b> 41:10 53:3 118:4,5 121:24 122:3,7 <b>personally</b> 19:23 20:11 40:23 60:10 102:12 117:19 181:17 <b>personnel</b> 25:2 27:20 <b>perspective</b> 160:12 185:24 <b>persuaded</b> 94:18 <b>Peter</b> 1:7 23:16,18 24:11 39:12 106:7 110:13 112:13,21 140:22 141:4 153:24 154:9 190:18 <b>Phil</b> 21:11 55:12 71:12 72:11 <b>Philip</b> 143:3 <b>Phillips</b> 1:7 121:6,8 121:18 125:7 133:25 139:11,14 140:15 190:12 <b>phone</b> 129:3 140:11 140:13 <b>phoned</b> 153:24 <b>phoning</b> 91:4 <b>phrase</b> 139:19 <b>physical</b> 169:1 <b>pick</b> 8:8 9:25 81:19 139:6 151:5 153:21 162:14,20 164:21 166:24 <b>picked</b> 39:4 50:20 51:11 76:17 152:22 154:21 <b>picking</b> 91:3 155:7 163:21 167:23 <b>picture</b> 163:14,16 <b>piece</b> 60:13 166:5 170:7 171:5 <b>pieces</b> 125:13	<b>Pierce</b> 38:25 46:4 75:21 77:8,19 94:10,11,11,20 95:16,20 96:4,6 96:12,20,21,22,22 117:12,14,15,16 <b>pinned</b> 6:19 <b>PJ1</b> 109:22 <b>place</b> 5:16 9:5 23:20 24:5,12 26:17 28:18 36:16 57:7 59:14 77:22 93:9 95:23 142:3 142:3 148:15 149:16 158:7,20 159:9 166:2 172:9 174:10 183:25 184:12 <b>placed</b> 103:5 <b>places</b> 122:14 <b>plainclothes</b> 174:13 <b>play</b> 6:17 161:1 <b>played</b> 94:20 97:6 97:17 <b>please</b> 7:21 14:9 17:25 21:23 32:15 32:21 33:1,6 50:16 63:5 66:5 72:7 73:2 82:23 89:18 94:6,8 98:1 103:12 118:19 121:8 141:2,17,20 142:22 145:25 153:3,22 158:10 166:1 168:11 181:23 <b>plenty</b> 92:16 93:8 93:17 <b>pm</b> 56:14,17 87:16 88:12,14,16 121:3 121:5 178:5 189:14 <b>PNC</b> 157:3,4 <b>point</b> 4:17 12:11 13:14 27:15 53:5	57:3,9 62:6 83:16 87:7 90:24 91:5 92:10 94:16 96:16 98:24 99:21 101:25 104:21 115:4,4,7 117:14 126:23 136:10 161:1 166:2 167:13 169:12,25 171:23 172:12 173:12,16 174:25 178:2 184:16 185:3 <b>pointed</b> 67:22 177:16 <b>pointing</b> 58:15 <b>points</b> 73:4 118:13 158:13,16 <b>Poland</b> 179:6 <b>police</b> 1:8 2:8 5:1 5:25 8:24 11:2,20 12:6,13 13:14,14 18:3,9 21:8 22:7 23:6,18 24:14 25:1,6,9 27:3 30:3 31:7 34:8,24 35:25 39:4 46:22 52:21,24 55:8 57:8 58:4,20 59:10 61:5,6,10 72:20 82:25 84:25 85:24 104:12 107:18,25 109:24 111:10 113:23 114:11,21 125:2,9 141:6 142:15 144:15 145:14 146:4,5,8,22,23 147:6,7,18,21 148:14 149:8,20 150:4,10 151:17 152:9,23,25 153:10,18 154:3 154:16 155:1,4,7 155:12 157:23	158:5 159:18 160:25 161:4,8,11 161:17,19 162:7 162:16,24 164:15 165:3,9,22 166:3 168:19 173:6,9,18 174:6 175:2 176:6 179:12 186:16 <b>policies</b> 24:12 37:20 <b>policy</b> 24:14 36:12 37:18,22 40:7 68:16,22 69:10 70:11,24 71:5 78:22,25 80:13 81:25 83:24 86:4 122:17 124:1,15 124:15 131:20,23 131:25 138:20,23 141:19 158:12 181:18 <b>political</b> 36:3 38:10 38:12 40:16 49:8 63:23 74:9,11 75:5,6,24 89:4,13 89:21 100:4,7 102:10 105:20,22 114:1 182:11,22 183:20 <b>politically</b> 41:3,5,6 41:9,16 43:15,22 43:24 113:4 <b>politician</b> 35:21 45:9,15 105:16,23 178:12 182:6 <b>politicians</b> 88:19 90:12 92:8 182:2 182:3,5 <b>politicians'</b> 64:24 <b>popped</b> 107:8,11 113:19 <b>popping</b> 108:17 109:3 <b>posed</b> 85:6 <b>position</b> 14:7 31:18
--	--	--	---	--

94:25 98:11 109:21 115:8 133:1 160:10 186:6 <b>positions</b> 67:15 108:12,20,21,24 <b>possession</b> 21:15 <b>possibility</b> 61:19,22 97:5,24 98:9 <b>possible</b> 8:23 14:1 95:1,18 128:6 137:21,24 138:1 138:12,16 139:17 178:7 182:10 <b>possibly</b> 39:24 157:18 185:14 <b>post</b> 68:8,8,10 69:7 <b>posted</b> 16:20 21:7 99:2 <b>potential</b> 146:23 <b>potentially</b> 41:3 70:21 <b>Poulton</b> 67:17 72:1 <b>pounds</b> 81:12 <b>power</b> 82:14,19 128:21,24 <b>powers</b> 78:15 127:5 127:12 <b>practicalities</b> 12:5 <b>practice</b> 25:6 126:6 127:9 128:18 130:25 <b>practices</b> 42:18,21 <b>precisely</b> 173:13 <b>predominantly</b> 36:19 <b>preferably</b> 58:6 <b>premise</b> 184:11 <b>premises</b> 7:9 <b>preparation</b> 11:9 <b>prepared</b> 61:8 64:3 84:14 115:22 118:4,5 137:12 165:13 <b>preparing</b> 109:13	110:21 <b>present</b> 4:20 7:3 10:5 11:2 12:23 14:3 16:21 30:18 70:17 71:4 88:20 89:10,14,22 129:8 173:5 <b>presentation</b> 89:22 <b>presented</b> 16:21 40:7 88:11,17 89:15 93:15 109:19 <b>press</b> 29:4 32:24 34:16,18 48:25 70:17 76:18 106:17 107:4,9 108:13 113:9,11 122:19,24 123:2 123:12,13,16,19 123:23 124:10,15 124:18 125:1 129:1,6 130:5,8 132:2,12,20 133:19,21,25 134:2,20 136:4,16 137:23,24,25 138:17 139:4 168:8 169:22,23 169:24 170:2,8 174:19,22 177:16 177:24 <b>pressure</b> 31:8 <b>presumably</b> 36:3 38:1 57:25 71:22 77:23 79:8 84:10 90:22 91:25 98:5 98:7 99:6 115:17 115:22 183:18 <b>presume</b> 81:23 116:22 <b>pretty</b> 33:21 42:2,5 49:1 50:5 157:1 <b>prevent</b> 15:13 <b>previous</b> 128:9 <b>previously</b> 2:8	11:24 17:4 <b>Price</b> 94:9 <b>prima</b> 135:20 <b>primary</b> 157:21 <b>principal</b> 40:11 57:21 <b>prior</b> 123:12 163:4 186:22 <b>priorities</b> 22:5 <b>priority</b> 31:20 92:22 <b>prison</b> 171:21 <b>private</b> 68:4 71:6 102:20 123:2 139:3,6 <b>privilege</b> 118:25 <b>proactive</b> 173:8,10 <b>probably</b> 5:4 16:16 19:17 30:8 39:23 77:3,7 89:3 90:8 99:1,3,4 100:19 102:14 121:17 144:10 147:10 164:23 165:15 178:7 185:3 <b>problem</b> 12:10 72:21 81:18 <b>problems</b> 16:2,19 17:7 44:24 45:8 73:4 87:19,21 96:18 118:21 164:6,8 <b>procedure</b> 20:23 82:10 88:2 <b>procedures</b> 167:12 <b>proceedings</b> 98:10 98:19 165:7 <b>process</b> 99:16 145:2 179:3 <b>processed</b> 32:9 <b>Proctor</b> 2:19,21 <b>produce</b> 16:7 19:25 21:5 57:4 <b>produced</b> 19:20 20:10 59:22 65:19	66:2,23 81:4 88:9 101:23 107:17,18 <b>producing</b> 109:23 <b>professional</b> 20:18 74:15 76:4,12 95:21 100:10 118:10 145:23 146:1,3,19 147:12 <b>profile</b> 127:23 <b>progress</b> 158:22 165:8 <b>prominent</b> 103:22 <b>proofread</b> 20:24 <b>proofreading</b> 20:25 <b>proper</b> 117:25 <b>properly</b> 10:25 83:11 84:19 142:25 <b>property</b> 152:6 <b>proposal</b> 8:13 <b>prosecute</b> 