INDEPENDENT INQUIRY
CHILD SEXUAL ABUSE

Institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC

Investigation Report
October 2021

HC 729

2021

Institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC

Investigation Report
October 2021

A report of the Inquiry Panel
Professor Alexis Jay OBE
Professor Sir Malcolm Evans KCMG OBE
Ivor Frank
Drusilla Sharpling CBE

Presented to Parliament pursuant to section 26 of the Inquiries Act 2005

Ordered by the House of Commons to be printed 19 October 2021

HC 729

This publication is available at www.gov.uk/official-documents.

Any enquiries related to this publication should be sent to us at contact@iicsa.org.uk or Freepost IICSA INDEPENDENT INQUIRY.

ISBN 978-1-5286-2928-7

E02679665 10/21

Printed on paper containing 75% recycled fibre content minimum.

Produced by the APS Group.

Printed in the UK by the APS Group for HH Associates on behalf of the Controller of Her Majesty's Stationery Office.

Contents

Executive Summary

Introduction

This investigation focusses on the institutional responses to allegations of child sexual abuse made against Greville Janner, the late Lord Janner of Braunstone QC, in circumstances where there has been no criminal conviction or civil finding of fact that the alleged abuse occurred. This investigation did not examine the truth or otherwise of the allegations.

At the time of his death, Lord Janner was awaiting trial in relation to allegations made by nine complainants and the prosecution were in the process of seeking to add charges in relation to three more complainants. Those 12 complainants formed part of a larger number of complainants who made allegations that Lord Janner had sexually abused them when they were children.

In total, the Inquiry received information relating to 33 complainants, including details of their allegations against Lord Janner, which spanned three decades, and the outcome of the police investigation into those complaints. The information supplied by all the participants assisted the Inquiry in examining institutional responses to those allegations.

Examination of institutional responses in the absence of formal court findings is an important feature of the Inquiry's work. Much of the work undertaken by the statutory agencies responsible for child protection necessarily involves an assessment of the risks to children of sexual abuse where the alleged perpetrator has not been subject to formal proceedings. Such assessments are not constrained by a conviction of a perpetrator or an acquittal, or circumstances where there have been no court proceedings. Child protection and safeguarding arrangements must be considered regardless of the actions taken in respect of the alleged perpetrator.

As we explain in Part A, it was necessary to conduct much of the public hearing in closed session in order to protect the identity of complainants, who are entitled to lifelong anonymity under the Sexual Offences (Amendment) Act 1992. The Inquiry took steps to ensure that as much evidence was heard in public as possible and that, where that was not possible, daily summaries were published (available on the Inquiry's website).

In maintaining and upholding the complainants' legal right to anonymity, this report is necessarily limited in what can be said publicly. The contents of this report do not therefore reflect the totality of the evidence we heard or include all our conclusions, which are set out in full in a longer report which we are not able to publish.

Police investigations

We examined the institutional responses of Leicestershire Police and the Crown Prosecution Service in relation to three police investigations that involved allegations against Lord Janner.

Operation Magnolia

Operation Magnolia began in February 2000. The scope of the Operation was to investigate whether there was evidence of physical or sexual abuse of children at The Holt and Ratcliffe Road Children's Homes between 1980 and 1990. The investigation resulted in no charges being brought against children's home staff. Officers were regularly abstracted to conduct other unrelated enquiries and Operation Magnolia was generally considered to be under-resourced. During the course of the Operation, allegations against Lord Janner were made but the investigation into those allegations was insufficient and seemingly involved a deliberate decision by Leicestershire Police to withhold key witness statements from consideration by the Crown Prosecution Service.

In March 2000, a former care-home resident, JA-A19, was interviewed by police about his allegations against children's home staff. At the end of the interview JA-A19 disclosed that he had been sexually abused by Lord Janner, and arrangements were made for JA-A19 to be interviewed about this disclosure. The account he gave was written up into a statement.

The investigation utilised the Home Office Large Major Enquiry System (HOLMES), which meant that all statements and relevant actions should have been entered on to the system. We heard that JA-A19's Janner statement was seemingly not entered into HOLMES until 8 November 2001. It is unclear what caused such an apparent delay. Although Detective Sergeant (DS) James Wynne (who worked on Operation Magnolia from the outset as an enquiry team supervisor) disputed that delay, he was unable to offer a concrete explanation as to what happened to that statement.

Beyond carrying out some general enquiries, Leicestershire Police failed to properly investigate JA-A19's allegations against Lord Janner.

In May 2001, JA-A6 was interviewed by officers from Operation Magnolia. He too made an allegation of child sexual abuse against Lord Janner, which was written up into a statement.

Despite this second witness, further investigations in relation to the allegations against Lord Janner very quickly came to a halt. The reason for this is unclear. It was suggested that these further enquiries were out of scope, that the investigation was being wound down, and enquiries that might have been useful were not undertaken. Whatever the reason, it is clear that some officers demonstrated a lack of will to investigate the allegations properly.

On 28 November 2001, a meeting took place between the Leicestershire Crown Prosecution Service reviewing lawyer, Mr Roger Rock, and police officers attached to Operation Magnolia. The case against staff at the children's homes was discussed but not, it seems, the allegations against Lord Janner. The statements of JA-A19 and JA-A6 were not given to the Crown Prosecution Service. This was a serious and inexcusable failure. If the Crown Prosecution Service had been in possession of these statements it would undoubtedly have triggered some kind of discussion. Acting Detective Inspector (A/DI) Kevin Yates (who was part of the Operation Magnolia investigation team) thought there may have been a positive instruction not to mention Lord Janner to the Crown Prosecution Service. A/DI Yates also thought that the statements themselves were being kept back by the senior investigating officer (SIO), Detective Superintendent (D/Supt) Graham Thomas (now deceased).

There is no evidence that the police were unduly influenced or placed under improper pressure not to pursue the Lord Janner allegations. The outcome, however, was nonetheless the same as if they had been. The crucial statements of JA-A19 and JA-A6 were 'brushed under the carpet'.

Operation Dauntless

Operation Dauntless was established by Leicestershire Police in May 2006, following JA-A8's allegation that he had been sexually abused by a number of men, including Lord Janner. Detective Superintendent (D/Supt) Christopher Thomas was appointed SIO and a number of further enquiries took place.

During the course of those further enquiries, the statements of JA-A19 and JA-A6 were located in a locked drawer at Market Harborough Police Station. It became clear to the Operation Dauntless officers that these statements had not been sent to the Crown Prosecution Service during Operation Magnolia and that no follow-up action had taken place. D/Supt Christopher Thomas thought that these statements might be categorised as 'similar fact' evidence and could be used to support the allegations made by JA-A8. He told us that he decided to "*pause*"[1] the investigation whilst advice from the Crown Prosecution Service was sought. No check was made to ascertain whether JA-A19 or JA-A6 were still willing to support the police investigation and any potential prosecution. D/Supt Christopher Thomas decided that Lord Janner was not to be arrested or interviewed until the advice from the Crown Prosecution Service had been received, although at least two officers, DS David Swift-Rollinson and DI Kevin Barrs, sought to persuade him that arrest and interview were appropriate. They thought that Lord Janner was being treated differently from a 'man on the street'.

In any event, in April 2007, a file of evidence was forwarded to Mr Rock at Leicestershire Crown Prosecution Service. Mr Rock did not read it until July of that year and forwarded the file to CPS Headquarters in York the following month. The file did not remain with CPS Headquarters for long and was returned to Mr Rock. A thorough review of the evidence was now a pressing necessity due to the time that had elapsed since April. Due to pressure of work, however, Mr Rock was unable to complete his review and provide advice to the police until 19 December 2007. He concluded that there was not a realistic prospect of conviction and that any further enquiries were unlikely to strengthen the case. He did not advise the police that Lord Janner should be arrested. The advice was not particularly detailed and did not address the possibilities of contacting JA-A19 and JA-A6, which, if pursued, may have materially altered the nature of the case. The police did not seek to challenge the Crown Prosecution Service decision.

Whilst the decision not to charge Lord Janner was not based on his being given preferential treatment, D/Supt Christopher Thomas and Mr Rock appeared reluctant to progress the investigation. Their decisions were unsound and strategically flawed.

The other police investigation

Lord Janner was also investigated during another police investigation but it is not possible for this report to include any detail about this police investigation as to do so would breach the provisions of the Sexual Offences (Amendment) Act 1992. Conducted by Leicestershire

[1] Daily Summary 22 October 2020 Witness 4

Police, the investigation resulted in no charges being brought against him. Based on the law that was applicable at the time, this decision was not an unreasonable one and we did not think that any improper pressure or influence was brought to bear on those institutions responsible for this decision.

Leicestershire County Council

A number of the complainants who made allegations against Lord Janner were former residents of children's homes run by Leicestershire County Council. In relation to one complainant, Leicestershire County Council accepted that it knew about Lord Janner's association with that child. Although there was no evidence that Council staff were aware of allegations of child sexual abuse, some staff were concerned more generally about the association and Leicestershire County Council accepted that it failed to take adequate steps in response to those concerns.

More generally, the Council also accepted that during the 1970s to 1980s it received numerous complaints that children within children's homes were being physically and sexually abused by individuals including members of children's home staff. Leicestershire County Council accepted that its procedures for detecting and responding to those allegations were "*inadequate*"[2] and it apologised to those children in its care for the abuse they suffered.

The impact of the backgrounds of the complainants

Complaints of abuse made by children in the care of Leicestershire County Council were not given the attention and respect they deserved. No effort was expended by the Council to assess what risks they and others may have been exposed to over many years. The Council's duties towards children in its care did not depend on any outcome of criminal proceedings. The duties of a corporate parent do not evaporate because an alleged perpetrator is not prosecuted.

There is a strong suspicion that complainants were ignored in Operation Magnolia because children who had been in care were distrusted and, despite the efforts of some police officers in Operation Dauntless, there appears to have been little enthusiasm for pursuing enquiries. The advice given by the Crown Prosecution Service did not give rise to any confidence in the decision-making processes.

It would be wrong to speculate on the outcome of any trial of Lord Janner. He died before his case came to trial. Fairness to Lord Janner and fairness to the complainants, however, is not a balancing act in which one eclipses the other. The complainants had the right to expect sympathetic treatment and that careful consideration would be given to their allegations. They also had the right to expect thorough investigation of the matters they raised. This did not occur in Operation Magnolia, nor, despite the efforts of the junior officers, in Operation Dauntless. The complainants were failed by these investigations.

[2] John Sinnott 20 October 2020 (Open) 6/22

Part A

Introduction

Introduction

A.1: The background to the investigation

1. This investigation was concerned with the institutional response to allegations of child sexual abuse made against Greville Janner, the late Lord Janner of Braunstone QC. In particular, it examined the response of Leicestershire Police and the Crown Prosecution Service to those allegations.[3] It also considered the response of Leicestershire County Council, the Labour Party and other institutions to allegations of child sexual abuse.

2. At the time of Lord Janner's death in December 2015, he was awaiting trial in respect of a number of offences involving allegations of non-recent child sexual abuse. The commencement of criminal proceedings was the culmination of a lengthy police investigation conducted by Leicestershire Police, known as Operation Enamel. Operation Enamel began in late 2012, and its remit was to investigate the allegations of sexual abuse made against Lord Janner.[4] Some allegations had been made previously against Lord Janner which had been investigated by the police. Those earlier police investigations (which included the investigations Operation Magnolia in 2000 and Operation Dauntless in 2006) resulted in no charges being brought against him.

3. Lord Janner's death ended the criminal proceedings and therefore there have been no findings that he committed any of the acts alleged against him. Lord Janner denied the allegations and, after his death, his family consistently and repeatedly maintained his innocence.

4. The Inquiry's investigation did not consider whether any of the allegations were true or false. Given the focus was on the institutional response to the allegations, rather than the innocence or guilt of Lord Janner, it was neither necessary nor proportionate to call any of the complainants. We have however considered their accounts. We examined how decisions were made in earlier police investigations which resulted in no charges being brought. We also considered the response of other institutions to the allegations made against Lord Janner, examining what they did in the absence of a criminal conviction or civil finding of fact that abuse had occurred. It is an important part of this Inquiry's work to consider institutional responses in the absence of formal court findings. Indeed, statutory agencies regularly make decisions about the protection of children where there has been no formal finding and where their focus is on the welfare of the child.

A.2: Lord Janner

5. Lord Janner was born in Cardiff in 1928. He married his wife, Myra, in 1955, and together they brought up their three children, Daniel, Marion and Laura. Myra died in 1996.

[3] The investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC: Definition of scope
[4] LSP011207_004

6. Lord Janner became a barrister in 1954 and was appointed Queen's Counsel (QC) in 1971. He was elected Member of Parliament (MP) for the constituency of Leicester North West in 1970, and MP for Leicester West from 1974 until 1997. Throughout his time in Parliament he was a member of the Labour Party. He was president of the Board of Deputies of British Jews and was, for many years, heavily involved in a number of Jewish organisations and the promotion of Jewish causes.

7. In 1997, Lord Janner was nominated by the then Prime Minister, Tony Blair, for a life peerage in recognition of his political and public service. In September 1997, Lord Janner was ennobled as Baron Janner of Braunstone and he joined the House of Lords the following month on 30 October 1997. During the public hearing and throughout this report we have referred to him as Lord Janner, except where a quotation or document refers to him differently. He died in December 2015, aged 87.

A.3: The allegations

8. There were 34 complainant core participants in this investigation, each of whom had alleged that Lord Janner abused them when they were children. The Inquiry published a summary table setting out the allegations concerning Lord Janner, which is reproduced in Annex 3.[5] The table includes the period of the alleged offending, the date when the matter was reported to the police and an indication of the outcome of the complaint (for example, whether the case was still under investigation at the time of Lord Janner's death, and whether the complaint resulted in a charge or count).[6]

9. The allegations spanned the early 1960s to the late 1980s, when the complainants were aged between 5 and 17. Some complainants were resident in children's homes in Leicestershire. The acts complained of included allegations of indecent assault such as the touching of genitalia, gross indecency which included acts of oral sex and buggery which now encompasses the offence of anal rape. The offending was said to have taken place in a variety of locations, including children's homes, schools, a flat in London, the Holiday Inn hotel in Leicester, Lord Janner's car and the Houses of Parliament. Some of the allegations included complaints that Lord Janner had been in the company of other adult perpetrators when the alleged abuse took place.

10. As is not uncommon, years passed before many of the complainants felt able to report the alleged abuse to the police or a third party. A number of reasons were given for this.

> **10.1.** Some complainants feared that they would not be believed, particularly where they were a child in care or were in an otherwise vulnerable situation. As JA-A11 said, he "*was just a kid in a care home*".[7] JA-A27 echoed this, saying that he did not tell the officer in charge of the children's home because "*they're not going to believe me, I'm just a little kid in a Children's Home*".[8]

[5] During the course of the investigation, one of the complainant core participants – Mr Hamish Baillie – died and so Annex 3 contains reference to 33 complainants.
[6] The information contained in the table is derived from any witness statement made by the respective complainant and based on a summary provided by the senior investigating officer of Operation Enamel, Detective Superintendent Matt Hewson.
[7] INQ006312_001
[8] INQ006312_006

10.2. For some complainants, there was confusion about the nature of the alleged physical acts of sexual abuse, with many children not realising until later that such acts were wrong or potentially criminal. JA-A5 said that he was made to feel that what happened was "*normal*".[9] JA-A6 said that, at the time, he did not realise that what was happening was wrong.[10]

10.3. In some cases, we were told of direct or implied threats that were made in order to ensure that allegations were not reported. JA-A23 said that, before the alleged abuse, he was told that if:

> *"I told anybody what happened in this room they would put me to a Boy's home where I'd never see my mum and dad again"*.[11]

JA-A20 said he was told not to say anything, and "*that's what I did, and I never told no-one*".[12]

10.4. There were also feelings of embarrassment and shame about the alleged abuse. In 2014, JA-A22 made his complaint of sexual abuse, which dated back to the start of the 1980s. When asked why he did not make an earlier report, he stated: "*embarrassment and scared and just didn't want anybody to know*".[13]

10.5. Others attempted to bury or otherwise come to terms with the alleged abuse. JA-A7 made his complaint to the police in 2015. He said he did not previously report the matter because he found it:

> *"too hard to even admit to myself what happened to me … I find it too overwhelming for me to deal with. It's like if I don't have to tell anyone I don't have to admit it to myself."*[14]

These feelings were repeated by a number of the complainants, including JA-A1, who stated that he found it "*too shameful and embarrassing to talk about to anyone*".[15]

A.4: The public hearing: evidence in open sessions and closed sessions

11. The public hearing took place over 14 days between 12 and 30 October 2020. This was a virtual hearing, given the restrictions resulting from the COVID-19 pandemic.[16] In total, 23 witnesses were called to give evidence. In addition, we heard summaries of evidence from 11 witnesses. The open sessions were broadcast, as has occurred in respect of public hearings in other Inquiry investigations. The process adopted by the Inquiry is set out in Annex 1 to this report.

12. In preparation for the public hearing, the Inquiry obtained a significant volume of evidence, and disclosed over 22,500 pages of evidence to the core participants.[17] This included police and Crown Prosecution Service files from the previous investigations into

[9] INQ006312_004
[10] INQ006312_007
[11] INQ006312_002
[12] INQ006312_012
[13] INQ006312_009
[14] INQ006312_005
[15] INQ006312_013
[16] The Inquiry also held four preliminary hearings between 9 March 2016 and 20 February 2020.
[17] 22,549 pages were disclosed.

Lord Janner, as well as the Operation Enamel files. These police files included witness statements from the majority of complainants, some of whom also provided additional witness statements to the Inquiry.

13. A significant amount of evidence in this investigation was heard during closed session. This was necessary in order to protect the identity of complainants, who are entitled to lifelong anonymity under the Sexual Offences (Amendment) Act 1992 (the 1992 Act).[18] Section 1(1) of the 1992 Act prevents any matter being published about a complainant which might enable the public to identify them as being someone against whom a sexual offence has been said to have been committed. The 1992 Act applies to the Inquiry's work, and applies irrespective of whether there has been previous publication or reporting of a complainant's identity.

14. Some complainants waived their right to anonymity, others did not. Where there was no waiver of anonymity, the Inquiry took particular care to ensure that matters were not said publicly that could enable identification of those complainants. Given the previous police investigations and widespread media reporting of the allegations against Lord Janner, there was a real risk that hearing the evidence during open hearings, when combined with material already in the public domain, would enable 'jigsaw identification'. As a consequence, a restriction order (a formal order preventing the reporting of certain information) was made on 18 September 2019 to prohibit the publication of any matter if it was likely to lead members of the public to identify a person as a complainant.[19] To have heard the evidence that risked identifying complainants in open session, or to publish that evidence in a report, would be unlawful and would have jeopardised the legal right of complainants to anonymity.

