

THE WESTMINSTER INVESTIGATION

OPENING STATEMENT BY COUNSEL TO THE INQUIRY

Introduction

1. Chair, today you and the Panel begin three weeks of hearings in the Westminster investigation, which is but one part of the statutory Independent Inquiry into Child Sexual Abuse set up by the then Home Secretary in March 2015, offering an unprecedented opportunity to examine the extent to which institutions and organisations in England & Wales have taken seriously their responsibility to protect children.
2. May I first make introductions of those who are present and represented before you today: I am Brian Altman QC, Lead Counsel to the Inquiry. I appear with Mr Andrew O'Connor QC, Lead Counsel to the Westminster Investigation, and we are assisted by Ms Kate Beattie, Mr Alasdair Henderson and Ms Katie O'Byrne.
3. The Crown Prosecution Service (CPS) is represented by Ms Zoe Johnson QC. The Labour Party is represented by Ms Eleanor Grey QC. The Independent Office for Police Conduct (IOPC) is represented by Ms Lorna Skinner. The Metropolitan Police Service (MPS) is represented by Ms Samantha Leek QC. Wiltshire Police is represented by Ms Anne Studd QC. The Home Office, which has been granted core participant status in a representative capacity for Her Majesty's Government, is represented by Mr Nicholas Griffin QC. A group of seven complainants, whose ciphers are listed in the list of core participants, are represented by Mr Richard Scorer. Ms Esther Baker is represented by Mr Jonathan Price. Mr Tim Hulbert is represented by Mr Sam Stein QC. Finally, Mr Harvey Proctor is represented by Mr Geoffrey Robertson QC.
4. Chair, today you will hear opening statements from us and from core participants. Tomorrow you will start hearing evidence. The evidence will continue for the rest of

this week and all of next week. The third week in March (the week commencing 18 March) is a non-sitting week for the Inquiry. We will resume in the final week of March for further evidence and, at the end of that week, closing statements.

5. The central issue that this investigation will address is whether Westminster institutions have failed - and, indeed, whether they are still failing - to protect children. Questions have been asked as to how Westminster institutions - be they political parties, government departments, law enforcement or intelligence agencies - have responded to allegations of child sexual abuse and exploitation: whether political parties turned a blind eye to allegations of child sexual abuse made against their members or leaders, or whether there were attempts to cover such allegations up? In the case of the Whips' Offices, whether they in fact tried to turn such allegations to their advantage? Whether members of the Westminster establishment sought to influence policing or prosecution decisions in cases of child sexual abuse? Whether there was a culture whereby people of public prominence were shielded from investigation and their wrongdoing tolerated at the expense of their victims? We shall investigate and attempt to answer these questions, which have given rise to considerable public concern.
6. These are extremely serious issues. You and the Panel will of course be familiar with similar issues from your other investigations. You have now heard evidence about institutional complacency towards allegations of child sexual abuse - and worse - in a variety of different contexts. The gravity of these issues in this investigation, we suggest, lies in the fact that they relate directly to the alleged conduct of elected representatives. If true, they affect public confidence in the individuals and in the institutions responsible for running the country.
7. Notwithstanding the gravity of these issues, we are conscious that some will ask whether the Inquiry really needs to investigate them at all. Critics might say that the public concern about these matters that existed a few years ago - in particular at the time of the wave of allegations relating to Jimmy Savile, Cyril Smith and others - has now abated. A number of other investigations have taken place. And Carl Beech -

formerly known as ‘Nick’ - whose allegations about a so-called Westminster paedophile ring in Dolphin Square in London at one time attracted so much publicity - is now awaiting trial on charges (which he denies) of perverting the course of justice and fraud in connection with those allegations.

8. Chair, I hope that everything else that I have to say this morning will justify the value of this investigation. But there are two brief points that I would make straight away.
9. First, let me explain the Inquiry’s position relating to the allegations made by Carl Beech - or ‘Nick’ - of a Westminster paedophile ring operating in Dolphin Square.
10. As is well known, the Metropolitan Police investigation into Mr Beech’s allegations - Operation Midland - ended with no charges being brought. A detailed investigation into Operation Midland was conducted by a retired High Court Judge, Sir Richard Henriques. At the end of 2016, Sir Richard published a report that made a series of criticisms of the Metropolitan Police relating to the way in which Operation Midland had been conducted, and as I have said, Mr Beech has now himself been charged with offences arising from the allegations he made.
11. You will recall, Chair, that at the first preliminary hearing in this investigation in January last year - long before Mr Beech was charged - we submitted that Mr Beech’s allegations, and more importantly the institutional response to those allegations, should not form part of this investigation. We suggested that public concern relating to those allegations had diminished, and we made the point that the way in which the police responded to Mr Beech’s allegations had already been thoroughly examined by Sir Richard Henriques. There was no dissent to these submissions and, as we shall see, the ruling that you gave on scope in May last year identified a series of other matters for this investigation to address.
12. The criminal proceedings that have now been brought against Mr Beech add a further and more compelling reason why this investigation should not touch either on the allegations that Mr Beech has made, or on Operation Midland. It is plainly imperative

that nothing that we do as part of this investigation prejudices in any way the fairness of those criminal proceedings.

13. However - and this is the second point - it is our firm submission that public concern over Westminster child sexual abuse allegations neither begins nor ends with Mr Beech. We suggest, and we are confident that many of the core participants here today will agree, that there are outstanding questions of public concern in this area that it is both necessary and appropriate for this Inquiry to investigate, albeit in a limited and proportionate manner. Those are the issues that you identified in your ruling on scope in May of last year. It is those issues that we will investigate. I will return to each in more detail in due course.

Westminster child sexual abuse allegations and this Inquiry in historical context

14. Before turning to look in more detail at the issues that are to be covered in evidence during our three weeks of hearings, we hope that it will be helpful to introduce some historical context. To that end, I propose to spend a little time examining how allegations about child sexual abuse at Westminster, and in particular the concept of a ‘Westminster paedophile ring’, have developed over time, from the 1970s to the present day.
15. A key recent point in this narrative was 24 October 2012. That was the date on which, putting a question to the Prime Minister on the floor of the House of Commons, Tom Watson MP claimed that there was “*clear intelligence suggesting a powerful paedophile network linked to Parliament and No.10*”. In support of this allegation, Mr Watson asserted that there had been a failure to follow up evidence obtained in the police investigation into convicted paedophile Peter Righton, including evidence that, as he put it, related to a “*senior aide to a former Prime Minister*”.
16. Looking back, it may be thought that Tom Watson’s question was the catalyst for the establishment of this Inquiry [**clip INQ004102**].

17. Unsurprisingly, Mr Watson's question gave rise to considerable public concern. His allegation that there was "*a powerful paedophile network linked to Parliament and No.10*" came at a time of general public disquiet regarding allegations of historical child sexual abuse. Mr Watson asked his question just three weeks after the first allegations about Jimmy Savile had been broadcast on ITV and only days after the launch of Operation Yewtree. And his question was followed closely by Simon Danczuk MP calling in Parliament for an inquiry into alleged abuses by Cyril Smith.
18. These allegations fed into the growing public concern that a network of paedophiles may have operated with a degree of impunity in public life.
19. Concern continued to grow and, some two years later, on 6 July 2014, in a television interview on *The Andrew Marr Show* speaking about a piece Simon Danczuk had written in that day's Mail on Sunday calling for a public inquiry into historic child sexual abuse in Westminster, Lord Tebbit said that this had to be understood against the "*atmosphere of the times*" and "*at that time most people would have thought that the establishment - the system - was to be protected. And if a few things had gone wrong here and there, that it was more important to protect the system than to delve too far into them*". He said "*that view I think was wrong then and it is spectacularly shown to have been wrong because the abuses have grown*" adding, "*there may well have been*" a "*big political cover-up*" related to child sexual abuse in the 1980s, but that it was "*almost unconscious*" and "*the thing that people did at that time ... you didn't talk about those sort of things*" [clip INQ004091].
20. Lord Tebbit has provided the Inquiry with a witness statement and we will invite you to adduce in evidence [INQ001846]. In that statement, Lord Tebbit explains what was in his mind when he referred to "*a big political cover up*" by the establishment in relation to child sexual abuse. At paragraphs 14-21 of the statement [INQ001846_2], he refers to his awareness of Jimmy Savile's excessive interest in child patients at Stoke Mandeville; the lack of action taken against Cyril Smith for allegedly abusing teenage boys; rumours of sexual deviance of senior members of the Churches of

England and Rome; and that Peter Morrison had an interest in young men, which Lord Tebbit took to mean “*young men of about sixth form age*”.

21. As I have said, this surge in public concern about Westminster child sexual abuse allegations in the period following Mr Watson’s Parliamentary question in October 2012 not only provides the context for this part of the Inquiry’s work, but was to a significant degree responsible for the Inquiry itself being established. In fact, the setting up of the Inquiry in its initial non-statutory form was announced by Theresa May, then the Home Secretary, on 7 July 2014, the day after Lord Tebbit’s interview. As you know, it was subsequently reconstituted as a statutory inquiry in February 2015.
22. It would be wrong, however, to suggest that the 2012 allegations of cover-up and conspiracy relating to Westminster child sexual abuse were entirely novel. On the contrary, public allegations of this nature had been ventilated from time to time over several decades before.
23. Political sex scandals are of course nothing new. Conspiracy and cover-up were at the heart of the two great political sex scandals of the 1960s and 1970s - the Profumo and Thorpe affairs.
24. Other high profile sex scandals during the period involved children. As we shall see, the reporting of such scandals in this period often used the term ‘rent boy’, which was (and is) an ambiguous term in that it does not distinguish between individuals below the age of 18, whom this Inquiry regards as children, and those over 18. The term seems to have been used generally to describe both teenagers and those in their early twenties. I will return to this point later in the course of this opening statement. But let me first take a look at the historical context underpinning this investigation.
25. **Sir Ian Horobin (1962):** He was Parliamentary Secretary to the Minister for Power from 1958 to 1959. He was convicted in 1962 of 10 charges of indecency with boys under 16 and young men who were associated with the Mansfield House University

Settlement, where Horobin was the warden. He was sentenced to 4 years' imprisonment. [[“Great career of Sir Ian ends in jail” Mirror INQ004094](#)]

26. **Piccadilly Circus / Playland:** In the 1970s and 1980s, the so-called ‘meat rack’ or ‘chicken rack’ near the Playland Amusement Arcade at Piccadilly Circus in the West End of London was notorious as a congregating spot for teenagers and young men. It has been reported that many of these boys and men were solicited and sexually exploited by older men.