125:10 129:23 <b>prosecution</b> 129:24 136:14 <b>Prosecutions</b> 122:2 126:20 128:22 <b>Prosecutions'</b> 121:21 <b>protect</b> 9:6 <b>protection</b> 52:22 55:24 144:17 160:12,24 167:12 <b>protracted</b> 18:18 <b>prove</b> 40:20 53:13 <b>proved</b> 52:25 <b>provenance</b> 150:8 <b>provide</b> 163:2 <b>provided</b> 2:7 59:1 59:11 103:8 126:16 145:17 151:6 154:11 164:17,18 169:7 169:11 176:5,5,22 177:20,24 178:11 178:17 179:1	180:23 <b>providing</b> 103:11 <b>provision</b> 81:13 <b>Prunell</b> 19:3 <b>prying</b> 70:21 <b>PSB</b> 146:17 147:11 147:16,25 172:24 185:25 <b>Psychological</b> 8:1 <b>psychologist</b> 7:25 13:25 14:3,5 57:25 78:2 84:16 <b>psychologists</b> 52:22 <b>psychology</b> 8:2 <b>public</b> 47:13 66:4 70:11,16,18,21 72:4,17 73:8,10 73:15 103:23 121:21 122:2 126:20 128:21 143:4 144:8 175:23 177:9 182:14 <b>public'</b> 64:5 <b>publication</b> 145:3 <b>publicity</b> 42:5 49:12 73:16 <b>publish</b> 22:13 <b>published</b> 1:13,25 15:5,23 16:12,13 17:18 42:1 49:24 50:23 51:1 94:16 136:4 <b>pulled</b> 3:12 4:14,19 29:14 <b>punished</b> 15:6 <b>pupil</b> 6:15,19 <b>pupils</b> 5:17 8:19,22 15:10 17:4 43:19 71:21 151:17 162:24 171:19 <b>Purely</b> 37:22 <b>purports</b> 182:12 183:23 <b>purpose</b> 97:10,20
--	--	--	---	---

<b>pursuing</b> 154:6	<b>quickly</b> 180:9	<b>ranges</b> 26:11	15:3 17:9 20:6	20:12,16,19,21
<b>pushed</b> 4:12,18,19	182:13 185:2	<b>RAP</b> 106:2	23:15 25:14 27:13	28:8
<b>put</b> 6:20 12:3 20:15	<b>quite</b> 6:7 17:1	<b>rape</b> 29:19	29:2,3,8 30:21	<b>recommended</b>
24:5,12 43:12	24:13 30:7 71:19	<b>Ray</b> 1:23	31:3,4 32:11 38:7	97:16 154:18
45:12 49:11 50:12	74:22,25 82:16	<b>RC/7/I/1</b> 14:11	40:24 41:6,10	<b>reconvene</b> 189:12
63:5 72:7 73:12	84:6,24 100:5,24	<b>re-elected</b> 112:21	44:13 50:3 58:3	<b>record</b> 96:24 117:4
82:23 94:6 100:19	101:13 105:4,22	<b>reached</b> 99:4	66:17,23 79:9	118:12 133:22
100:24 110:17	112:18 114:3	<b>reaching</b> 26:6	85:4 126:13 129:2	135:5 140:10
111:4,5 112:23	115:14 117:14	<b>read</b> 2:3,5,9,14	166:5 167:18	153:3,5,22 154:8
121:15 137:15	120:24 123:24	7:15,16 17:20	180:4	156:5 157:3
154:8 163:13	132:3,10 143:13	22:1,15 25:21	<b>recalled</b> 5:14	187:13
167:2 176:2	145:17 149:14	27:8,19 29:6	<b>recalls</b> 3:18,23 4:4	<b>recorded</b> 11:3
182:14 187:10	176:1,20,25,25	50:21 51:7,17	5:23 6:14	140:9 157:4
189:7	183:4	66:9 71:17 84:14	<b>receive</b> 153:20	171:10
<b>puts</b> 85:14	<b>quotation</b> 63:13	101:23 104:17	188:6,20	<b>recording</b> 165:21
<b>putting</b> 74:6,11	65:8 100:21	106:18 109:7	<b>received</b> 25:3 59:2	<b>records</b> 139:1
110:9 150:7	137:18	134:18 136:6,9	59:12 82:20	148:14,19 150:25
<b>puzzled</b> 126:4	<b>quote</b> 137:13	169:2 177:14	102:19,20 109:10	152:13 153:23
<b>pyjama</b> 4:14	<b>quoted</b> 138:3	180:9 187:13	116:17 128:25	154:23 163:10,15
<b>pyjamas</b> 3:23	<b>quotes</b> 137:1	189:21,24 190:1,4	136:17 140:11	188:4
		<b>reading</b> 1:5,11	155:11 176:23	<b>recounts</b> 5:20 8:9
		32:12 51:5 52:5	177:17 187:23	<b>recover</b> 148:21
		79:8 98:11 152:3	188:18	<b>recovering</b> 43:6
		<b>reads</b> 57:1 84:17	<b>receiving</b> 110:5	<b>refer</b> 86:17 145:5
		108:8 126:11	129:3 135:18,23	149:6,18 151:8
		135:1	137:3	173:18 177:17
		<b>real</b> 163:10	<b>recognise</b> 57:24	180:20
		<b>realised</b> 43:24	98:7 101:3 137:5	<b>reference</b> 13:20
		<b>realistic</b> 76:15	164:23	57:6 66:6 68:21
		<b>reality</b> 46:18	<b>recollect</b> 57:14	70:4,9 86:6 114:5
		<b>really</b> 9:23 14:5	60:16 61:4 62:14	125:18 128:9
		29:25 37:15 40:4	179:22	143:11,13,15,17
		41:12,14 44:12,19	<b>recollection</b> 13:22	145:7 153:6
		47:5 49:3 58:12	15:21 23:25 39:7	158:11 159:13
		68:9 92:14 130:22	43:3,11 44:3,8,10	160:7 174:22
		142:17 149:24	44:12 51:5 52:2,4	187:22 188:15,24
		154:20 158:6,11	60:18 61:23,23	<b>references</b> 2:12
		170:20 183:10	65:16 66:15,25	26:15,23 189:3
		<b>reason</b> 43:1 49:13	67:1,11,14 109:5	<b>referrals</b> 24:17
		125:11 145:12	129:9,15 132:1	<b>referred</b> 26:10 54:8
		154:19 157:15	134:2 135:9,22	86:3 107:10 137:2
		161:24 169:9	136:21 149:6	146:11 152:21
		<b>reasons</b> 9:21 100:4	163:13 172:2	163:12 167:22
		100:8 107:3 143:5	<b>recollections</b> 150:4	173:13,22,23
		<b>recall</b> 11:6 14:18	<b>recommendations</b>	176:24 177:18,25

182:1 <b>referring</b> 38:22 51:23 68:23 167:21 <b>refers</b> 21:20 84:5,5 101:13 175:7 176:16 <b>Reform</b> 146:4 147:6 <b>refused</b> 150:3 <b>regard</b> 23:11 27:15 <b>regarding</b> 14:8 30:9 70:7 167:19 <b>regards</b> 159:18 160:12 168:7 172:5,25 173:15 176:22 177:13 178:10 181:15 183:16 <b>regime</b> 100:2 101:14 <b>registered</b> 20:1 <b>registration</b> 125:24 <b>registry</b> 129:15 <b>regret</b> 116:3,7 <b>regular</b> 119:12 164:12 <b>regularly</b> 146:14 187:24 <b>regulations</b> 86:12 127:23 <b>relate</b> 146:5 159:1 <b>related</b> 172:22 180:1 181:21 <b>relates</b> 63:11 153:3 <b>relating</b> 142:3 144:22 175:21 <b>relation</b> 1:17 22:21 74:23 90:8 96:20 96:21,22 98:10,19 99:15,16 126:8 139:20 141:24 143:21 144:6 147:18 158:15 166:10 167:14	168:8 169:21 176:19 179:8 <b>relationship</b> 30:2 105:21 146:1 <b>relative</b> 15:25 <b>relaxed</b> 17:1 <b>release</b> 169:23,24 <b>released</b> 171:21 <b>releases</b> 169:22 <b>relevance</b> 6:4 <b>relevant</b> 165:16 <b>reliable</b> 10:23 <b>reliance</b> 149:10 <b>reluctance</b> 149:8 149:19 <b>reluctant</b> 149:21,22 <b>rely</b> 74:16 <b>relying</b> 15:24 <b>remain</b> 98:16 <b>remained</b> 18:22 21:5 <b>remand</b> 50:16 <b>remember</b> 9:17,23 11:5,17 12:18 14:25 16:23,25 17:3 30:15,19 35:13 36:8 39:18 41:15,19 42:2,4,8 61:12,14,15,16,16 61:18,21 62:16 66:22 79:8 89:8 91:10 104:3,6 113:8 120:4 124:2 129:5,12 138:4 148:23 171:19 176:18 <b>remembered</b> 62:18 138:22 <b>remind</b> 46:25 47:1 67:18 72:8 74:5 89:16 <b>reminded</b> 