15. All core participants and the media were given an opportunity to address the Inquiry about the closed hearings. We also heard detailed legal submissions from Counsel to the Inquiry, a team of independent barristers instructed by the Inquiry to assist in its work. The core participants and the media were given the opportunity to propose other methods of proceeding, which would strike the balance between the legal right of complainants to anonymity and the public interest in hearing as much of the evidence in open session as possible. Having carefully considered those submissions, it was clear that in order for the investigation to continue, the law required much of the evidence to be presented in closed hearings.

16. Witness evidence in closed session was subject to the same scrutiny as if it had been given in public. Those representing core participants were able to, and did in fact, make requests to invite questions of witnesses.[20] In total, there were 45 core participants whose legal teams were present during both the open and closed sessions. In addition, a number of accredited members of the press were present to enable reporting of those matters that could be made public. The Inquiry also published open summaries of each day's closed proceedings on its website. The Inquiry's full report in this investigation (which runs to 165 pages) is restricted from publication, but is available to core participants and to the accredited members of the press, and has been provided to the Secretary of State for the Home Department.

[18] Sexual Offences (Amendment) Act 1992
[19] Restriction Order Pursuant To Section 19(2)(b) of the Inquiries Act 2005: Notice of Determination
[20] Pursuant to Rule 10 of The Inquiry Rules 2006

17. In drafting this publishable report, the Inquiry took care to balance the need to protect the complainants' legal right to anonymity with its statutory duties to be open and to act with fairness. Given the constraints of the legal framework, we have been limited to putting into the public domain those parts of the evidence that could legally be included. As a result, this report does not give as full a public account of all the evidence received as we would wish, or reflect the totality of the evidence received by the Inquiry or all the conclusions set out in our full report, which is restricted from publication. We have considered whether reporting the evidence in this way creates any unfairness because the evidential picture set out in this report is inevitably incomplete, and we have prevented any imbalance insofar as we are able.

A.5: Terminology

18. In this investigation, as the allegations of child sexual abuse involving Lord Janner have not been proven by way of criminal conviction or civil findings, we refer to the individuals making the allegations as complainants.

19. The complaints made against Lord Janner involved allegations of offending that was said to have been committed many years, if not decades, earlier. The Sexual Offences Act 1956 was then the predominant legislation and referred to offences of indecent assault and buggery.[21] On 1 May 2004, the Sexual Offences Act 2003 came into force, which created a wide number of new offences. It included specific offences for sexual acts committed against children under 13 years of age, and an increase in maximum sentences for a number of offences.[22] It also replaced the offence of indecent assault with sexual assault, and a non-consensual act of buggery is now charged as rape. Some of the allegations made against Lord Janner came to the police's attention many years ago, and so we considered the law and any guidance that was applicable at the relevant time.

20. The structures and decision-making processes of both the police and prosecuting authorities have changed over the course of the various investigations concerning Lord Janner.

20.1. The police: there are 43 police forces in England and Wales, which are typically headed by a chief constable. The chief constable will be assisted by a deputy chief constable and a number of assistant chief constables. An assistant chief constable is responsible for overseeing one or more departments within a police force. Most police forces now have a specialist unit responsible for investigating child sexual abuse, often referred to as the Child Abuse Investigation Team (CAIT) or the Child Abuse Investigation Unit (CAIU). The CAIT/CAIU is responsible for investigating the allegation and submitting a file to the Crown Prosecution Service for a decision on whether to prosecute the suspect. A number of the police witnesses referred to in this investigation have since been promoted or have retired from the police. Where applicable, for ease of reference, they are referred to by the rank they were at the relevant time.

20.2. The Crown Prosecution Service: the independent body responsible for prosecuting cases investigated by the police in England and Wales. It was established by statute in 1986, which set out that its functions included taking over the conduct of criminal proceedings instituted by the police, giving advice to the police, deciding

[21] Sections 12, 14 and 15, Sexual Offences Act 1956
[22] Section 15, Sexual Offences Act 2003

whether to prosecute and conducting a prosecution after the police decided to charge a suspect. Prior to this, the police were responsible for investigating most crimes, deciding whether to prosecute and conducting the prosecution. Since 2004, the Crown Prosecution Service has made charging decisions in all but minor cases. Its decisions are made in accordance with *The Code for Crown Prosecutors* (the Code), as well as its guidance such as *Guidelines on Prosecuting Cases of Child Sexual Abuse*. The Crown Prosecution Service has 14 regional teams prosecuting cases locally, each of which is headed by a Chief Crown Prosecutor. We refer in this report to the area team for Leicestershire as the Leicestershire Crown Prosecution Service. Its Central Casework Divisions at CPS Headquarters deal with the most complex cases, including, for example, organised crime, terrorism, and serious and complex fraud.

A.6: References

21. References in the footnotes of the report such as 'INQ006312' are to documents that have been adduced in evidence and, where adduced in open sessions, posted on the Inquiry website. A reference such as 'Matt Hewson 13 October 2020 (Open) 27/20-28/12' is to the witness, the date they gave evidence, and the page and line reference within the relevant transcript. Where the evidence was given in open session, the relevant transcript is available on the Inquiry website. References have also been included to the open daily summaries and, where appropriate, this report refers to the witness by their name.

22. Whilst this report refers to the evidence adduced in the closed sessions, for the reasons outlined above, it does not contain any footnotes to the transcripts of the closed sessions or to documents covered by the restriction order. The full report, which is restricted from publication, contains relevant footnote references.

Part B

Police investigations and reviews

Police investigations and reviews

B.1: Operation Magnolia

Background

1. In 2000, Leicestershire Police commenced Operation Magnolia to investigate whether there was evidence of physical or sexual abuse of children at two children's homes in Leicestershire. The allegations of abuse were mainly focussed on the actions of staff working within the homes. However, during the course of the Operation, two of the complainants – JA-A19 and JA-A6 – also alleged that Lord Janner had sexually abused them when they were children.

2. The senior investigating officer (SIO) was Detective Superintendent (D/Supt) Graham Thomas. D/Supt Graham Thomas died in 2017 and so, as with other witnesses who have died, we are reliant on what inferences can be drawn from documentation and evidence from other witnesses. The parameters of Operation Magnolia were "*to investigate whether there was any evidence of physical or sexual abuse of children at The Holt and the Ratcliffe* [Road] *Children's Homes*", and the Operation investigated allegations made between 1980 and 1990.[23] Disclosures outside those parameters were to be individually assessed (policy 36).[24] D/Supt Graham Thomas's policy book stated that the parameters of the Operation were to be reviewed and discussed with the Assistant Chief Constable (Operations) (ACC/O) as the enquiries developed. At the start of the investigation, David Coleman was the ACC/O. From April 2001 to April 2002, Michael Creedon was the ACC/O.

3. As is not uncommon in investigations of this type, the police were in contact with the Crown Prosecution Service to seek their advice on various aspects of the investigation. For example, it was decided that:

> *"the CPS* [Crown Prosecution Service] *would examine the evidence before any arrests were made in order to advise whether there were sufficient grounds for criminal proceedings against suspects".*[25]

4. In order to bring a criminal prosecution, the Crown Prosecution Service must be satisfied that the test set out in the Code for Crown Prosecutors is met. This test has two stages, which require prosecutors to consider (i) whether there is a realistic prospect of conviction (the evidential stage of the test) and (ii) whether it is in the public interest to prosecute (the public interest stage). Both stages of the test must be met before a suspect can be charged with a criminal offence.

[23] Matt Hewson 13 October 2020 (Open) 5/8-10, 7/1-4
[24] Matt Hewson 13 October 2020 (Open) 7/5-7
[25] Matt Hewson 13 October 2020 (Open) 8/15-19

5. With an initial budget of £10,000, at the start of the investigation there were 10 officers and two civilian staff assigned to Operation Magnolia.[26] The Deputy SIO was Detective Inspector (DI) Richard Keenan, who joined in 2000 and was "*required to supervise the day-to-day running of both the investigative team and the HOLMES team*".[27] HOLMES (Home Office Large Major Enquiry System) is a police database that processes information to assist the management of an investigation and the allocation and progress of tasks (known as 'actions'). Once an action has been completed, it is reviewed and, if no further work is necessary, it is placed in the 'resulted queue', and then ultimately 'filed'. 'Pended' actions relate to actions that are to be allocated on a predetermined date. Documents generated by actions are logged on HOLMES with unique reference numbers (for example, 'S1' is statement 1 and 'X1' is exhibit 1).

6. During the course of Operation Magnolia, 106 potential witnesses were identified and traced, 76 of whom made statements. Fifty-six of the 76 witnesses were former residents of the children's homes and made allegations against staff members.[28] The majority of complaints related to Ratcliffe Road Children's Home, which resulted in 26 members of staff being interviewed as suspects.[29]

7. Detective Sergeant (DS) James Wynne joined at the outset of the Operation as an enquiry team supervisor responsible for the team that conducted the external enquiries. He told us that the police's first task was to trace and interview 12 former residents of Ratcliffe Road Children's Home, as a "*precursor to making a decision as to whether to widen the operation … to see what level of offending there may have been*".[30]

8. DS Wynne told us that he thought it was "*a constant struggle for Mr* [Graham] *Thomas to try and keep the resource levels high enough to keep the investigation ticking over*", and that officers were "*abstracted*" to go and work on murder enquiries or other major incidents, which meant the Operation Magnolia investigations "*stood still while we were away*".[31] He said that "*on reflection*" he thought the Operation was probably under-resourced.[32]

9. Detective Constable (DC) Nigel Baraclough, one of the team of officers involved in Operation Magnolia, told us that the Operation was a low-priority investigation, allocated to the least experienced SIO and Deputy SIO, and was poorly staffed. The Operation was classed as a Category C investigation, the lowest of three gradings for a major investigation. He said that the SIO was inexperienced and the Detective Inspector (DI) was an acting DI who had never worked on a HOLMES-led major enquiry before. He stated that he could understand that the team was small in the initial stages but that it had required further staffing when the investigation grew. His evidence was that he did not feel that the enquiry was given the commitment it deserved from the senior management perspective, in particular by the Chief Superintendent and above. He also referred to abstractions to other investigations, but said that he could recall that officers were returned to Operation Magnolia at the earliest opportunity and that, in the long term, he did not feel that abstractions inordinately affected the effectiveness of the enquiry.[33]

[26] IPC002784_008; IPC002784_005-006
[27] Richard Keenan 21 October 2020 (Open) 34/17-19
[28] Matt Hewson 13 October 2020 (Open) 9/16-23
[29] Matt Hewson 13 October 2020 (Open) 10/3-11/13
[30] James Wynne 21 October 2020 (Open) 5/15-21
[31] James Wynne 21 October 2020 (Open) 9/4-10/8
[32] James Wynne 21 October 2020 (Open) 10/22-23
[33] Daily Summary 21 October 2020 Witness 2

The investigation into JA-A19 and JA-A6's allegations

JA-A19

10. JA-A19 was identified as one of the 12 residents at Ratcliffe Road Children's Home that the police wished to speak to. DS Wynne conducted a number of tape-recorded interviews with JA-A19, the first of which dealt with the complaints against staff at his children's home. At the conclusion of these interviews, JA-A19 disclosed the alleged sexual abuse by Lord Janner, and so arrangements were made to interview him about the Janner allegations.[34] The allegations included abuse said to have occurred in a building described by JA-A19 as a white house.

11. DS Wynne told us that he informed D/Supt Graham Thomas about the Janner allegations and assumed that D/Supt Graham Thomas would report the allegations to more senior officers. DI Keenan stated that it was his "*expectation*" that the allegations against Lord Janner would be referred to the Assistant Chief Constable (ACC) with responsibility for the conduct of criminal investigations within Leicestershire Police at that time.[35] Normal practice would have been to inform ACC/O Coleman and ACC/O Creedon about the Janner allegations, but we have seen and heard no evidence to suggest that they were informed.

12. The account given by JA-A19 in his interviews was drafted into a witness statement.[36] The allegations against Lord Janner were recorded in a separate statement to his allegations against the children's home staff. The Inquiry heard that JA-A19's witness statement relating to the Janner allegations (identified as statement S4C) was never signed and was undated. DS Wynne said he recalled preparing a handwritten version that he wanted JA-A19 to sign. A handwritten version has not been located. DS Wynne also told us that he was "*quite confident that S4C was never signed*" because, as he recalled, after some point in January 2001, JA-A19 "*refused to co-operate any further*". Although he was not aware of the reason why JA-A19 was not co-operating, he said "*My presumption would be that he was not prepared to face us and challenge his lies*". The Inquiry was told that JA-A19 denies being uncooperative.[37]

13. Statement S4C appears to have been drafted some time in or around March 2000 but was not entered onto HOLMES until November 2001. DS Wynne added that he was "*fairly confident*" that either the SIO or the Deputy SIO decided that the statement was not to be signed until "*we'd completed the enquiry relating to the detail of it*". He said that the "*half completed*" S4C was kept either locked in the office or in his desk drawer, until "*we needed to see him again to clarify any of the results of the actions arising out of it*". While actions were raised in respect of JA-A19's other statements, no actions were created in respect of the account provided in statement S4C. Acting DI (A/DI) Kevin Yates, who was part of the Operation Magnolia investigation team, told us that an 18-month delay in inputting a statement onto HOLMES would be "*exceptional*".[38]

[34] James Wynne 21 October 2020 (Open) 23/12-24/24
[35] Richard Keenan 21 October 2020 (Open) 37/1-6
[36] Matt Hewson 13 October 2020 (Open) 12/17-19
[37] Closing submissions 30 October 2020 (Open) 12/24-13/11
[38] Daily Summary 28 October 2020 Witness 2

14. DS Wynne told us that he made some enquiries into JA-A19's allegations against Lord Janner, including taking JA-A19 on a 'drive around' to identify the locations where JA-A19 said he was abused. Whilst some other enquiries were undertaken, DS Wynne said that JA-A19 was "*sufficiently vague making it all but impossible*" to identify the other boys present when JA-A19 said he was abused by Lord Janner. He also said that JA-A19 was:

> *"vague during the interview regarding who he might have made early disclosures to, only to row back without identifying anyone".*

When asked about these comments, DS Wynne explained that JA-A19 was vague in comparison with the detail he gave about the abuse that he alleged was perpetrated by the children's home staff. He said that, following the interview:

> *"I may have been sceptical after, because he wasn't able to furnish us with the sort of detail I would have expected from him … I didn't think he told us everything that he should have done, or could have done on the first visit".*

15. DS Wynne said it was "*absolutely*" his intention to go back to JA-A19 to ask him if he could recall any more information surrounding his complaint. Given that JA-A19 was seen again in August 2000 and January 2001 (when he signed statements S4A and S4B respectively), it is difficult to understand why JA-A19 was not asked to provide any further information on either of those two dates.

16. DS Wynne told us that he thought it "*was a possibility*" that JA-A19 was lying and that he was "*sceptical*" about JA-A19's complaint. He did not accept that he was "*quick to dismiss JA-A19's allegation about Greville Janner*". DS Wynne refuted the suggestion that the police's effort appeared to be placed on investigating the complainant, with insufficient effort placed on building a case. He said he believed that the police investigated the Janner allegations "*as fully as we could*".[39]

17. When asked what steps he had taken to identify evidence that supported JA-A19's allegations, DS Wynne said:

> *"The investigation, or approach was driven by the HOLMES team. It wasn't my place to generate independent enquiries to support the witness".*

18. We do not accept DS Wynne's evidence that Leicestershire Police attempted to build a case. Beyond carrying out some general enquiries, including the matters referred to above, we consider that there was a failure to investigate JA-A19's allegations concerning Lord Janner. Nor do we accept his purported justification for the failure to fully investigate JA-A19's account. DS Wynne was not required to slavishly follow only those actions generated by HOLMES – he had been a police officer for 16 years by the time of Operation Magnolia, and so was of sufficient seniority and experience to be able to suggest that a line of enquiry should be pursued whether generated by the HOLMES team or not.

JA-A6

19. In May 2001, JA-A6 was interviewed by officers from Operation Magnolia. His allegations about abuse within his children's home, Moel Llys in Leicestershire, were written up into statement S101. He also made an allegation of a sexual nature against Lord Janner which was contained in a separate witness statement, S101A, dated 29 May 2001.

[39] James Wynne 21 October 2020 (Open) 33/16

20. In July 2001, following a review of statement S101A, three actions were raised for further work to be done:

- Action 4171 – trace and interview Lord Janner "*re: indecent assault on JA-A6*". The action also stated, "*Pend action as outside current parameters*". This action was allocated to DS Wynne on 21 November 2001.
- Action 4172 and 4173 were identical and stated, "*TI* [trace and interview] *Jones re: visits by Janner to Moel Llys Home*".[40] The Joneses ran the Moel Llys Children's Home. Both were marked "*Pend action as outside current parameters*". This action was allocated to A/DI Yates on 22 February 2002.

21. A decision to 'pend' an action essentially means that the action is placed in a 'waiting queue' until such time as the SIO or Deputy SIO makes a decision about whether the work is to be undertaken. DS Wynne told us that there could be a number of reasons why an action might be pended, including where the action was deemed to be out of scope. When asked about action 4171, DS Wynne told us that, on or around 21 November 2001, the action would have been printed out and placed in his in-tray. However, he said that this was not an instruction for him to trace and interview Lord Janner, as "*along with a number of other actions … this was closure time*". He went on to say that the action was printed off:

> *"for me and other officers to write – to complete them as no further – not further relevant pending the decision of the CPS … but we were effectively writing them off".*

22. When asked what he did with action 4171, he said, "*I think I'd been told to sit on it or write them off and close the enquiry down*". Although it was not his decision that Lord Janner should not be arrested, he agreed with the decision.

23. A number of points arise from this piece of evidence.

23.1. The Inquiry is not aware of any other investigative work undertaken by the police in respect of JA-A6's Lord Janner complaint in the period between 29 May 2001 and 21 November 2001.

23.2. Contrary to policy 36, JA-A6's complaint appears, on the evidence we have seen, not to have been individually assessed.

23.3. DS Wynne was allocated this task a week before the meeting with the Crown Prosecution Service on 28 November 2001 (see below). If the action was 'pended' to await the views of the Crown Prosecution Service, it is all the more surprising that the Janner allegations were not mentioned at that meeting.

24. By January 2002, action 4171 was returned to the HOLMES team, who recorded: "*Action submitted for consideration of the question of pursuing these enquiries in view of the CPS decision not to pursue the evidence of JA-A6 (28/11/01) who is the originator of this action*".