27. In 1975, Scotland Yard investigated a number of individuals for sexual abuse of ‘rent boys’ around Piccadilly Circus. Five men were charged, including Charles Hornby, a wealthy socialite and an old Etonian [[“Old Etonian is jailed in rent boys’ vice case” Daily Mirror 23 September 1975 OHY005124](#)]. Hornby was said to have had Royal connections. Hornby pleaded guilty to conspiracy to procure acts of gross indecency by males under 21, committing acts of gross indecency and attempting to pervert the course of justice.

28. Much more recently, allegations have been made by individuals in relation to events around Piccadilly Circus in the 1970s. The Inquiry requested evidence from Mr Anthony Daly in relation to his book *Playland: Secrets of a Forgotten Scandal* published in 2018 [[INQ003721](#)]. Mr Daly tells the story of his time as a rent boy, when he was aged 20 over three months in 1975. Mr Daly alleges that he was initially captured and recruited by Charles Hornby and that he became well acquainted with Charles’ brother, Simon Hornby, who paid him for sex. Though not a child himself at the time, Mr Daly alleges that he was forced to witness the depraved sexual abuse of two boys aged eight and 10 at a party attended by unnamed persons and two individuals whom he knew [[INQ003721_92-93](#)]. He also made claims in his book that senior establishment figures, including politicians such as Sir Keith Joseph, Sir Peter Morrison and Sir Michael Havers, the Shadow Attorney General at that time, were present at parties where underage rent boys were sexually abused and exploited [[INQ003721_47-49, 59-60](#)].

29. Allegations have also been made in recent years by Anthony Gilberthorpe. Mr Gilberthorpe has publicly alleged that, as a young Conservative activist in the early 1980s, he was given money to procure rent boys for the entertainment of Conservative MPs, including Cabinet Ministers, at party conferences in 1981, 1983 and 1984 [***“I supplied underage rent boys for Tory ministers” Sunday Mirror 13 July 2014 PMK000110***]. He has named, in the public domain, a number of prominent politicians who he claims were involved with rent boys, including Dr Alistair Smith, by then Attorney General Sir Michael Havers, Sir Rhodes Boyson and Sir Keith Joseph. I make perfectly clear, in light of recent press, that we have received no witness statement from him and we are not calling him.
30. The **Elm Guest House** was a hotel in Rocks Lane near Barnes Common in south-west London. It has been associated with allegations of child sexual abuse ever since the 1980s.
- a. **Raid on Elm Guest House:** Elm Guest House was run by husband and wife Haroon and Carole Kasir, and was advertised as a gay guest house. In June 1982, the Elm Guest House was raided by police. It appeared that at least one boy, aged 10, had been sexually abused on the premises. The boy made a statement to police in which he said that he had been raped by adult males at the house. A social worker claimed that the boy made an allegation in relation to an “*Uncle Leon*” that was not reflected in the boy’s formal typed statement. A masseur who worked on the premises, then aged 17, has also claimed that two undercover officers had sex with him in the guest house before the raid, and that he was intimidated by officers not to speak the truth about what he knew.
 - b. Following the raid, the Kasirs were taken into custody. In April 1983, Carole and Haroon Kasir were convicted of running a disorderly house. They were each sentenced to nine months’ imprisonment suspended for two years and fined £1,000. None of the guests at the house was convicted of any offence and no politician or VIP was ever identified as having been involved.

- c. **Carole Kasir's inquest:** In June 1990, Carole Kasir was found dead. At the inquest into her death, which was ruled a suicide, Mr Chris Fay (employee of the National Association of Young People in Care (NAYPIC)) alleged that he had spoken to Carole Kasir with his colleague, Mary Moss. The so-called 'Mary Moss List' of VIP guests to Elm Guest House was produced during these interviews and later published online. Mr Fay alleged that Kasir informed him that boys were trafficked from Grafton Close Children's Home and abused by VIPs in the guest house [["House of Porn: ex-cabinet minister pictured with naked boys in sauna"](#) Sunday Mirror INQ004101].
- d. Years later, in 2015, Mr Fay repeated his allegations on a BBC Panorama programme entitled *The VIP Paedophile Ring: What's the Truth?* (broadcast on 6 October 2015) [INQ004095]. Fay also claimed that Kasir had shown him photographs in which a semi-naked Leon Brittan was in the Guest House with naked boys. He added that he had spoken to a number of alleged victims but it was clear that his allegations were refuted in full by at least one of those individuals. His allegations have been the subject of investigation by the IOPC in Operation Meryta, about which you will hear further evidence this week. Chris Fay was jailed in 2011 for an unrelated offence of money laundering.
- e. **Mehrotra allegations:** Elm Guest House has been linked in the press to the disappearance of Vishal Mehrotra, an eight-year-old who vanished on the day of the Royal Wedding in 1981; his remains were found in Sussex in February 1982.
31. **Geoffrey Prime (1982):** Geoffrey Prime was a former intelligence officer and Soviet spy. He worked for the Royal Air Force and later for GCHQ during the 1960s and 1970s. Prime had made a set of 2,287 index cards containing details of individual girls, their activities and their parents' routines. In 1982 he pleaded guilty to three counts of sexual offences against children as well as espionage offences. He was sentenced to 35 years' imprisonment for the espionage offences with three years'

imprisonment to run consecutively for the sex offences. In November 1982, Geoffrey Dickens MP asked Prime Minister Margaret Thatcher about Prime's membership of the Paedophile Information Exchange - commonly known as PIE. Mrs Thatcher responded that she understood that such stories were false.

32. **PIE / Peter Hayman:** The Paedophile Information Exchange or 'PIE' was an organisation formed in 1974 as part of the Scottish Minorities Group. In 1975 it relocated to London. Its aim was to campaign against the laws on the age of consent in order to allow adults to have sex with children. Its members published in its publications, *Understanding Paedophilia* and *Magpie* [examples of 'Magpie' magazine (selected pages only) LSE001241_1, 5, 7 (April 1977); LSE000754_1, 3, 5 (September 1977); LSE001252_1-3 (May 1978); LSE001258_2 (October-December 1979); and LSE001261_1, 2, 6 (Spring 1981)]. PIE's philosophy was asserted in Tom O'Carroll's book *Paedophilia: the Radical Case* (1980). Tom O'Carroll was a member of PIE's executive and a former secretary and chair of PIE.
33. It is clear that a number of PIE members were involved in the sexual abuse of children. High profile members Peter Righton, Charles Napier, Richard Alston and Dr Morris Fraser were all convicted of offences related to child sexual abuse. In 1981, a number of senior PIE members, including Tom O'Carroll, were tried for conspiracy to corrupt public morals on the basis of 'contact' advertisements published in *Magpie*. Following a retrial, Tom O'Carroll was convicted and sentenced to two years' imprisonment; he later admitted and was sentenced to jail for offences of child pornography. It is believed that PIE disbanded in 1984.
34. There were a number of established links between PIE and Westminster in the late 1970s and early 1980s. Others are the subject of conjecture.
35. **First**, at least one senior Westminster figure - Sir Peter Hayman, a former High Commissioner to Canada - was a member of PIE, albeit using the name 'Peter Henderson'. In October 1978, Hayman left a package of indecent images of children

on a London bus. The police traced the package and discovered that Hayman, under the pseudonym Peter Henderson, had used an apartment in Bayswater, London, to conduct obscene correspondence, including with PIE members. As a result, seven men and two women were named by the Metropolitan Police as possible defendants in a report submitted to the Director of Public Prosecutions, Sir Thomas Hetherington, but he advised against prosecution. In 1981, Geoffrey Dickens MP revealed these events in Parliament and asked why Hayman had not been prosecuted. The Attorney-General, Sir Michael Havers, indicated that the material he had received was not of an extreme nature and did not warrant prosecution, and that Hayman was not a member of the PIE executive.

36. **Second**, it has been claimed that PIE was funded by the Home Office. The claim originates from Mr Tim Hulbert. Mr Hulbert was a consultant at the Home Office Voluntary Service Unit (VSU) from October 1977 until he became Deputy Director of Social Services for Hereford and Worcester County Council in October 1981. The VSU was responsible for providing funding to voluntary organisations that were not the direct responsibility of any single government department. Mr Hulbert recalls seeing a quarterly summary of pending grants or grants for renewal with an entry that read ‘WRVS (P.I.E.)’. He went to Clifford Hindley, the head of the unit at the time, and asked why the VSU was funding PIE. Mr Hulbert says that Mr Hindley told him that PIE was funded at the request of Special Branch who found it useful to identify people with paedophile inclinations. Mr Hulbert was left, he says, with the clear impression that he should ‘back off’.
37. In February 2013, the then Home Secretary commissioned an independent Home Office review to ascertain what information the Home Office had received in relation to organised child abuse and whether there had been any deliberate destruction of documents to protect persons of public prominence [**Interim Report April 2013 HOM002414; Final Report June 2013 INQ003810**]. A second Home Office review examined Mr Hulbert’s claim about Home Office funding of PIE [**INQ003804**]. Its report published in July 2014 concluded that on the balance of probabilities, and in the absence of supporting evidence, the alleged funding by the VSU of PIE did not

take place. However, it found that organisations connected to PIE were funded by the Home Office, including the Albany Trust and the Princesdale Trust [INQ003804_10[7.5] & [7.6]]. The independent review of both Home Office reviews, conducted by Peter Wanless and Richard Whittam QC [INQ003815] considered that this was not a fully satisfactory answer. In their report published in November 2014, they concluded it was possible that a Special Branch inspired payment might have taken place: the official records offered no direct evidence of this and there was nothing to corroborate Mr Hulbert's memory, but the records were insufficiently complete to rule it out entirely [INQ003815_36]. Several months later, a further store of documents was found at the Home Office which were the subject of a supplementary review by Mr Wanless and Mr Whittam QC [INQ003817].

