

From: Name Redacted
Honours and Appointments
Secretariat

Date: 7 March 2018

FORFEITURE COMMITTEE

cc: Sir Jeremy Heywood

FORFEITURE COMMITTEE MEETING, 16 MARCH 2018

1. I attach fifteen cases for the Committee's consideration.
 - **Annex A:** one case which meets one of the hard triggers for forfeiture consideration, where the sponsoring department recommends forfeiture and the Secretariat agrees that it is appropriate. It should not need much, if any, discussion.
 - **Annex B:** cases that the sponsoring department and the Secretariat believe should not result in forfeiture.
 - **Annex C:** cases requiring discussion because they either do not meet a hard trigger for forfeiture consideration or the evidence is complex.
 - **Annex D:** the exchange of correspondence between the Secretariat and Sir Name Redacted
 - **Annex E:** the two final cases (Kevin Spacey and Harvey Weinstein) relate to honorary awards. The FCO has provided information for the Committee's information and steer on next steps. [Sir Simon McDonald will attend the meeting on behalf of the FCO to provide further information.]

2. Forfeiture consideration is usually triggered automatically when an individual is sentenced to three or more months' imprisonment; or struck off or censured by a professional or regulatory body. The cases in Annex A fall into one of these categories. We have therefore not sought written representations and recommend all for forfeiture of their honours.

3. Of the more complex cases, we have received written representation from Sir Name Redacted and updated information from the Department for Education which has been incorporated into his submission. The other cases are those where it could be argued that the individuals have more broadly brought the honours system into disrepute even though they have not hit one of the formal triggers. The Committee will wish to consider whether written representations should be sought. For one of these cases, Stephen Lovegrove will attend the meeting on behalf of the MoD to provide further information.

ANNEX C: CASES REQUIRING DISCUSSION

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David Hubert Boothby CHESHYRE CVO

12. David Chesshyre was awarded a CVO in the New Year 2004 Honours List and previously received an LVO in the Birthday 1988 Honours List, for his services as a member of the Royal Household. In October 2015, he was tried at Snaresbrook Crown Court on charges of sexual offences against children, committed between 1995 and 1998. He was found unfit to plead because of his mental condition (he had suffered a stroke and also suffered from Alzheimer's).

(i). The prosecution therefore proceeded (in 2015) with a "trial of the facts" (i.e. to determine whether Mr Chesshyre had committed the acts complained of). He was found to have committed (in 1995/96) the acts complained of on two counts of gross indecency with

a male minor. On a third count (indecent assault on a male person under 13 years of age) the jury was unable to agree. On the first two counts the courts ordered an absolute discharge. This is normal where there has been only a trial of the facts. So there was no other order or sentence (e.g. imprisonment) as there would be on conviction following a full criminal trial. This means that Mr Chesshyre has been found to have committed the acts constituting two counts of gross indecency. But he has not been sentenced to any period of imprisonment. His case does not therefore fall within the “three months imprisonment” criterion for forfeiture.

(ii).

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(iii). The Secretariat takes the view that the outcome of the trial holds equivalent weight to a full criminal investigation. There is no precedent of which the Secretariat is aware for recommending forfeiture following a trial of the facts. However, there is a precedent for forfeiture where the sentence fell short of the “three months imprisonment” hard trigger, in a previous case involving child abuse. In 2013, a recipient forfeited his CBE and QFSM as a result of child pornography charges for which he accepted a caution. The offences with which Mr Chesshyre were charged are more serious than in the other case. Given Mr Chesshyre’s self-declared health problems, it does not seem likely that asking for written representations would be a helpful step. In light of the Treasury Solicitor’s advice, the Secretariat therefore recommends forfeiture.

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16. **Name Redacted** was awarded an OBE in the Birthday 2010 Honours List, for his contribution to **DPA** across England and for his work as an authority on the **DPA**. In November 2016, a member of the public made a serious allegation against **Name Redacted** accusing him of historic charges of indecent assault and **DPA** occurring in the 1970s. Police checks are not routinely carried out on OBE nominees and there was no knowledge at the time of the award that **Name Redacted** had this history.

**ANNEX E: HONORARY AWARDS - HARVEY WEINSTEIN CBE AND KEVIN SPACEY
KBE**

19. Film producer Harvey Weinstein received an honorary CBE in 2004 for his services to the British film industry. Kevin Spacey received an honorary knighthood in 2015 for his services to British theatre. Both have subsequently been accused of multiple counts of sexual misconduct, including in Weinstein's case, rape and in Spacey's case, sexual activity with an underage child.

(i). The Ambassador to the United States has provided a resume of the charges against both individuals, which is attached.

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(ii). As allegations against Weinstein continue to emerge and in light of police investigations, the Secretariat recommends that in neither case is forfeiture recommended