25. The evidence in respect of actions 4172 and 4173 to trace and interview Mr and Mrs Jones is equally troubling. By the end of July 2001, the HOLMES reviewer had clearly identified that enquiries should be made with Mr and Mrs Jones. In the absence of evidence

[40] It is understood that, although identical, one action related to Mr Jones and the other action to Mrs Jones.

from D/Supt Graham Thomas and any entry in the policy book, it is assumed that the SIO or his deputy decided to pend this enquiry. What is clear is that no one was tasked with this obvious line of investigation.

26. A/DI Yates told us that, by the start of 2002, Operation Magnolia was being "*wound down*". He told us that "*the only way to move those actions out of the pending queue*" was to allocate them to an officer, and from there for the action to be filed. He said actions 4172 and 4173 were not allocated to him for the purpose of him undertaking those enquiries, but "*for the purposes of processing them through HOLMES*". He thought the rationale for not progressing the actions was that the SIO was "*always very firm about not stepping outside the terms of reference*" and they "*were closed on the basis that* [the SIO] *had given the instruction that there be … no further follow-ups into those actions*". When being filed (see above), rather than stating that the Janner allegations were outside the scope of Operation Magnolia, actions 4171, 4172 and 4173 recorded a different reason for the actions not being completed, which A/DI Yates said was not "*subterfuge*" but a result of "*an error and a confusion*". A/DI Yates said that there would not have been any difficulty in marking the actions as having been closed off because "*the SIO … has told me not to pursue this allegation*", and said that he could not explain why he had not done that in this case.[41]

27. Towards the end of his evidence, A/DI Yates accepted that it now appeared that JA-A19 and JA-A6's allegations against Lord Janner were not thoroughly investigated and that they should have been pursued. A/DI Yates described a conversation with DI Keenan during which A/DI Yates had been informed of the allegation concerning Lord Janner. A/DI Yates said that he was informed "*that the* [SIO] *was dealing with it awaiting a decision, which* [he] *would interpret as being a conversation with chief officers*". He said that he could specifically recall being told that the allegation against Lord Janner was in the SIO's "*bottom drawer*", and that he had "*got the impression … that it was perhaps being put to one side, or certainly being held back until any decisions could be made about it*". He added that he thought it was "*fair to say that* [it] *wasn't a line of enquiry that was being pursued actively*". Asked whether he had formed the impression that the statement was being put to one side because Lord Janner was a local Member of Parliament (MP), A/DI Yates replied:

> *"It would be easy to surmise that. I wasn't aware of any particular conversation about it, other than that chat with* [the Deputy SIO]. *I don't have any particular reason to think that, but it is obviously quite easy to draw that conclusion".*

He said that it was a "*fair comment*" to suggest that nothing was really done in relation to Lord Janner when he was involved in Operation Magnolia.[42]

28. Officers in Operation Magnolia did not undertake sufficient enquiries to investigate the Janner allegations properly. Contrary to Leicestershire Police's own policy that "*all allegations of sexual abuse will be investigated*" and that "*disclosures falling out of the above parameters will be individually assessed*", minimal investigation took place in respect of JA-A19's allegations, and there was seemingly no investigation carried out in relation to JA-A6.[43] No individual assessment of the allegations occurred. However, based on the evidence we heard, we doubt that this was because the police were unduly influenced or placed under improper pressure not to do so. The police seemingly lacked the desire to thoroughly investigate these allegations.

[41] Daily Summary 28 October 2020 Witness 2
[42] Daily Summary 28 October 2020 Witness 2
[43] IPC002784_040

Decisions relating to arrest and interview

29. DS Wynne said that when it came to deciding whether Lord Janner should be arrested and/or interviewed, he thought the decision would have been taken in conjunction with the Crown Prosecution Service.[44] He said he would have expected there to be a written policy setting out the rationale behind any decision to arrest Lord Janner but that he was not aware of any such written policy.[45] DS Wynne was of the view that the investigation never got to the stage where it was appropriate to interview Lord Janner, as he considered that there were concerns about JA-A19's credibility in relation to the allegations he had made against both Lord Janner and children's home staff.[46] Addressing the more general issue of a complainant's credibility, DS Wynne acknowledged that the fact that a person had been spoken to previously by the police and had not made an allegation of abuse "*counted against them*". He said this was "*the way we operated in those days*".[47]

30. We have seen no arrest policy in respect of Lord Janner in the policy book of the SIO, D/Supt Graham Thomas, nor does it appear that the Crown Prosecution Service was asked to advise on whether Lord Janner should be arrested. In the absence of any evidence from D/Supt Graham Thomas, it is not possible to come to any conclusion about the reasons why Lord Janner was not arrested in 2001.

Crown Prosecution Service decision-making

31. By September 2001, there was a policy entry that stated that decisions as to whether suspects were to be charged, or whether 'no further action' was to be taken against them, would be a joint enterprise between the police and the Crown Prosecution Service.

32. On 28 November 2001, police attended a meeting with the Crown Prosecution Service to discuss the allegations that had been made about children's home staff. A number of suspects were due to answer their police bail in early December 2001, and so the meeting considered the complaints made against the staff of the children's homes and whether charges should be brought. Police prepared schedules of allegations which sought to establish any corroborative information and take into account any negative or potentially discrediting information. Notes of the meeting were taken. They set out, in brief terms, the name of the suspects being considered, the names of the complainants who alleged abuse and a short sentence summarising the decisions taken at the meeting. DS Wynne described the notes of the meeting as "*sparse*", and said that they "*don't really convey the depth of that meeting*".

33. The notes of the meeting make no reference to Lord Janner or to JA-A19 and JA-A6's allegations about Lord Janner. When asked if the allegations against Lord Janner were discussed at the meeting, we heard contradictory accounts.

[44] James Wynne 21 October 2020 (Open) 28/10-24
[45] James Wynne 21 October 2020 (Open) 28/25-29/8
[46] James Wynne 21 October 2020 (Open) 30/20-31/2
[47] Daily Summary 21 October 2020 Witness 1

33.1. DS Wynne initially told us that he was "*sure*" that the Janner allegations were brought up, adding "*I wouldn't say that they were hidden in any way*".[48] He subsequently told us that he did not now remember if the Janner allegations were mentioned.[49] He did not accept that the Crown Prosecution Service was not informed about JA-A19 and JA-A6's allegations.

33.2. A/DI Yates said that he was able to recall that allegations against Lord Janner did not form part of the meeting. He said that there "*may have been*" a positive instruction not to discuss Lord Janner. Asked about the police's approach to the allegations, he said that the Janner allegations were "*not actively, and not to* [his] *knowledge*" being buried. A/DI Yates accepted that JA-A6 and JA-A19 had both been discussed during the meeting with the Crown Prosecution Service, but said that he could not recall anyone mentioning the allegations concerning Lord Janner. He accepted it would be "*quite a big thing*" and that, if it had been raised, he would have expected the Crown Prosecution Service lawyer to question it and ask "*Well, where's the evidence, where's the statement?*" A/DI Yates said that the records of the meeting with the Crown Prosecution Service suggested that the Crown Prosecution Service was not told about JA-A19's statement, S4C, or JA-A6's statement, S101A. Referring to a decision that was made that JA-A19 and JA-A6 were unreliable, A/DI Yates accepted that that decision appeared to have been made without reference to their complaints against Lord Janner.[50]

33.3. Mr Roger Rock, the Crown Prosecution Service lawyer present at the meeting, told the Inquiry:

> *"I was not informed of those allegations against Janner at that meeting. Had I been, I would have immediately ended the meeting and referred the matter to the Chief Crown Prosecutor because I would have had to refer certainly that part of the file, and possibly more of it, to headquarters for consideration."*[51]

33.4. D/Supt Matt Hewson stated that when the later Operation Enamel (the 2012–2015 police investigation into allegations against Lord Janner) reviewed the Operation Magnolia paperwork (discussed below), it indicated that the Crown Prosecution Service was not asked to advise on the Janner allegations.[52]

34. Based on all the evidence we heard, it seems that the statements of JA-A19 and JA-A6 were not submitted to the Crown Prosecution Service. This was a significant and unjustifiable failing. The fault for that omission lies solely with Leicestershire Police and not with the Crown Prosecution Service. Notwithstanding the fact that JA-A19 and JA-A6's complaints against children's home staff were discussed, it seems that the allegations against Lord Janner were not mentioned. The failure to mention him is troubling.

35. Ultimately, the Crown Prosecution Service advised that no charges should be brought against any of the children's home staff. The reasons for this decision were set out in a Crown Prosecution Service advice dated 20 September 2002, in which it was stated that, for a number of reasons, the evidential test was not met.[53] Attached to Mr Rock's advice was an

[48] For example, D/Supt Matt Hewson told us that Operation Enamel reviewed the Operation Magnolia paperwork and did not find any documentation to indicate that Leicestershire Police asked the Crown Prosecution Service to advise on the Janner allegations.
[49] James Wynne 21 October 2020 (Open) 32/25
[50] Daily Summary 28 October 2020 Witness 2
[51] Roger Rock 23 October 2020 (Open) 2/21-3/1
[52] Matt Hewson 13 October 2020 (Open) 18/3-6
[53] Matt Hewson 13 October 2002 (Open) 15/20-17/3

annex setting out an analysis of the allegations against each member of staff, which included reference to "*serious concerns about the credibility of several of the complainants*". In respect of JA-A19, the annex stated that he had made a "*weak allegation that* [JA-F9, a female member of staff] *had allowed* [JA-A19] *to touch her between her legs over her clothing*". In relation to JA-A6's allegations against staff, the annex stated: "*has severe mental health problems and must be discounted as a witness*".

36. D/Supt Graham Thomas provided a summary of Mr Rock's reasons in an email he sent to the Operation Magnolia police team.

36.1. "*Virtually all*" of the allegations of physical abuse were "*time barred*". The offence under consideration was common assault/battery pursuant to section 39 of the Criminal Justice Act 1988, where proceedings need to be commenced within six months of the alleged offence. However, D/Supt Graham Thomas went on to state that "*many of the physical assaults would have been proceeded with but for the time bar problem*".

36.2. "*Many*" of the allegations of sexual abuse were uncorroborated, and there was "*no supporting medical evidence*". Also, there had been earlier opportunities for the sexual allegations to have been mentioned when the witness was interviewed as part of other police investigations. DS Wynne agreed with the suggestion that a previous failure to disclose allegations of sexual abuse would have counted against them "*at the time*".

36.3. The complainants were either unfit to give evidence or had turned "*hostile*".

36.4. "*A major obstacle*" was that the complainants were considered unreliable and that "*scrutiny of the evidence identified contradictions, identification issues, mistakes and lies*".

37. DS Wynne said that he did not disagree with the Crown Prosecution Service decisions in respect of JA-A19 and JA-A6's complaints against children's home staff. DI Keenan said that he had left Operation Magnolia by the time of the decisions by the Crown Prosecution Service, but was "*totally surprised to be informed … that no individuals were to be prosecuted*".

38. The applicable Code for Crown Prosecutors at the time of Operation Magnolia was the 2001 Code. The 2001 Code set out that, when considering whether the evidential test was met, a prosecutor "*must consider whether the evidence can be used and is reliable*".[54] Mr Rock told us that:

> *"The only way cases of this nature can be prosecuted is by prosecuting individuals for specific offences and, therefore, each allegation has to be looked at on the evidence and in relation to a particular suspect."*[55]

39. In relation to the issue of reliability, paragraph 5.3 of the 2001 Code stated that a prosecutor should ask themselves questions including:

> *"e. Is the witness's background likely to weaken the prosecution case? For example, does the witness have any motive that may affect his or her attitude to the case, or a relevant previous conviction?*

[54] CPS002787_004
[55] Daily summary 23 October 2020 Witness 2

> *f. Are there concerns over the accuracy or credibility of a witness? Are these concerns based on evidence or simply information with nothing to support it? Is there further evidence which the police should seek out which may support or detract from the account of the witness?"*[56]

40. A witness's reliability, and credibility, are always factors to be considered when the evidence is being examined but it appeared that the Crown Prosecution Service decisions about the allegations against children's home staff focussed overly on these factors.

41. DS Wynne thought that the Janner allegations were investigated "*as fully as we could*".[57] A/DI Yates took a contrary view. Asked if he now thought that the Janner allegations were 'brushed under the carpet', he said: "*Yeah, I think, based on everything I've sort of seen and heard over the last few years, it's hard not to be suspicious that that was the case*". He said that the factors that led him to this conclusion were "*largely based on* [his] *subsequent knowledge"* and that *"at the time …* [he] *was inexperienced and perhaps not well equipped to question things anyway*". He explained that:

> *"the fact there is no policy decision, no record of discussions with chief officers, and of course now the delay in the particular statement being moved through the system, it is hard to give any other explanation for that, for those things".*

42. Asked whether he thought the allegations of JA-A19 and JA-A6 against Lord Janner should have been pursued, A/DI Yates said "*it would be difficult to defend a decision not to*".[58]

43. A/DI Yates's evidence about the Janner lines of enquiry being "*in the bottom drawer*", coupled with his concession that there may have been a positive instruction not to mention Lord Janner at the Crown Prosecution Service meeting on 28 November 2001, creates the suspicion that these matters were deliberately withheld. However, it is not possible, two decades later, to come to a definitive conclusion about why this occurred. What is certain is that the police failed to properly investigate JA-A19 and JA-A6's complaints, and this failure rests solely with them.

44. D/Supt Hewson told us that, in relation to JA-A19, Operation Enamel traced a number of the witnesses that JA-A19 said he had made disclosures to and that JA-A19 thought had also attended the 'white house'. The occupants of the white house were also spoken to. D/Supt Hewson said that the outcome of these enquiries "*didn't yield much evidence that supported*" JA-A19's account. However, as a result of a review of the entirety of the evidence gathered in Operation Enamel, Lord Janner was charged with two allegations of buggery and two allegations of indecent assault in relation to JA-A19.

45. In relation to JA-A6's allegations, D/Supt Hewson said that Operation Enamel found no reference "*whatsoever*" in JA-A6's medical records to suggest that JA-A6 had "*severe mental health problems*". Police traced Mr and Mrs Jones, five other staff members at Moel Llys Children's Home, and a number of children who were resident at the home. None of those witnesses "*could confirm that … they'd seen Lord Janner at Moel Llys*". D/Supt Hewson said that, in July 2014, JA-A6's allegations were discussed with the Crown Prosecution Service and counsel, and it was decided that there "*wasn't enough evidence there, supportive or corroborative*" to submit the file to the Crown Prosecution Service for pre-charge advice.

[56] CPS002787_005
[57] James Wynne 21 October 2020 (Open) 33/16
[58] Daily Summary 28 October 2020 Witness 2

46. Complainants and suspects are entitled to expect allegations to be properly investigated when first brought to the police's attention. Nearly 15 years had passed before JA-A6's complaints were properly considered.

Other matters arising during Operation Magnolia

Comments alleged to have been made during Operation Magnolia

47. During the course of Operation Nori (from April 2015 to August 2019, see Part B.5 below), the Independent Office for Police Conduct (IOPC) obtained a statement from Detective Constable (DC) Sarah Cox. DC Cox worked on Operation Magnolia and was responsible for obtaining social services records. She recalls officers, including DS Wynne, making "*flippant comments … like 'he's just a piss head' and 'he's been in prison so he must be a scumbag'*". She said that she was "*not aware of people being bias* [sic] *one way or another to the investigation including those officers who made flippant comments*". DS Wynne denied making such comments and said that he did not recall DC Cox. A/DI Yates did not recall such comments and said he would have "*challenged any such comments*" had they been made. DC Baraclough did not recall "*ever hearing*" such comments, and DI Keenan said he was "*not aware of these disparaging comments at the time*".[59] DI Keenan stated that while the "*vast majority of officers were totally committed to conducting a rigorous but objective search for the truth … There were, unfortunately, one or two exceptions*".[60] He described D/Supt Graham Thomas as "*a very committed and careful individual*" who regarded the investigations as "*a search for the truth about serious allegations of sexual and physical abuse*".[61]

48. Given the divergence of evidence about these comments, we cannot come to a conclusion about what was said. However, poor attitudes such as these could explain why further investigations were not conducted.

JA-A25

49. During the course of Operation Magnolia, in March 2000, police interviewed JA-A25 and drew up a witness statement for him to sign. The statement makes no mention of Lord Janner. In a subsequent account given to officers in Operation Enamel in 2014, JA-A25 stated that, during the course of his Operation Magnolia interview, he was told that the police were not interested in information about Lord Janner, as it was not within the remit of the investigation.

50. DC Baraclough (and DC Alexander Nixon) interviewed JA-A25 over a number of days between 7 March and 16 March 2000. DS Wynne and DC Baraclough conducted a further interview on 21 March 2000. DS Wynne and DC Baraclough denied that JA-A25 mentioned Lord Janner to them. Both state that, had Lord Janner been referred to, they would have recorded it in their notebooks.

[59] Richard Keenan 21 October 2020 (Open) 39/3-4
[60] Richard Keenan 21 October 2020 (Open) 38/9-19
[61] Richard Keenan 21 October 2020 (Open) 39/14-40/2

B.2: Operation Dauntless

Background

51. In November 2005, Leicestershire Police became aware that a complainant, JA-A8, had alleged that he was abused whilst in care. The police commenced Operation Dauntless, during the course of which JA-A8 was interviewed and made allegations that he had been sexually abused by Lord Janner on two or three separate occasions.

52. Following receipt of JA-A8's complaint, Leicestershire Police held a 'Gold Group' meeting in May 2006. A Gold Group sets the strategic direction of an enquiry, including the investigative parameters, resource allocation and budget, and is attended by senior police officers from within the force. Shortly after the meeting, the Head of the Specialist Crime Department, Chief Superintendent (C/Supt) Alistair Helm, appointed D/Supt Christopher Thomas as the SIO for Operation Dauntless (not to be confused with D/Supt Graham Thomas).

53. D/Supt Christopher Thomas told us that, at the time of the investigation, he would have had responsibility for approximately 10 to 12 other major crime investigations. He said Operation Dauntless had an initial investigation team of six detective officers from the Major Crime Team, including DI Kevin Barrs as the Deputy SIO, DS David Swift-Rollinson and four DCs. The officers involved in Operation Dauntless also had other policing commitments.