38. **Third**, PIE was permitted to be an affiliate organisation to the National Council on Civil Liberties (NCCL) from the late 1970s until the early 1980s. Patricia Hewitt, Harriet Harman and Jack Dromey all had roles in the NCCL at that time; each has more recently held senior positions in the Labour Party. They have all expressed regret for NCCL's affiliation with PIE and have claimed no personal support for its members.

39. It appears that there was a substantive relationship between the NCCL and PIE. In March 1976, the NCCL proposed the reduction of the age of consent to 14, and in some cases 10. They issued a press release stating "*NCCL proposes that the age of consent should be lowered to 14, with special provision for situations where the partners are close in age, or where consent of a child over ten can be proved.*" [["Patricia Hewitt backed NCCL policy of lowering age of consent"](#) **The Guardian 28 February 2014 INQ004097**]. A version of this policy was then adopted as a recommendation by Home Office advisors in a 1979 paper. NCCL also advertised in PIE's publication *Understanding Paedophilia* in 1977 and in PIE's magazine *Magpie* in April 1979. In addition Tom O'Carroll was elected to NCCL's gay-rights sub-committee in the late 1970s. The NCCL gay-rights subcommittee Chair, Nettie Pollard, attended PIE meetings and also wrote letters in support of PIE [LSE001278].

40. **The ‘Dickens dossier/s’:** Geoffrey Dickens was a campaigning MP who used Parliamentary Privilege to name senior diplomat Sir Peter Hayman as a paedophile in the House of Commons, and alleged that Hayman’s paedophilia had been covered up by the Attorney General. In 1983-1984, he had a series of meetings with the Home Secretary Leon Brittan, at which he provided information purporting to identify other high-profile paedophiles in government and the Royal Household.
41. The information he provided has come to be known as the ‘Dickens dossier’ but what exactly was in the ‘Dickens dossier’ and how many there were is unclear. The evidence suggests there may have been several files or documents which have individually and misleadingly become known as the ‘Dickens dossier/s’.
42. There are claims that, in 1983, a copy of the dossier was seized under threat of imprisonment from journalist Don Hale added to the intrigue. Mr Hale was the editor of the Bury Messenger and had been given substantial parts of the ‘Dickens dossier’ by Barbara Castle MP, who had herself received it from Mr Dickens. Mr Hale alleges that Special Branch officers burst into his office and demanded that he hand over the material he had received from Barbara Castle, whereupon he was handed what purported to be a ‘D-Notice’ preventing publication of any material contained within the seized documentation.
43. In relation to the ‘Dickens dossier’, the Interim Report of the first Home Office review [HOM002414] concluded that the Home Office did receive information from Mr Dickens in 1983 and 1984 about alleged child abuse and that copies of the material had not been retained. However, a letter dated 20 March 1984 from Home Secretary Leon Brittan to Mr Dickens confirmed that the information was considered at the time and any matters requiring investigation were passed to the police [HOM002414_22[13.1] & [13.2]]. The review did not find evidence of deliberate destruction of documents to cover up child abuse.
44. In their review, Messrs Wanless and Whittam found that those conclusions were reasonably open to the reviewer on the information available [INQ003815_15[14]].

45. **Scallywag Magazine:** In the early 1990s, a series of articles concerning an alleged Westminster paedophile ring were published by the controversial magazine *Scallywag*, edited by Simon Regan [PMK000095_5-6].
46. The allegations published in *Scallywag* included that there was a paedophile ring in Westminster involving at least one former Cabinet minister; that pictures and videos of a paedophile nature had been copied and distributed in Westminster; that the paedophile ring was an “*all-party*” affair though predominantly in the Tory party; that parties were held at Dolphin Square involving sexual and violent conduct towards young boys; that reporting of these allegations was suppressed; that the situation was well-known outside of Westminster; and that several police officers were complicit. Allegations were frequently linked to homosexuality.
47. These articles, while written in a sensationalist style and relying on rumour and innuendo rather than evidence, added oxygen to the rumours already reported in the public domain.
48. **Peter McKelvie:** Mr McKelvie is a child protection specialist and social services employee and consultant. He has campaigned against paedophile activity in this country, and has made frequent allegations in the press. Many of his allegations concern the case of Peter Righton, a convicted paedophile who, prior to his conviction, held a senior position advising the government on childcare.
49. In June 1994, Peter McKelvie’s allegations concerning Righton formed the basis of an *Inside Story* documentary *Children At Risk - The Secret Life of a Paedophile*, which told the story of Peter Righton, and two other convicted paedophiles with links to the establishment, Richard Alston and Charles Napier.
50. Mr McKelvie has previously claimed to have been the source of Tom Watson’s 2012 Parliamentary question, in which Mr Watson alleged, as I have said, that there was “*clear intelligence*” of “*a powerful paedophile network linked to Parliament and*

No.10". In a witness statement that he has very recently provided to the Inquiry, Mr McKelvie has suggested that Mr Watson's question was primarily based on information provided by two others. It is certainly the case that Mr McKelvie has subsequently been reported as suggesting that Mr Watson acted precipitately in asking the question in Parliament, and that the language he used did not reflect the information that Mr McKelvie had given him. It was reported by the *Telegraph* in 2015 that Mr McKelvie said that "*Tom Watson 'mixed up' his facts and made exaggerated claims about a 'powerful paedophile network' linked to Downing Street*" [["Tom Watson 'confused claims over VIP child sex abuse'"](#), **Telegraph 27 October 2015 INQ004098**]. According to the report, Mr McKelvie said:

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

51. Mr McKelvie has made a number of more specific allegations. He raised concerns about a paedophile network between four individuals and that a police investigation into it had been shut down because of interference by senior police officers or politicians. He raised concerns that Charles Napier, a convicted paedophile, had obtained a teaching post abroad through his establishment connections, and that the same individual had made use of or had been allowed to use the diplomatic bag while working abroad in Cairo to send or receive child pornography, and that this had not been investigated. Mr McKelvie was also concerned that individuals in the establishment should have known about Charles Napier's abuse of children. He was concerned that these allegations were not pursued with sufficient rigour by police.
52. In Mr McKelvie's recent witness statement, which will be disclosed to core participants and which we will invite you to adduce, he summarises his main concerns at paragraph 53:

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

53. The Inquiry has also received a large volume of documentation from Mr McKelvie. Those documents have been reviewed and analysed in detail. Where relevant to the scope of this investigation, they have been disclosed to core participants.
54. The IOPC investigated nine separate areas of concern raised by Mr McKelvie in an operation named Redrail 2 [IPC000859], to which we will return during the IOPC’s evidence. The conclusion drawn by the IOPC, having investigated all of the areas of concern, was that there was no evidence or corroboration to support any of them.
55. Since 2012, in the wake of the revelations regarding Jimmy Savile and Mr Watson’s Parliamentary question, many of these old allegations have been revisited. There has, for example, been extensive further commentary and debate concerning both events at the Elm Guest House and what became of the so-called ‘Dickens Dossier/s’.
56. Many fresh claims of child sexual abuse relating to this earlier period - in particular the 1980s - have been made since 2012:
 - a. I have already referred to the allegations of Anthony Gilberthorpe and Anthony Daly.
 - b. Most prominent of all were the claims of Carl Beech - ‘Nick’ - of a Westminster paedophile ring in Dolphin Square. Mr Beech’s claims were first made public in 2014, and were the subject of the MPS’s Operation Midland.

- c. Claims have also been made by retired police officers to the effect that investigations into prominent individuals suspected of involvement in child sexual abuse were suppressed in the 1980s and earlier.

57. As I have already said, one of the central reasons why this Inquiry was established was in order to respond to the public concern generated by the wave of allegations regarding historic child sexual abuse that were made between 2012 and 2014.

58. It is important to recognise that other reviews and inquiries have already investigated some elements of this public concern:

- a. As I have already mentioned, questions around the ‘Dickens Dossiers’, and also the issue of Home Office funding of PIE, have been investigated by internal Home Office reviews and also by the Wanless / Whittam review.

- b. As we shall hear, allegations of police misconduct in respect of Westminster child sexual abuse allegations have been investigated by the IOPC.

59. These reviews and inquiries are not only of historic interest. Given the wide remit of this Inquiry, it would plainly be foolish to duplicate work already done satisfactorily by others. And the Inquiry’s Terms of Reference expressly require you to build on such work, by considering *“all the information which is available from the various published and unpublished reviews, court cases and investigations which have so far concluded.”*

Limited scope of this investigation - selection of topics - rationale and procedural history

60. This brings us to the question of what particular topics this investigation will be addressing. And, perhaps just as important, the questions and issues we will not be investigating.