15:19 115:14 116:16 <b>remit</b> 24:8 <b>remove</b> 15:10	29:24 30:14 <b>removed</b> 72:22 184:21 <b>removing</b> 185:1 <b>rent</b> 72:22 <b>repeat</b> 47:21 49:17 89:18 101:10 114:3 118:14 <b>replaced</b> 23:19 113:16 <b>replied</b> 5:2 6:1 <b>report</b> 1:22 8:13 9:6,12,14,23 11:9 11:17,18 12:4 15:5,6,9,11,12,14 15:16,23 16:1,5,7 16:11,13,20 17:16 19:20,21,25 20:2 20:6,10,12,14,17 20:18,19,22 21:4 21:13,19 25:23 26:1,3,4 27:3,8 28:2,6,9,13,21 32:3 40:6 50:8,12 51:21 55:11 61:1 65:24 66:1,1 69:20 71:5,25 73:22 79:3,6 80:22 81:2,4,6,9 81:25 82:13,20 83:10 84:16,18 85:15 86:14,19 87:8,9,11,13,14 88:10,11,17 89:14 89:22 90:1 91:5 93:14 97:19 99:18 101:22 108:15 109:10,13,13,15 109:16,19 110:5 110:20,21,25 111:1,17 114:7 138:8 140:21 141:11,14 142:19 144:2,3,3 145:12 145:18,22 146:1,2	146:3 147:11,13 147:16,17,25 148:10,19 150:8 152:3 157:17 158:1,2 159:14,15 164:16,18 165:2 165:22 166:4,25 167:4,15,20 168:7 168:10 169:10,12 169:16,16,17 171:11,11 172:23 172:24 173:2,7,17 174:20 175:2,9 177:22,24 181:8 181:15 185:22 186:3 187:20 <b>reportable</b> 135:19 <b>reported</b> 13:12 14:13 21:12 71:24 78:22 <b>reporting</b> 168:8 <b>reports</b> 21:11 26:25 27:13,17,21 28:11 29:6 30:11 32:24 65:19,20,25 78:13 102:18,20,21 143:3,23 159:8 169:16,21 170:14 174:19 176:24 177:16 <b>represent</b> 146:20 <b>representative</b> 133:21,25 <b>representatives</b> 97:9 99:6,8,10 159:16 162:18 <b>represented</b> 120:8 159:19 <b>representing</b> 60:10 <b>reputation</b> 40:18 103:20,24 <b>Reputedly</b> 72:15 <b>request</b> 136:15 142:12 145:18 171:12 186:3,4	<b>request/order</b> 31:13 <b>requested</b> 128:20 142:16 <b>require</b> 159:2 165:6 166:13 <b>required</b> 24:17 26:16 28:23 59:3 59:13 60:8 80:14 82:2 83:25 84:1 160:16 184:22 186:12 <b>requirement</b> 69:12 <b>requirements</b> 145:1 <b>requires</b> 82:5 168:18 <b>research</b> 9:19 182:16 <b>researched</b> 189:4 <b>researching</b> 19:5 <b>reservations</b> 11:4,5 <b>residential</b> 51:19 62:1 68:4 <b>residents</b> 18:5 <b>residual</b> 97:21 <b>resignation</b> 42:10 <b>resistant</b> 25:9 <b>resolved</b> 69:23 167:7 <b>resort</b> 155:1,15 <b>resources</b> 36:13 40:7 68:23 70:12 71:5 78:22 79:1 80:13 81:15 82:1 83:24 86:4 <b>respect</b> 15:2 42:19 105:5 148:14 149:16 154:24 156:9,24 177:19 <b>respective</b> 25:3 <b>response</b> 11:22 32:7,12 43:3 66:13 97:18 134:5 136:1 141:21
--	--	--	--	---

166:24 167:1 171:10 173:6 <b>responsibility</b> 14:19 18:11 59:5 69:24 74:13,17 75:10 76:6,11,16 95:22 115:12,22 115:24 116:1 117:23 118:4,5,11 <b>responsible</b> 117:3,6 117:7,9,11,12,19 117:20 120:12 <b>rest</b> 2:12 91:19,19 <b>restrictions</b> 146:7 <b>result</b> 6:10 14:20 15:13 18:2 19:12 19:18,20 20:5,8 25:4 58:15,23 59:13 77:20 78:5 94:17 131:19 141:11 154:17 <b>results</b> 149:12 <b>retained</b> 188:9 <b>retired</b> 1:7 21:17 22:25 35:5 146:10 166:12,14 188:22 <b>retirement</b> 8:5 21:8 35:6 <b>retract</b> 183:25 <b>return</b> 30:21 56:13 72:23 105:14 121:1 151:12 185:6 <b>returned</b> 21:7 28:7 31:1 <b>revealed</b> 144:6 <b>reverse</b> 180:17 <b>review</b> 19:13 20:14 64:17,18,22 65:3 142:8,11 <b>reviewed</b> 150:18 181:17,18 <b>reviewer</b> 151:6 <b>reviewing</b> 150:14 <b>revisit</b> 16:15,24	<b>revolving</b> 43:18 <b>RHC001234</b> 72:9 <b>RHC001284</b> 94:6 <b>RHC001480</b> 97:1 <b>RHC001599</b> 82:23 <b>RHC002014</b> 50:15 <b>RHC002487</b> 153:4 <b>Richard</b> 32:15,16 33:7 44:11 57:23 61:13 62:13 66:10 76:18 107:12 108:6 184:17 190:6 <b>rid</b> 184:19 <b>ridiculous</b> 49:16 <b>ridiculous'</b> 63:18 66:21 <b>right</b> 3:20 11:11 13:4 23:2 30:25 33:15,22 34:3,14 35:15 41:23 43:12 45:10 49:11 54:24 59:9 60:5 63:1,7 63:12 67:25 68:17 69:19 74:22,25 75:9 78:3,18,20 78:23 82:15 86:19 87:20 90:18 91:23 94:1 95:11 97:13 97:14 102:21 103:7 113:12 115:14 121:23 122:9,10 123:1,6 128:14 130:14 131:5,21,23 132:25 134:3 136:23 141:9 142:6,11 143:6 144:18 145:6 148:5 152:7 164:17 165:24 170:11 172:4 174:1 175:4,5,24 176:25 179:19,20 181:2,8 183:3,4	185:9,10,15 <b>right-hand</b> 58:9 125:5 126:18 128:9 136:8 <b>ring</b> 57:19 88:22 132:9 <b>ringing</b> 48:22 <b>Riot</b> 18:20 <b>rise</b> 87:17 <b>risk</b> 48:24 <b>Rita</b> 54:16 90:23 93:12 <b>RO-10</b> 155:5 <b>RO-9</b> 155:5 <b>RO-A10</b> 187:23 <b>RO-A12</b> 187:23 <b>RO-A9</b> 187:23 <b>road</b> 14:22 <b>Roberts</b> 18:16,17 20:5,13,14 22:15 22:18 39:12 190:3 <b>Roberts'</b> 22:21 <b>Rochdale</b> 8:11 10:16 13:16 19:14 29:10 33:16 35:2 35:11 39:21 41:1 43:10 50:8,10,22 50:23 51:13,22 52:11 62:2 63:6 64:23 65:23 66:10 68:22 71:13 72:19 76:19 83:6 86:22 91:1 103:20,24 104:17 105:23 106:13 108:6 109:9 120:8 129:5 133:19 136:4 137:22 139:4 141:24 142:1,8,24 153:18,25 157:24 158:23 159:24 163:20 165:20 168:13,25 174:20 175:8 176:6 178:13,15 182:3	182:22 <b>Rochdale'</b> 29:9 <b>Rochdale's</b> 169:4 <b>rock</b> 120:13 <b>Roderick</b> 7:2 47:9 47:14,15 51:1,3,7 52:13 68:14 <b>Rodney</b> 7:1,8 14:25 15:2 <b>role</b> 36:11 84:4 94:19 97:6,17 100:9,11 122:12 150:13 160:25 <b>roles</b> 107:2 <b>rolled</b> 138:21 <b>roof</b> 24:20 <b>room</b> 2:21 3:15,16 3:21,24,25 4:5,20 4:24,25 5:22 6:8 6:12 7:10,12 85:25 161:9 <b>routine</b> 2:24 37:11 <b>Rowen</b> 50:4,20 51:10,23 95:6 102:23 109:19 <b>Rowen's</b> 51:15 <b>rules</b> 86:13 88:1 140:5 <b>rumour</b> 171:5 183:8,12 184:4 <b>rumours</b> 8:18 103:25 104:23 182:4,5 <b>run</b> 24:1 93:3 <b>running</b> 45:8 49:20 112:20 150:7	<b>satanic</b> 41:22 43:3 <b>satisfactory</b> 12:13 <b>satisfied</b> 100:12 <b>satisfy</b> 145:1 <b>saw</b> 17:4 20:15 27:13,24 29:6,13 72:3 97:2 173:19 174:14 <b>saying</b> 5:7 30:22,24 33:15 44:20,21 45:7,13 60:21,23 61:6,11 66:22 67:6,7,8,9,12,16 69:14,21 70:5,13 73:18,18 74:3 75:16 76:22 93:5 93:5,20,21 96:1 117:4 136:22 140:6 149:13 150:7 156:20 170:5 172:24 174:5 177:25 183:7 184:18 188:4 <b>says</b> 7:3 14:12 21:25 27:7 31:22 61:13 62:13 76:25 78:6 86:20 87:9 133:14,16 136:9 136:10,11 152:3 152:24 167:5,15 172:14 <b>scandal</b> 42:23 43:18 45:5 49:3 73:9,10 <b>scandalous</b> 40:20 49:2 73:20 76:17 <b>scene</b> 121:11 <b>school</b> 2:17,24 3:1 5:7,8,15,15,19 7:3 7:5,6,8 8:14,16,19 9:3,5,19 10:20 11:16,18 12:21 13:4,9,10,16,25 14:2,5,17,23 16:2