54. DS Swift-Rollinson told us that the investigation was "*sensitive*" and needed to be carried out "*discreetly*" because Lord Janner was a current member of the House of Lords. He said this decision was not unusual and was in fact "*normal, proper and professional*".[62]

Enquiries conducted during Operation Dauntless

55. DS Swift-Rollinson described the investigative tasks that had been allocated to him during the Operation. He said these had included reviewing the complaint made by JA-A8 and all associated evidential material, which included any earlier complaints made by JA-A8 about other individuals. JA-A8's social services records were reviewed and were found not to contain any references to the allegations JA-A8 had made against Lord Janner. The investigation team also contacted and interviewed JA-A8's former social worker, Ms Anne McCann. She told the police that, to the best of her knowledge, JA-A8 had never disclosed any allegations of sexual abuse to her. JA-A8 was re-interviewed, following which D/Supt Christopher Thomas identified a number of discrepancies in his account.

56. In mid-December 2006, DI Barrs visited a secure suite at Market Harborough Police Station and found a number of hardcopy typed statements in a drawer. These statements included JA-A19's 'S4C' statement and JA-A6's 'S101A' statement, prepared during Operation Magnolia and containing their allegations of child sexual abuse against Lord Janner. DI Barrs passed these statements to DS Swift-Rollinson, who had access to the Operation Magnolia material that had been entered onto the HOLMES database. DS Swift-Rollinson was unable to find any reference to statements 'S4C' and 'S101A' on HOLMES. DS Swift-Rollinson told us that JA-A19 and JA-A6's statements also did not appear to have been provided to the Crown Prosecution Service during Operation Magnolia.

[62] Daily Summary 22 October 2020 Witness 2

57. Emails between DS Swift-Rollinson, DI Keenan and DI Yates – officers from Operation Magnolia – confirmed that the statements had not been submitted to the Crown Prosecution Service. DI Barrs also told us that he had spoken to DC Keenan and DI Yates, and that they had both been "*very uncomfortable*" about statements being in existence that were not entered onto HOLMES. He said that both officers had given him the impression that Leicestershire Police had not pursued any investigations into the allegations made in those statements. DS Swift-Rollinson described it as "*wholly untoward*" that the Operation Magnolia officers failed to investigate JA-A19's allegations, to enter JA-A19's statement onto HOLMES in a timely fashion or to pass the statement to the Crown Prosecution Service as part of their advice file.

58. DS Swift-Rollinson told us that, following confirmation that the allegations in statement S4C (which he referred to as the "*unrevealed statement*") had not been progressed by Leicestershire Police or passed to the Crown Prosecution Service for consideration, he discussed his concerns in detail with DI Barrs and they both raised the matter with D/Supt Christopher Thomas. D/Supt Christopher Thomas was provided with copies of the statements as he said that he wanted to assess whether they might provide 'similar fact' evidence (ie relevant and admissible evidence that suggested the suspect may on other occasions have behaved in a similar way to the allegation now made) in support of JA-A8's allegations.

59. D/Supt Christopher Thomas told us that no investigations into JA-A19's allegations were carried out by Operation Dauntless prior to providing the advice file to the Crown Prosecution Service.

60. Despite having identified that JA-A19 and JA-A6 had made allegations of child sexual abuse against Lord Janner, Leicestershire Police did not undertake any further investigation into their allegations. No check was made to ascertain whether JA-A19 and JA-A6 were still alive, whether any individuals that they had mentioned could be traced, or whether – importantly – they were able to provide any further evidence that might have been relevant to those allegations or which might support JA-A8's allegations in Operation Dauntless. Even after the advice file was submitted to the Crown Prosecution Service, the results of such enquiries could have been forwarded to the Crown Prosecution Service to be taken into account when considering their advice.

Decisions relating to arrest and interview

61. DS Swift-Rollinson told us that D/Supt Christopher Thomas decided not to arrest Lord Janner or to search his properties. Both he and DI Kevin Barrs thought Lord Janner should have been arrested. He said that he also thought that:

> *"someone who is accused, and accused of serious allegations, in their life should be allowed to account for them. They should be allowed to provide answers to questions and reasonable explanations, and, if necessary, assert their innocence".*[63]

[63] Daily Summary 22 October 2020 Witnesses 2 and 3

62. He added that he and the investigation team all felt it was "*incredible that an individual such as Lord Janner should be treated any differently by not interviewing him, not arresting and searching*" his properties. He stated that the fact that Lord Janner "*was not allowed the opportunity to dispel those allegations or provide a reasonable account is staggering, bewildering and disappointing*".[64]

63. DS Swift-Rollinson confirmed a view that he had expressed during a meeting with his DI and the SIO, that if the accused had been a "*man on the street*" then the police would have arrested him, searched his home and interviewed him. He added that it was "*unorthodox*" for an officer of his rank to express such strong views towards a senior officer, but he felt he had:

> *"a duty as a police officer to do* [his] *job correctly and to try and influence the SIO to gather evidence to either confirm or refute the allegations, to recover evidence, to look at important safeguarding implications … and a whole host of reasons that are obvious to this enquiry".*[65]

64. In relation to the decision not to arrest Lord Janner, D/Supt Christopher Thomas referred to a policy document (policy decision 13) which he said captured "*an outline of* [his] *thinking*". He said that he was never put under any pressure not to arrest Lord Janner. He stated that he had "*absolutely*" informed senior officers and that there would have been no reason not to speak to them about it. He said that he felt that a search of Lord Janner's property was "*highly unlikely*" to result in any corroborative evidence and that, due to the passage of time since the allegations, there was "*very little opportunity*" for "*forensic or other supporting evidence*". D/Supt Christopher Thomas refuted the suggestion that it was unorthodox for a detective sergeant to challenge an SIO and said that, on other major enquiries, lower ranking officers had "*raised issues*" and that he believed he was "*willing to listen*" to such concerns. He stood by the decision not to arrest Lord Janner, as it was his view that the police were highly unlikely to take the case forward.[66]

Investigative steps taken by Operation Dauntless in relation to JA-A19 and JA-A6

65. DI Barrs said D/Supt Christopher Thomas specifically told him not to make any further enquiries in respect of JA-A19 until advice from the Crown Prosecution Service had been received.[67] D/Supt Christopher Thomas said that he did not take any further steps in relation to JA-A19's allegations as he wanted to see whether the Crown Prosecution Service would advise that further enquiries should be conducted. He said that it was his view that they should "*pause*" the investigation and seek a legal perspective from the Crown Prosecution Service. He also said that he had no recollection of telling DI Barrs not to carry out any further investigations, and did not think he would have done so.[68]

66. During the IOPC's investigation (see Part B.5 below), Chief Constable Baggott was shown statement S4C, which JA-A19 had provided to Operation Magnolia and contained the Janner allegations. He said that if the allegations within statement S4C were not investigated:

[64] Daily Summary 22 October 2020 Witness 2
[65] Daily Summary 22 October 2020 Witness 2
[66] Daily Summary 26 October 2020 Witness 1
[67] Daily Summary 22 October 2020 Witness 3
[68] Daily Summary 22 October 2020 Witness 4

> *"this is not acceptable. Leicestershire Police had an ongoing responsibility to consider the allegation and to interview the named children. I would say this responsibility was primarily in 2000 during Operation Magnolia but did still exist in 2006/7."*[69]

67. DI Barrs told us that he considered that the decision not to interview Lord Janner, to seek early advice from the Crown Prosecution Service and not to investigate JA-A19's allegations further were all failures of Operation Dauntless. He said that, in respect of each issue, his view had differed from that of the SIO and that he had informed him of those differences of opinion. He said that he did not think that Lord Janner was treated in the same way as another person in a similar position would have been. He commented:

> *"He was afforded the benefit of the doubt. If we'd have continued with those investigations, I could have removed that benefit of doubt."*[70]

68. We do not criticise D/Supt Christopher Thomas for his decision not to arrest Lord Janner in early 2007. On the evidence that was then available to the investigation, choosing not to do so was within the range of reasonable decisions open to an SIO, notwithstanding the strong views expressed by the officers under him. However, it was a decision that was made on the evidence then available, and that evidence was incomplete. As we have said, further enquiries should have been conducted into the allegations of JA-A19 and JA-A6, and the decision on whether to arrest should have been revisited in light of any evidence obtained. It is impossible to say what decision would then have been taken regarding arrest.

Crown Prosecution Service advice

69. On the same day that D/Supt Christopher Thomas decided that Lord Janner would not be arrested (30 January 2007), he also decided to seek advice from the Crown Prosecution Service about a prosecution. His policy log entry provided the rationale for this decision. The advice file sent to the Crown Prosecution Service contained not only allegations made by JA-A8 but also those that had arisen in previous investigations, including the allegations made by JA-A19 and JA-A6 in Operation Magnolia. In his cover letter to the advice file, D/Supt Christopher Thomas stated that the police had conducted "*a full investigation*". He requested advice:

> *"(1) On prosecuting Greville Janner for the allegations made by [JA-A8] …*
>
> *(2) On whether the evidence around the previous allegations against Greville Janner would support a prosecution, or on its relevance to [JA-A8's] allegation".*

70. We heard that a police report accompanying the advice file identified certain inconsistencies in JA-A8's account and had questioned whether those should be considered and advice obtained from a forensic psychologist. DS Swift-Rollinson said that a forensic psychologist's advice was not obtained. He did not know the reasons for this. He confirmed that the advice file had referred to medical evidence which did not support the complainant's account. The cover report also asked the Crown Prosecution Service whether further enquiries should be undertaken in a "*final attempt*" to influence the Crown Prosecution Service to recommend that further police investigations should be carried out.

[69] Daily Summary 22 October 2020 Witness 1
[70] Daily Summary 22 October 2020 Witness 3

71. DI Barrs told us that he felt the timing of the SIO's decision to seek advice from the Crown Prosecution Service was "*premature*", because "*most … main lines of enquiry had not been completed*". He acknowledged that an SIO could choose when to seek advice so he would not criticise the SIO for that, but his criticism was that they "*hadn't provided the Crown Prosecution Service with a full and thorough investigation*".[71]

72. Despite telling us that he intended to "*pause*" the investigation, D/Supt Christopher Thomas's policy entry does not refer to any pause. It reads as a decision reached at the conclusion of an investigation. Although he might have considered further enquiries if these were recommended by the Crown Prosecution Service, it appears that, in the absence of such a recommendation, D/Supt Christopher Thomas treated it as though it were a completed investigation. In any event, even if D/Supt Christopher Thomas did intend to 'pause' the investigation, we consider that this interruption to the flow of the investigation was premature. There remained a number of further enquiries that could have been carried out, not least the investigation into JA-A19 and JA-A6's uninvestigated allegations, and there is no good reason why the results of those further enquiries could not have been passed to the Crown Prosecution Service after the initial advice file had been submitted, for consideration alongside the other evidence that had been gathered.

73. Nevertheless, we also considered the evidence of Chief Constable Baggott to be instructive. He stated that it was sensible to seek early advice from the Crown Prosecution Service. Whilst different officers may hold different opinions about when advice from the Crown Prosecution Service should be sought, it is clear from his evidence that a decision to seek early advice is not one that would be criticised by more senior officers, and may indeed be supported. In light of this, we accept that D/Supt Christopher Thomas was entitled to seek advice from the Crown Prosecution Service when he felt it was appropriate to do so.

74. Our criticism, however, is that Operation Dauntless failed to investigate JA-A19 and JA-A6's allegations against Lord Janner adequately, or as fully as it should have done, knowing that those allegations had not been properly investigated previously.

75. The advice file was received by the Crown Prosecution Service on 23 April 2007 and allocated to Mr Rock. In accordance with Crown Prosecution Service policies for dealing with cases involving an MP, the file was referred to CPS Headquarters. However, it was not sent to CPS Headquarters until August 2007. Mr Rock said that part of the reason for the delay was that he felt he needed to read the file before he referred it, and the pressure of work and court attendance meant he did not read the file until July 2007. He acknowledged that the delay was "*too long*" and agreed that, in cases involving sexual crime, in some instances going back years, every day was a day lost in terms of recollection, memory and perhaps a desire to cooperate. Asked whether he could have referred the file to someone else to read, he said, "*there was no-one else to refer it to*". Mr Rock told us that he subsequently received a telephone call from CPS Headquarters informing him that the file would be returned and that he was to deal with it himself. CPS Headquarters should have retained the file. Mr Rock said that he was told that the prosecution was "*going nowhere*", which he understood to mean that there was no prospect of conviction. Despite this, Mr Rock said that, when he received the file back some weeks later, possibly in early autumn, he reviewed it with an open mind

[71] Daily Summary 22 October 2020 Witness 3

and was not influenced by the view that had been expressed to him. He confirmed that he was not put under any pressure by CPS Headquarters to reach any particular conclusion, and that he certainly was not influenced by their view.[72]

76. On 19 December 2007, Mr Rock advised that Lord Janner should not be arrested and interviewed or charged. The advice stated that there were no further reasonable lines of enquiry to strengthen the case, that interviewing Lord Janner would not further the investigation and there were concerns about JA-A8's credibility such that there was no realistic prospect of conviction.

77. Mr Rock accepted that it was within his remit to advise the police to take further investigative steps, which could have included recommending the re-interview of previous complainants or the instruction of a forensic psychologist. He accepted there was no reference to such recommendations in his advice, but said that he had spoken to the SIO on the telephone to discuss further lines of enquiry, and the SIO's view had been that "*there were no further lines of enquiry to follow*". Mr Rock said that he could not remember whether he discussed instructing a forensic psychologist with the SIO. He said that these conversations had taken place before he had provided his advice, but could not say exactly when. He also accepted that JA-A6's allegations against Lord Janner, which had been referred to within the advice file from the police, were not referred to in his advice. He said that he did not think he saw JA-A6's statement at the time and that if he did not, he had relied on what the police had said about it in their report. Mr Rock confirmed that he had concluded that JA-A6 "*couldn't be relied upon*" based upon the comment in the police report that JA-A6 had "*severe mental health problems and must be discounted as a witness*". He said that his advice was not "*written in anticipation of a detailed forensic examination many years later, and, for that reason, it's not as comprehensive as otherwise it perhaps should have been*".[73]

78. The advice was perfunctory and gave the impression of a complacent attitude and a lack of commitment to ensuring that all proper lines of investigation were pursued before a final decision was made. Mr Rock should have advised the police to contact previous complainants to ascertain whether they were willing to provide further evidence.

79. Mr Gregor McGill, Director of Legal Services at the Crown Prosecution Service, told us that the Operation Enamel reviewing lawyer in 2015 had found that the prosecutor in 2007 had given "*disproportionate weight to matters that adversely affected the credibility of the complainant as well as to the delay in reporting the complaint*". He added that the rules on corroboration had changed and that, following changes to the law in 2003, there was the possibility for cross-admissibility for multiple allegations that should have been taken into account. Mr McGill confirmed that the Crown Prosecution Service stood by the view that mistakes were made in relation to the decision-making in 2007.[74]

80. Mr Rock accepted that at the time that he was considering Operation Dauntless, matters such as the fact that children in care may have more notes written about them than other children, and other issues around making further enquiries to corroborate the offence rather than the credibility of the offender, were not in the forefront of his mind. He said that he was "*applying the processes that were relevant in 2007. They did change in 2013, and anyone looking at the case now would approach it in a totally different way*".[75]

[72] Daily Summary 23 October 2020 Witness 2
[73] Daily Summary 23 October 2020 Witness 2
[74] Daily Summary 28 October 2020 Witness 1
[75] Daily Summary 23 October 2020 Witness 2

81. We heard that both DI Barrs and DS Swift-Rollinson were disappointed with the Crown Prosecution Service advice not to charge Lord Janner, and that DS Swift-Rollinson had wanted to challenge the Crown Prosecution Service's decision.[76] D/Supt Christopher Thomas said he felt frustrated by the advice but did not feel that he could invoke the procedure to challenge it, as he considered that it included consideration of matters of law which were not within his expertise.[77] Mr Rock said that D/Supt Christopher Thomas appeared to accept his advice. He explained that there was an 'escalating' procedure set out within the guidance on charging so if the police had wanted to challenge his advice, they could have done so and the complaint would then have been considered by his line manager, the Chief Crown Prosecutor.[78]

82. At the point when D/Supt Christopher Thomas sought advice from the Crown Prosecution Service, further investigations were possible, and when the more junior officers pressed for those investigations to be carried out, their views were sidelined. D/Supt Christopher Thomas appeared to treat the investigation as complete, and it appeared that he was seeking to 'wind down' the investigation.

83. Mr Rock should have recommended that further enquiries be carried out. He also should have taken greater care to consider the contents of the advice file and the potential for further evidence that such enquiries may have yielded. While his decision not to charge Lord Janner may ultimately have been a reasonable one, his failure to fully engage with the issues raised by the conduct of the investigation was unsatisfactory.

84. While it may have been possible for DS Swift-Rollinson and DI Barrs to have challenged Mr Rock's advice directly themselves, it is apparent from D/Supt Christopher Thomas's evidence that, in practice, this would have been viewed as "*inappropriate*" and is therefore not something we consider those officers could fairly be expected to have done.

85. Some of the investigating officers believed that Lord Janner was being treated differently from the man on the street because of who he was. On the evidence we heard, we are not in a position to determine whether this was the case. It is clear, however, that there was a failure properly to progress the investigation into the allegations against Lord Janner.

86. The 2015 decision to commence criminal proceedings against Lord Janner included charges in respect of JA-A8.

B.3: Other police investigations

87. It is important to note that the Inquiry heard evidence relating to another police investigation into allegations of child sexual abuse made against Lord Janner. In order to fulfil the Inquiry's duty to protect the identity of complainants, who are entitled to lifelong anonymity under the Sexual Offences (Amendment) Act 1992, it is not possible legally for this report to include any further detail about that investigation.[79] It is right to record, however, that Lord Janner faced no charges as a result of that investigation.

88. In relation to that investigation, based on the evidence we heard and saw:

[76] Daily Summary 22 October 2020 Witnesses 2 and 3
[77] Daily Summary 28 October 2020 Witness 1
[78] Daily Summary 23 October 2020 Witness 2
[79] Sexual Offences (Amendment) Act 1992

- the decision not to charge Lord Janner was not an unreasonable decision, given the law that existed at the time and the factual complexities of that particular investigation;
- while there were some administrative errors in the prosecutorial decision-making process, these did not affect the overall decision not to bring charges;
- there was no improper influence or pressure brought to bear on Leicestershire Police, Leicestershire Crown Prosecution Service or CPS Headquarters in the decisions they made in this investigation; and
- the investigation of the Janner allegations was pursued by the officers concerned without prejudice towards children in residential care.

B.4: The criminal proceedings in 2015

Background

89. In late 2012, Leicestershire Police received correspondence suggesting that Lord Janner should have been prosecuted for child sexual abuse offences. As a result, Operation Enamel was commenced to establish whether there was any evidence not previously considered by the earlier police investigations, including Operations Magnolia and Dauntless, and to consider whether there was an opportunity for the Crown Prosecution Service to review its previous decisions. Whilst some of the allegations had previously been investigated, other complainants first contacted the police during the course of Operation Enamel.