61. It has been clear from the start that it would not be practically possible, even were it to be desirable, for this investigation to examine and seek to reach conclusions about all the questions and issues that have arisen over the years relating to Westminster child sexual abuse allegations. As will be apparent from what I have said already this morning, those allegations cover a huge number of factual matters, which relate to events that took place all over the country, spanning decades.
62. We must also remember that this investigation is only one of the many investigations into different subject areas that the Inquiry has committed itself to undertake, and also the fact that you stated publicly last August that you are working towards the Inquiry concluding its public hearings by the end of next year, 2020. It will be obvious that these competing priorities require this investigation - and, indeed, all the Inquiry's investigations - to approach our work in a proportionate manner, and this is reflected in the fact that the public hearings in this investigation are limited to three weeks.
63. Chair, I have already referred to the preliminary hearing that took place in January last year, and your subsequent ruling on the scope of this investigation dated May 2018. The transcript of the hearing and the text of your Determination are, of course, available on the Inquiry website.
64. At the January hearing we made submissions to you emphasising the need for selectivity and proportionality in determining the issues to be investigated. We made some general submissions about how this exercise should be approached including, as I have mentioned, the submission that the allegations made by 'Nick' (as he was then known) and Operation Midland should not form part of the investigation. We outlined a series of issues that we suggested would be suitable for investigation, and, having received written submissions from core participants following the hearing, it was those issues that you adopted in your May ruling. Those issues are as follows.
 - a. Police investigations. A number of public allegations have been made to the effect that police investigations into cases of possible child sexual abuse linked with Westminster may have been the subject of inappropriate

interference. The IOPC and the MPS have recently conducted a series of investigations into these allegations. We will hear evidence about these investigations.

- b. Prosecutorial decisions. There has been concern that decisions whether or not to prosecute persons of public prominence associated with Westminster in child sexual abuse cases may have been the subject of improper interference from within the Westminster establishment. We will investigate two such cases - relating to the late Victor Montagu and the late Sir Peter Hayman.
- c. Political parties. We will call evidence relating to a range of different factual episodes that all touch on the question of the way in which political parties, and in particular the leadership of those parties, have reacted to allegations of child sexual abuse made about individuals within their own parties.
- d. Whips' Offices. This issue responds to concern generated by comments made by a former Conservative Party whip, Tim Fortescue. In a BBC interview in 1995, Mr Fortescue suggested that Whips would help to cover up scandals, including, as he described it, "*scandal involving small boys*" as a means of gaining loyalty.
- e. The honours system. The honours system itself is an institution operated on behalf of the Crown by senior politicians and civil servants within the Westminster establishment. Concerns have been raised as to whether the honours system takes appropriate account of allegations of child sexual abuse that have been made against individuals who are being considered for an honour, and also made against those who have already been granted an honour.
- f. The Paedophile Information Exchange. The Paedophile Information Exchange was an organisation run by and for paedophiles in the 1970s and 80s. As I have mentioned before, it campaigned for public acceptance of paedophilia,

and in particular the lowering or abolition of the age of consent for children. The core issue that we are investigating in relation to PIE is the possibility that it may have been in receipt of Home Office funding. As I have already explained, this issue is pursued by one of the core participants, Mr Tim Hulbert, who contends that the question of Home Office funding was not fully addressed in the Wanless / Whittam Review established by the Home Office.

g. Current safeguarding policies by Her Majesty's Government, the Palace of Westminster and political parties. The final issue relates to the sufficiency of current safeguarding policies relating to children by Her Majesty's Government, the Palace of Westminster itself and the political parties. We have sought disclosure of a significant number of such policies and have reviewed them with the assistance of an expert. We will be calling evidence from that expert during the hearings.

65. Chair, I propose shortly to go back to the seven topic areas that you have selected for investigation, and to give a relatively detailed introduction to the evidence that we intend to call on each.
66. Before doing so, I wish to make three more general points about the approach that has been adopted to the investigation.
67. First of all, it needs to be emphasised that the focus of this investigation – and indeed of the Inquiry more generally – is on the conduct of institutions, as opposed to that of individuals. The function of this investigation is to inquire into the way in which Westminster institutions responded - or, perhaps, failed to respond - to allegations of child sexual abuse. With that in mind, we submit that it will be neither necessary nor proportionate for this investigation to involve itself in attempting to investigate, far less in attempting to make findings, as to whether individual allegations of child sexual abuse that have been made against Westminster figures are true. In general terms at least, those are matters for the police and for the courts. And we suggest that questions as to possible institutional failings in this field can, generally speaking, be

perfectly properly investigated without undertaking the time-consuming and resource-intensive process of making findings on the underlying allegations. Indeed, the clear purpose of the Inquiry hearing evidence about such allegations is not to examine their truth, but to investigate what institutions knew about allegations of this nature and how they responded to them, if at all. While the findings that you ultimately choose to make will, as always, be a matter for you and the Panel, we will not be making any suggestion that any such allegations are true and so we do not anticipate that it will be necessary or desirable for you in this investigation to make any findings, whether, for instance, any particular person of public prominence committed acts of child sexual abuse of which they have been accused. I repeat, the focus of the investigation, rather, will be on the way in which Westminster institutions dealt with and responded to allegations of this nature.

68. The second point to make is that there is a relationship between the scope of this investigation and that of several other of the investigations that the Inquiry is conducting.
 - a. Hearings in the Rochdale investigation took place at the end of 2017, and your report was published in April last year. The evidence that you and the Panel heard in that investigation was deliberately limited to matters that took place in Rochdale. Within that context, you heard evidence relating to the late Cyril Smith, and, in particular, about decisions that were taken not to bring charges against him in respect of allegations that he had committed offences of child sexual abuse. Consequential issues relating to Westminster institutions - most obviously, perhaps, what the Liberal Party national leadership knew about these allegations, and what, if any, action they took as a result of them - were plainly not within the scope of the Rochdale investigation, and you gave a ruling to that effect. Equally plainly, however, such issues are within the scope of this investigation, and we will be hearing evidence about those issues in the coming days.

- b. As you know, the Inquiry is also conducting an investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC. The substantive hearings in that investigation have been listed to take place next year. Lord Janner was, of course, an MP for many years and latterly a member of the House of Lords. Questions as to the relationship between the two investigations have been the subject of debate within the Inquiry, and you gave a ruling in 2017, which is on the Inquiry website, rejecting a suggestion that the two investigations should be merged. It is not necessary for me to go into the detail of all this today. The short point that is relevant for our purposes is that you have decided that the best way to manage these two investigations is to ensure that all issues relating to the late Lord Janner - including those that may have some form of Westminster connection - will be addressed by the Inquiry as part of the investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner - and not as part of the Westminster investigation. For that reason, we will not be addressing any issues relating to Lord Janner in this investigation.

- c. There is also a degree of at least potential overlap between this investigation and the Inquiry's investigation into the extent of any institutional failures to protect children in the care of Lambeth Council from sexual abuse and exploitation, another of the investigations that is due to conduct hearings next year. For example, at least one of the IOPC investigations into possible police failings relates to events in Lambeth. As with evidence relating to Lord Janner, we will leave this material to be examined in the Lambeth investigation.

69. The third and final general point that I wish to make at this stage relates to a series of issues that are not within scope and that will consequently not form part of the investigation.

70. The category of issues to which I refer relate, generically, to suggested problems in the way in which cases of child sexual abuse are dealt with by the criminal justice

system. Many of these issues have been highlighted following recent high-profile police investigations such as Operation Yewtree, Operation Midland and Operation Conifer. They include, for example, the so-called ‘duty to believe’ complainants, and the way in which those accused of such such offences are treated, in particular perhaps, whether they should be entitled to pre-charge anonymity.

71. We accept of course that these are important issues. But we will not be investigating them as part of this investigation. That is for both principled and practical reasons.
72. As to reasons of principle, these issues are generic rather than being specific to Westminster, and they are remote from the central purpose of this Inquiry, which is to investigate possible failings by institutions in their duty to protect children from sexual abuse and exploitation. It is also the case that these issues have been considered by others, including for example Sir Richard Henriques in his review of Operation Midland.
73. Perhaps even more important than these principled considerations is the short practical point that these issues were not among those you identified as forming the subject-matter of your investigation in your ruling of May last year. Indeed, no one at the time suggested that they should be considered.
74. In making his very recent application for core participant status, Mr Proctor said that in the past he did not have trust in the Inquiry *“as it went through its initial difficulties”*, but that he *“now does trust it and wishes to assist it”* and he has suggested that the investigation should address issues of this nature. While we make no criticism of the delay in his application for core participant status, it has had a practical consequence. And in this regard we simply echo what you had to say about this in your Determination granting Mr Proctor core participant status:

“With the hearings in this investigation due to commence in only a few weeks’ time, it is far too late to revisit questions as to its proper scope. It is an unfortunate consequence of Mr Proctor’s delay in making this application that

he will not have the opportunity to contribute to the debate as to the proper scope of the investigation. Had Mr Proctor made this application earlier, he would of course have been able to do so.”

75. Finally, in this regard, we acknowledge that the topics you have decided to investigate are of an historical nature, as are the allegations underlying them. We suggest there is nothing inappropriate about that, since present day public concern about Westminster is founded in large measure on those events. Let me now turn to the topics for investigation in the course of these hearings.

Topic 1: Police investigations

76. The first topic, on which you will hear evidence this week, relates to concern that police investigations into cases of possible child sexual abuse linked with Westminster may have been the subject of inappropriate interference.

77. This involves four closely linked but distinct general issues:

- a. Was there a culture of deference or general reluctance amongst police when it came to investigating sexual allegations against persons of public prominence associated with Westminster, whereby steps were taken to avoid causing personal or political embarrassment?
- b. Were police officers ‘warned off’ investigating cases of possible child sexual abuse committed by persons of public prominence?
- c. Were allegations of child sexual abuse involving persons of public prominence associated with Westminster known about by police but inadequate action taken to investigate them?
- d. Did police officers seek to protect persons of public prominence accused of child sexual abuse from being the subject of investigation or public scrutiny through the media?