<b>S</b>				
<b>sadly</b> 2:5 <b>safe</b> 11:14 12:10 <b>same'</b> 85:7,16,19 <b>Sargenson</b> 54:16 89:6 90:23 93:12 93:22 98:4 <b>sat</b> 46:1				



16:4,15,24 17:2,5 17:5 29:2,3 31:5 43:19,20 47:3,16 48:2,3 51:4,19,19 52:11,19 53:9 62:1,5 67:20 68:5 71:14,16,21 72:14 72:22 73:4,5 87:24 89:1 94:15 94:18 95:23 104:2 115:11,18 120:5,6 120:16 143:1,22 151:12 160:21 162:8,25 168:17 168:19,22 171:20 171:21 175:21 181:12,19 <b>School'</b> 15:15 <b>scope</b> 182:15 <b>Scorer</b> 2:7 <b>screen</b> 2:12 7:21 17:23 22:20 50:13 63:5 72:7 82:23 94:6 121:13,16 125:4 126:18 151:7 <b>scribbled</b> 21:2 <b>scroll</b> 24:7 31:2 <b>se</b> 146:25 <b>search</b> 136:18 <b>seat</b> 34:3 45:18 92:4,4 95:11 99:19 101:22 105:20 109:17 111:2 112:13 120:14 121:9 <b>seats</b> 185:5 <b>second</b> 1:23 7:16 7:22 8:8 17:17,24 22:12 48:3 57:9 66:9 79:14 85:5 119:3 134:24 135:15 154:13 167:13 175:6 <b>second-</b> 76:9	<b>seconded</b> 67:20 <b>secondly</b> 1:18 111:16 <b>secrecy</b> 102:4 <b>secretarial</b> 122:16 <b>secretaries</b> 122:1 126:25 127:7 128:23 <b>secretary</b> 8:20 58:7 121:24 122:3,4,5 122:8 123:2 128:20 129:9 130:12 136:21 138:2 <b>section</b> 15:14 16:10 32:22 129:16 136:9 <b>sections</b> 29:21 86:12 <b>sector</b> 68:4 <b>secure</b> 5:16 24:25 <b>security</b> 70:15 133:8,20 134:15 <b>see</b> 7:23 8:15 16:16 18:1 21:23 25:14 27:7 48:14 49:24 50:4 56:9 58:5,8 59:17 60:18 61:7 63:9 67:12,15 77:4 83:4 94:21 102:22 103:7 107:3 108:4 113:13 120:24 126:10,17 131:13 133:15 136:22 139:5,7 143:10 145:16 147:3 149:25 151:1 152:11 153:20 155:9 156:10 159:18,21 162:2 163:12 165:4 171:4 173:8 178:5 <b>seeing</b> 5:5 50:3 61:16 79:8 166:5	177:10 <b>seek</b> 80:13 113:25 114:5 155:1 <b>seeking</b> 69:9 79:18 91:8 <b>seen</b> 4:3 5:4 12:24 15:9,17 17:4 19:24 22:7 26:1,5 27:8,17 28:10,22 32:11 53:16 54:8 55:3 59:15,23 60:25,25 61:1 101:24 107:24 109:15 110:25 111:18 114:7 125:6,7 127:8 133:7,11,12 139:20 165:15 167:4,14,15,18 169:11,12 177:8 188:3,5,7 <b>Selwyn</b> 99:20 <b>send</b> 29:12 127:25 128:3 188:22,24 <b>sending</b> 94:20 <b>senior</b> 14:3 18:9,17 18:23 22:24 23:11 23:16,20 24:9 71:3,7 72:14 88:18 109:10 110:5 116:3 117:21,22 122:7 141:8 142:24 <b>sense</b> 110:9 <b>sensitive</b> 70:14 102:8 <b>sensitivity</b> 9:22 <b>sent</b> 5:12 32:5 125:9 127:18 182:13 183:23,24 <b>sentence</b> 15:10 84:23 85:1 <b>sentences</b> 48:10 <b>separate</b> 145:22 147:6 163:6 189:1	<b>separately</b> 172:19 <b>September</b> 11:19 14:12 15:22 46:23 46:24 47:3,6,16 48:12,25 65:23 68:13 74:6 96:3 97:23 141:12 <b>sequence</b> 165:17 <b>sergeant</b> 17:25 148:3 152:5 159:19 165:14,23 166:7 167:23 171:7,25 173:15 174:2,7,11 <b>sergeants</b> 18:24 23:22 <b>series</b> 133:7 <b>serious</b> 29:17,18 31:16 39:21 40:11 40:16 47:1,18,23 48:1,14 53:8 63:23 118:21 143:1 <b>seriously</b> 45:19 132:10 <b>serves</b> 52:24 <b>service</b> 14:1,6,7 25:2 122:4 133:8 133:20 134:15 <b>serviced</b> 38:13 <b>services</b> 12:1,7,14 13:24 24:21 25:7 25:11 30:17 37:9 37:9 39:5 42:9,20 42:25 43:12 52:21 52:23 53:1,11,14 55:17 57:8 58:1,5 58:11 62:7 74:20 75:24 77:5,10 78:18,20,22 81:9 81:22,25 83:2,11 84:19 85:12 86:21 87:4 91:7 108:21 148:19 149:2,9,14 159:17 160:11,20	161:5,12 162:1 163:15 167:11 185:9 <b>services'</b> 162:11 <b>serving</b> 146:6,6,8 147:8 <b>set</b> 18:2,10 38:4,6 77:17 94:22 121:11 141:17,18 141:21,22 142:19 164:7 <b>setting</b> 148:13 <b>seven</b> 2:25 64:12 65:13,18,20 <b>sex</b> 4:15 50:15 72:15,24 111:13 <b>sexual</b> 3:1,4,5 6:4 13:9 18:3 19:11 23:4,11 29:19 31:17 43:19 52:13 52:18 53:8 71:20 73:3 103:25 109:11 110:6 111:17 115:9 132:8 143:1 169:1 <b>sexually</b> 4:21 6:21 48:4 51:18 62:3 <b>share</b> 49:19 102:4 102:10 <b>shared</b> 145:13 <b>sharp</b> 156:16 <b>Sheffield</b> 72:18 <b>Shepherd</b> 16:1 21:11 55:12 66:1 71:12 72:11 74:1 111:14 143:3 144:2 157:23 158:1 169:16 172:10 <b>shift</b> 67:7 <b>Shipp</b> 39:8 75:22 77:9,21,25 78:18 79:3 83:5 87:3 <b>shock</b> 124:5 156:16 <b>shocked</b> 30:21
---	--	--	--	--

<p><b>shocking</b> 105:5  <b>short</b> 35:3 39:13  44:5 56:16 88:15  121:4 156:16  166:25 187:16  <b>shorter</b> 17:17  <b>shorthand</b> 122:15  <b>shortly</b> 112:1 118:2  157:18,25 181:25  <b>shoulder</b> 117:23  <b>show</b> 56:8,20 60:3  166:9 170:10  <b>showed</b> 21:10  173:15  <b>showing</b> 166:6  <b>shown</b> 9:12 10:2  12:20 13:17 14:10  14:11 15:25 25:21  56:7,19 107:25  <b>shredding</b> 184:6,12  184:16 185:19  <b>sickening</b> 64:5  <b>side</b> 4:15 7:7 58:9  90:16 121:15  125:5 126:18  128:9 136:8  150:23  <b>sided</b> 114:15  <b>sight</b> 172:11,21  <b>sign</b> 127:9 128:6,16  <b>signature</b> 126:8,10  126:11,19  <b>signed</b> 20:19 21:3  127:8  <b>significance</b> 159:3  <b>significant</b> 23:9  <b>silly</b> 182:15  <b>similar</b> 4:22 18:5  119:6 126:19  <b>similarly</b> 135:6  186:1  <b>Simon</b> 118:24  <b>simple</b> 59:9  <b>simply</b> 16:15 34:7  34:23 39:3 69:15</p>	<p>107:14 110:17  123:15  <b>Simpson</b> 11:4  57:17,22 72:6  <b>single</b> 10:24 46:1,1  67:20  <b>singled</b> 157:5  <b>sink</b> 64:4  <b>SIO</b> 23:6,8,10,21  26:11 27:9,14  146:13 180:11  181:18,19  <b>Sir</b> 122:8,17,21,25  123:8,12,18,20,24  124:16 128:19  130:9,18 131:3,7  132:5 133:3,19  134:15 139:23,25  140:6,8,12  <b>sit</b> 4:10 140:24  <b>sitting</b> 4:11 132:9  <b>situation</b> 118:8  119:11 124:9,14  155:7  <b>six</b> 3:2 39:11,20  175:25 176:3,13  <b>six-weekly</b> 36:16  <b>size</b> 5:3  <b>Skelhorn</b> 122:8  <b>skin</b> 49:6  <b>slightly</b> 138:2  <b>slippery</b> 14:15  <b>slowly</b> 1:14  <b>smacked</b> 29:13,15  <b>small</b> 2:14,21 3:20  23:17 50:14 123:5  <b>smear</b> 63:24 64:4  112:18  <b>smearing</b> 63:10  <b>Smith</b> 3:2,6 4:1,7  4:12,24 5:2,14,17  5:21 6:1 13:15  19:11,19 27:10  28:2 29:7,8,12  31:5,9,15,21</p>	<p>52:15,15 62:3  77:14 103:12,13  104:10 105:14  120:6,9 125:3,10  129:3,18 131:14  132:5,21 142:4  148:8,14 149:1,12  149:18,25 151:11  151:14 152:23  156:7,24 157:8,10  163:1,4,5,7,9,21  163:22 182:4  <b>Smith'</b> 20:11 25:24  <b>Smith's</b> 104:7  <b>snapshot</b> 99:21  <b>snatching</b> 43:17  <b>social</b> 11:2 12:1,7  12:14,16 24:15,18  24:21 25:2,6,11  25:15 30:10,17  37:9 42:9,20,25  43:12 52:21,23,25  53:11,14 55:17  57:8 58:1,5,11  62:7 74:19 75:23  77:5,10 148:19  149:2,9,14 159:17  160:11,20 161:5  161:12 162:1,11  163:15 167:11  <b>Society</b> 8:1  <b>solely</b> 147:12  <b>solicitor</b> 15:19 46:6  75:21 122:5  <b>solicitors</b> 128:22  188:11  <b>solid</b> 120:13  <b>solving</b> 12:11  <b>somebody</b> 52:6  54:16 81:8 91:3  <b>soon</b> 24:13 52:23  56:12 72:23 73:7  94:25 95:9,17  <b>sooner</b> 22:6  <b>sorry</b> 33:2,23 38:11</p>	<p>47:21 53:22 57:20  62:22 82:16 100:5  101:10,19 117:7  122:5 139:6 140:3  142:22 150:15  152:18 156:3  172:15 178:6  188:7,13,22  <b>sort</b> 91:8 124:18  162:7 164:8 173:5  183:17 185:1  <b>sorts</b> 9:9 15:17  <b>sought</b> 78:14 159:9  183:25 187:8  <b>sound</b> 137:7  <b>sounded</b> 47:17,23  <b>source</b> 110:11  111:6  <b>spanked</b> 104:8  <b>spare</b> 108:3  <b>speak</b> 59:21 122:24  124:7 149:8,19,23  156:4 161:25  163:11 165:24  170:24 173:1  178:25 183:18  186:24  <b>speaking</b> 5:23 78:1  124:3  <b>speaks</b> 114:20  <b>special</b> 57:22 68:4  98:5,6 146:6  <b>specific</b> 15:3 24:8  25:15 70:6 81:14  146:4 161:3 166:5  171:1 176:1  186:23  <b>specifically</b> 31:5  47:7 69:7 143:3  <b>spelt</b> 105:3  <b>spend</b> 80:10 81:17  <b>spending</b> 82:6  87:23  <b>spent</b> 23:7 30:3  <b>SPOC</b> 150:15</p>	<p><b>spoke</b> 10:20 35:25  116:23 130:8  132:21 150:4  162:22 173:21  174:2,11,12  175:12 176:14  179:21  <b>spoken</b> 10:10 12:3  12:7 13:12 132:24  137:22 165:21  174:15 177:15  182:21  <b>spokesperson</b> 54:3  54:7 89:1,6,11  <b>spokespersons</b>  89:13,21  <b>spurious</b> 28:19  <b>SS</b> 57:25  <b>staff</b> 2:19 3:3,10,17  4:3,24 5:16 6:6,12  6:22 8:22,25  14:20 16:2 17:14  19:5 24:21 26:12  64:11 65:12 71:15  71:18 72:11,24  93:15 94:18,20  97:6,17,22,25  99:18 149:6  151:13 171:19  <b>stage</b> 12:25 76:7  156:14 166:12  185:15 186:21  <b>stages</b> 130:11  <b>stairs</b> 3:17,19  <b>stakeholders</b> 145:3  <b>Stalybridge</b> 21:7  <b>standard</b> 20:23  132:23 186:12  <b>standards</b> 144:17  145:23 146:2,3,19  147:12 173:4  <b>standing</b> 55:16  63:12 82:7  <b>start</b> 1:5 33:2  102:13 121:10</p>
--	--	---	--	---

131:25 142:15 158:16 176:14 <b>started</b> 16:6 125:2 131:20 141:18 142:6 <b>starting</b> 90:12 <b>starts</b> 7:23 129:1 <b>state</b> 31:6 <b>stated</b> 13:7 15:23 109:18 <b>statement</b> 1:22,24 2:3,4,15 7:15,16 15:20 17:17,20,23 22:12,15,17 28:21 30:13 32:21,23,24 58:18 94:23 106:17 111:10 113:3,23 116:19 121:12 125:15 129:1 130:16 137:1 151:5,9 152:21,25 153:10 153:13 169:7 177:14 189:21,23 190:1,3 <b>statements</b> 1:12 17:21 107:21 111:8 <b>states</b> 151:11 <b>stating</b> 176:11 180:17 <b>station</b> 21:8 23:6 23:18 153:18 173:19 174:6 <b>stationed</b> 23:5 <b>statutory</b> 159:16 <b>steeped</b> 86:11 <b>Stelfox</b> 18:10 23:16 23:18 24:11 <b>step</b> 113:1,1 <b>Stephen</b> 57:12 67:23 68:3 <b>steps</b> 9:1 76:18 150:19 <b>Sterndale</b> 148:3	159:19 165:14,23 166:7 167:17,23 171:7,16,25 172:11,14 173:16 173:19,21 174:2,7 174:11,15 176:6 <b>Sterndale's</b> 169:6 <b>Steve</b> 10:5,21 12:23 16:16 17:1 <b>stewardship</b> 102:24 <b>stick</b> 125:4 <b>Stockport</b> 18:11 <b>stone</b> 169:9 <b>stop</b> 2:22 142:17 172:18 <b>stopped</b> 142:13 <b>stopping</b> 91:3 136:20 <b>storage</b> 2:21 <b>stored</b> 188:10 <b>story</b> 8:8 42:12 132:3 139:6 150:23 170:25 183:5,6 <b>strands</b> 182:19 <b>stranger</b> 160:8 <b>Strangeways</b> 18:19 <b>strategy</b> 52:20 55:25 57:6 58:9 <b>street</b> 13:15 21:8 23:6 52:15,15 62:3 77:14 124:19 148:8,14 149:1,12 149:18,25 151:11 152:23 156:7,24 157:8,10 163:1,4 163:5,7,9,21,22 187:25 <b>stress</b> 28:1 <b>strict</b> 82:7 <b>stroke</b> 6:9 <b>stroked</b> 6:12 <b>strong</b> 30:5 <b>structure</b> 18:12	<b>struggling</b> 67:5 125:12 <b>Studd</b> 187:12 <b>Studied</b> 34:11 <b>stuff</b> 5:6 6:9 <b>style</b> 45:7 49:23 101:7,17 <b>stymie</b> 175:23 <b>sub-tab</b> 22:19 <b>subcommittee</b> 80:13,16,20 81:6 82:5 89:1 <b>subject</b> 25:15 29:4 <b>submission</b> 32:7,9 <b>submit</b> 20:17 26:2 26:3 30:10 187:12 <b>submitted</b> 20:10 21:13 22:10 25:24 26:5,20 27:1,18 28:4,6,11,17,25 30:13 32:4 181:9 <b>subpage</b> 126:17 133:11 <b>subsequent</b> 15:1 20:25 26:14 138:8 167:20 <b>subsequently</b> 4:12 31:23 47:10 56:2 105:8 <b>substantial</b> 23:7 161:15 166:9 <b>substantiate</b> 170:5 <b>substantive</b> 67:12 171:1 <b>suck</b> 4:16 <b>sucking</b> 4:16 <b>suffering</b> 115:10 <b>sufficiently</b> 43:23 <b>suggest</b> 89:12 132:3 154:24 156:6 169:10 174:19 <b>suggested</b> 78:1 132:5 166:18 171:24 173:16 177:22 180:3	<b>suggesting</b> 49:13 92:24 165:23 <b>suggestion</b> 63:15 63:17 66:18,20 72:23 75:17,18 175:19 <b>suggests</b> 5:19 86:23 104:12 108:16,25 109:2,5 110:16 169:18 <b>suite</b> 11:1 <b>sum</b> 107:16 158:13 <b>summarise</b> 185:23 <b>summarised</b> 143:16 <b>summarises</b> 142:23 <b>summary</b> 2:7 <b>summer</b> 166:14 <b>superfluous</b> 30:12 <b>superintendent</b> 1:16,18,19 18:10 18:16 19:8,23 20:5,13 22:17 23:15 141:5,7 148:2,2 159:22,25 162:23 164:18,24 165:18,19 166:11 