90. Mr McGill explained that, in October 2013, the Crown Prosecution Service issued *Guidelines on Prosecuting Cases of Child Sexual Abuse* ('the 2013 Guidelines').[80] He said that the introduction of updated guidance was in part connected with the Jimmy Savile allegations and that the then Director of Public Prosecutions, Mr (now Sir) Keir Starmer QC, was instrumental in trying to change the way the Crown Prosecution Service approached these cases. The 2013 Guidelines referred to prosecutors taking a 'merits-based approach' when considering whether the evidential test was met.[81] Mr McGill explained what was meant by the 'merits-based approach':

> *"to look at the case as a whole free from what we call myths and stereotypes. So you make a decision based on the merits of the case that is put in front of you, not based on any bias or pre-judged determination of how people might act in particular circumstances".*

Mr McGill also referred to Annex C of the 2013 Guidelines, which lists 'Myths and Stereotypes' about child sexual abuse. He said these were "*a reminder to prosecutors to not think in rigid tramlines*" and acknowledged that there "*are many reasons why people may not give you all the material at the first available opportunity*".[82]

[80] CPS002808
[81] Reference to the 'merits-based approach' was removed in November 2018. The current guidelines are *Child Sexual Abuse: Guidelines on Prosecuting Cases of Child Sexual Abuse*
[82] Daily Summary 27 October 2020 Witness 5

Operation Enamel

91. Operation Enamel was a significant police investigation. Led by D/Supt Hewson as SIO, "*at the height*" of the investigation there were approximately 30 officers involved and, by January 2016, the budget was "*in excess of £400,000*".[83] Nearly 800 witness statements were taken, more than 1,000 exhibits were examined, over 8,000 documents were registered on HOLMES and in excess of 3,600 lines of enquiry (actions) were raised.

92. Officers involved in Operation Enamel contacted JA-A19, JA-A6 and JA-A8. They were shown their original statements to see if they wanted to add, clarify or amend any matters, and they were asked if they were willing to support any future prosecution of Lord Janner. The police also made some additional enquiries and, where applicable, traced witnesses in relation to JA-A19, JA-A6 and JA-A8's complaints.

93. As new complainants came forward, their allegations were investigated and, where appropriate, their social services records and documentation relating to their children's homes were examined. In liaison with Leicestershire County Council, approximately 600,000 documents were collated.[84] Medical and mental health records were reviewed, as were education records.[85]

94. We also heard evidence that Operation Enamel had carried out enquiries that had not been completed during earlier Leicestershire Police investigations into allegations concerning Lord Janner. An additional witness also came forward, following publicity about the April 2015 decision by the Director of Public Prosecutions not to bring proceedings against Lord Janner, stating that she had worked in a hotel and, on one occasion, had seen Lord Janner in bed with a teenage boy.[86]

95. D/Supt Hewson told us that Lord Janner was not arrested as part of Operation Enamel, as it was considered that the legal test for an arrest was not satisfied.[87] However, his home address and parliamentary office were searched. Police were planning to invite Lord Janner for an interview but a police surgeon advised that, in light of Lord Janner's diagnosis of Alzheimer's disease, "*his cognitive function was poor and that the value of any answers, if he chose to answer questions, would be questionable*".[88]

Involvement of the Crown Prosecution Service

96. Throughout 2014 and 2015, officers from Operation Enamel sought advice from the Crown Prosecution Service and independent senior counsel (Eleanor Laws QC) on whether any further enquiries should be pursued or additional evidence obtained and, ultimately, whether any charges should be brought. In total, 40 complainants made allegations of abuse against Lord Janner. By 2015, those complaints were at various stages of investigation or completion, but there were 12 complainants in relation to whom full police investigations had been undertaken (ie those where the majority of the main lines of enquiry had been completed).[89]

[83] Matt Hewson 13 October 2020 (Open) 27/20-28/12
[84] Matt Hewson 13 October 2020 (Open) 41/2-7
[85] Matt Hewson 13 October 2020 (Open) 42/6-16
[86] Daily Summary 28 October 2020 Witness 3
[87] Matt Hewson 13 October 2020 (Open) 44/6-18
[88] Matt Hewson 13 October 2020 (Open) 47/5-13
[89] Opening submission by Sam Leek QC 12 October 2020 (Open) 68/9-15; Matt Hewson 13 October 2020 (Open) 48/7-25

97. Ordinarily, where the Crown Prosecution Service decides that there will not be a prosecution, the case will not start again. However, the Code for Crown Prosecutors sets out circumstances in which the Crown Prosecution Service may overturn a decision not to prosecute. These circumstances include cases where "*more significant evidence is discovered later*", and cases where:

> *"a new look at the original decision shows that it was wrong and, in order to maintain confidence in the criminal justice system, a prosecution should be brought despite the earlier decision".*[90]

98. The Crown Prosecution Service reviewing lawyer, Ms Jane Wragg, advised that, as a result of new evidence, charges should now be brought. She also concluded that earlier decisions not to charge Lord Janner had been wrong.

Prosecutorial decisions in 2015

99. The Director of Public Prosecutions, Ms (now Dame) Alison Saunders, reviewed the evidence gathered in Operation Enamel. She also considered the written advices provided by Miss Laws QC and Ms Wragg, both of whom advised that charges should be brought in respect of allegations made by nine complainants.

100. Despite this, on 16 April 2015, the Crown Prosecution Service announced that, although the evidential test was met, the medical evidence in respect of Lord Janner's health was such that it was not in the public interest to prosecute him. It issued a press statement which stated:

> *"The CPS has concluded that Lord Greville Janner should not be prosecuted because of the severity of his dementia which means he is not fit to take part in any proceedings, there is no treatment for his condition, and there is no current or future risk of offending."*

The press statement noted that "*but for medical considerations, it would undoubtedly have been in the public interest to prosecute*".

101. The day before the Crown Prosecution Service announcement, the Director of Public Prosecutions and Leicestershire Police wrote to the complainants informing them of the decision. That decision was subsequently reviewed as part of the Victims' Right to Review scheme. We heard that the Victims' Right to Review was:

> *"a procedure whereby, if a qualifying prosecution decision has been made and a decision not to prosecute would be such a decision, the CPS has committed to having that decision relooked at by an independent prosecutor, a prosecutor who has taken no previous involvement in the case".*

102. We were told that "*the difficulty in this case was, of course, that the DPP had been involved in the decision making, so there was no-one more senior than the DPP in the organisation*", and so an independent review was carried out, informed by advice from senior counsel.[91]

103. Leicestershire Police also sent a pre-action protocol letter indicating that there would be a potential legal challenge of the decision not to bring charges. On 29 June 2015, the Director of Public Prosecutions announced that her earlier decision had been overturned and that Lord Janner was to face criminal proceedings.

[90] CPS002790_018
[91] Daily Summary 28 October 2020 Witness 1

104. In September 2015, at a preliminary hearing in the criminal proceedings, the indictment contained 22 counts of indecent assault and buggery contrary to the Sexual Offences Act 1956. The offences were alleged to have taken place between 1963 and 1988, when the nine complainants (all of whom were complainant core participants in this investigation) were aged between 8 and 16 years old. Some complainants were former residents of Leicestershire County Council's children's homes, others were not.

105. At the time of Lord Janner's death in December 2015, the prosecution had indicated that it was seeking to add 12 further counts relating to three additional complainants. These included allegations of indecent assault, buggery and attempted buggery, said to have taken place between 1969 and 1985 when the complainants were all aged 16 years or under.

B.5: Police and Crown Prosecution Service reviews

The Foster report

106. In the early 1990s, Leicestershire Police appointed C/Supt David Foster of West Mercia Constabulary to investigate how Leicestershire Police handled complaints made by (or on behalf of) children about social workers prior to 1986.

107. The Foster report (published in January 1993) identified 29 instances where individuals had complained to the police alleging abuse (whether physical or sexual) between 1973 and 1986. The report acknowledged that there may be more complaints but suggested that the 29 separate complaints "*establish an accurate picture*".

108. In relation to the receipt and recording of the complaints, the Foster report found that:

> *"in almost every case the contact between the Police and abused child came about as a result of the child being missing from a Children's Home".*

It included the caveat that the term 'complaints' included:

> *"a whole range of comments from an outright allegation of sexual abuse to a simple request not to be taken back to the home. Some abused children said nothing at all".*

It observed that, while many of the initial complaints were "*vague and on the initial information the* [staff] *could be forgiven for not recognising them as a complaint*", staff should have asked further questions to "*establish the reasons behind the comments*", including asking why the child ran away.

109. The report found that "*on the rare occasion that a full allegation of sexual abuse was made, the Police took further but inadequate action*", and that allegations of physical abuse "*were not recorded and investigated*". In relation to 14 complaints, no action was taken. The children considered that they were not believed. C/Supt Foster noted that "*some officers showed their disbelief and even openly expressed it*". He gave the following reasons for this disbelief:

- the child was in care and had run away from the children's home;
- the child may have been initially "*hostile*" when responding to the officer, and "*many told lies*";
- many officers thought that children would commit crime whilst missing from the home and so would tell "*lies, including false allegations, to divert attention from their criminal activities*";

- some officers "*considered that a beating was no more than summary justice*"; and
- on a more general level, there was in the 1970s and 1980s "*the public's non-acceptance of the existence of child abuse*".

110. The Foster report's recommendations included that:

- "*Force Policy and training should acknowledge that an abused child, when first spoken to will rarely disclose the full extent of that abuse*";
- "*Force Policy should ensure that Officers record all allegations of abuse as a crime, irrespective of the complainant's character, background and demeanour and even if the complaint is not believed*"; and
- when the complaint of abuse involved an employee of the care authority, there should be "*full consultation*" between identified senior members of police and the care authority.

111. The Foster report was important. It highlighted the danger of ignoring accounts of abuse given by children resident in care. However, some of the same negative attitudes highlighted in the report remained within Leicestershire Police many years later, as evidenced by our conclusions on Operation Magnolia and Operation Dauntless.

112. More generally, we heard other evidence of a pervasive culture of disbelief in the 1970s, such that some police officers, some staff within children's homes and some social workers simply dismissed what they were being told. Mr Robert Parker, a former senior manager at Leicestershire County Council, told us that the general response to allegations of child sexual abuse during the 1970s and early 1980s was that children were simply not believed. He said that it was:

> *"very, very difficult for people who were not involved at the time to understand what the level of ignorance was … not only in the local authority, but even amongst the police and other agencies".*[92]

113. Retired Chief Constable Michael Creedon echoed these comments. He told us that "*by and large*" children were not believed at that time and the "*tragedy that haunted*" him was that police officers had taken children back to children's homes where they were being abused.[93]

114. As the Foster report highlighted, many children found themselves in a hopeless situation – they ran away from the children's home to escape abuse, only for the police to disbelieve any complaint they made and return them back to the home. The barriers to complaint were, for some complainants, almost insurmountable, with many complainants feeling unable to report these matters until many years later. The delay in resolution of these matters has inevitably had an impact on all of them.

Operation Nori

115. During Operation Enamel, the police investigation team identified potential breaches of policing standards (the *Standards of Professional Behaviour*) arising out of Leicestershire Police's previous investigations into the allegations against Lord Janner. There is a statutory duty on all police officers to "*report, challenge or take action against the conduct of colleagues*

[92] Daily Summary 20 October 2020 Witness 2
[93] Daily Summary 26 October 2020 Witness 2

which has fallen below" those professional standards. In September 2014, Leicestershire Police made its first Operation Enamel referral to the Independent Police Complaints Commission (IPCC), now the IOPC.[94] Further referrals followed in 2015 and 2016.

116. The IOPC investigation – Operation Nori – commenced in April 2015 and concluded in August 2019. Its terms of reference included investigating whether officers involved in those previous investigations (including Operations Magnolia and Dauntless) might have committed any criminal offences, and to identify whether any officer had a disciplinary case to answer for misconduct or gross misconduct.[95] Thirteen police officers and one civilian member of staff were the subject of the investigation. One of the officers, D/Supt Graham Thomas (the SIO in Operation Magnolia) died in 2017, ending Operation Nori's investigation into his conduct.

117. Operation Nori concluded that none of the officers had committed any criminal offence. Potential misconduct offences were identified against three of the 13 officers but, given the age of the police investigations, the officers had since retired and so disciplinary proceedings could not be brought.

The Henriques report

118. In her statement of 16 April 2015, the Director of Public Prosecutions stated that "*the CPS considers that some of the decisions made by both itself and the police in relation to past investigations relating to Lord Janner were wrong*". As a result, the Director of Public Prosecutions commissioned Sir Richard Henriques, a retired High Court judge, to "*conduct a thorough and independent review into the CPS decision making and handling of all past matters relating to this case*".

119. The Operation Nori and Henriques reports are critical of aspects of the ways in which Leicestershire Police and the Crown Prosecution Service handled earlier investigations into Lord Janner. The individuals singled out for criticism in those reports have responded to, and often rejected, such criticism in the statements they made to the Inquiry. However, it is not within the scope of this investigation to examine why the Operation Nori and Henriques reports arrived at the conclusions they did. While there is some overlap in the material that this Inquiry has gathered with that seen by either Sir Richard Henriques or the IOPC, this Inquiry has also seen material that was not available to them. As such, we do not consider ourselves bound by the findings of those reports. Our conclusions are based on the entirety of the evidence seen and heard in this investigation, as set out in this report.

[94] On 8 January 2018, the IPCC became the Independent Office for Police Conduct (IOPC).
[95] IPC002762_005

Part C

Leicestershire County Council's handling of allegations of child sexual abuse

Leicestershire County Council's handling of allegations of child sexual abuse

C.1: Background

1. A number of the allegations against Lord Janner were made by complainants who were former residents of children's homes in Leicestershire. The Inquiry also examined the wider institutional response of Leicestershire County Council to allegations of child sexual abuse made against other individuals. As counsel on behalf of Leicestershire County Council said at the outset of the hearings:

> *"*[I] *acknowledge on behalf of the LCC* [Leicestershire County Council], *the Council's profound regret for the abuse suffered by any children in its care, particularly its children's homes … The LCC is realistic about the limited value to complainants of an institutional apology, but it nevertheless offered it unreservedly and with sincere regret."*[96]

2. By way of background, in 1974, Leicestershire County Council was formed when Leicestershire and Rutland County Council, and Leicester City Council, were unified.

3. Leicestershire County Council's Residential and Day Care team, known more usually as Care Branch, was part of the social services department and was responsible for care within children's homes. Between April 1974 and December 1980, there were around 490 places for children in children's homes in Leicestershire. Throughout the 1970s and into the 1980s, the number of children resident in the children's homes gradually decreased. Similarly, the number of children's homes decreased. In 1976, there were 31 children's homes in Leicestershire. By 1991 to 1992, this number had reduced to nine. At the time of our public hearing, Leicestershire County Council no longer operated any residential children's homes.

4. We heard wider evidence that, in the 1970s to 1980s, Leicestershire County Council received "*numerous*" complaints that children within its children's homes were being physically and sexually abused by individuals, including by children's home staff. The complaints came from a variety of sources, including the children themselves, their parents, staff within the homes, foster carers and teachers. "*Many*" of those complaints reached senior management within Leicestershire County Council.[97]

[96] Opening statement on behalf of Leicestershire County Council 12 October 2020 (Open) 58/25-59/15
[97] John Sinnott 20 October 2020 (Open) 8/15-9/6; Mr Sinnott told us that 'senior management' were those individuals who were at Assistant Director and above within the Council. This included the Director of Social Services.

5. Leicestershire County Council accepted that its procedures for detecting and responding to those allegations were "*inadequate*".[98]

5.1. Complaints of physical and sexual abuse were not properly dealt with, and there was no standardised policy setting out how staff should respond to and report an allegation. A former Director of Social Services for the Council accepted that the lack of a complaints policy contributed to the failure by Leicestershire County Council to detect allegations of abuse in the 1970s and 1980s, and said that if there had been such a policy, "*children would have been listened to, there would have been action taken and we would have gone to the police*".[99]

5.2. Investigations into allegations were carried out on "*an ad hoc*"[100] basis.

5.3. There was no evidence that staff were systematically trained in how to deal with allegations of child sexual abuse and such training as was delivered was within the homes themselves.[101]

5.4. Regulations requiring the homes to be visited monthly were not always adhered to, with "*variations in terms of the frequency of people attending homes to inspect them*", and when inspections were carried out there were *"variations about how* [the inspection] *was reported and recorded*".[102]

5.5. There was little oversight from senior management.[103]

6. Mr John Sinnott, Chief Executive and Head of Paid Service, provided the Inquiry with a corporate statement on behalf of Leicestershire County Council. He told us that children who were resident in children's homes had the option of having an adult visitor or befriender to visit them. The rationale for such visitors was that "*some sort of befriending scheme could potentially have been helpful to children in care*".[104] Mr Sinnott stated that, between 1965 and 1990, there was no formal policy for visitors or befrienders and that Leicestershire County Council accepted that "*the lack of any coherent and standardised vetting system … left children exposed to risk*".[105]

7. Mr Sinnott confirmed that he had seen no evidence to indicate that, in cases where the police decided to take no further action against a member of staff, Leicestershire County Council went on to conduct its own investigation and to consider whether the staff member posed a risk to children. He also acknowledged that there had been a failure to invoke disciplinary measures and to suspend staff against whom allegations of abuse had been made, stating that it was "*symptomatic of the culture at the time, which was a reluctance to confront difficult issues*".[106]

8. We heard that subsequent changes in the law mean that an authority looking after a child now has a duty to appoint the child with an independent visitor who is required to act in the best interests of the child. Leicestershire County Council has a safer recruitment policy

[98] John Sinnott 20 October 2020 (Open) 6/22
[99] Daily Summary 20 October 2020 Witness 3
[100] John Sinnott 20 October 2020 (Open) 7/3-6
[101] John Sinnott 20 October 2020 (Open) 9/16-10/11
[102] John Sinnott 20 October 2020 (Open) 14/2-17
[103] John Sinnott 20 October 2020 (Open) 7/3-6
[104] John Sinnott 20 October 2020 (Open) 12/8-9
[105] John Sinnott 20 October 2020 (Open) 13/14-17
[106] Daily Summary 20 October 2020 Witness 1

for those who seek to act as an independent visitor, and those appointed to this role are provided with supervision.[107] Mr Sinnott told us that child protection in Leicestershire was "*unrecognisable*" from the position in the 1970s and 1980s.[108]

C.2: Leicestershire County Council and allegations against Lord Janner

9. In its opening submissions to the Inquiry, Leicestershire County Council accepted that it:

> *"did have knowledge at the time about Lord Janner's association with a child who was a resident in one of its care homes. A number of LCC* [Leicestershire County Council] *employees were concerned about the association and there is evidence that they raised these concerns with senior management. The LCC accepts that it failed to take adequate steps in response to those concerns."*[109]

10. Mr Sinnott said that evidence from the time indicated that the Director of Social Services, Mrs Dorothy Edwards (now deceased), had been aware of the contact between Lord Janner and a child from a children's home, but that nothing suggested that Mrs Edwards was aware of any allegations of sexual abuse.