78. The IOPC, with the MPS have conducted a series of investigations into allegations of this nature. There are 37 IOPC managed investigations that are of relevance, and 17 investigations that have been conducted by the Professional Standards Department of the MPS. The IOPC has prepared an overarching report that will address the outcome of their investigations. You will hear from an IOPC witness, Deputy Senior Investigator Chris Mahaffey, to give oral evidence to introduce each of the relevant IOPC investigations. The Inquiry has also received a witness statement from Commander Catherine Roper of the MPS, who will provide similar evidence in relation to the MPS investigations.
79. Whilst it will not be possible for us to examine the detail of all of the individual investigations, it is our intention to call oral evidence about the detail of at least some of those investigations.
80. The oral evidence relating to these investigations will start tomorrow morning and will last for the rest of the week.
81. **First**, we will call evidence about whether there was a culture of deference amongst police when it came to investigating allegations concerning the sexual conduct or misconduct of persons of public prominence. You will hear from Lord Taverne, who recalls a conversation which took place in 1966 or 1967, when he was a Home Office Minister, with then Home Secretary, Roy Jenkins, and then Commissioner of the Metropolitan Police, Sir Joseph Simpson. The conversation concerned the way in which potential homosexual offences, as they were characterised in law at that time, were being investigated when suspects may have included Members of Parliament. Lord Taverne had the impression from that conversation that there was a general reluctance on the part of the police to investigate or arrest MPs, peers or other prominent people associated with Westminster for sexual offences to avoid causing embarrassment.

82. **Second**, we will hear more detailed evidence about a group of these investigations that arise from allegations that police officers may have been ‘warned off’ investigating possible cases of child sexual abuse committed by senior politicians and other establishment figures in the 1960s, 70s and 80s. We will hear evidence from four former police officers who allege that this occurred.
83. Retired Detective Chief Inspector Howard Groves recalls working on Operation Circus in the early 1980s, dealing with allegations of indecency involving young boys and trying to identify boys who may have been abused. He recalls attending a briefing given by a senior police officer, in which that officer used words to the effect that the investigation would cease if it encountered any prominent members of society. He made these allegations to the press in 2016, in which he also said he believed that the command not to investigate establishment figures must have come from Met Commander Trevor Lloyd-Hughes, although in a witness statement he made the year before he said he could not remember if Mr Lloyd-Hughes had been the senior officer who gave the briefing [[“Scotland Yard detective: I was told to ignore ‘meat rack’ VIPs during paedophile probe” Daily Mail 23 January 2016 INQ004076](#)]. Mr Groves says he does not recall that any persons of public prominence were encountered, and did not raise this allegation at the relevant time because he was a junior police officer.
84. Retired Detective Inspector Andy Surplice recalls the arrest of a photographer in connection with Operation Circus in the early 1980s. The photographer was said to have the names of powerful people in his address book. Mr Surplice was placed with a number of other officers in the photographer’s flat in Ealing, west London. He was struck by the fact that nobody attended the flat, and so he suspected a tip-off. The operation was then cancelled suddenly. He suspects that people named in the address book were being protected.
85. Retired Inspector Robert Glen describes his Chief Superintendent, a man named Neil Diver, blocking an investigation into the abuse of children by Cyril Smith in the late 1970s. Mr Glen recalls briefing Mr Diver who became extremely concerned to the

point of being angry, saying that it was too political and the operation should cease immediately. Mr Glen spoke to his Commander, who declined to get involved. The operation was shut down. He was later told by another officer that Mr Diver had been detained after trying to book a room at a hotel using a false name, and that he had been in the company of a male youth.

86. Paul Foulston, a retired policeman of Thames Valley Police, describes in 1976 being warned off interviewing an inmate at Feltham young offenders institute by Special Branch officers who said it would endanger national security. The young offender then also made allegations against Cyril Smith. Mr Foulston reported his story to Simon Danczuk MP in 2014 and took part in Channel 4's *Dispatches* programme entitled *The Paedophile MP: How Cyril Smith Got Away With It* in September 2013.
87. Detective Superintendent Stephen Kirby, of Wiltshire Police, will be called to give evidence specifically in relation to Wiltshire Police's investigation into allegations concerning a police operation in the late 1970s targeting the 'meat-rack' in Piccadilly Circus. The operation led to a surveillance operation on a flat in Cricklewood, which Roddam Twiss, the son of a former Black Rod, was utilising while acting as a kind of pimp or organiser of male prostitutes allegedly for Westminster figures. You will also hear from Malcolm Sinclair, a retired police officer, who gave information to Wiltshire Police about police surveillance at the Cricklewood flat of establishment figures he names as Cyril Smith, Jeremy Thorpe, Leon Brittan and Edward Heath and the investigation being blocked by a senior officer. By contrast, Paul Holmes, also retired, was a subordinate officer on the original investigation. He participated in the surveillance operation, yet he was unable to name or identify any possible offender, let alone the high profile people Mr Sinclair named. You will also be hearing from him.
88. **Third**, we will hear some specific evidence about the allegations concerning Elm Guest House and the investigation by the MPS into those allegations in its Operations Fairbank and Fernbridge. Those allegations include possible misconduct on the part of the MPS in the way in which investigations into alleged goings-on at Elm Guest

House were conducted, and also allegations that the results of those investigations were covered up. Commander Neil Jerome of the MPS will attend to explain what allegations were made about Elm Guest House, what investigations were carried out and what the outcome was, as well as the follow-up reviews of those investigations. The allegations include the suggestion that evidence relating to Leon Brittan's presence at or involvement with Elm Guest House was suppressed.

89. **Fourth**, and finally, under this topic, one of the IOPC investigations has focused on the well-publicised account that the journalist Don Hale has given of his office being raided by Special Branch officers, who served (or at least purported to serve) a D-Notice on him and seized documents containing names of MPs said to be sympathetic to the Paedophile Information Exchange; these are documents that had apparently been given to Mr Hale by Barbara Castle MP. We will call evidence from Mr Hale and from the Secretary of the D-Notice Committee, Brigadier Geoffrey Dodds, in order to enhance the understanding of the Inquiry and the public as to how D-Notices worked and how their modern-day equivalent, DSMA Notices, work.
90. At the end of this week, both Mr Mahaffey and Commander Roper will return to review the overarching themes that emerge from the reports taken as a whole. In particular, we may ask:
 - a. Whether or not hearing any of the officers' evidence has given rise to further questions.
 - b. The extent to which there is evidence of past deference towards people of public prominence who had allegations made against them, and whether the culture has changed now.
 - c. The extent to which there is evidence of police officers failing to take allegations of child sexual abuse sufficiently seriously.

Topic 2: Prosecutorial decisions

91. The second topic identified in the Determination on scope is that of prosecutorial decisions. You will hear evidence on this in the second and third weeks of the hearing.
92. As you will recall, the prosecutorial decisions made in the case of Cyril Smith were analysed in the Rochdale investigation. In these hearings, we intend to conduct a similar analysis in two further cases.
93. The first case relates to Victor Montagu, who was a landowner and a Conservative MP, and formerly Viscount Hinchinbrooke and the Earl of Sandwich before he renounced his titles. The Inquiry has obtained records from both the National Archive and the CPS which show that in the early 1970s Montagu was reported to the police for, and admitted, indecently assaulting a young boy. Yet Montagu was never prosecuted. The papers indicate that the then DPP, Sir Norman Skelhorn, was asked for his advice. The unsigned letter of advice was that Montagu should be dealt with by no more than a caution, apparently on the basis that the the assaults themselves were not very serious and on the basis that he desist from future contact with the victim, as had been advised to him by the Chief Inspector who investigated the offences [**letter to DPP dated 24 November 1972 and unsigned response dated 29 November 1972 CPS004383**]. In fact, Victor Montagu's son Robert has stated that he himself was abused by his father, and moreover that he is aware of at least 10 other boys who were also abused. We are going to hear evidence from Robert Montagu, including his reflections on the approach taken to his father by the authorities. We will also hear evidence from Gregor McGill on behalf of the CPS about the legal and prosecutorial policy at the time of this case, and explore whether the decision-making was defensible in that context, or demonstrates an undue deference towards a man of public prominence.
94. The second case relates to Peter Hayman, a career diplomat and at one time the British High Commissioner to Canada. He was also a member of the Paedophile Information Exchange or PIE. There has been long standing public concern as to whether the decision not to prosecute Hayman in 1978 either for his involvement with

PIE or for sending obscene material through the post might have been politically motivated. Those concerns were first expressed in the House of Commons by Geoffrey Dickens MP, but they have continued to be aired ever since. In particular, one of the investigating police officers in the case, Bryan Collins, now retired, recently made a series of allegations to the IOPC to the effect that the prosecution was dropped inappropriately, that Hayman's name was intentionally kept out of the trial of other PIE members which did go ahead, and that Hayman unsuccessfully attempted to bribe Collins and his fellow police officer. Those allegations formed the basis of IOPC investigations to which I have already referred. We have obtained the police file and prosecution documents in this case. We will be hearing from Mr Collins himself, as well as Jeremy Naunton, the lawyer in the DPP's office who wrote the advice note in effect recommending that Hayman should not be prosecuted, and will explore in detail what happened. We have also obtained evidence from MI5 about the Hayman case. Following media reports in 1980, the Security Service interviewed Hayman in order to assess whether there had been any risk to national security as a result of his sexual activities, and we will consider this with the MI5 witness.

Topic 3: Political parties

95. The third topic is the way in which political parties and in particular the leadership of those parties have reacted to allegations of child sexual abuse made about individuals within their own parties. You will hear evidence about this next week.
96. You will hear a variety of evidence about the general culture within political parties, going to the question of whether there has been a tendency to protect the party, or the political establishment more broadly, rather than take allegations of child sexual abuse sufficiently seriously or pass them on to the police.
97. We will also consider three 'case studies' or examples of situations where there are major questions about whether political parties took child sexual abuse allegations seriously enough or responded to them appropriately. Two are historic, dating from the 1970s and 80s. One is very recent, having taken place over the last two years.