166:19,21 167:17 167:22 168:1,4,14 171:24 179:14,15 179:22 180:10,19 180:24,25 <b>supervisor</b> 24:23 30:4,17 <b>supervisors</b> 150:10 <b>supplemented</b> 145:18 <b>support</b> 25:12 43:5 64:17 159:20 163:15 164:7 168:25 169:5 185:20 186:8,12 <b>support'</b> 64:19 <b>supporting</b> 161:22 <b>suppose</b> 106:25	<b>supposed</b> 71:18 72:12 155:18 <b>supposition</b> 75:16 <b>suppressed</b> 177:2 177:12 <b>suppression</b> 181:15 <b>sure</b> 11:10 12:9,16 29:5 31:10 42:3 50:5 59:8,16 64:10 65:11,15 67:4,10,13 71:13 77:16 100:12 101:13 106:4 107:9,17 117:14 122:14 124:4 126:23 139:21 140:1 152:1 155:10 157:1 170:13 189:5 <b>surface</b> 114:10 <b>surfaces</b> 114:20 <b>surmise</b> 153:16 <b>surname</b> 129:12 <b>surnames</b> 129:14 <b>surprised</b> 25:10 131:3 <b>surrounding</b> 64:10 65:11 131:7 <b>surveillance</b> 163:17 163:18 <b>suspect</b> 55:12 <b>suspected</b> 14:22 <b>suspects</b> 26:13 <b>suspended</b> 142:11 <b>sworn</b> 121:6 140:22 190:12,18 <b>system</b> 18:21 19:4 26:4,8,9,9 27:5,16 27:19,22 28:4,12 28:16,20 30:6 32:3,10 119:8,9 124:21 125:16 148:25 155:22
--	---	---	--	---

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**T**


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<b>T-shirt</b> 4:8	<b>team</b> 18:12,24 19:3 23:17,22 24:22 26:5 27:20 64:19 148:21	189:8,12,13	116:14 117:22 120:6 121:19,24 122:20,23 123:20 124:2 126:11 128:5 130:2 132:5 132:11 133:7 135:11,25 136:5 137:16,21 138:22 139:3 142:6,23 144:10 145:4,9 146:7 150:25 152:5 153:21 155:3,11 156:10 156:20 159:7,25 161:2 162:20 164:21 165:1,12 165:15 166:18 167:1,21 171:7,9 173:15 174:9,15 174:25 175:10 177:21 179:6,21 180:5 181:8 182:22 183:20 184:10 185:3 187:20 188:23	132:12 138:16 <b>thoughts</b> 96:11 <b>thousands</b> 27:13 <b>thread</b> 153:21 157:19,20 162:14 164:15 <b>three</b> 3:3 4:4 8:17 18:23,25 34:8,10 39:11,23 40:6,11 47:12 117:21 118:23 119:18 145:8 169:15,21 170:14 176:15,19 176:24 177:11 <b>threshold</b> 147:2 186:20 <b>throes</b> 96:8 <b>throw</b> 175:15 <b>Thursday</b> 19:15 39:25 58:6 102:24 <b>time</b> 4:2 6:6 8:16 8:20 11:15 12:4 12:15,18 14:14 15:25 16:5 18:12 19:1 23:8,10 27:14 30:4 34:13 35:17,19 38:24 39:8,13 41:1 43:16 44:5,7 45:18 48:9,12 50:1,23 51:6 55:1 56:3,4,9,12,12,20 58:7,14 62:19,23 65:3,24 66:2,4 73:19,23 75:22 77:12 82:21 92:17 92:23 93:1,12,17 93:24 96:3,5,14 96:16 99:21,21,25 100:1 102:3 103:12,21 104:9 105:10 106:15 109:17,23 110:13 111:2 112:15 113:9 114:10,20
<b>tab</b> 7:20 17:22 22:18,19 140:21	<b>technical</b> 33:4 <b>telephone</b> 91:4 <b>telephoned</b> 8:11 48:21 91:9 135:2 <b>telephones</b> 91:1 <b>tell</b> 20:16 44:2 50:17 60:1 66:7 77:2 92:16 93:24 96:6,11 118:20 119:21 122:7,17 136:10 <b>telling</b> 44:19 45:6 45:20 51:11 53:6 73:16 83:3 91:14 99:22 110:16 111:3 124:5 151:2 <b>tells</b> 133:19 <b>temporary</b> 141:7 <b>ten</b> 173:21 <b>tend</b> 154:23 156:6 169:10 <b>tends</b> 89:12 <b>tentative</b> 13:3 <b>term</b> 67:20 <b>terms</b> 59:19 75:10 95:19 100:20 104:14 143:11,13 143:15,16 144:11 145:7 158:11 162:14 172:19 <b>test</b> 100:12 <b>Thank</b> 1:9 32:15,25 50:17 56:13 88:13 119:3 120:1,10,18 120:19,20,25 121:1,9 139:11,14 140:14,15,16 141:1,20 156:20 164:12 187:7	<b>that'</b> 168:23 <b>theft</b> 151:23 152:1 <b>thefts</b> 151:15 <b>theory</b> 40:24 <b>they'd</b> 150:19 159:4 176:3,23 184:24 188:18 <b>thick</b> 145:17 <b>thing</b> 11:7 49:9 67:9,16 69:20 73:10 90:7 91:10 93:19 102:2 106:11 110:23 125:2 <b>things</b> 9:10 11:10 16:17 17:2 37:14 49:18,19 67:4 73:25 79:19 90:20 109:25 111:11 123:22 131:11 157:17,21 160:2 184:18,25 <b>think</b> 9:9 11:21 16:3,20,22 18:10 22:16 29:6 32:12 34:13 35:1,15,25 38:22 39:20 40:19 41:12,18 42:12 43:8,14,21 44:1 45:13 46:18 49:2 49:9 54:17,19 55:3,6 56:7,19 57:18,20 60:19 62:20 63:6 65:19 67:1,7,9,16 68:3 68:20 75:3 78:21 79:9 84:1,9 85:4 86:1,3,4 89:7 90:10 91:9 92:15 96:23 98:8,16 99:23 100:4 102:3 102:6,8,14 103:21 105:22 106:1 107:10 111:24,25	<b>thinking</b> 48:23 96:6 162:1 <b>thinks</b> 5:18 <b>third</b> 4:23 <b>third-hand</b> 76:9 <b>thirdly</b> 1:19 40:9 <b>Thomas</b> 122:25 123:8,12,18,20,24 124:16 128:19 130:9,18 131:3 133:3,19 134:15 139:23,25 140:6,8 140:12 <b>thorough</b> 55:15 <b>thought</b> 10:9,22,23 11:7,23 12:8 13:3 13:10 25:13 47:17 52:25 72:20 87:17 88:12 89:3 92:19 126:6 131:11	

115:4 118:22,23 119:14 120:15 122:14,23 123:15 123:21 124:19 125:12,16 127:10 127:24 128:15 130:2,7,14 132:1 132:21 134:10 138:21 141:23 142:6 144:18 149:7,20 154:23 155:6 156:19 158:6,12 159:4 161:16,19 162:2,6 163:14,19,19 166:2 168:20 169:13,19 174:21 176:17 179:5,16 181:12 184:4,9,13 187:11 <b>times</b> 99:23 102:6 115:15 125:6 145:8 146:15 150:3,21,21 164:5 169:18 <b>title</b> 15:15 40:4,5 <b>titled</b> 25:24 <b>today</b> 31:25 89:9 107:10 119:10,15 134:10 173:9 189:2,11 <b>toilet</b> 153:15 <b>toilets</b> 13:16 52:15 52:16 62:3 72:17 148:8,14 149:1,12 149:18 151:11 152:23 153:1,7,25 154:3,17,21 156:7 156:24 157:8,10 163:1,4,6,8,9,21 163:22 164:7 187:25 <b>told</b> 4:10,21 5:25 6:17,23 20:3 27:20 29:23 30:20	30:25 42:1,10 48:15,16,17,18 49:15 50:6,20 53:18 55:6 59:10 60:6,17 66:15 67:11 69:9 72:11 74:4 75:3,14,14 76:8 77:6 78:25 79:5,10 81:19 82:19 86:25 89:19 90:6 93:15 95:21 96:17 98:20 99:23 111:16 116:24 118:18 130:17 133:22 134:15 135:4 136:18 139:1 155:8 184:14 <b>tomorrow</b> 187:13 189:13 <b>Tony</b> 19:2,8 <b>top</b> 23:13 27:25 30:23 83:4 86:18 86:20 94:7 125:18 135:1 153:12 <b>topic</b> 103:12 133:6 <b>topics</b> 181:22 <b>Tory</b> 54:3,14 89:10 <b>total</b> 4:5 107:16 <b>totally</b> 10:23 64:17 131:12 <b>touched</b> 148:9 <b>tour</b> 17:2 <b>town</b> 75:22 76:19 103:23 105:6 106:3 <b>trace</b> 27:21 137:2 <b>track</b> 172:13 <b>tracked</b> 149:2 <b>trackie</b> 4:7 <b>trade</b> 98:24 <b>trail</b> 184:15 <b>train</b> 71:15 <b>training</b> 