11. Mr Sinnott gave evidence concerning Lord Janner's access to children in Leicestershire County Council's children's homes through informal arrangements that were in existence at the time. He confirmed that the Council did not conduct criminal records checks at that time and suggested that any kind of vetting procedure or policy would not have made any difference in the case of Lord Janner, given the likelihood that such checks would not have resulted in any issues being raised. When asked, Mr Sinnott confirmed that he had not found any documentation suggesting that there were visits by other dignitaries to Leicestershire County Council children's homes, similar to those alleged to have been undertaken by Lord Janner.[110]

12. There appears to have been undue deference shown to Lord Janner because of his position as the local Member of Parliament, such that he was given unrestricted access to a child who was resident in a children's home, and little if any thought given to any child protection issues that could have arisen from their association.

13. It is clear that a number of Leicestershire County Council's staff were aware of, and had concerns about, Lord Janner's association with a child in its care such that further enquiries about the nature of the association were necessary. As Leicestershire County Council acknowledges, the lack of any formalised procedure for visitors or befrienders, coupled with a lack of concern by the Director of Social Services, led to no enquiries being made.

[107] John Sinnott 20 October 2020 (Open) 16/6-14
[108] John Sinnott 20 October 2020 (Open) 18/1-2
[109] Opening statement on behalf of Leicestershire County Council 12 October 2020 (Open) 62/18-24
[110] Daily Summary 20 October 2020 Witness 1

Part D

Other institutions

Other institutions

D.1: Introduction

1. Lord Janner was never convicted by a criminal court, nor found liable in a civil court, for child sexual abuse. He remained active in public life, as an elected member of the House of Commons and then as a life peer in the House of Lords, until shortly before his death. He held many other positions of prominence, in particular in the Jewish community and in promoting Holocaust education. The juxtaposition of his public role and the allegations made against him posed a dilemma for institutions; what weight, if any, should they give to allegations that were (or could have been) brought to their attention where those allegations remained unproven? That issue was explored in this investigation in respect of the Labour Party and the Cabinet Office, the latter being the department responsible for appointments to the House of Lords. It is an issue that continues to resonate today.

D.2: The Labour Party

2. In considering the response of the Labour Party to the allegations made against Lord Janner, we heard evidence that local Party members sought to raise those allegations with officials in the Party at a national level.[111] They were unable to obtain an appropriate meeting in which to discuss the matter. There was, at the relevant time, no formal training or structure that provided a process by which safeguarding concerns could be reported.

3. It was not enough for the Labour Party to have left this matter to the police and the Crown Prosecution Service. Lord Janner remained in a privileged and powerful position as a Member of Parliament (MP). This position had allowed him access to children's homes and schools in the past, and may have done so again.

4. The current Labour Party General Secretary, Mr David Evans, provided the Inquiry with a statement explaining the systems that are now in place for reporting such concerns.[112] He explained that, since 2018, the Labour Party has published its *Safeguarding Children Policy and Procedure*, which is reviewed on an annual basis. The policy makes clear that individuals within the Party "*have a responsibility to report safeguarding concerns and/or allegations*" to the Labour Party Safeguarding Unit or their Regional Safeguarding Lead.[113] The Labour Party Safeguarding Unit does not itself investigate the allegations or concerns, but ensures that the appropriate referrals are made to the police and/or statutory agencies, and "*that effective internal action is taken to keep people safe*".[114]

5. Mr Evans explained what would happen should child sexual abuse allegations be made against a sitting MP today. He said that the General Secretary and other senior figures would become involved in the matter as soon as possible, and the Party Leader and Chief Whip would be notified. Other steps would include an immediate assessment of the safety of any children and adults potentially at risk, consideration of whether Party membership and the

[111] Open Summary 28 October 2020, Witnesses 4, 5 and 6
[112] LAB000116; LAB000114
[113] LAB000116_006
[114] LAB000116_007

Parliamentary Whip should be suspended (which would prevent the MP being reselected as a Parliamentary candidate), and referrals to relevant statutory agencies. At the conclusion of any external investigation (for example, by the police), the relevant Labour Party officials responsible for safeguarding would request information about that investigation, its conclusions and the reasons for those conclusions. They would then assess whether an internal investigation should be conducted. Mr Evans made clear that such an investigation could lead to the allegations being held to be "*substantiated*" even if no charges had been brought as a result of the investigation by the police or the Crown Prosecution Service.[115]

D.3: Nominations for peerages

6. Lord Janner was nominated for a peerage by the then Prime Minister, Tony Blair MP. Mr Blair told us that, given that Lord Janner's nomination was 23 years ago, and occurred within approximately two months of Labour forming the new government that year, he could "*unfortunately recall nothing of the specific events*" relating to the nominations of Lord Janner and the other 31 individuals he nominated on that occasion.[116]

7. At the time of Lord Janner's peerage, nominations were scrutinised by the Political Honours Scrutiny Committee (PHSC). The PHSC's role was to advise the Prime Minister whether the nominee was a 'fit and proper person to be so recommended'. In advising the Prime Minister, the PHSC was free to make such enquiries as it saw fit, which would typically include making a criminal records check and checking the nominee's "*standing with the tax authorities as well as one's reputation in their field of operational work*".[117] The PHSC's advice was not binding, and we heard that it was not always accepted.[118] In Lord Janner's case, checks were undertaken with the Home Office, the Department for Education, the Lord Chancellor's Department, the Security Service and the tax authorities.[119] From the records now available, it is not possible to ascertain if checks were made with any other government department or outside agency, but there is no evidence that efforts were made to contact Leicestershire Police or the Crown Prosecution Service. Mr Blair stated that the documentation showed that "*Lord Janner and almost all of the other nominees* [received] *the PHSC's positive certification*".[120]

8. In 2000, the procedure for nominating an individual as a life peer changed with the establishment of the House of Lords Appointments Commission (HOLAC). Ms Helen Ewen, Director of Honours and Information within the Cabinet Office, told us that HOLAC is independent of the government and its role includes vetting those nominees to the House of Lords who are party political nominees.[121] We heard evidence that, under the current system for peerages (and honours), the integrity of the system had to be upheld and so successful nominations would not be made if that nomination could bring the system into jeopardy or disrepute.[122]

9. Ms Ewen told us that, today, serious allegations of sexual assault made against a nominee would be "*absolutely front and centre*" in any report to the Prime Minister. The benefit of the doubt would now be given to the accuser. She stated that unless the allegation had been

[115] LAB000116_008-014
[116] Daily Summary 27 October 2020 Witness 4 (Tony Blair)
[117] Helen Ewen 27 October 2020 (Open) 11/8-10
[118] Helen Ewen 27 October 2020 (Open) 10/21-11/3
[119] Helen Ewen 28 October 2020 (Open) 1/15-19
[120] Daily Summary 27 October 2020 Witness 4 (Tony Blair)
[121] Helen Ewen 27 October 2020 (Open) 3/4-21
[122] Daily Summary 27 October 2020 Witness 3

"*resolved or tested in a meaningful way*", HOLAC would give strong advice not to continue with the nomination. The bar would be set high, but potential unfairness could be offset by the fact that there would be an opportunity for the nomination to be revived at a later date when more facts may have emerged. She pointed out that peerages or honours were "*gifts to be given*", and that the recipients were not entitled to them. She also agreed that the approach was intended to preserve the integrity of the system.

10. Ms Ewen said that an "*allegation of child abuse would prevent an individual's name going forward until there was clarity on the substance of the matter*". She added that the greater independence and public understanding of HOLAC (and the current Honours Committees) allowed for more scrutiny. She felt that "*a very different set of judgements and approaches … applied today*", when compared to previous periods.

11. We concluded that it would not be right for there to be an absolute prohibition on nominating anyone who has faced allegations of child sexual abuse for a peerage. However, where such allegations have been made, they must be the subject of scrutiny by the person (or persons) responsible for proposing the nomination, those responsible for considering the suitability of the nominee and those responsible for making the ultimate recommendation that the peerage be conferred.

Part E

Conclusions

Conclusions

1. While this report is constrained in what can be publicly reported, based on the evidence we saw and heard, the complainants in two police investigations (Operation Magnolia in 2000 and Operation Dauntless in 2006) into child sexual abuse allegations made against Lord Janner were let down by institutional failings. In relation to both Operations, complaints were not properly investigated by Leicestershire Police. At the outset of the public hearing, it was said on behalf of Leicestershire Police:

> *"The chief constable would like to reiterate his wholehearted apology on behalf of Leicestershire Police to any complainant whose allegations during earlier police investigations were not responded to as they should have been by police and other institutions."*[123]

2. In 2012, Leicestershire Police commenced Operation Enamel to examine whether there was any evidence which had not previously been considered by the earlier police investigations, and whether there was an opportunity for the Crown Prosecution Service to review the previous decisions not to bring charges. New evidence emerged and additional complainants came forward. In June 2015, Lord Janner was charged with 22 offences of indecent assault and buggery relating to nine separate complainants. The acts were said to have taken place between the mid-1960s and the late 1980s, when the complainants were all aged between 8 and 16 years old. These accounts formed part of a total of 33 complainant accounts that this investigation considered (see Annex 3).

3. In December 2015, Lord Janner died, bringing the criminal proceedings to an end. At the time of his death, there had been no criminal or civil findings that he had committed any of the acts of child sexual abuse which had been alleged against him. Given that the focus of this investigation is on the institutional response to the allegations, it is not part of our remit, even if it were possible to do so, to determine whether the allegations made against him were true.

Conclusions in relation to Leicestershire County Council

4. Leicestershire County Council has a sorry record of failures in relation to the sexual abuse of children in its care in the 1960s, 1970s and 1980s. Almost all of the complainant core participants in this investigation were residents of Leicestershire County Council's residential care system which, between April 1974 and December 1980, had approximately 490 children in its care. This was a significant number of children who should have been protected from sexual abuse whilst in public care. Leicestershire County Council accepted that in the 1970s to 1980s it received "*numerous*"[124] complaints that children within its children's homes were being physically and sexually abused by individuals including children's home staff. Many of those complaints reached senior management and yet Leicestershire County Council's procedures for detecting and responding to those allegations were "*inadequate*".[125]

[123] Opening statement on behalf of Leicestershire Police 12 October 2020 (Open) 72/12-16
[124] John Sinnott 20 October 2020 (Open) 8/15-18
[125] John Sinnott 20 October 2020 (Open) 6/19-23

Investigations into allegations were carried out on "*an ad hoc*"[126] basis. Leicestershire County Council operated an adult visitor scheme (also referred to as a befriending scheme) but there was no formal policy in place and no standardised vetting system, which "*left children exposed to risk*".[127]

5. In relation to Lord Janner, a number of Leicestershire County Council's staff were aware of, and had concerns about, Lord Janner's association with a child in its care, such that further enquiries about the nature of the association were necessary. This association was facilitated by the informal visiting arrangements that were in existence at the time.

Conclusions in relation to Leicestershire Police

Adequacy of police investigations

6. The police investigation in Operation Magnolia insufficiently investigated JA-A19 and JA-A6's complaints. The police were too quick to dismiss JA-A19 as someone who lacked credibility, and put too little emphasis on looking for evidence that might support his allegations. JA-A6's complaint was shut down without any proper investigations being carried out. The decision not to submit JA-A19 and JA-A6's statements about Lord Janner to the Crown Prosecution Service was a significant and unjustifiable failing.

7. The allegations made by JA-A8 in Operation Dauntless were carefully investigated by the investigation team. It was they who uncovered the fact that JA-A19 and JA-A6's statements in Operation Magnolia had not been submitted to the Crown Prosecution Service. However, the investigation was inhibited by decisions made by the senior investigating officer (SIO), Detective Superintendent (D/Supt) Christopher Thomas, who showed little enthusiasm to fully investigate the allegations. When the file was submitted to the Crown Prosecution Service, D/Supt Christopher Thomas treated the investigation as though it had been completed, when it was clear to him that the investigating officers considered that there were outstanding enquiries that could be pursued. In addition, the police could and should have revisited JA-A19 and JA-A6 (whose statements were found in the bottom drawer of a police desk) to ascertain whether they had any additional information that might assist the Crown Prosecution Service in deciding whether charges should be brought.

8. In addition to considering the institutional response of Leicestershire Police in Operations Magnolia and Dauntless, the Inquiry heard evidence relating to another police investigation into non-recent allegations of child sexual abuse made against Lord Janner. Lord Janner faced no charges as a result of that investigation. We concluded that:

- the investigation of the Janner allegations was pursued by the officers concerned without prejudice towards children in residential care;
- the decision not to charge Lord Janner was not an unreasonable decision, given the law that existed at the time and the factual complexities of that particular investigation. One witness described the criminal justice system at the time as being "*fairly brutal in relation to victims making allegations of child sexual abuse*";[128]
- while there were some procedural errors in the prosecutorial decision-making process, these did not affect the overall decision not to bring charges; and

[126] John Sinnott 20 October 2020 (Open) 7/3-6
[127] John Sinnott 20 October 2020 (Open) 13/14-17
[128] Daily Summary 15 October 2020 Witness 1

- there was no improper influence or pressure brought to bear on Leicestershire Police, Leicestershire Crown Prosecution Service or CPS Headquarters in the decisions they made in this investigation.

The impact of the backgrounds of complainants

9. The Foster report (1993) concluded that, from the mid-1970s to the mid-1980s, Leicestershire Police too often disbelieved children from children's homes who reported that they had been abused. Some officers "*even openly expressed*" their disbelief and generally showed insufficient compassion towards the children. More generally, the evidence in this investigation suggested that this cynical attitude was not confined to the police but included some children's social care staff and some social workers.

10. The evidence in Operation Magnolia suggests that, by 2001, there were still some members of Leicestershire Police who perpetuated that culture of disbelief. The police did not look beyond the often troubled backgrounds of the children. The accounts of JA-A19 and JA-A6 were dismissed by investigating officers, who demonstrated undue scepticism towards both complainants. The Crown Prosecution Service meeting in November 2001, which considered the evidence in respect of allegations of abuse by children's home staff and not the Lord Janner allegations, focussed too much on the credibility of the complainants and not on the other evidence that might have supported a prosecution.

11. The Crown Prosecution Service advice in Operation Dauntless stated that issues surrounding inconsistencies in JA-A8's evidence affected his credibility and meant that there was no realistic prospect of conviction. There is no evidence that prejudice towards JA-A8 and his background in care led to the decision not to charge Lord Janner.

Decisions regarding arrest

12. Insofar as Operation Magnolia was concerned, we have seen no arrest policy in respect of Lord Janner in the policy book of the SIO, Detective Superintendent (D/Supt) Graham Thomas (now deceased). It does not appear that the Crown Prosecution Service was asked to advise on whether Lord Janner should be arrested but in the absence of any evidence from D/Supt Graham Thomas it is not possible to come to any conclusion about the reasons why Lord Janner was not arrested in 2001.

13. By the time D/Supt Christopher Thomas decided not to arrest Lord Janner in Operation Dauntless (January 2007), the police were aware of previous complaints by JA-A19 and JA-A6. Despite this, no further investigations were carried out. D/Supt Christopher Thomas told us that he intended to "*pause*" the investigation whilst he sought advice from the Crown Prosecution Service.[129] We accept that D/Supt Christopher Thomas was entitled to seek advice from the Crown Prosecution Service when he felt it was appropriate to do so. Nevertheless, the decision to "*pause*" the investigation was premature given that further enquiries could and should have been carried out, after which the decision on whether or not to arrest should have been revisited.

14. Having established that JA-A19 and JA-A6's allegations against Lord Janner had never been properly investigated, Leicestershire Police had an ongoing responsibility to investigate their allegations, and there is no good reason why those investigations should not have

[129] Daily Summary 22 October 2020 Witness 4

continued whilst advice was being awaited from the Crown Prosecution Service. Any developments could then have been provided to the reviewing lawyer, Mr Roger Rock, for consideration alongside the advice file that had been submitted.

Prosecutorial decision-making

15. It is not disputed that, in 2001, Leicestershire Police failed to submit JA-A19 and JA-A6's statements to the Crown Prosecution Service. Whilst the focus of Operation Magnolia was on alleged physical and sexual abuse by children's home staff, that in no way explains or justifies the withholding of those two statements. The notes of the meeting at the Crown Prosecution Service to discuss what charges, if any, might be brought against the staff, make no reference to Lord Janner. Two of the witnesses from whom we heard positively asserted that Lord Janner was not mentioned.

16. The reason for this may lie in the fact that, as one officer told us, "*there may have been*" a positive instruction not to discuss the Lord Janner allegations at the meeting.[130] Whatever the reason behind that decision – whether complacency, incompetence or undue deference to a prominent public figure – in failing to inform the Crown Prosecution Service about JA-A19 and JA-A6's allegations about Lord Janner, the Crown Prosecution Service, the complainants and the public were deprived of the opportunity of having the Crown Prosecution Service advise on the case. This was a serious and inexcusable failure by the Operation Magnolia team at Leicestershire Police.

17. When JA-A8 made his allegations in Operation Dauntless in 2007, the police file in Operation Magnolia was sent to Leicestershire Crown Prosecution Service, and included JA-A19 and JA-A6's statements. Leicestershire Crown Prosecution Service correctly but belatedly forwarded the file to CPS Headquarters, who then returned the case. CPS Headquarters should have retained conduct of the file. It was not until December 2007 that the Crown Prosecution Service advised that Lord Janner should not be interviewed. Almost a year had passed since the investigation had been paused – on any view, an unacceptable delay.

18. The reviewing lawyer, Mr Rock, accepted that his written advice was not as detailed as it ought to have been. The cursory way in which the advice was drafted is indicative of a malaise that, in our view, was brought to bear by D/Supt Christopher Thomas and, to a lesser extent, by Mr Rock. Mr Rock's advice also failed to recommend that further enquiries should be made into JA-A19 and JA-A6's allegations against Lord Janner, even though it had been established that these had not been properly investigated during the course of Operation Magnolia. Our overriding sense is that D/Supt Christopher Thomas was uninterested in this investigation, and his decisions to limit the enquiries undertaken appeared to be reflective of a wider failure to pursue the investigation with the rigour it deserved, rather than being motivated by a wish to protect Lord Janner or show him undue deference. The decision-making of both D/Supt Christopher Thomas and Mr Rock was unsound and strategically flawed.