98. The first of these ‘case studies’ relates to the way in which the leadership of the Liberal Party, subsequently the Liberal Democrat Party, responded to allegations made against Cyril Smith.
99. We will hear evidence from Baroness Brinton, the current Party President, on behalf of the Liberal Democrats as an organisation. We will explore with her what internal party investigations have uncovered concerning what was known about Smith, and look at the structures, processes and policies that were in place in the 1970s, 80s and 90s, including crucially how Prospective Parliamentary Candidates (PPC) were selected. This last point is of interest because there are key questions about how much the Liberal Party hierarchy knew about the Lancashire Police investigation into allegations of child sexual abuse against Smith in 1969-70, very shortly before he was made the PPC for Rochdale in the 1970 General Election. This Inquiry has already heard evidence about that police investigation in the course of our Rochdale investigation. As you heard in the Rochdale hearings Lancashire Police concluded in 1970 that:

“Over a considerable period of time, whilst sheltering beneath a veneer of respectability, [Cyril Smith] has used his unique position to indulge in a sordid series of indecent episodes with young boys towards whom he had a special responsibility. Prima facie, he appears guilty of numerous offences of indecent assault.”

100. Despite this the DPP’s office did not advise prosecution, and no further action was taken. As you and the Panel commented in the Rochdale investigation report published in April 2018 (paragraph 47):

“We are ... troubled by the cursory nature of the analysis, and the speed with which the case was dispatched and Smith told of the outcome, particularly where he had pushed for a quick decision as he was seeking nomination to stand for Parliament at the time. This had serious consequences for the case in later years. ”

101. We will now consider some of those serious consequences from the perspective of the national Liberal Party. We will then hear evidence from Lord Steel, who was a colleague of Cyril Smith for many years, and indeed was Chief Whip and then Leader of the Liberal Party at the relevant time. We will explore with him what he knew about how Smith was selected to stand for the Liberals in 1970 and what he did when allegations about Smith were published in the media in 1979. We will also hear from Des Wilson, who was a prominent figure in the Liberal Party during the time Smith was an MP, and who has made trenchant public criticisms of how the party dealt with the allegations against Smith. He has, for example, said that Smith:

“... was protected as much by the culture within the parliamentary party as Savile was by the culture within the BBC.”

102. The second of the ‘case studies’ relates to Peter Morrison, who was the Conservative Member of Parliament for Chester between 1974 and 1992. He became Parliamentary Private Secretary (PPS) to Prime Minister Margaret Thatcher in 1990. He was knighted in 1991, retired at the 1992 General Election and he died in 1995. Allegations that Peter Morrison may have been involved in the sexual abuse of children were made during his life. Other similar allegations were made following his death.

103. We will examine some of the allegations made against Peter Morrison, focusing, in particular, on how those allegations were responded to not only by the Conservative Party, both locally and nationally, but also by the wider political community and other institutions within the Westminster establishment.

104. Edwina Currie Jones’s diary for 24 July 1990, published in 2002, bore the following observations [**scanned excerpt from the book INQ004107**]:

“One appointment in the recent reshuffle has attracted a lot of gossip and could be very dangerous: Peter Morrison has become the PM’s PPS. Now

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

105. At least on its face, this diary entry suggests that allegations that Peter Morrison was involved in sexually abusing “*young boys*” - a term that, as Edwina Currie Jones explained in a statement that she gave to police 25 years later [OHY006572], she used to describe teenagers aged 16 and above - were only regarded as being a serious matter, if at all, in electoral terms. Indeed, as Edwina Currie Jones made clear in a witness statement to the Inquiry in 2018 [INQ003867_2], what scared her was the fact that Peter Morrison had only recently been appointed to be Margaret Thatcher’s Parliamentary Private Secretary and, if the information was or might have been true, he was consorting with males below the age of consent which might cause reputational damage for the Prime Minister herself.
106. Edwina Currie Jones’s Twitter feed shows that in February 2013 she responded to a tweet asserting that Peter Morrison “*was protected by a culture of sniggering, of giggling and of nudge-nudge, wink-wink*” by commenting “*Correct quote. And I deeply disapproved...*” [Twitter feed OHY006953_1] She has been asked by the Inquiry to explain her response, but in a 2019 witness statement [INQ003995] says that at this remove of time she cannot explain it, far less provide information as to whether and how Peter Morrison was protected, adding that she would always disapprove of a culture that protected any wrongdoing.
107. I have already mentioned the statement that the Inquiry has obtained from Lord Tebbit [INQ001846]. Once it has been adduced in evidence, it will be available on

the Inquiry website. In short, Lord Tebbit says that in the mid-1980s he was visited by a police officer from Cheshire who told him that “*Peter Morrison had an interest in young men and may have overstepped the mark*”, which Lord Tebbit says he took to be a reference to “*sexualised activity with young men of about sixth form age*”, the age of consent for sexual activity between men then being 21. Lord Tebbit further states that the police officer did not provide any evidence of these allegations, nor did he state that Peter Morrison had been arrested. Lord Tebbit states that he spoke to Morrison about what the police officer had said, but that Morrison “*denied that anything had happened*”.

108. Frances Mowatt was the Conservative Party agent in Chester between 1975 and 1988. She then moved to Essex and held a number of posts for the Conservative Party there. Teresa Gorman was an Essex MP, and, although Frances Mowatt was never her agent, it seems very likely that she was the individual referred to in the rumour that Teresa Gorman shared with Edwina Currie Jones. Teresa Gorman died in 2015, but we will be calling Frances Mowatt to give evidence. It is right to say that she has denied the substance of the rumour in trenchant terms. She has said that during the time she worked with Peter Morrison she was not aware of any allegations of child sexual abuse being made against him.
109. Another story concerning Peter Morrison, this time focused on the reaction of local politicians in Chester to allegations of child sexual abuse made about him, was published in an article by Simon Hoggart in the Guardian in November 2012 [**Hoggart’s week’ news article The Guardian 16 November 2012 INQ003856_2-3**].
110. The story in the article is indeed an extraordinary one. It is that local politicians, police and journalists in Chester effectively conspired to suppress an allegation of child sexual abuse about Peter Morrison. If true, or perhaps even partly true, it would be strongly suggestive of a culture of tolerance of child sexual abuse and of deference to a person of public prominence. We intend to call a number of witnesses to address this issue, including Grahame Nicholls, the former Secretary of the Chester Trades

Union Council, and Christine Russell, who was the Labour Party Agent for the City of Chester Constituency, then Chair of City of Chester Constituency Labour Party, who later became MP for Chester.

111. The Wanless / Whittam supplementary review report was published in July 2015 [INQ003817_2]. It commented on a batch of documents that had come to light in the Cabinet Office, and which they had been shown after they had completed their initial review on behalf of the Home Office. Their comments on these further documents included the following observation:

"There were a number of references across the papers we saw that reinforced the observation we made in our Review [Review 2.5] that issues of crimes against children, particularly the rights of the complainant, were given considerably less serious consideration than would be expected today. To give one striking example, in response to claims from two sources that a named Member of Parliament "has a penchant for small boys", matters conclude with acceptance of his word that he does not and the observation that "at the present stage ... the risks of political embarrassment to the Government is rather greater than the security danger". The risk to children is not considered at all."

112. We have obtained a copy of the letter and the MP who was described as having "a penchant for small boys" was Peter Morrison. It is a letter dated 4 November 1986 written by Sir Antony Duff, then Director General of the Security Service, to Sir Robert (now Lord) Armstrong, then the Cabinet Secretary. The letter makes it clear that the information that Mr Morrison had "a penchant for small boys" had been passed to the Security Service by a member of the Westminster establishment, who had heard it from two sources. We have obtained other documents relevant to this correspondence from both the Cabinet Office and the Security Service. Those documents make it clear that neither the Security Service nor the Cabinet Office took steps to investigate this allegation, nor did they report them to the Police. We will

explore these matters in oral evidence with a witness from the Security Service, with Lord Armstrong, and also with Baroness Manningham-Buller, a friend of Peter Morrison, who, at the time, was a Security Service officer and whose information was of significance to the Security Service's consideration of the issue and its outcome.

113. The IOPC have investigated other allegations involving Peter Morrison, including those made by Barry Strevens, Margaret Thatcher's personal protection officer and driver, and the journalist Chris House. We will hear oral evidence from the IOPC witness about these investigations, and we will adduce written witness statements from many of the individuals involved.
114. Finally with regard to Peter Morrison, it is right that I mention one further IOPC investigation relating to allegations that have been made against him. In January 2015, the Sunday Telegraph reported that in 1982 a boy from Sussex had been lured to London and then raped by Peter Morrison. [["Westminster paedophile ring: 'I allowed my son to go with him. You trusted people more in those days'"](#) Telegraph **3 January 2015** INQ004075].
115. The IOPC have investigated this allegation and, as we shall hear, it seems that it is a case of mistaken identity. The boy in question was indeed the victim of a sexual assault and his attacker was caught and convicted. But it was not Peter Morrison. It seems the victim was never told the identity of the man who had attacked him and, years later, he saw pictures of Peter Morrison and wrongly concluded that it had been him. As I say, we shall hear further evidence about this case from the IOPC witness tomorrow.
116. It is frequently said that society's understanding of child sexual abuse has improved considerably since the 1970s and 1980s, and that many of mistakes, oversights or examples of undue deference which may have been a feature of the responses of political parties to allegations in the past would not take place today. It is certainly true that political parties, as with other organisations and institutions, are much more aware of the need to have good safeguarding procedures in place. However, the best

safeguarding procedures make little difference if party members and officials are not familiar with them and so do not put them into practice.