71:19 72:12	<b>transcript</b> 1:15 <b>transparent</b> 119:10 <b>traumatic</b> 43:6 <b>travel</b> 72:19 <b>trawled</b> 148:21 <b>treated</b> 71:18 <b>treating</b> 86:9 155:23 <b>treatment</b> 156:16 <b>trickled</b> 87:5 <b>tried</b> 6:20 31:10 166:7 169:19 175:10,22 <b>trip</b> 132:12 <b>trouble</b> 33:2 <b>true</b> 34:6 103:2,4 133:1 <b>truly</b> 25:5 <b>trust</b> 61:8 <b>truth</b> 10:13 46:20 46:21,21 110:16 124:12,13 <b>try</b> 1:14 43:12 63:24 64:4 113:4 148:21,25 150:11 156:17 157:18 161:9 163:13 164:15 170:7 <b>trying</b> 41:18 61:21 62:7,15 150:8 163:8 169:8 170:13 174:17 177:6,12 <b>TT</b> 126:3 <b>Tuesday</b> 1:1 <b>turn</b> 23:13 25:18 27:25 29:20 <b>turned</b> 2:16 <b>TV</b> 7:10,12 <b>twice</b> 37:12 140:10 166:23 <b>two</b> 3:25 4:5 6:3 8:17 17:21 21:24 27:17,21 29:21 30:5 36:17,20	37:15 41:12 47:16 66:8 67:3,8,15 93:13 98:15 99:2 107:21 111:8,11 118:23 120:23 127:1 136:23 140:11,13 146:17 152:21 155:6 167:19 169:8 176:10 178:10 181:20,22 182:10 <b>type</b> 9:19 14:15 <b>typed</b> 20:23,24 21:2,3,19,25 26:5 28:7,12,13,14,20 31:25 32:2 <b>typewritten</b> 107:19 <b>typing</b> 28:6,11,17 122:15 <hr/> <b>U</b> <hr/> <b>ultimately</b> 145:12 146:20 160:19 172:24 <b>unable</b> 92:25 165:9 <b>unaware</b> 53:10 87:21 88:7 115:15 <b>underlined</b> 58:8 <b>undermine</b> 113:5 <b>understand</b> 58:19 67:5 81:21 85:20 99:13 113:25 114:15 115:8,9,17 115:20 116:11 118:1,3 125:12 148:12 149:13,15 156:20 157:11 166:1 168:4 173:24 174:17 185:4 187:8 <b>understanding</b> 106:5 138:10 152:16 157:5 158:5,17 160:14 160:18 161:14	168:2 169:14 178:23 183:17 <b>understood</b> 60:9 103:10 <b>undertake</b> 166:15 <b>undertaken</b> 18:8 165:4 185:8 <b>undertaking</b> 142:8 172:2 <b>undertook</b> 141:15 <b>unfortunately</b> 179:5,5 <b>uninformed</b> 172:17 174:14 <b>unilateral</b> 162:7 <b>unilaterally</b> 162:10 <b>union</b> 97:8 99:6 <b>unions</b> 98:6,17,20 98:24 99:8,11 <b>unique</b> 26:14,21,22 125:24 <b>unit</b> 25:12 71:14 159:20 165:15 168:25 169:5 <b>university</b> 34:8 <b>unknown</b> 151:13 <b>unnecessarily</b> 30:11 <b>unrestricted</b> 15:13 <b>unsighted</b> 45:16 76:23 <b>unsure</b> 154:4 <b>untoward</b> 11:15 <b>untrue</b> 111:5 <b>untruthfully</b> 133:22 <b>unusual</b> 28:1 78:10 78:11,13 128:15 130:21 <b>unwillingness</b> 102:4 <b>upsetting</b> 11:14 <b>use</b> 11:4 18:21 63:23 114:16 150:21
--	--	--	--	---

<b>usual</b> 78:9,12	66:16,19 67:2,20	<b>Waller</b> 1:21 180:6	<b>watch</b> 6:17 174:9	183:10 185:5
<b>usually</b> 26:20	67:21 69:5,8 70:7	180:19	<b>watched</b> 71:17	<b>west</b> 125:20,22
127:14	70:15 71:15,21	<b>wandered</b> 127:18	<b>watching</b> 7:13	<b>whatsoever</b> 44:10
<b>utter</b> 63:24	72:2 73:21 76:3,7	<b>want</b> 20:16 56:20	<b>way</b> 10:12,16,17,24	44:12 51:9 101:7
<b>utterly</b> 45:4 46:10	76:21 87:20,21	61:7 96:25 98:1	25:19 27:17 28:13	120:17
53:7 74:9 87:19	91:6 93:14,15,25	102:6,15 106:1	49:6 51:9 70:17	<b>whichever</b> 49:6
87:22 88:8 111:20	96:18,23 97:7	125:1 143:19	73:12 96:7 108:9	<b>whilst</b> 21:15 23:5
<b>V</b>	99:24 104:2,3,14	148:7 154:14	117:25 119:6,13	25:12 120:2
<b>vague</b> 105:2 116:20	107:13,15 108:14	157:16 171:6	129:25 130:22	140:19
149:11	112:15 115:13,25	172:19 175:6	134:18 143:10	<b>whip</b> 106:12,12,15
<b>Val</b> 21:11 58:7	116:13,15 117:9	181:23 185:21	156:6,15 157:15	106:24,24 107:12
167:15,20	117:15 118:19,21	<b>wanted</b> 5:13 23:18	159:7 174:12	108:10 109:22
<b>Valerie</b> 7:15,17	119:2,24 120:5,16	37:16,20 49:1	177:23 182:16	176:11
143:4 189:23	141:24 143:1,22	55:10,15 71:2	<b>ways</b> 39:23 40:6,11	<b>wide</b> 64:2
<b>valid</b> 92:25	160:21 162:8,25	84:14 123:20	155:21	<b>wider</b> 147:14
<b>various</b> 37:4	166:12 175:21	131:12,16 139:19	<b>we've</b> 167:13	<b>Wild</b> 105:7
108:11,19,23	181:12,18	152:18 177:13	<b>wearing</b> 3:11 4:7	<b>Wilkinson</b> 8:21
148:21	<b>views</b> 77:9,16	182:8 186:25	<b>website</b> 1:13 2:1	<b>William</b> 22:15,18
<b>vehicle</b> 26:17	<b>vigilant</b> 43:1,9	<b>wants</b> 76:20	17:18	190:3
<b>verbal</b> 20:7	<b>Vince</b> 23:23 25:10	<b>war</b> 112:9 114:14	<b>Wednesday</b> 189:16	<b>Williams</b> 48:18,19
<b>version</b> 21:19,20,25	25:11,14 26:2,2	114:17	<b>week</b> 7:20 32:22	57:4 72:6
<b>versions</b> 9:22	27:18 28:5 29:23	<b>ward</b> 33:9	50:6 84:9 140:21	<b>willing</b> 165:22
<b>vetting</b> 18:9	29:24,25 30:6,17	<b>wardship</b> 41:21	154:9	<b>Wilson</b> 24:23
<b>VH/2</b> 21:5 25:21	30:20 32:4,7,8	<b>warrant</b> 29:17	<b>weekly</b> 117:16	<b>win</b> 92:4,4
27:8 28:6,13,15	<b>Vincent</b> 17:20,23	<b>wasn't</b> 9:4 10:8	<b>weeks</b> 73:13 84:8	<b>wise</b> 168:11
32:1	190:1	12:6 14:7 16:17	93:13 114:19	<b>wish</b> 85:1
<b>vice</b> 70:1	<b>visions</b> 101:1	16:21 45:7 47:19	<b>welfare</b> 9:2 57:18	<b>withdrew</b> 120:21
<b>victims</b> 19:17 26:13	<b>visit</b> 13:22 17:5,6	48:8 50:25 53:3	57:20,21 161:7	140:17
64:1 149:8,19	<b>visited</b> 16:20	54:3,6 56:4 60:9	<b>well-being</b> 161:6	<b>witness</b> 2:3 7:20
155:24	<b>visiting</b> 13:20	69:1 73:11 75:15	<b>went</b> 4:10 8:15	58:18 100:21
<b>video</b> 11:4,7	<b>vocal</b> 30:9	77:14 79:5 86:2	10:19 11:22 16:2	113:23 120:21
<b>view</b> 2:16,17,24 3:1	<b>volume</b> 7:19 17:21	92:12 99:24 105:8	24:8 68:21 71:16	121:12 140:17,18
3:9 5:15,15,19 7:3	33:3 140:21	107:6 109:16	86:6 90:18 99:1	151:5,9 152:21
8:14,16 9:3 12:21	<b>vote</b> 64:2	111:1 122:14	107:20 115:18	169:6 177:14
13:15,16 15:15	<b>vulnerable</b> 31:19	123:12 124:15	119:1,21 127:22	178:6 189:21
16:5 22:2 29:2,3,7	115:18	129:22 130:23,25	132:15 148:25	<b>witnesses</b> 26:13
29:10 31:5 43:19	<b>W</b>	131:23 132:7,13	163:12 172:12	120:23
44:2,3,9,14,24	<b>W</b> 125:20	138:14 139:21	176:17 184:13,14	<b>wonder</b> 56:21 94:7
45:5,17 46:11,19	<b>waiting</b> 140:19	160:10 168:5	188:12	108:3 148:9