[130] Daily Summary 28 October 2020 Witness 2

Recommendations

19. Much has changed in law and practice since the events considered in this investigation, including the practice of the institutions directly involved, such that we do not think it is necessary to make any specific recommendations in this report. However, themes emerging in this investigation have also arisen in others. Such themes include deference to powerful individuals or to superiors, the barriers to reporting faced by children (particularly those in care) and the need for institutions to have clear policies and procedures setting out how to respond to allegations of child sexual abuse. These and other matters will be considered further in the Inquiry's Final Report.

Annexes

Annex 1

Overview of process and evidence obtained by the Inquiry

1. Definition of scope for the case study

This case study is an investigation into the institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC.

The scope of this investigation is:[131]

> *"1. The Inquiry will investigate institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC ('Lord Janner').*
>
> *2. In particular, the Inquiry will consider:*
>
> *2.1. the adequacy and propriety of law enforcement investigations and prosecutorial decisions relating to allegations falling within paragraph 1 above;*
>
> *2.2. the extent to which Leicestershire County Council and the Kirkwood Inquiry were aware of allegations falling within paragraph 1 and the adequacy of their response;*
>
> *2.3. the extent to which the Labour Party, Parliament, government departments, and/or the security and intelligence agencies were aware of allegations falling within paragraph 1 and the adequacy of their response;*
>
> *2.4. the extent to which any other public or private institution may have failed in its duty to protect children from sexual abuse in respect of the allegations falling with paragraph 1;*
>
> *2.5. whether any attempts were made to exert improper influence in order to hinder or prevent an institution from effectively investigating or otherwise responding to allegations falling within paragraph 1.*
>
> *3. In light of the investigations set out above, the Inquiry will publish a report setting out its findings and recommendations to improve child protection and safeguarding in England and Wales."*

[131] The investigation into institutional responses to allegations of child sexual abuse involving the late Lord Janner of Braunstone QC: Definition of scope

2. Core participants and legal representatives

Counsel to this investigation:

Brian Altman QC
Andrew O'Connor QC
Jacqueline Carey
Matthew Hill
Paul Mertens
Marlene Cayoun
Imogen Egan

Complainant core participants:

JA-A8	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A1	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A15	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A16	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A4	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A6	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A7	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A12	
Counsel	William Chapman
Solicitor	Simpson Millar

JA-A19	
Counsel	William Chapman
Solicitor	Simpson Millar
John Gator	
Counsel	William Chapman
Solicitor	Simpson Millar
Anthony Hyde	
Counsel	William Chapman
Solicitor	Simpson Millar
Alan Hodges	
Counsel	William Chapman
Solicitor	Simpson Millar
Hamish Baillie (died during the course of the Inquiry's investigation)	
Counsel	William Chapman
Solicitor	Simpson Millar
JA-A23	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A26	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A5	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A10	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A20	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A9	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A3	
Counsel	Nick Stanage
Solicitor	Slater and Gordon

JA-A13	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A2	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A11	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A17	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A27	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A25	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A22	
Counsel	Nick Stanage
Solicitor	Slater and Gordon
JA-A41	
Counsel	Christopher Jacobs
Solicitor	Howe & Co
JA-A24	
Counsel	Christopher Jacobs
Solicitor	Howe & Co
JA-A21	
Counsel	Christopher Jacobs
Solicitor	Affinity Law
JA-A14	
Counsel	Christopher Jacobs
Solicitor	Affinity Law
Tracey Taylor	
Counsel	Christopher Jacobs
Solicitor	Affinity Law

Timothy Betteridge	
Counsel	Christopher Jacobs
Solicitor	Affinity Law
JA-A18	
Counsel	Unrepresented
Solicitor	Unrepresented

Individual core participants:

Rabbi Laura Janner-Klausner	
Counsel	Danny Friedman QC
Solicitor	Leverets
Marion Janner OBE	
Counsel	Danny Friedman QC
Solicitor	Leverets
Michael Perry	
Counsel	Unrepresented
Solicitor	Unrepresented
Tony Butler	
Counsel	Paul Hynes QC
Solicitor	Edward Fail, Bradshaw & Waterson
Christopher Thomas	
Counsel	Christopher Daw QC
Solicitor	3D Solicitors
Michael Creedon	
Counsel	Christopher Daw QC
Solicitor	3D Solicitors
Peter Joyce QC	
Counsel	Paul Greaney QC
Solicitor	MSB Solicitors
Peter Hollingworth (died during the course of the Inquiry's investigation)	
Counsel	Unrepresented
Solicitor	Unrepresented

Institutional core participants:

Independent Office for Police Conduct	
Counsel	Gerry Boyle QC
Solicitor	In-house legal team

Home Office	
Counsel	Sian Reeves
Solicitor	Government Legal Department
Labour Party	
Counsel	Eleanor Grey QC
Solicitor	Edwards Duthie Shamash Solicitors
Crown Prosecution Service	
Counsel	Edward Brown QC
Solicitor	In-house legal team
Leicestershire County Council	
Counsel	Alex Verdan QC
Solicitor	In-house legal team
Leicestershire Police	
Counsel	Sam Leek QC
Solicitor	In-house legal team
Department for Education	
Counsel	Galina Ward
Solicitor	Government Legal Department

3. Evidence received by the Inquiry

Number of witness statements obtained:
81
Organisations and individuals to which requests for documentation or witness statements were sent or who volunteered information included:[132]
Alan Mangham, Leicestershire County Council
Alexander Nixon, Leicestershire Police
Alistair Helm, Leicestershire Police
Bhupendra Dave, Leicester City Council
Brian Rice, Leicestershire County Council
Brian Waller, Leicestershire County Council
Cabinet Office
Christopher Thomas, Leicestershire Police
Community Security Trust
Crown Prosecution Service
Dale Layton, Leicestershire County Council
David Evans, Labour Party

[132] In addition, the Inquiry requested documents or statements from 31 additional witnesses whose evidence related to the police investigation referred to at B.3.

David Gale, KidsforCash UK
David Swift-Rollinson, Leicestershire Police
Department for Education
Department of Health
East Midlands Housing Association
Frances Oram, Department for Education
Gregor McGill, Crown Prosecution Service
Helen Ewen, Cabinet Office
Henry Dunphy, Leicester City Council
HM Inspectorate of Constabulary (now HM Inspectorate of Constabulary and Fire & Rescue Services)
Home Office
Independent Office for Police Conduct
JA-A3, complainant core participant
JA-A9, complainant core participant
JA-A14, complainant core participant
JA-A21, complainant core participant
JA-A24, complainant core participant
JA-A41, complainant core participant
JA-A68, complainant
JA-A69, complainant
JA-H1, father of complainant
James Wynne, Leicestershire Police
Jane Ashdown, Leicestershire County Council
Jane Moore, Leicestershire County Council
John Noblett, Leicestershire County Council
John Sinnott, Leicestershire County Council
Julie Robinson, Soar Valley College
Keith Vaz, former MP for Leicester East (Labour)
Kevin Barrs, Leicestershire Police
Kevin Yates, Leicestershire Police
Labour Party
Rabbi Laura Janner-Klausner, daughter of the late Lord Janner of Braunstone QC
Leicestershire County Council
Leicestershire Police
London School of Economics
Marion Janner OBE, daughter of the late Lord Janner of Braunstone QC

Metropolitan Police Service
Michael Creedon, Leicestershire Police
Mike Nerini, Leicestershire County Council
National Police Chiefs' Council
National Society for the Prevention of Cruelty to Children
Nigel Baraclough, Leicestershire Police
Nigel Matthew (Matt) Hewson, Leicestershire Police
Nigel O'Mara, co-founder of Survivors UK
Sir Peter Soulsby, Leicester City Council
Sir Richard Heaton, Cabinet Office
Richard Keenan, Leicestershire Police
Robert Parker, Leicestershire County Council
Roger Rock, Crown Prosecution Service
Rose Kay, Leicestershire County Council
Stephen Smith, Leicestershire Police
Survivors UK
Timothy Betteridge, complainant core participant
Rt Hon Tony Blair, former Prime Minister and Leader of the Labour Party
Tracey Taylor, complainant core participant

4. Disclosure of documents

Total number of pages disclosed: 22,549

5. Public hearings including preliminary hearings

Preliminary hearings	
1	9 March 2016
2	26 July 2016
3	24 September 2019
4	20 February 2020
Public hearings	
Days 1–5	12–16 October 2020
Days 6–10	19–23 October 2020
Days 11–15	26–30 October 2020

6. List of witnesses

Forename	Surname	Title	Called/read	Hearing day
Matt	Hewson	Mr	Called	2, 13
Kelvyn	Ashby	Mr	Called	3

Forename	Surname	Title	Called/read	Hearing day
Graham	Carr	Mr	Read	3
Timothy	Garner	Mr	Read	3
Tony	Butler	Mr	Called	4
Mark	Williams	Mr	Called	4
Peter	Joyce QC	Mr	Called	5
Peter	Hollingworth	Mr	Read	5
Iain	Groundwell	Mr	Called	5
James	Coussey	Mr	Called	6
Jeremy	Naunton	Mr	Called	6
Barbara	Fitt	Ms	Read	6
Ray	Fitt	Mr	Read	6
John	Sinnott	Mr	Called	7
Robert	Parker	Mr	Called	7
Brian	Waller	Mr	Called	7
James	Wynne	Mr	Called	8
Nigel	Baraclough	Mr	Read	8
Richard	Keenan	Mr	Read	8
Matthew	Baggott	Mr	Read	9
David	Swift-Rollinson	Mr	Called	9
Kevin	Barrs	Mr	Called	9
Christopher	Thomas	Mr	Called	9, 11
Alistair	Helm	Mr	Called	10
Roger	Rock	Mr	Called	10
Michael	Creedon	Mr	Called	11, 12
JA-B24			Read	12
Helen	Ewan	Ms	Called	12
Tony	Blair	Rt Hon	Read	12
Gregor	McGill	Mr	Called	12, 13
Kevin	Yates	Mr	Called	13
James	Roberts	Mr	Called	13
Mark	D'Arcy	Mr	Read	13
Peter	Coleman	Mr	Called	13

7. Restriction orders

On 15 August 2016, the Chair issued a restriction order under section 19(2)(b) of the Inquiries Act 2005, granting general anonymity to all core participants who allege they are the victim and survivor of sexual offences (referred to as 'complainant core participants').[133] The order prohibited: (i) the disclosure or publication of any information that identifies, names or gives the address of a complainant who is a core participant and (ii) the disclosure or publication of any still or moving image of a complainant core participant. This order meant that any complainant core participant within this investigation was granted anonymity, unless they did not wish to remain anonymous. That order was amended on 23 March 2018, but only to vary the circumstances in which a complainant core participant may themselves disclose their own core participant status.

On 18 September 2019, the Chair issued a restriction order pursuant to section 19(2)(b) of the Inquiries Act 2005 granting general anonymity to all complainants in this investigation.[134] The order prohibited publication of any matter relating to a complainant if it is likely to lead members of the public to identify that person as a complainant, including (i) the complainant's name, (ii) the complainant's address, (iii) the identity of any school or other educational establishment attended by the complainant, (iv) the identity of any place of work associated with the complainant and (v) any still or moving picture of the complainant. The restriction order did not apply where the complainant waived their anonymity for the purposes of the Inquiry.

8. Broadcasting

The Chair directed that the open sessions of the proceedings would be broadcast, as has occurred in respect of public hearings in other investigations.

9. Redactions and ciphering

The material obtained for the investigation was redacted and, where appropriate, ciphers applied, in accordance with the Inquiry's Protocol on the Redaction of Documents.[135] This meant that (in accordance with Annex A of the Protocol), absent specific consent to the contrary, the identities of complainants, victims and survivors of child sexual abuse and other children were redacted and, if the Inquiry considered that their identity appeared to be sufficiently relevant to the investigation, a cipher was applied. Pursuant to the Protocol, the identities of individuals convicted of child sexual abuse (including those who have accepted a police caution for offences related to child sexual abuse) were not generally redacted unless the naming of the individual would risk the identification of their victim, in which case a cipher would be applied.

10. Warning letters

Rule 13 of the Inquiry Rules 2006 provides:

> *"(1) The chairman may send a warning letter to any person –*
>
> *a. he considers may be, or who has been, subject to criticism in the inquiry proceedings; or*

[133] Restriction Order pursuant to section 19(2)(b) concerning Complainant Core Participants, amended in order dated 23 March 2018.
[134] Restriction Order pursuant to section 19(2)(b) concerning Complainant Core Participants, dated 18 September 2019.
[135] Inquiry Protocol on Redaction of Documents (Version 3)

b. about whom criticism may be inferred from evidence that has been given during the inquiry proceedings; or

c. who may be subject to criticism in the report, or any interim report.

(2) The recipient of a warning letter may disclose it to his recognised legal representative.

(3) The inquiry panel must not include any explicit or significant criticism of a person in the report, or in any interim report, unless –

a. the chairman has sent that person a warning letter; and

b. the person has been given a reasonable opportunity to respond to the warning letter."

In accordance with rule 13, warning letters were sent as appropriate to those who were covered by the provisions of rule 13, and the Chair and Panel considered the responses to those letters before finalising the report. Where those individuals were deceased and it was possible to locate a family member, letters were sent to notify the family member of the information that would have been contained in a warning letter.

11. References

References in the footnotes of this report such as 'INQ000123' are to documents that have been adduced in evidence. Those referred to in open session only have been published on the Inquiry website. A reference such as 'Matt Hewson 13 October 2020 52/14' is to the witness, the date he or she gave evidence, and the page and line reference within the relevant transcript. Hearing transcripts for the open sessions only are available on the Inquiry website.

Annex 2

Glossary

HOLMES (Home Office Large Major Enquiry System)	A police database that processes information to assist the management of an investigation and the allocation and progress of tasks (known as 'actions'). Actions are prioritised as high, medium or low priority. Once an action has been completed, it is reviewed and, if no further work is necessary, it is placed in the 'resulted queue', and then ultimately 'filed'. 'Referred' actions are those actions which will not be pursued, in accordance with the senior investigating officer's policy. 'Pended' actions relate to actions that are to be allocated on a predetermined date. Documents generated by actions (including statements, exhibits, interview transcripts, reports from officers and the actions themselves) are logged on HOLMES with unique reference numbers (for example, 'S1' is statement 1 and 'X1' is exhibit 1).
Jigsaw identification	The ability to identify someone from different pieces of information.
Section 1(1) of the Sexual Offences (Amendment) Act 1992	This section prevents any matter being published about a complainant which might enable the public to identify them as being someone against whom a sexual offence has been said to have been committed.
Trial of the facts	If, based on medical evidence, a court determines that a person is unfit to stand trial, then criminal proceedings cannot proceed. Prosecutors then have the option to have the matter heard as a 'trial of the facts'. This is a trial in which the jury is asked to decide – on the basis of evidence adduced by the prosecution and defence lawyers – whether or not the accused did the acts he or she was charged with.
Victims' Right to Review scheme	The Victims' Right to Review scheme enables victims to seek a review of certain Crown Prosecution Service decisions not to start a prosecution or to stop a prosecution. It is an important safeguard in England and Wales in relation to the rule of law.

Annex 3

Allegations of abuse against Lord Janner and outcome of any police investigation

Summary of child sexual abuse allegations made by complainant core participants and the institutional response concerning the late Lord Janner of Braunstone QC[136]

This table is a chronological overview of the allegations made by complainant core participants against Lord Janner and the institutional response to those allegations. It is based on the accounts given by the complainants to either the police or to IICSA and the institutional response as described by SIO Hewson, and does not contain any findings of fact. Where a complainant states that they made a contemporaneous complaint, it has not always been possible to identify the person to whom the complaint was made. Where that person has been identified, this table does not include their recollection of any such conversations with the complainant and this table does not indicate any finding of fact to that effect.

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
1960s						
1	JA-A11	1963-1969	Two allegations of indecent assault (one at a school and one at a children's home)	First contacted police in July 2014. Provided a video interview and statements.	Advice sought from CPS in 2014. Charged	JA-A11 states that the incident at school made him feel "embarrassed and confused" and it was only "*a few years later*" he realised that what happened was wrong. JA-A11 states he couldn't tell anyone about the incident at the children's home as he "*was just a kid in a care home*" and the person in charge of the home had put JA-A11 in that situation.

[136] INQ006312; During the course of the investigation, one of the complainant core participants – Mr Hamish Baillie – died and so Annex 3 contains reference to 33 complainants.

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
2	JA-A41	1969-1970	Allegation of buggery at a flat in London (Dolphin Square)	Referred to the police by IICSA. Video interviewed in July 2018.	GJ died in Dec 2015.	JA-A41 states that he did not tell anyone about this at the time as he was homeless having run away from a care home. JA-A41 states that he also suffered abuse at the care home and thus had no one he could turn to or trust. "*So there was just no opportunity or person I could have told.*"
3	Alan Hodges (waived)	1969-1970	Indecent assault whilst on a school trip to the Houses of Parliament	First contacted police in 2015 and made a statement	In April 2015, Hodges attended a police station in Leicester to report his complaint. He provided a statement. Allegation was under investigation at the time of GJ's death in Dec 2015	In his April 2015 statement to the police, Mr Hodges said that he had contacted the police as he had read about GJ and wanted to provide the police with his account as he was concerned that other complainants may not have been believed.
4	JA-A23	Aug 1969-Aug 1972	Allegations of buggery and indecent assault at a school in Leicester	Contacted a support agency in Oct 2014 who referred the matter to the police. Video interview in April 2015	Advice sought from the CPS in 2015. Charged	JA-A23 states that before the alleged abuse he was told that if "*I told anybody what happened in this room they would put me to a Boy's home where I'd never see my mum and dad again…*"
1970s						
5	JA-A16	1971 or 1972	Alleged that GJ pressed his body to him for too long at the Houses of Parliament	Gave a statement to police in Dec 2014	Police kept JA-A16 updated as to the progress of the investigation.	JA-A16 states "*it felt weird, wrong and I felt uncomfortable but he was an MP, an important man.*"

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
6	JA-A24	1971-1981	Multiple indecent assaults (including masturbation and oral sex) and attempted buggery at the Holiday Inn, Leicester.	First contacted police in July 2015. Video interviewed in Sept 2015.	File provided to the CPS. Charged.	JA-A24 first disclosed the allegation to his counsellor in 1980 but "*he simply accused me of lying*".
7	JA-A17	1973-1974	Allegation of indecent assault in GJ's car	First contacted police in 2013. No formal statement or interview made.	In April 2014, JA-A17 confirmed he did not wish to participate in the investigation as he did not want to continue to think about "*a past he does not like*".	N/A
8	John Gater (waived)	1973-74	Allegation of indecent assault in a Working Man's Club in Leicester	Gater states he contacted the police in 2007 but was told to contact his GP. Contacted police in 2015 and was video interviewed	At the time of GJ's death the allegations remained under investigation	Gater said he contacted the police in 2015 as for him "*it was the right decision to make because otherwise I would have just festered, cos it's eating me away.*"
9	JA-A9	1973-1976	Alleged indecent assault, gross indecency at an address in Leicester	First contacted police in 2015 and was video interviewed	At the time of GJ's death a preliminary file had been prepared.	JA-A9 stated that he kept the abuse quiet for "*many many years*" and tried to "*bury it*" but when he saw the media reporting about GJ in 2015 he could "*no longer keep it inside*".