117. Our third and final ‘case study’ will explore this issue, as it relates to a very recent episode involving a man named David Challenor and the Green Party. In November 2016, Challenor was charged with several very serious counts of sexual assault of a 10-year-old girl, and he was convicted and sentenced to 22 years’ imprisonment on 22 August 2018 [**Independent article 22 August 2018 INQ004081**]. The crimes Challenor was charged with, and eventually convicted of, were truly dreadful.
118. Despite this, Challenor was allowed to be an active member of the Green Party whilst he awaited trial. Indeed, more than that, he acted as election agent for two Green Party candidates during this time; his daughter, Aimee Challenor, in the 2017 General Election, and then his wife, Tina Challenor, in the local council election in 2018.
119. We will be hearing evidence from Liz Reason, the current Chair of the Green Party Executive, about how it was that the party’s safeguarding policy failed to operate effectively in practice. To their credit, the Green Party commissioned an independent consultancy to examine what went wrong, and a careful and robust report has been produced. We will look at that report, and explore the lessons learned by the Green Party in response to these events.

Topic 4: Whips’ offices

120. The fourth topic concerns the activities of the Whips’ offices of the various parties in Parliament. You will hear evidence from former Whips at the end of next week. At the preliminary hearing in January, we read out the now notorious words of the former Conservative Whip Tim Fortescue, from a 1995 BBC documentary entitled *Westminster’s Secret Service*, in which he appeared to assert that one of the ways in which whips gained the loyalty of MPs was by helping to cover up scandals, including what Mr Fortescue described as “*scandal involving small boys*” [**clip INQ004083**]. Not one person who served as a Whip for any political party, and from whom the Inquiry has obtained a statement, recognises what Tim Fortescue told the

BBC. There is nonetheless an issue for the Inquiry to investigate here - whether it is true that the Whips' offices of any party failed to report or, worse, assisted in suppressing allegations or evidence of child sexual abuse?

121. There are also accounts of so-called 'dirt books' kept in the Whips' offices, in which information about MPs - including personal information and information about potential or actual 'scandal' - was recorded. Gyles Brandreth, in his book *Breaking the Code: Westminster Diaries* gives an account of "*the fabled Black Book*" (p.325):

"In his hand [the Chief Whip] has the 'whips' notes which he proceeds to read aloud. This, I understand, is as close as we get to the fabled Black Book. There's a huge old-fashioned safe in the corner of the office. Inside the safe are a couple of notebooks. Whips are expected to use them to record any 'intelligence' that may be of interest as concisely as possible. There's a top copy which is torn out for the Chief to read out. The carbon remains in the notebook. I get the impression (early days) that the notes are to gauge general mood (tittle-tattle from the Tea Room): any significant information should be taken to the Deputy in the first instance. He will then decide whither it goes..."

122. Later, he refers to a new policy on Whips' notes after what seemed to be a dispute about who owned them. The message was to keep writing the notes as the Chief Whip and the Prime Minister needed the information. But "*sleep easy, boys, from now on the notes will be shredded on a regular basis*" (p.388).

123. In writing his diaries, Mr Brandreth considered that he was breaking the Whips' 'code of silence'. As he said in his statement to the Inquiry (paragraph 23) [GBR000001], "*Whips never talk about what they do or how they go about it. That's the rule. As the Chief Whip pointed out to me at the time, 'Our mystery is part of our potency.' But mystery makes for mischief. The trouble with operating in secret is that it encourages those not-in-the-know to believe that dark deeds are being done in the murky*

corridors of power. Occasionally perhaps they are, but mostly they are not. ” This part of the investigation will - it is hoped - remove more of the mystery.

124. Ken Clarke MP has also described the practice of keeping Whips’ notes. In *Kind of Blue - A Political Memoir*, Mr Clarke said (p.59):

“The most striking rumours and reports of the political and private activities of Conservative MPs had to be recorded by each whip in a small book which was kept locked in the chief whip’s office and which was only consulted by him. I think that Francis [Pym], as all his predecessors did, kept this book as his personal possession and he probably followed what was said to be the practice of all his predecessors by destroying it when he lost office, in order to protect some of our colleagues from the risk of posthumous scandal at the hands of later historians.”

125. As to what the Whips may have known about MPs and their activities, Gyles Brandreth said in the July 2014 afterword to his Diaries (p.522) that *“in my time in the Whips’ Office we helped people with mental problems, marital problems, drink problems, financial problems, and more besides, but I don’t know of any case where we covered up for anyone who we believed to be guilty of a serious criminal offence”*.
126. The Inquiry will hear from Gyles Brandreth, Ken Clarke MP and other current and former Whips as to the existence or otherwise of ‘dirt books’ and what was known by the Whips. We will see examples of Whips’ notes which have been retained, and which give some insight into the kind of information noted about MPs and their activities. We will also hear how the practice of keeping such notes varied among political parties.
127. The Inquiry will also hear from the Private Secretary to the Government Chief Whip, Sir Murdo Maclean, who was in post from 1978 to 2000 - a long period spanning much of the time of interest to this investigation.

Topic 5: The Honours System

128. Chair, the fifth topic identified in your Determination on scope relates to the Honours system - a system operated on behalf of the Crown by senior politicians and civil servants within the Westminster Establishment. Concerns have been expressed publicly about honours granted to individuals who had been accused of child sexual abuse, or where allegations of this nature were made after the honour had been granted. In the Rochdale Investigation, the Inquiry did examine concerns of this nature relating to Cyril Smith, but at that stage the Inquiry did not have available to it documents relating to the way in which other similar cases had been treated, in relation both to the granting and to the forfeiture of honours. We intend to build on that work in this investigation. At our request, wide searches have been conducted by the Honours and Appointments Secretariat within the Cabinet Office. The Cabinet Office has also provided a witness statement in response to a Rule 9 request that we sent. We propose to call the Cabinet Office witness to give evidence next week, in order to address the areas of concern that I have identified.

Topic 6: The Paedophile Information Exchange

129. The sixth topic that is to be investigated relates to the activities of the Paedophile Information Exchange or PIE. Evidence will be called in relation to PIE at the beginning of week three of the hearing.
130. Tim Hulbert, who is a former Home Office employee and a core participant in this investigation, has provided the Inquiry with a witness statement that goes to the question of whether PIE may have received government funding in the late 1970s.
131. To be more specific, the suggestion that Mr Hulbert makes is that:
- a. In or about 1976, the Voluntary Services Unit (VSU) of the Home Office, which made grants to charitable organisations, provided funding of at least £30,000 (some £214,000 in today's money) to the Paedophile Information Exchange.

- b. Mr Hulbert worked at the VSU at the time, and says that he saw documentary evidence indicating that one or more payments had been made to PIE, disguised in VSU records as a payment to the Women's Royal Voluntary Service (WRVS or now RVS).
 - c. Mr Hulbert says that he took this matter up with his immediate superior at the time, a man named Clifford Hindley who is now dead, and that Mr Hindley admitted that money was being paid to PIE but said that this was being done at the request of Special Branch in order to facilitate an investigation into the group.
132. Mr Hulbert initially came forward in late 2013. He gave a statement to the police, and also spoke to the press. His story received prominent coverage [["Westminster whistleblower told to 'back off' over paedophiles"](#) **Telegraph 10 July 2014 INQ004114**].
133. Mr Hulbert's allegations were examined by an internal Home Office review in 2014 and again by the Wanless / Whittam review, to which I have already referred. The original review found no evidence that PIE was funded by the Home Office's Voluntary Service Unit, and Wanless and Whittam subsequently found nothing in registered files or in testimony offered by contemporaries in and around the VSU that funding of PIE might have taken place with the knowledge of the police or Security Service as part of an effort to infiltrate PIE. But Wanless and Whittam were not able to dismiss the latter suggestion entirely, and Mr Hulbert has suggested that there is fresh evidence going to this issue, from his former colleague, Rev Alan Davies, that has not previously been considered.
134. Rev Davies sadly died last year, but we had already obtained a statement from him, and we will adduce that statement in evidence. We will call Mr Hulbert to give oral evidence and we hope to call evidence from the Home Office official who assisted Messrs Wanless and Whittam to explain the enquiries and searches that they undertook.

135. We have also conducted inquiries of our own on this issue, and I must make it immediately clear that none of those inquiries has been able to substantiate Mr Hulbert's allegation.

- a. Searches have been conducted in Metropolitan Police Special Branch (MPSB) records, and also in the records of Special Branch offices throughout the country. None of these searches has thrown up any documents which suggest that PIE may have been funded by the VSU, whether at the request of Special Branch or at all. However, it seems there was a Special Branch file opened on PIE in July 1978 that was destroyed in 1999 in accordance with their standard destruction criteria.
- b. Searches have also been conducted at the Security Service. There, also, no documents were found that provide any support for the suggestion that PIE may have received Home Office funding. Indeed, one document that we found at the Security Service is positively inconsistent with this allegation - the document, which is an internal Security Service Note dated 1983 states that **[INQ004034_3]**:

“A Treasurer's Report which was compiled in October 1982 showed that there was £460.48½ in the P.I.E.'s account. Recently, P.I.E.'s finances are thought to be in a parlous state. There is no evidence of any other source of funds except from the membership.”

- c. We have reviewed a substantial quantity of PIE's own documentation dating from the 1970s and 1980s, which are contained in an archive at the London School of Economics. These documents include internal records such as minutes of meetings, correspondence and copies of PIE's various publications. As the Security Service Note suggests, a shortage of funds is a theme of all this material. There is no hint in any of this material that at any time in its

existence PIE had available to it anything like the level of finance that Mr Hulbert suggests it received from the VSU.

- d. Finally, Tom O’Carroll, who was on the Executive Committee of PIE and was subsequently Secretary and Chair, has been asked the direct question whether PIE received funding from the Home Office. We will not be calling Mr O’Carroll to give oral evidence, but he has provided the Inquiry with a witness statement and we will invite you to adduce at least part of that statement in due course. In summary, Mr O’Carroll denied that PIE ever received any funding from the Home Office, or from any other person or organisation of anything like the amounts involved. He says “...when I first heard the claim that the organisation had received up to £70,000 of government funding I was stunned that anyone would make such a preposterous suggestion ... we received not a penny of public money. We always operated on a shoestring ... To the best of my knowledge there were never any large donations to PIE of any sort, including personal ones” [INQ003739_5[20] and 8[32]]. He agrees that charities that worked with PIE or met with PIE members, such as the Albany Trust, may have received government funding. I should add O’Carroll is an unrepentant paedophile who has convictions for conspiring to corrupt public morals and also for child pornography offences. What weight you give his evidence will of course be a matter for you. You may think not much. But on this issue at least it is consistent with the other evidence to which I have referred.