47:3,12 49:17	<b>wake</b> 10:14	170:13 172:25	<b>weren't</b> 35:1 38:10	<b>wondered</b> 17:14
50:18 51:4,9,12	<b>walk</b> 76:24	174:13 177:10	38:12 43:24 95:2	153:2
51:15,19 52:14	<b>walked</b> 5:12	182:25 185:17	123:10,11 129:8	<b>wondering</b> 188:2
53:4 63:16,23	<b>Walker</b> 18:14	186:22	130:23 138:6	<b>wooded</b> 7:9
64:11 65:12,24	<b>walks</b> 76:18	<b>waste</b> 184:19	141:6 144:16	<b>Woolf</b> 145:9
		185:14	150:6 162:25	<b>word</b> 44:24,25 45:1

53:14 76:1 90:7 96:17 134:18 139:21 146:8 169:17 <b>words</b> 30:5,22 58:9 58:21 68:14 77:11 78:9 79:11 110:10 110:18 111:4 180:22 182:10 <b>wore</b> 123:9 <b>work</b> 9:16 10:23 16:6 22:11 24:15 30:9 79:22 81:9 81:14 92:14 166:5 185:8 <b>worked</b> 25:11 27:5 31:11 43:23 71:12 75:11 164:6 184:8 <b>worker</b> 12:16 24:15 25:15 30:10 109:11 110:6 111:14 <b>workers</b> 11:2 24:18 <b>working</b> 12:15 25:6 25:13,15 26:12 28:5 30:2 34:15 34:18 35:4 42:18 42:21 90:13,17 91:11 92:2,6 131:10 175:14 <b>works</b> 26:9 <b>worried</b> 16:17 <b>worry</b> 119:5 128:11 <b>wouldn't</b> 44:17 80:2,4,5 82:3 90:9 90:16 91:12 92:18 92:22 99:3,3,12 100:19 101:17 128:17 135:11 146:10 164:4 170:24 182:4 <b>wound</b> 17:11 <b>write</b> 119:1 <b>writer</b> 126:7 <b>writes</b> 94:13	<b>writeup</b> 50:10,11 <b>writing</b> 71:24 96:12 97:4 124:22 177:25 189:7 <b>written</b> 28:9 32:6 58:21 86:11 109:11 110:6 187:12 <b>wrong</b> 6:11 16:18 54:20 65:25 69:1 69:4 70:19,23,25 134:12 137:13,16 137:18,21 <b>wrote</b> 84:15 116:24 140:1 164:16	<hr/> <b>Z</b> <hr/> <b>zoom</b> 14:10 133:14 135:1,15 136:8 <b>zooming</b> 136:5 <hr/> <b>0</b> <hr/> <b>1</b> <hr/> <b>1</b> 13:18 69:24 94:12 95:2,16 96:1 <b>1.00</b> 87:16 88:14 <b>10</b> 6:13 21:9 24:18 29:21 66:7 121:2 141:19 178:8,9 <b>10-minute</b> 120:23 <b>10.30</b> 1:2 189:16 <b>100</b> 7:6 69:21 <b>11</b> 2:16 3:9 20:21 21:23 56:1 58:6 58:22 59:14,25 74:23 106:16 108:6 111:21 116:18 130:16 <b>11.55</b> 56:15 <b>118</b> 190:10 <b>12</b> 6:13 14:12 19:15 131:2 <b>12.10</b> 56:14,17 <b>121</b> 190:12,14 <b>13</b> 54:23 88:19 89:17,23 92:20 93:6,10 131:19 132:15 140:21 <b>139</b> 190:16 <b>14</b> 85:6 112:6 132:19 153:19 184:10 <b>140</b> 190:18,20 <b>15</b> 71:16 97:4 132:19 184:10 <b>16</b> 151:9 152:4 <b>17</b> 30:1 77:7 159:14 190:1 <b>18</b> 9:13 15:7 20:11 25:25 82:14,15,17	88:9 94:17 <b>187</b> 190:22 <b>19</b> 102:24 168:13 <b>1962</b> 128:13 <b>1970</b> 19:9 125:3,10 127:9 128:17 133:2 <b>1972</b> 84:2 <b>1973</b> 121:22 <b>1974</b> 104:5 122:7 128:18 <b>1977</b> 8:18 122:25 <b>1979</b> 104:17 106:2 125:1 129:1 <b>1980</b> 33:8 <b>1980s</b> 148:16 149:21 <b>1982</b> 2:16 5:20 <b>1983</b> 5:20 <b>1985</b> 33:11 <b>1986</b> 33:15,18,20 36:5 66:11 <b>1987</b> 33:18 <b>1989</b> 45:18 <b>1990</b> 11:19 46:23 46:24 47:3,6,16 47:19 48:12,25 68:16,25 70:24 74:6 96:3 97:7,23 159:2 188:4 <b>1990s</b> 148:16 149:21 <b>1991</b> 8:10 10:3 11:20 12:21 13:18 14:12 15:22 42:2 52:11 53:7 56:1 56:25 57:7 59:14 62:1 65:22,23 67:22,24 71:24 73:11 74:8 77:7 143:24 158:7 160:13,19 167:6 <b>1992</b> 9:13 15:7,8,22 33:21,24 36:5 45:19 54:23 66:12	82:14,17 87:18 88:9 89:17 90:4,8 91:1,23 93:4 94:12,17 96:1 97:4 99:18,19 101:24 109:14 110:22 143:24 153:23 154:2,16 156:6 164:19 166:3,14 172:7 174:21 184:6 <b>1992'</b> 64:14 <b>1994</b> 173:17 175:14 176:5,6 188:4 <b>1996</b> 168:13 173:17 174:22 175:2 176:7 177:17 178:3 <b>1997</b> 8:6 18:15,16 <b>1998</b> 19:6,14,15,21 20:6 22:24 23:5 176:9 <b>1999</b> 20:4,8,11 21:3 21:6 25:25 29:24
	<hr/> <b>X</b> <hr/> <b>X</b> 189:19			<hr/> <b>2</b> <hr/> <b>2</b> 7:20 8:8 19:21 63:6 140:21,21 142:19 189:21 <b>2.00</b> 88:12,16 <b>2.52</b> 121:3 <b>20</b> 19:6 71:24 73:13 96:2 <b>20-odd</b> 61:21 <b>2000</b> 23:1 176:10 176:11 <b>2001</b> 21:9 <b>2002</b> 146:4 <b>2011</b> 34:20 <b>2012</b> 35:1 <b>2013</b> 5:25 <b>2014</b> 35:7 62:20,23 63:2,9 66:7 106:11,12,16 107:19 108:8
	<hr/> <b>Y</b> <hr/> <b>year</b> 5:18 16:16 33:22,23 39:20 52:10 95:4 107:5 108:7 111:11 126:2 130:8 165:3 <b>years</b> 5:23 6:1,6 8:3 8:5,17 30:3 34:9 34:10 35:9 36:5 39:11,20 44:23 46:11 47:2,12 48:8 61:21 64:9 65:9,10 66:16 115:11 118:23 119:9,24 124:4 131:10 144:2 155:6 161:2 <b>years'</b> 30:3 <b>yesterday</b> 68:12 71:18 <b>young</b> 31:19 164:5 <b>younger</b> 7:7 <b>youngest</b> 3:9 <b>youth</b> 155:15 <b>youth/child</b> 156:11 <b>youths</b> 156:19			

109:24 112:5	<b>4.30</b> 178:5		
113:24 114:11,21	<b>4.45</b> 189:14		
141:18,19 182:1	<b>48</b> 187:20		
<b>2015</b> 58:20 59:10	<b>49</b> 187:20		
<b>2016</b> 34:8,24 39:5			
46:23 52:24 55:8	<b>5</b>		
56:20 61:11 82:25	<b>5</b> 14:9 17:21 25:18		
84:25 85:6 111:10	94:7 96:25 98:14		
111:23 141:12	99:13 125:15		
<b>2017</b> 1:1 111:11	135:14		
189:16	<b>52</b> 148:10		
<b>203</b> 180:5	<b>56</b> 175:9		
<b>20G</b> 7:20	<b>57</b> 173:17		
<b>21</b> 19:14			
<b>211</b> 171:10	<b>6</b>		
<b>22</b> 35:9 64:9 65:9	<b>6</b> 25:19 32:22 66:6		
65:10 119:9 190:3	126:17 142:23		
<b>229</b> 168:10,12	<b>60</b> 180:7,9		
<b>23</b> 8:3 66:16	<b>60s</b> 104:2		
<b>238</b> 166:25			
<b>24</b> 1:1 29:24 30:3	<b>7</b>		
154:16	<b>7</b> 3:9 27:7 95:4		
<b>25</b> 12:21 189:16	101:22 111:10		
<b>26</b> 68:25 141:12	143:11 189:23		
<b>27</b> 17:22 93:13	<b>70</b> 126:1		
<b>28</b> 6:6 22:19 153:23	<b>733</b> 27:3 28:4		
<b>29</b> 6:6 21:3			
	<b>8</b>		
<b>3</b>	<b>8</b> 57:7 63:9 67:24		
<b>3</b> 15:8 32:22 72:9	90:10 92:16 93:2		
133:11 144:21	93:4 106:18		
153:11	125:15 158:7		
<b>3.05</b> 121:5	159:14 160:13		
<b>30</b> 30:3 109:24	167:6		
111:9 113:24	<b>8-year-old</b> 72:19		
114:11,21	<b>86</b> 35:19 41:16		
<b>30s</b> 34:13			
<b>32</b> 190:6,8	<b>9</b>		
<b>33</b> 152:20	<b>9</b> 164:19		
<b>34</b> 162:20,21	<b>92</b> 35:19 41:16		
<b>38</b> 164:21	90:19		
	<b>93/'94</b> 148:24		
<b>4</b>			
<b>4</b> 7:19 10:3 55:5			
56:25 72:3 129:2			
134:25 153:22			