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
10	JA-A5	1974	Allegations of indecent assault (touching genitalia progressing to masturbation) on approximately 6 occasions at a children's home	First contacted police in July 2015 and alleged abuse by Beck[137] and 2 others. Referred to GJ but made no allegations against him. In Aug 2015 he was video interviewed and made allegations against GJ	At the time of GJ's death a limited investigation had been undertaken and the allegations remained under review.	JA-A5 states that he was made to feel what happened was "*normal*".
11	JA-A12	1974	Alleged indecent assault by Beck and GJ in Braunstone Park	First contacted police in April 2014 alleging abuse by Beck. In May 2014, made allegations against GJ.	JA-A12 withdrew her complaint. No statement or VRI obtained	N/A
12	Anthony Hyde (waived)	1975	Alleged that GJ made him sit on his (GJ's) lap	Prior to July 2014, Hyde had spoken to police on previous occasions and not made any allegations about GJ. Hyde first mentioned GJ in his July 2014 statement.	Not progressed as a complainant	Hyde states that GJ told him not to be afraid and said "*you're okay, I'm an important man, you're safe*".

[137] In 1991, Frank Beck was convicted of multiple allegations of child sexual abuse and was sentenced to life imprisonment.

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
13	JA-A7	Mid 1970s	Alleged indecent assault at a children's home and at the Houses of Parliament	First contacted police in April 2015. Subsequently provided statements and was video interviewed	A preliminary file was submitted to the CPS in July 2015. The allegations were under review at the time of GJ's death.	JA-A7 states that he did not previously report the matter as he found it *"too hard to even admit to myself what happened to me."* He said *"I find it too overwhelming for me to deal with. It's like if I don't have to tell anyone I don't have to admit it to myself."* He went on to state that he did not report the matter to the police for fear of not being believed and he also felt embarrassed by what had happened.
14	JA-A15	1975 or 1976	Allegation of indecent assault (rubbing of genitalia and masturbation) in GJ's car	First contacted police in Aug 2015. Was video interviewed in Dec 2015	Limited investigation into the allegations.	When asked whether he told anyone about the allegation, JA-A15 said he did not tell anyone because he was embarrassed and thought he might get ridiculed. *"It was a scary incident..and I just couldn't bring myself to tell anybody about it."*
15	JA-A27	June - Dec 1975	Multiple allegations of indecent assault (touching genitalia, kissing, mutual masturbation, oral sex) and buggery at various locations.	Statements taken from JA-A27.	File submitted to the CPS in July 2014. Charged	JA-A27 states that he didn't initially tell the officer in charge of the children's home because *"they're not going to believe me I'm just a little kid in a Children's Home"* but he subsequently told her and she dismissed his account.

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
16	JA-A4	1976	Allegation of indecent assault and gross indecency (masturbation over JA-A4)	Video interviewed in Sept 2013 and alleged a sexual assault by an unidentified male. In April 2015 she was video interviewed and named GJ.	A file was not submitted to the CPS. A relatively limited investigation was undertaken. The allegations remained under review at the time of GJ's death	N/A
17	JA-A26	Summer 1976	Allegation of indecent assault (oral sex and masturbation) and buggery in GJ's car. The allegations also involved Farrands[138] and Beck	First told police in Oct 2014. Video interviewed in June 2015	At the time of GJ's death, a preliminary file had been compiled but not submitted to the CPS	JA-A26 said that although he told people "*snippets*" of what happened to him (including a contemporaneous report to an unidentified police officer who told JA-A26 not to tell tales), but he had not previously told people about the oral sex allegations as he felt "*ashamed*".
18	JA-A6	Sept 1976 - Dec 1977	Multiple allegations of indecent assault (touching genitalia, masturbation) at JA-A6's care home	Gave two statements to the police in May 2001. His first statement covered physical abuse; his second statement covered the allegations against GJ. He made further statements in 2013 and 2014	In 2014 a preliminary file was submitted to the CPS. JA-A6's allegations were not part of the intended prosecution and remained under review at the time of GJ's death	JA-A6 says that at the time he did not realise it was wrong. He saw GJ as "*a father figure and trusted him*".

[138] In 2015, Peter Farrands was convicted of sexually abusing two young boys in the 1970s and 1980s and was sentenced to seven years' imprisonment.

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
19	Tracey Taylor (waived)	1977	3 allegations of rape (both vaginal and anal) at a children's home	First contacted police in March 2015. Video interviewed in May 2015	A file was not submitted to the CPS. At the time of GJ's death a limited police investigation had been undertaken.	Taylor states that she did not say anything at the time, "*I just pretended that nothing happened to me…*" She said although she had told her psychologist she had been abused, she did not provide the detail of the allegations until her video interview with the police.
20	JA-A2	1977-1978	Allegation of buggery on a visit to London	First contacted police in June 2014. Video interviewed in Nov 2014.	Advice received in April 2015 - Charged	JA-A2 said he did not mention GJ's name until he was having sessions with his key worker in prison.
21	JA-A13	1979-1980	Unspecified indecent assault	First disclosed to prison staff in Dec 2012. In May 2015 prison referred the matter to the police. JA- A13 made some disclosures but was unable to give a police interview due to the equipment malfunctioning. He subsequently decided not to make a statement/be interviewed.	Investigation could not be progressed	N/A
22	JA-A18	Oct 1979- Dec 1982	Indecent assault at a children's home	JA-A18 contacted police in Dec 2013 and was video interviewed in Jan and Feb 2014.	A file was submitted to the CPS in March 2014. Charged.	

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
1980s						
23	JA-A22	1980-1981	Allegation of buggery at a children's home.	First spoke to police in June 2014 and mentioned GJ as being a name in his head but made no allegations at that stage. In Feb 2015 police video interviewed him and he made an allegation of buggery. He subsequently named GJ as being responsible.	A preliminary file was submitted to the CPS. The allegations remained under review at the time of GJ's death.	When identifying GJ as the person who had buggered him, JA-A22 said that he had been afraid to previously name GJ. When asked why he didn't talk about it before 2014, he said "*embarrassment and scared and just didn't want anybody to know.*"
24	JA-A10	1981	Alleged he had been sedated and woke naked with a man he believed to be GJ.	First statement to police in Jan 2014	File submitted to the CPS in March 2014. In Nov 2014, counsel advised that no charge should be brought as no specific offence was identified.	JA-A10 states he felt ashamed and embarrassed by what had happened that "*I couldn't bring myself to tell the front office staff* [at the police station] *why I wanted some help. Instead I wrote out a note and showed it to the staff member.*"
25	JA-A8	July 1981-Sept 1981	Multiple allegations of buggery, gross indecency and indecent assault at a children's home including allegations against Beck	First video interviewed by police in March and Nov 2006. Subsequent statements made in Feb 2014.	File submitted to the CPS in March 2014. Charged.	JA-A8 states he didn't tell his social worker in 1981 as she would tell Beck and JA-A8 thought the social worker would believe Beck over him.

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
26	Timothy Betteridge (waived)	1981-1982	Allegations of indecent assault, gross indecency, oral sex and buggery in GJ's car and at a school	Betteridge states he told a member of staff, social worker and a befriender that he was being abused and police when he ran away from his children's home. First contacted police in Aug 2015 and video interviewed.	A limited investigation was undertaken. The allegations were under review at the time of GJ's death	Betteridge states that he tried to tell his befriender but "*his response was that it was nothing to do with him*". He states he also told his social worker who was "*very dismissive*" of what I was saying. He said that when he ran away from the home, police would ask why but when he told them, they did not believe him.
27	JA-A3	1981-1983	Allegations of oral sex and buggery at a children's home.	First spoken to by police in May 2000 - referred to GJ but made no allegations against him. In March 2015 gave a statement alleging sexual abuse by GJ.	A file was not submitted to the CPS. A limited investigation was undertaken and the allegations remained under review at the time of GJ's death.	JA-A3 states that when he was asked to give more detail about GJ he said 'that's a bit dangerous ain't it'. He said he had previously refused to discuss GJ with police as GJ was an MP and "*MP's are powerful people and I was afraid he may get to me and do me harm.*"
28	JA-A25	1982-1988	Two allegations of indecent assault	In 2000, JA-A25 made complaints to police about other individuals. In his video interview in Oct 2014 he made allegations against GJ.	A file was provided to the CPS in Dec 2014. Charged.	In 2014, JA-A25 told police that when making his statements in 2000 he had been told by police officers not to speak about everyone who had abused him including Beck and GJ and was told the police were not "*interested in that*".

	Complainant	Date of alleged offending	Summary of allegations	Date of disclosure	Response to the disclosure	Barrier to disclosure
29	JA-A14	1983	Allegation of indecent assault (masturbation, oral sex, digital penetration) and buggery at a Beck's home address and an allegation of masturbation at a children's home	First disclosed to prison officers in July 2015. Police visited 1 week later. Said he had made a complaint to police in 1986 about Beck and Janner but police were only interested in Beck.	In 2016 JA- A14 confirmed he did not wish to pursue the matter.	N/A
30	JA-A20	1984-1988	Alleged indecent assault and buggery at a children's home and a house	First spoken to in May 2014 and video interviewed in June 2015.	An abbreviated file was submitted to the CPS. The allegations were under review at the time of GJ's death.	JA-A20 states that he was told not to say anything and "*that's what I did, and I never told no-one.*"
31	JA-A19	1984-5	Multiple allegations of indecent assault and gross indecency (touching, masturbation and oral sex) at 2 locations and 2 allegations of buggery	Made four statements to police in 2000 - the second of which covered the allegations against GJ. Further statements provided in 2013.	File submitted to the CPS in March and July 2014. Charged	N/A
32	JA-A21	Dec 1984-Dec 1985	Two allegations of buggery, oral sex and indecent asssault whilst at Beck's home address	First spoke to police in April 2015 and was video interviewed later that month.	Advice file provided to the CPS in 2015. Charged.	JA -A21 states that GJ said that if JA-A21 told anyone, no one would believe him.
33	JA-A1	Aug 1987-summer 1988	Alleged buggery and indecent assault at 2 children's homes	Video interviewed in June and Nov 2013	Advice file provided to the CPS in July 2014. Charged.	JA-A1 states that he felt responsible and to blame and so tried to "*bury the awful memories finding it too shameful and embarrassing to talk about to anyone.*"

Annex 4

Chronologies of key events in Operation Magnolia and Operation Dauntless

Operation Magnolia

Date	Event
1999	
27.09.1999	Leicestershire Police receives a letter alleging physical and sexual abuse in two children's homes. Inquiry commences.
2000	
16.02.2000	The parameters of Operation Magnolia set: *"To investigate whether there is any evidence of physical and/or sexual abuse of children at* [the two children's homes]" (Policy 13).
22.02.2000	Detective Constable (DC) Nigel Baraclough visits JA-A25 (initial introductory visit – not tape-recorded).
07–21.03.2000	JA-A25 is interviewed by DC Baraclough (in company with either DC Alexander Nixon or DC James Wynne).
08.03.2000	JA-A19 is interviewed by DC Wynne and DC Stephen Smith. Allegations related to abuse by staff within the children's home.
20.03.2000	JA-A19 is interviewed by DC Wynne and DC Smith. Allegations made against Lord Janner.
23.03.2000	Policy 30 records: Crown Prosecution Service to examine the evidence before any arrests are contemplated.
10.04.2000	JA-A25 signs his witness statement.
10.04.2000	JA-A19 approves and signs his statement (S4) covering his allegations against children's home staff.
22.08.2000	JA-A19 signs an additional statement (S4A) covering his identification from photographs of residents and staff at children's homes.
2001	
05.01.2001	JA-A19 signs an additional statement (S4B) clarifying matters into an allegation against a staff member at his children's home.
22.05.2001	JA-A6 is interviewed by Detective Sergeant (DS) Wynne. Date on JA-A6's statement (S101) regarding allegations of abuse within Moel Llys Children's Home.
29.05.2001	Date on JA-A6's statement regarding allegations against Lord Janner (S101A).
30.07.2001	Three actions raised (actions 4171, 4172, 4173) in respect of JA-A6's allegations against Lord Janner.
18.09.2001	Policy 88 – 'No Further Action' (NFA) or prosecution decisions to be a joint enterprise between the police and the Crown Prosecution Service.

Date	Event
08.11.2001	JA-A19's statement S4C registered on HOLMES.
28.11.2001	Meeting with police and the Crown Prosecution Service to consider whether complaints against children's home staff should be pursued.
2002	
10.01.2002	Result of Action filed regarding NFA decision for JA-A19.
11.01.2002	Report from Acting Detective Inspector (A/DI) Kevin Yates regarding NFA.
22–25.02.2002	The three JA-A6 actions in respect of Lord Janner were resulted with NFA needed and the case closed.
16.04.2002	Email from senior investigating officer (SIO) Graham Thomas thanking staff for efforts.
20.09.2002	Crown Prosecution Service advice (from Roger Rock) confirming that no staff would face charges arising out of Operation Magnolia.

Operation Dauntless

Date	Event
1990	
06.08.1990	JA-A8 is interviewed and denies abuse by Frank Beck.
1997	
10.10.1997	Leicestershire Social Services makes a complaint on JA-A8's behalf that he was sexually abused by a teacher at a time when he was living with foster parents.
1998	
21.04.1998	JA-A8 attends Charles Street Police station and alleges child sexual abuse by Frank Beck[139] and a teacher whilst he was in foster care.
2005	
25.11.2005	Referral is received by Leicestershire Police Child Protection Unit from a prison in Warwickshire concerning JA-A8's complaint that an individual had abused him whilst he was in foster care. This complaint was not directed at Lord Janner but at his foster carer, JA-F21, who JA-A8 maintained had been aware of the abuse that he had suffered.
2006	
Feb 2006	JA-A8 makes further allegations of child sexual abuse against a number of males, including Beck and Lord Janner.
30.03.2006	JA-A8 is interviewed on tape in prison. Gives evidence of three incidents of abuse, including references to "*Greville*".
05.05.2006	JA-A8's allegations concerning Lord Janner are reported to the child abuse investigation unit at Leicestershire Police.
10.05.2006	Gold Group meeting for Operation Dauntless. Attendees include Acting Chief Constable (ACC) Chris Eyre, Chief Superintendent (C/Supt) Alistair Helm and Superintendent Christopher Tew.

[139] In 1991, Frank Beck was convicted of multiple allegations of child sexual abuse and was sentenced to life imprisonment.

Date	Event
June 2006	C/Supt Helm asks Detective Superintendent (D/Supt) Christopher Thomas to be SIO of Operation Dauntless.
02.06.2006	Policy Decision 4: decision to treat Operation Dauntless as a covert investigation
07.06.2006	Policy Decision 5: initial terms of reference are identified, including the recovery and review of the Beck investigation papers and JA-A8's social services records.
27.06.2006	Detective Inspector **(DI) Kevin** Barrs advises DS Swift-Rollinson of Operation Dauntless.
27.06.2006	DS David Swift-Rollinson requests a copy of the Beck enquiry papers.
28.06.2006	DS Swift-Rollinson queries the ethical appropriateness of Roger Rock acting as the reviewing lawyer.
30.06.2006	Policy Decision 10: to create an analytical timeline.
26.09.2006	DS Swift-Rollinson meets with Leicestershire County Council legal team to obtain copies of JA-A8's social services records.
01.11.2006	DS Swift-Rollinson attends Leicestershire County Council to review JA-A8's social services files.
16.11.2006	Operation Dauntless team meeting; discussions about contacting JA-A8's social worker to ascertain whether he disclosed child sexual abuse to her
24.11.2006	JA-A8 is re-interviewed.
23.12.2006	DS Swift-Rollinson identifies that a number of Operation Magnolia witnesses mentioned Lord Janner, including JA-A19 who alleged child sexual abuse (the 'unrevealed statement').
24.12.2006	D/Supt Christopher Thomas asks DS Swift-Rollinson to print the statements from Operation Magnolia.
2007	
January 2007	D/Supt Christopher Thomas decides to seek advice from the Crown Prosecution Service.
02.01.2007	DS Swift-Rollinson drafts a letter for D/Supt Christopher Thomas to send to Lord Janner to invite him to attend a voluntary interview (letter not sent).
30.01.2007	Operation Dauntless team meeting: DI Barrs informs DS Swift-Rollinson that an advice file to the Crown Prosecution Service is to be prepared (ie Policy Decision 12) and Lord Janner will not be arrested and interviewed before seeking the Crown Prosecution Service's advice (i.e. Policy Decision 13).
14.02.2007	DS Swift-Rollinson emails DI Richard Keenan and A/DI Yates regarding Operation Magnolia. A/DI Yates responds the same day; DI Keenan responds on 19.2.2007.
19.03.2007	DI Keenan sends a follow-up email to DS Swift-Rollinson concerning decision-making in Operation Magnolia.
23.04.2007	DS Swift-Rollinson's cover report to the advice file to the Crown Prosecution Service.
24.04.2007	D/Supt Christopher Thomas's cover letter to Roger Rock at the Crown Prosecution Service.
25.04.2007	DS Swift-Rollinson presents the advice file to Roger Rock at the Crown Prosecution Service.

Date	Event
03.05.2007	DS Swift-Rollinson provides additional medical evidence to the Crown Prosecution Service.
18.06.2007	DS Swift-Rollinson provides further medical evidence to the Crown Prosecution Service.
11.12.2007	Roger Rock discusses his advice with the Chief Crown Prosecutor for Leicestershire Crown Prosecution Service, who endorses his decision.
10.12.2007	File note of advice from Roger Rock.
19.12.2007	Roger Rock's advice on Operation Dauntless completed.
28.12.2007	Roger Rock's advice received by Leicestershire Police.

ISBN 978-1-5286-2928-7
E02679665