136. Moving on, we will call evidence from Jeremy Clarke, a trustee of the Albany Trust, to explain the relationship between the Albany Trust and PIE in the 1970s and 1980s, and the suggestion that PIE may have benefited financially from that relationship.

137. We will also call evidence going to the relationship in the same period, 1970s and 1980s, between PIE and the organisation now known as Liberty (at that time the National Council for Civil Liberties). This matter has already been the subject of a certain amount of public comment and indeed it was the subject of a statement made

in 2014 by the then Director of Liberty, Shami Chakrabarti. However, some of the documents that we have seen during the disclosure exercise suggest that there are questions for the Inquiry to explore on this issue. The Inquiry has received a statement from Liberty's acting director, Ms Corey Stoughton, addressing these issues. We will invite you to adduce that statement in evidence.

Topic 7: Safeguarding policies

138. The seventh and final topic, which looks not to the past but to the present and future, relates to the issue that is defined in paragraph 2.3 of the Definition of Scope for this investigation as *“the adequacy of existing safeguarding and child protection policies in place within political parties, in government departments and agencies, and in the intelligence and security agencies.”* You will hear evidence about this in the third week of the hearing.
139. As I have already indicated, we have requested and have received disclosure of current safeguarding policies from political parties, from a large number of government departments and agencies, and from the Palace of Westminster. We have instructed Professor June Thoburn, Emeritus Professor of Social Work at the University of East Anglia, to consider the policies and to prepare a report addressing their adequacy in various respects.
140. I will not take time going through the detail of Professor Thoburn's report now, but to give a flavour of it, she considers that:
- a. Child safeguarding policies and procedures appropriate to the function of each government department, the Palace of Westminster and all political parties are essential, even though it may not be immediately obvious that it is something that they need to consider.
 - b. It is the level of access to children and/or level of contact with children which determines the appropriate levels of safeguarding measures to be taken by government departments, political parties and other organisations associated

with Westminster. Professor Thoburn recognises that some departments will have more direct contact with children than others, and some will have express functions with regard to child protection and safeguarding, but this should not lead organisations to think that child protection safeguarding is not relevant to them. On the contrary, Professor Thoburn recommends that awareness of child abuse (including all forms of sexual abuse, online abuse and sexual exploitation) and the need for employees to be alerted to the importance of child safeguarding should have a higher profile within the overarching policy statements of all government departments and political parties.

- c. On the back of her analysis, Professor Thoburn makes 13 recommendations for the Inquiry to consider.

141. We will also receive evidence from the Security Service (MI5), the Secret Intelligence Service (MI6) and Government Communications Headquarters (GCHQ) regarding their current practices and policies regarding children at risk. Given its focus on Westminster and persons of public prominence, it is of particular interest to this investigation to examine how the security and intelligence agencies would now deal with any information that they may receive that raises concerns regarding child sexual abuse, by way of comparison to specific historic cases.

Other points

142. There are a few further points that I must cover before I finish.

Disclosure exercise

143. As I hope will be apparent after what I have said so far, a considerable amount of work has gone into obtaining and preparing evidence for this investigation. As part of that effort, and as in all the Inquiry's investigations, we have undertaken a major disclosure exercise. Documents were requested from a wide range of agencies and individuals, including:

- a. MI5, MI6 and GCHQ (each of whom states they found no material to show the existence of a so-called Westminster VIP paedophile ring or any attempts to suppress the existence of such a paedophile ring);
- b. The Cabinet Office;
- c. The CPS;
- d. Political parties represented in Parliament;
- e. The IOPC;
- f. The MPS;
- g. Police forces nationwide in relation to Special Branch archives (the MPSB archive (as it was) held no material to prove the existence of a Westminster VIP paedophile ring or any attempts to suppress the existence of any such paedophile ring);
- h. Police forces including Sussex Police and Wiltshire Police;
- i. Regional forces via Operation Hydrant;
- j. The London School of Economics for records on the Liberal Party and the Paedophile Information Exchange;
- k. The Bodleian Library and Churchill College, Oxford;
- l. Numerous individuals who hold relevant documents.

144. All documents received by the investigation, many of them as a result of these searches, have been reviewed for relevance by the Inquiry legal team which has been

a huge undertaking. The Inquiry has received a total of approximately 103,300 pages from material providers in this investigation. All relevant documents have been redacted and sent to material providers for checking. Approximately 15,000 pages have been disclosed to core participants which are the documents falling within the defined scope of this investigation.

145. In some instances, there is a relevance in the fact that certain searches for documents covering a particular issue and/or held by a certain organisation have produced a nil return. We will adduce some evidence along these lines in the course of the hearings.

Definition of 'child' sexual abuse

146. There is one further point regarding limitations on the scope of this investigation, relating to the definition of 'child sexual abuse', to which I have already alluded. The [Terms of Reference](#) of the Inquiry make clear, at paragraph 6, that 'child sexual abuse' refers to the sexual abuse of any person under the age of 18.

147. This definition must be applied bearing in mind a number of historical factors:
- a. Before 1967, homosexual acts were illegal in this country.
 - b. In 1967, homosexual acts were legalised between men aged 21 and over.
 - c. In 1994, the age of consent for such activity was reduced from 21 to 18.
 - d. In 2000, the age of consent for homosexual acts in private was lowered to 16, so that the age of consent in England and Wales is now 16 for all sexual acts, regardless of sexual orientation or gender.
148. The consequence of this is that between 1967 and 1994 - which is very much a period that this investigation is concerned with - homosexual acts between an older man and, say, a young man of 19 would have been unlawful. For that reason, such activity

might well have been kept secret. But it would not be within the scope of the Inquiry because it did not involve a child.

149. This point matters because, as we shall see, the evidence from the time often refers to clandestine, illicit or secretive sexual activity between an older and a younger partner - usually both male - where the precise age of the younger partner is unclear.
150. I have already referred to the term ‘rent boy’, which was used to refer to those under 18, whom this inquiry would regard as children, and those in their late teens and early twenties.
151. For example, John Mann MP, in his statement to this Inquiry [INQ002037_1], says that the so-called ‘Dickens dossier’, a copy of which he says he was given, concerned allegations about sex between males aged between 16 and 21 years. These were primarily sexual encounters between persons of public prominence and so-called ‘rent boys’ or male prostitutes. Although, as Mr Mann points out, there may have been “*elements of coercion and violence and other illegality*” involved in such encounters, it needs to be borne in mind that it is not within the scope of this Inquiry to examine sexual activity between adults aged 18 or older.
152. Lord Tebbit alluded to a similar distinction in his statement [INQ001846_2[21]], when he spoke about Peter Morrison having an interest in young men, who he understood to be “*of about sixth form age*”, as did Edwina Currie Jones in her statement [INQ003867_1[5]], when she noted that Peter Morrison’s interest was in boys old enough to give consent with a female partner but not with a male partner.

Redaction and publication of names

153. Chair, it is inevitable that, as part of this investigation, the Inquiry will hear evidence about a significant number of historical allegations which have been made about persons of public prominence associated with Westminster.

154. As we made clear at the [Preliminary Hearing on 30 October 2018](#), the Inquiry has adopted its usual [Redaction Protocol](#) when preparing evidence for disclosure during the course of this investigation. That Protocol does permit the naming of persons against whom allegations have been made where such information is already in the public domain; that is, published in the regulated media. For the avoidance of doubt, I wish to repeat what I said earlier, that the fact that certain individuals will be named in this investigation does not mean that the allegations against them are true. This investigation is not examining the truth or otherwise of individual allegations. In naming any person about whom an allegation has been made, the Inquiry is making no suggestion that the allegation is true or that the person committed the alleged act. The Inquiry is simply addressing, in an open and transparent way, issues of public concern.

Procedure

155. To assist everyone's understanding, the evidence will be presented essentially in one of two ways. Witnesses will either be called live, and their evidence simultaneously live-streamed on the internet, or, if not called live, witnesses' evidence will, at appropriate points, be read or summarised by counsel and formally adduced into evidence by such means. Documents (or parts of them) that are referred to will be published on the Inquiry's website, and video clips that are shown in the course of the hearing will either be posted on the website or their web address (URL) will be given.

156. Two of the witnesses we propose calling (MI5 and MI6 witnesses) have been given anonymity, and, as appear in a Directions document, which is available on the Inquiry website, special measures are in place to protect their identities as there is a real risk to their security. That means they will not give evidence in their names and will be giving their evidence by remote video link, and seen only by you and the Panel as well as by Counsel to the Inquiry. The evidence will not be live-streamed but everyone else - core participants, their legal teams, members of the public and press - will be able to hear and listen to the audio feed of their evidence in the hearing room or the annex, and transcripts of their evidence will be available on the Inquiry website at the end of the days on which they give their evidence. The audio feed of the

evidence will not be uploaded to the website after the witnesses have completed their evidence. Audio-recording of their evidence will be prohibited, but core participant legal teams in the hearing room will be able to use electronic devices, while accredited members of the press will be able to use live text-based services to report the evidence in real time. All other electronic devices will have to be switched off. That is all I wish to say on that topic for now.

157. Each counsel for the core participants wishing to make an opening statement will now have their opportunity to do so, after which, tomorrow, we will turn to the evidence.

Brian Altman QC

Andrew O'Connor QC

Kate Beattie

Alasdair Henderson

Katie O'Byrne

Counsel to the Inquiry

4 March 2019